



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 6 May 2009.

Ceisteanna — Questions	
Minister for Defence	
Priority Questions	725
Other Questions	734
Adjournment Debate Matters	744
Leaders' Questions	744
Ceisteanna — Questions (<i>resumed</i>)	
Taoiseach	752
Requests to move Adjournment of Dáil under Standing Order 32	760
Order of Business	761
Sea Fisheries and Maritime Jurisdiction (Fixed Penalty Notice) (Amendment) Bill 2009: First Stage	768
Small Claims (Protection of Small Businesses) Bill 2009: First Stage	768
An Bord Bia (Transfer of Functions of An Bord Iascaigh Mhara relating to Fish Marketing) Order 2009:	
Referral to Joint Committee	769
International Tropical Timber Agreement: Referral to Select Committee	769
Ministerial Rota for Parliamentary Questions: Motion	769
Broadcasting Bill 2008 [<i>Seanad</i>]: Report Stage (<i>resumed</i>)	770
Private Members' Business	
Special Educational Needs: Motion	791
Adjournment Debate	
Job Protection	814
Army Barracks	816
Water and Sewerage Schemes	819
Forestry Industry	820
Questions: Written Answers	823

DÁIL ÉIREANN

Dé Céadaoin, 6 Bealtaine 2009.
Wednesday, 6 May 2009.

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2.30 p.m.

Paidir.
Prayer.

Ceisteanna — Questions.

Priority Questions.

Overseas Missions.

57. **Deputy Jimmy Deenihan** asked the Minister for Defence if he is satisfied that Irish troops serving in Chad are receiving the logistical support required following the transfer of authority for the mission from the EU to the UN, with specific reference to the provision of fuel and emergency medical evacuation resources needed to ensure their safety; and if he will make a statement on the matter. [18111/09]

Minister for Defence (Deputy Willie O’Dea): On 15 March 2009, MINURCAT, the United Nation’s-led mission in Chad and the Central African Republic, assumed operational control of the UN force of 2,085 personnel, including 1,877 troops re-hatted from eight EUFOR contributors. An Irish officer, Brigadier General Gerald Aherne, has been appointed deputy force commander in the mission.

In the eight short weeks or so since MINURCAT took over the force, the mission has faced a number of challenges — mainly force generation, a shortfall in helicopter assets and fuel shortages in Chad. In his report last month to the UN Security Council on the MINURCAT mission, the Secretary General indicated that the build-up of the force will be phased, with a period of consolidation prior to the beginning of the rainy season in June 2009. The force was expected to reach its full troop strength of 5,200 by the end of 2009 but this has been revised downwards to 4,700 by that date. As of 30 April 2009, the MINURCAT force strength was 2,400 troops and it is likely to reach 3,000 troops by 30 June 2009. The pace of troop generation has been attributed to the brief period allowed between the UN’s authorisation of the military component of MINURCAT and the deployment of military personnel.

In addition, the UN has only received pledges for ten of the 18 military helicopters detailed in the force requirements. It has urged member states to meet the shortfalls in personnel and air assets, particularly night-capable military helicopters, to ensure that the mission can implement its mandate without constraint. With regard to helicopter support available to the Defence Forces contingent in Goz Beida, two UN helicopters are currently available to the

[Deputy Willie O'Dea.]

Defence Forces serving with MINURCAT. In addition, they have retained the two contracted Mi-8T helicopters to support their operations in Chad. Four helicopters are based in Goz Beida.

The fuel problems being encountered by MINURCAT are common to the whole of Chad, as there is a country-wide fuel crisis. The UN is fully exercised on the issue and all possible sources of fuel for MINURCAT contingents are being investigated by the UN to meet the mission's current needs. This includes the airlifting of fuel from a neighbouring UN mission, which has been ongoing. The UN has indicated that once sufficient fuel stock has been rebuilt in Abeche, it should be prepared for future country-wide crises of this nature. Fuel conservation measures at Camp Ciara, where personnel from the Irish battalion are based, are being constantly reviewed. While there have been some limitations on operations conducted by the Irish battalion, the maintenance of essential "life support" systems in the Irish camp, that is, water, cooking, sanitation, air conditioning, etc., has continued to be prioritised by the Defence Forces. The battalion has retained the capability to react to emergency situations using both air and land assets. Fuel rationing is expected to continue until 1 June when a new UN contract is mobilised.

The situation continues to be monitored closely by the Defence Forces. I am satisfied that all necessary measures are being taken by the UN to address the various difficulties faced by the mission in its transition period.

Deputy Jimmy Deenihan: Is the Minister concerned by the apparent lack of fuel to run generators in the camp, which has led to a shortage of fuel for lighting and vehicles, for example, with the result that the mission is confined to camp and troops are unable to carry out the patrols for which they were deployed? Is he aware the logistical support provided by the UN is not at the same level as when EUFOR was in charge and the UN did not stockpile enough diesel, for example, to ensure that this problem would not happen? It is important that the Minister gives us an assurance that there will be no problem with medical evacuation if fuel is not available or if there is a fuel shortage and a member of the mission is injured in a remote part of Chad and there is no capacity to airlift him or her for medical treatment within the "golden hour".

Deputy Willie O'Dea: It concerns me that there are shortfalls in the mission to date. As Deputy Deenihan is aware, MINURCAT has taken over since 15 March and there are some teething problems. To the best of my knowledge, the fuel crisis was unanticipated. The Irish troops have been sent out to Chad, as have the other MINURCAT troops, to do a job and anything that prevents them doing it to the best of their capacity or capability is of concern to me. It is not true to say that the Irish troops are confined to camp. They have been forced to cut back on some routine patrols due to the fuel shortage. However, I am also assured by the military powers that they have sufficient fuel to undertake any emergency journeys that are necessary or to respond to emergencies either by land or air.

It is expected that the rationing will come to an end in approximately three weeks, but that is not to say there will not be future crises of that nature in Chad. We are on notice of that now. I assure the House that there will not be any problem with medical evacuation. I have discussed that with the relevant personnel in the Army and I have been assured that there will not be any problem. The force commander has put a plan in place for medical and other evacuations. That is part of his brief. The plan is in place and it is ready to be implemented, if necessary.

Deputy Jimmy Deenihan: It is important that a sufficient supply of fuel is available not only for light, but also for air conditioning, which is essential given that temperatures reach 50°

Celsius. It is also important for the movement of people. I did not say the soldiers were “confined to base”. I said they were not going on the number of patrols on which they expected to go and that they were restricted to the base. It will emerge in the next reply that the soldiers cannot even play football in the base. The mission has gone well but the Minister needs to take a more hands-on approach due to the threat that exists. We need more logistical backup than when the mission was a European one.

Deputy Willie O’Dea: As we will see in the reply to the next question, the restriction on playing sports has nothing whatsoever to do with the fuel crisis.

Deputy Jimmy Deenihan: No, but I am just——

An Leas-Cheann Comhairle: We will not anticipate the next question.

Deputy Willie O’Dea: We will come to that. I was merely responding to something Deputy Deenihan said.

Deputy Jimmy Deenihan: The troops are confined to base.

Deputy Willie O’Dea: The troops are not confined to barracks. They are not able to engage in some routine patrols due to rationing of fuel. Fuel usage has been prioritised for life supports systems in the camp such as air conditioning, to which Deputy Deenihan referred, and lighting and heating. I am advised that the situation should substantially be resolved within the next three weeks, in which case, I hope, we will be back to full operational capacity.

Deputy Jimmy Deenihan: Hopefully.

58. **Deputy Brian O’Shea** asked the Minister for Defence the restrictions placed on Defence Forces personnel serving in Chad in terms of sporting activities in which they are permitted to engage; and if he will make a statement on the matter. [17791/09]

Deputy Willie O’Dea: In exercising his statutory duty of care to his troops, the Irish commander of the 99th infantry battalion deployed with the United Nations Mission in the Central African Republic and Chad, MINURCAT, conducted a risk assessment of all activities, including sporting activities, carried out by personnel deployed in the theatre of operations.

It was the commander’s assessment that the risk of hospitalisation or permanent repatriation of personnel due to sports injuries was not acceptable to him as all personnel are required for operational deployments on immediate notice. He, therefore, imposed a ban on competitive contact and other sports such as soccer and volleyball. A wide range of sporting activities including unarmed combat skills, running and the use of a well equipped gymnasium remains available to troops based in Camp Ciara.

Deputy Brian O’Shea: The Minister said the decision was taken in light of the need to have all troops ready for duty and that permanent repatriation was not something that could be countenanced. How many troops have been permanently repatriated since the Irish troops went to Chad? Has this kind of restriction ever been imposed before for troops on overseas missions?

If I understood the Minister correctly, the two sports that are banned are soccer and volleyball. Are other physical contact sports banned or is it possible for troops to play them?

Deputy Jimmy Deenihan: Volleyball is not a physical contact sport.

Deputy Brian O’Shea: I was puzzled how volleyball could be one of the sports that is restricted. What sports are restricted? Is this bad for morale? Physical contact sports, be they in Chad

[Deputy Brian O'Shea.]

or in Ireland, are a good way of letting off steam and of relaxing at the end of the day. The soldiers in Chad are in a pretty tough environment.

I understand that there was a significant cost in repatriating one soldier who was working in Chad. I also understand that he had to be accompanied by a medical person. Is that the real reason? Is it a financial consideration, or is it the health and safety issue to which the Minister alluded in his reply?

Deputy Willie O'Dea: There are a number of issues in the Deputy's statement. I do not know whether this restriction is being imposed on other missions, but I can find out for him. The force commander has a responsibility and a duty of care to look out for the health and safety of troops under his command. The reality in Chad is that the ground is extremely hard. Some of the sports are played out on open ground and when people fall, it tends to have a much greater impact on their bodies than falling in a field in Ireland, where the ground is not nearly as hard. While we would prefer it if there was no ban on any type of sporting activity, the force commander has a duty of care for the health and safety of the troops under his command. It is not a question of finance, but a question of the health and safety of the troops under the commander's jurisdiction.

The force commander is the person in place on the ground. He knows what is more likely to endanger health and safety and what is likely to do so. The force commander imposes these detailed rules and keeps the situation under ongoing review. It would not be appropriate for me to be trying to designate one sport over another in Chad from a safe distance in Dublin. I have been informed by the military that the force commander in Chad is trying to be as flexible as possible. While rugby probably is not allowed, as it is a very physical game, football kickabouts are allowed. I can ascertain the precise nature of what is allowed but it is a matter more appropriate to the force commander on the ground.

I believe 34 or 35 troops have been repatriated so far. The grounds on which they were repatriated are divided equally between medical grounds and humanitarian grounds. There was one case that did not fall into either category, as I believe the person was simply asked to go home. The individual mentioned by the Deputy broke his collar bone. He had to be repatriated at short notice. The cost was high, as the medic had to travel with him and come back again. The cost of the return flight was included in that. Commercial air companies charge in accordance with the amount of notice. The shorter the notice, the greater the charge. By definition, these things are done at very short notice. The cost for the other 33 or 34 people who were repatriated is much less per individual, and the total cost for them was around €60,000.

Deputy Brian O'Shea: The Minister's reply only goes so far. He has not told me how many people were repatriated due to sports injuries.

Deputy Willie O'Dea: I said 34 or 35.

Deputy Brian O'Shea: Were they all repatriated due to sports injuries?

Deputy Willie O'Dea: No, I meant 34 or 35 in total.

Deputy Brian O'Shea: The question was about the number sent home due to sports injuries. Can we overdo the health and safety aspect? Deputy Aylward would be very much aware of a serious enough injury to one of the Kilkenny players in last Sunday's league final. Should we ban hurling because we have occasional injuries? Are we overdoing it here? People in the Army are physically fit and they want to indulge in contact sports.

The Minister is not providing evidence that there was a great number of injuries. As far as I am aware, only one such injury has been recorded. Is this sufficient reason to deny physical contact sports to our troops to whom, I believe, sport is important in terms of morale?

Deputy Willie O’Dea: While I do not believe health and safety should be the sole criterion in this regard, we cannot totally ignore it. As far as I am aware, one soldier suffered a serious injury as a result of engaging in sport. Anybody who has visited the region will know that the ground in the area is not suitable for sports involving bodily contact.

The commander, the Government and I as Minister have a duty of care in terms of the health and safety of personnel. We are on notice that certain of these activities can result in serious personal injury to people already in a hostile environment and who run the risk of injury owing to their duties. I know for a fact that the Force commander on the ground is being as flexible as possible in this regard.

There is no suggestion that all sporting activity is banned. Personnel can engage in running and they have access to a first class gymnasium which includes such facilities as mats for engagement in judo and other self defence activities which may assist personnel in warding off assaults. A wide range of activities is provided. The ban applies in respect of those activities, which in the judgment of the Force commander on the ground, are most likely to give rise to serious personal injury thus causing a person to be repatriated from Chad.

Overseas Missions.

59. **Deputy Jimmy Deenihan** asked the Minister for Defence if the Defence Force personnel serving in Chad beyond 15 March 2009 and returning to Ireland in May 2009 will be eligible for the award of a UN Minurcat Mission Medal; and if he will make a statement on the matter. [18112/09]

Deputy Willie O’Dea: Medals are awarded to members of the Defence Forces on the basis of various criteria, including length of service, service overseas and for acts of bravery associated with such service at home and overseas. Members who serve overseas on UN missions or UN mandated missions, subject to certain criteria, are eligible for the award of the United Nations peacekeepers medal. This medal is awarded only once to an individual, irrespective of the number of overseas missions completed during his or her career.

In addition to the peacekeepers medal, a member who serves overseas may also be eligible for the award of a mission-specific medal by the international organisation responsible for the mission. Accordingly, in this instance, qualifying personnel currently deployed to Chad as part of the EUFOR Chad/Central African Republic, CAR, mission were awarded European Security Defence Policy, ESDP, EUFOR service medals prior to being, to use the term, “rehatted” to the United Nations MINURCAT mission on 15 March 2009.

The qualifying criterion for the award of a UN MINURCAT medal is at least 90 days service in the theatre. Consequently, personnel returning in May will not be eligible for the award of this medal. However, it must always be borne in mind that the medals are awarded not by the Irish Defence Forces but by the international organisation in question. Furthermore, owing to the importance placed on the award of medals and in order to preserve the sense of value and entitlement attached to same, it is policy that only one service medal per tour of duty is recognised.

Personnel deployed to Chad beyond 15 March 2009 or, those personnel who were ineligible for an ESDP EUFOR service medal, will be eligible for the award of a UN MINURCAT mission medal provided they meet the qualifying criteria as set down by the UN, namely, at least 90 days service.

Deputy Jimmy Deenihan: In view of the fact that the mission spent only one month as a EUFOR mission and will spend three months as a UN mission, surely it would be more appropriate to provide the personnel with a UN peacekeeping medal, which, as I understand it, is what the majority of the mission wants.

I ask that the Minister make personal representations to the Force commander with whom remit for the provision of these medals rests. Will the Minister make representations, through the UN or Irish representatives, to the Force commander that consideration be given to the award of these medals. Also, there is precedent in regard to the granting of the peacekeeping medal. Members of the Naval Service served 60 days in Lebanon and were granted the UN peacekeeping medal at that time. There is precedent. This is quite a serious issue. I will certainly campaign on behalf of these people because they feel very strongly about it. They are representing us in very hostile conditions. Surely they deserve this honour. At the end of the day what these people, who were on foreign missions and who risked their lives for us and for world order, have is just that badge of honour — that medal — to show they served there. The UN peacekeeping medal is very highly regarded by any military person in the world, never mind Ireland.

Deputy Willie O’Dea: I understand that people who served 30 days and moved from the EUFOR mission straight into the MINURCAT mission will be entitled to an ESDP medal. The question is whether they will have served sufficient time to also get a MINURCAT medal. As the Deputy knows, only one medal is recognised per tour of duty. The Deputy says that those involved would regard it as more appropriate to get the MINURCAT medal because it represents longer service and he is concerned that some might fall just short of the 90 days. In that case, the United Nations, as the organisation responsible for the mission, can break its own rules, as it were, and make exceptions for those who fall just short of the 90 days. If the Deputy thinks it is appropriate and he wishes me to make representations through our people to the force commander who is representing the United Nations on the ground, I would be happy to do so.

Deputy Jimmy Deenihan: I welcome the Minister’s response and I recognise that he is taking the matter very seriously. If he could make direct representations to the force commander in whose remit, I understand, is the granting of these medals, I believe those medals will be awarded. However, it needs that representation from the Government through the Minister to achieve this objective.

Deputy Willie O’Dea: We will be talking to the representative associations about the matter. Some people may be entitled to the ESDP medal but fall just short of the service required for the MINURCAT medal. Some people might not even be entitled to the ESDP medal and also fall short of the service required for the MINURCAT medal, although I do not think that situation arises. If such people believe the MINURCAT medal would be more appropriate, I am prepared to make representations for them.

Defence Forces Equipment.

60. **Deputy Brian O’Shea** asked the Minister for Defence the way the saving of 48% will be achieved in Air Corps equipment and expenses in 2009; and if he will make a statement on the matter. [17792/09]

Deputy Willie O’Dea: The reduction in the provision for the Air Corps this year should be seen in the context of the very significant investment in new equipment for the Air Corps in recent years. This comprehensive investment programme included the delivery of eight Pilatus

training aircraft at a total cost of €60 million, inclusive of VAT; two light-utility EC135 helicopters acquired from Eurocopter SAS at a cost of €12.8 million, inclusive of VAT; six utility AW139 helicopters acquired from AgustaWestland, Italy, at a cost of €75 million, inclusive of VAT; and a major mid-life upgrade on the two CASA maritime patrol aircraft, at a cost of €16.5 million. The total cost of these programmes is considerably in excess of €160 million, which I am sure the Deputy will agree is a very substantial amount of money, far exceeding any previous level of expenditure on such equipment for the Air Corps.

There is no provision in this year's Air Corps subhead for the purchase of aircraft. The AW139 helicopter programme and the CASA upgrade were both finalised in 2008 and this accounts for the significant reduction in the 2009 provision *vis-à-vis* 2008. The allocation for 2009 is sufficient for the day-to-day operations in the Air Corps and will not affect its operational capability.

Deputy Brian O'Shea: My recollection is that the October budget called for a reduction of 44% and it has now moved to 48%. Where is the additional reduction of 4% implemented? Between the fixed-wing aircraft and helicopters, there are no fighter aircraft on the list. Does the Air Corps' lack of fighter aircraft represent a deficiency in the training of our pilots? Have there been discussions with the Garda and the Revenue Commissioners on the use of military aircraft in support of the civilian power's fight against drug and arms smuggling, which are all too prevalent, as the Minister knows from his city?

Deputy Willie O'Dea: My understanding is that the 4% relates to a reduction in the payroll. No submissions or representations have been made to me to the effect that our lack of fighter aircraft interferes with training. A function of the Defence Forces, including the Air Corps, is to act as an aid to the civil power, namely, the Garda Síochána. I presume that the Revenue Commissioners are included in this. Discussions are always ongoing between the military authorities and the Garda and Revenue Commissioners.

Deputy Brian O'Shea: How will the 4% saving in payroll costs be achieved?

Deputy Willie O'Dea: As the Deputy may know, we stopped recruiting in late 2008. When people retire, they will not be replaced. Generally speaking, this is how we will proceed.

Deputy Brian O'Shea: Is the figure as high as 4%? If pensions are counted under a separate head, the 4% figure is not a net saving in the Department's overall budget. Or is it the case that, if the Air Corps is not recruiting, it is not replacing those who retire?

Deputy Willie O'Dea: At the moment.

Deputy Brian O'Shea: To achieve the 4%, how many positions in the Air Corps will not be replaced?

Deputy Willie O'Dea: I will get the exact figure for the Deputy, but the Air Corps is close to its authorised maximum figure.

Defence Forces Strength.

61. **Deputy Jimmy Deenihan** asked the Minister for Defence the implications of the moratorium on promotions and recruitment in the Defence Forces for the capability of the organisation to fulfil its role in aid to the civil power and its overseas commitments; and if he will make a statement on the matter. [18113/09]

Deputy Willie O’Dea: The recent Government decision on savings measures on public service numbers is being implemented in the Defence Forces. The implications of the decision are under consideration by my officials in consultation with the military authorities and the Department of Finance.

I am advised that the Defence Forces retain the capacity to undertake the tasks laid down by the Government at home and overseas. The Defence Forces have improved in every respect since 2000 through the implementation of the White Paper. This represents a significant public service success story. The organisation is therefore in a healthy state in terms of personnel and equipment.

The economic reality is such that the Government decision must be implemented. It can be anticipated that further flexibility and restructuring will be required arising from the implementation of these measures. Therefore, I intend, within the resources available, to retain the capacity of the organisation to operate efficiently across all roles. This will represent a significant challenge in the coming years and one in respect of which I will work closely with the Chief of Staff.

Deputy Jimmy Deenihan: I am sure the Minister would agree that the Defence Forces, as an organisation, are based on promotion. It is critical that people be promoted to ensure a young, fit, streamlined and effective defence force.

Will there be a cadet intake this year? If not, it will be for the first time in the history of the State. Has the Minister discussed with the Minister for Finance the critical appointments that the former must make within the Defence Forces to ensure that they can carry out their role in aid to the civil power and participate in future overseas missions? I would like the Minister to answer these two critical questions.

Deputy Willie O’Dea: There were a number of points. I understand the Deputy’s comments on promotion. A question arises as to whether people who have gone through most of the promotional process, up to and including the medical stage, can be put through the system. This is a matter I will discuss with the Minister for Finance.

No cadet intake is planned for this year——

Deputy Jimmy Deenihan: That is a disgrace.

Deputy Willie O’Dea: ——as matters stand. While Deputy Deenihan is aware there has been a cadet intake into the Army every year since the early 1980s, there is a recruitment embargo at present. Incidentally, a number of other issues arise in this regard, such as the question of fixed short-term contracts, when people have an expectation or commitment to go on to become full-time officers in the Army. I must ascertain what is the status of such contracts. Even in respect of general service enlistment, the Deputy is aware that the system works by taking on a recruit for the first five years, after which he or she continues for either four or seven years and then ultimately for the balance of 21 years. The question arises as to whether this system is affected although in my view it is not, because it involves neither recruitment nor promotion.

The House will be aware that I can discuss such matters with the Minister for Finance and seek appropriate exemptions. My commitment as Minister for Defence is to maintain the operational capacity of the Army in order that it will be able to meet the tasks it must undertake at home and abroad. I am satisfied that even with the recruitment embargo in place, within the next year it will be fully equipped to do what it must do both at home and abroad. As I noted, I am taking some advice on some of the technical matters to which I have adverted and when

that is done, I will discuss the matter with the Minister for Finance. That option is open to me and I intend to avail of it.

An Leas-Cheann Comhairle: Deputy Deenihan may ask a brief supplementary question.

Deputy Jimmy Deenihan: The fact there will be no cadet recruitment this year comes as something of a bombshell and certainly will affect the future operational capacity of the Defence Forces. I would not wish to be in the Minister's position and to be obliged to stand over and explain this decision to the Defence Forces. Will the Minister give Members an assurance today that aid to the civil power and future overseas missions will not be affected by this decision? For example, what now will be the fate of those Air Corp pilots who are on a 12-year contract at present and who have been trained at enormous expense to the State? I also refer to soldiers who joined on the basis that promotion was a prerequisite of having their contracts extended. If such soldiers will not be promoted, will they now be obliged to leave the Defence Forces?

An Leas-Cheann Comhairle: An tAire, for a final reply.

Deputy Willie O'Dea: I stated in my initial reply that I am quite satisfied and will ensure in my talks with the Department of Finance that the capacity of the Army to do its job, both as an aid to the civil power and in performance of its overseas duties, will not be materially affected by the recruitment embargo. As for cadet recruitment, I did not state there would not be a recruitment competition this year. I stated that recruitment of cadets has been suspended for the present.

Deputy Jimmy Deenihan: When will they be recruited? They must be recruited before September to go to college.

Deputy Willie O'Dea: For the present.

Deputy Jimmy Deenihan: However, they go to college——

An Leas-Cheann Comhairle: Allow the Minister to reply.

Deputy Willie O'Dea: Just a minute.

Deputy Jimmy Deenihan: ——and they will have filled out their CAO forms.

Deputy Willie O'Dea: Recruitment is suspended for the present, pending my talks with the Minister for Finance.

As for the technical questions raised by Deputy Deenihan, these all are matters which are being discussed at present. I am discussing them with the representative organisations and the military authorities and, ultimately, I will discuss them with the Department of Finance.

I am not taking these measures happily in respect of recruitment. I am doing this because the Government must take a grip on public finances in Ireland. Deputy Deenihan's party consistently states that the Government has let the public finances slip out of control and that it must take immediate action to bring them back into line. However, the difficulty is that Fine Gael is in favour of general saving but particular expenditure. Each time the Government takes action to bring the finances back into line, Fine Gael opposes that particular action, which seems to be downright inconsistent and hypocritical.

Deputy Jimmy Deenihan: There are other areas.

Deputy Willie O’Dea: I reiterate I am satisfied the Army will be capable of doing its job both at home and overseas. As for recruitment, it has been suspended across all branches of the Army for the present. However, this is a matter I will discuss with the Minister for Finance.

Deputy Jimmy Deenihan: This measure will decimate the Army.

Other Questions.

Defence Forces Strength.

62. **Deputy Billy Timmins** asked the Minister for Defence if recruitment to the Reserve Defence Force and the Cadets has been suspended for 2009; and if he will make a statement on the matter. [17939/09]

Deputy Willie O’Dea: The Government introduced a moratorium on recruitment to the public service with effect from 27 March 2009. In this context and given the reduced budgetary provision available for 2009, all recruitment to the Defence Forces, which includes both the Reserve Defence Force and the cadets, has been suspended for the present. The moratorium and the reduction in the pay budget were introduced as a cost saving measure to achieve necessary savings in the pay bill in the public sector. These savings will have to be achieved.

However, the implementation of the moratorium will require careful management. I have asked my officials, in consultation with the military authorities, to review all of the implications of the moratorium for the defence organisation and to identify any key priority issues that may require further consideration. My officials will also be working closely with officials from the Department of Finance. My objective is to ensure that the moratorium is managed in a manner that meets the Government’s objectives and ensures the best outcome possible for the defence organisation as a whole. I assure the House that any recruitment in 2009 will prioritise the operational requirements of the Defence Forces.

Deputy Jimmy Deenihan: The Defence Forces has accepted cutbacks since the White Paper was introduced. Massive savings have been made and if every other Department had accepted the same level of cutbacks, we would not be in the position we are in now. Can the Minister be clear that there will be no recruitment to the Reserve Defence Forces this year? I remind the Minister that a large number of young people went through the process, training and education only to be told that they will not be part of the reserve. They are very disillusioned with that type of planning. It is hard to explain to them why they cannot join.

Can the Minister be more specific on the issue of cadets? Young people are planning for September, when people go to college. The Minister says the programme is suspended. When will he make an announcement so that people can plan for September? The cadet force is vital for the future of our Defence Forces. They are the future leaders of our Defence Forces. Morale is low enough in the Defence Forces. It will be a major blow to the Defence Forces if the Minister implements the policy.

Deputy Willie O’Dea: I do not accept that morale is low in the Defence Forces. The Department of Defence has been very responsible in expenditure since the White Paper. It is probably the best behaved Department in the State from the point of view of public expenditure.

Deputy Jimmy Deenihan: Yet, the Department is now punished for it.

Deputy Willie O’Dea: Nevertheless, we are in difficult economic times and each Department must accept a certain amount of pain. Considering the figures, the Department is accepting less of the pain than others in recognition of what it has achieved in the past.

I am acutely aware of those who went through the process and were then told they cannot join the reserve. I am discussing this matter with the Department of Finance and my officials. I will make an announcement on the cadets as soon as I have had talks with my colleague, the Minister for Finance.

Deputy Brian O’Shea: I received representations from an individual in south Tipperary who indicated that there were 20 people in the recruitment process. The recruitment process has stopped because of the announcement of the embargo on 27 March. The great fear is that this group is becoming disillusioned and will be lost forever. That could have a knock-on effect on attracting others. It is vital that the blunt instrument approach of the embargo is dealt with. In regard to the Reserve Defence Force, I take it the Minister will take the case to the Minister for Finance to get leeway in respect of these people. I understand it takes several months to come through that process. Will the Minister seek leeway for such people to complete the process?

Deputy Willie O’Dea: The difficulty is we have only a certain amount to pay people who engage in training.

Deputy Brian O’Shea: Some people have indicated they would go without the payment.

Deputy Willie O’Dea: I understand that. My officials have a difficulty with the idea of a sort of two-tier reserve, with one group entitled to take up paid days while another group is excluded. That is one side of the story. The other side relates to the Deputy’s valid point that we want to include people if possible. They have evinced an interest in the matter and it is damaging to morale and disillusioning to be told at this late stage in the process that they must be excluded. I am acutely aware of this and I will try to sort it out if I can.

Deputy David Stanton: I have two brief questions for the Minister. With regard to the Reserve Defence Force, how much does the Minister envisage he will save by stopping recruitment in a full year for the forces and cadets? He indicated this was a cost-saving measure. Will the recruitment embargo in the Reserve Defence Force have a knock-on effect on training camps in the current year? Will there be a reduction in the number of man days at camps? Will he provide details of this?

Deputy Willie O’Dea: A saving, particularly as regards public expenditure, can sometimes consist of an accumulation of small savings. I imagine the amount is quite small but it is part of an overall pattern.

Deputy David Stanton: Does the Minister have a figure?

Deputy Willie O’Dea: I will get the figure for the Deputy. On the question regarding man days, just in excess of 81,000 man days were utilised last year and this year we have provision for 60,000 man days, according to the difference in financing. I believe that is something in the order of €2 million but I will get the exact figure for the Deputy.

Military Uniforms.

63. **Deputy Ulick Burke** asked the Minister for Defence the arrangements in place regarding uniforms for female members of the Defence Forces during pregnancy; if a maternity wear uniform is available; and if he will make a statement on the matter. [17869/09]

Deputy Willie O'Dea: A maternity wear uniform was introduced into the Defence Forces in the middle part of the 1990s. The provision of this type of uniform has been an evolving process. There have been many design and specification changes over time in response to reviews and submissions on the need for change or alteration to the uniform. This change process has always had at its core the needs and comfort of the individual.

The Defence Forces clothing committee is tasked with the oversight and implementation in regard to all orders of military dress. In this connection, a working group was tasked with reporting on female clothing, in particular in the Defence Forces. This working group continually updates the main committee and has as one of its current tasks a review of maternity uniform.

Recommendations for changes to specifications, textiles and design will be incorporated into the final report of the working group. The Defence Forces meets or exceeds the best international military standards in the design and specification for all orders of military dress, including maternity wear uniform.

Deputy Jimmy Deenihan: This question was put down because an inquiry was received from some of the female members of the Defence Forces. As the Minister is probably aware, despite his campaign to enlist more females into the Defence Forces, in general, women are not overly enthusiastic about joining up. The Minister must give them every possible encouragement and this is one area where it is only common sense as female members of the Defence Forces would like, when serving their duties, to be able to wear their uniforms.

At this stage I understand that towards the end of pregnancy, women must wear civilian clothes as they cannot wear a uniform. It should be a very simple matter to design a uniform to accommodate these people. The special clothing committee could surely report on this very rapidly and its recommendation could be accepted by the Minister or chief of staff.

Deputy Willie O'Dea: We must do everything to encourage more females to join the Defence Forces because at present, they make up just over 5% of the force. I agree with the Deputy on that point. However, female members of the Defence Forces who are pregnant are not deployed on overseas duties. In addition, if they are members of the Naval Service, they are not be deployed at sea and if they are members of the Air Corps, they are not expected to fly.

I am aware that certain of the representative organisations have made representations to the effect that some female members of the Defence Forces would prefer to wear civilian clothes while they are pregnant. The military authorities have a difficulty with this because they say that, by definition, the Army is a uniformed force.

A great deal of work has been done on the design and specification of maternity uniforms for female members of the Defence Forces who are pregnant. Despite this, however, difficulties continue to obtain. From that point of view and from being aware of the position, I have asked the working group to report to me as quickly as possible. I would be well disposed to accept its recommendation in this regard. I am advised that, in the context of its design and specification, the maternity uniform that is available at present meets best international standards. If improvements can be made and if I obtain the appropriate submission, I will respond.

Deputy Jimmy Deenihan: If a working group is considering the matter then clearly, the uniform is not suitable. The issue of pregnant personnel being on duty does not arise. However, when these individuals are in the office or back at base, they like to be in uniform. These women want to wear that in which they feel comfortable; that is why they resort to wearing their civilian clothes. This is not a major issue to everyone but it is important to those involved.

It is vital that the small percentage of females serving in the Defence Forces who are pregnant should be accommodated and should be made to feel as comfortable as possible.

Deputy Willie O’Dea: I accept that it is not a question of people being on duty. I was merely making the point that the Defence Forces do not ignore the fact that people might be pregnant.

I take the Deputy’s point that Defence Forces personnel want to feel as comfortable as possible. The uniform was last redesigned in the mid-1990s. If improvements can be made — and in light of developments in the interim — I will be very disposed to accepting the recommendation when I receive it. I have asked the working group to report as quickly as possible.

Naval Service Vessels.

64. **Deputy Jan O’Sullivan** asked the Minister for Defence if he will ensure that a preventative maintenance manual will be developed for each vessel in the Naval Service as recommended in the value for money review of Naval Service vessel maintenance; and if he will make a statement on the matter. [17787/09]

103. **Deputy Jan O’Sullivan** asked the Minister for Defence if he will establish a dedicated maintenance management team for Naval Service vessel maintenance as recommended in the value for money review of Naval Service vessel maintenance; and if he will make a statement on the matter. [17786/09]

Deputy Willie O’Dea: I propose to answer Questions Nos. 64 and 103 together.

The the value for money review of Naval Service vessel maintenance was recently completed and was laid before the Houses of the Oireachtas earlier this month. The review comprehensively examines all aspects of Naval Service vessel maintenance and was undertaken by a steering committee comprised of civilian personnel from the Departments of Defence and Finance and military personnel from the Defence Forces. The review discovered there was a low incidence of unscheduled maintenance resulting in lost patrol days and that the maintenance function was appropriately focused on supporting the operational targets of the Naval Service. This is underpinned by an ongoing programme of planned preventative maintenance.

The recommendations to which the Deputy’s questions refer are but two of a range of such recommendations aimed at improving the maintenance function within the Naval Service. The recommended completion of a planned preventative maintenance manual for each vessel and the introduction of a dedicated maintenance management team will enhance the co-ordination of maintenance resources within the Naval Service.

The planned preventative maintenance manuals will contain a detailed list of maintenance activities on a ship-by-ship basis outlining the number of personnel required to complete each task, the necessary parts and consumables, the frequency of task and an estimate of the duration of each task. This will inform maintenance planning and provide a basis for better monitoring of the efficiency of maintenance tasks undertaken. As noted in the review, the Naval Service has already commenced work on these manuals.

The review recommended the establishment of a dedicated maintenance management team. This team will complement and draw from the existing management structures and will provide high-level and centralised co-ordination of maintenance execution. This will ensure that maintenance resources are optimally deployed in line with maintenance priorities. The Naval Service has established this team, the work of which is ongoing.

I am pleased that many of the issues highlighted by the steering committee in the review were already being addressed by the Naval Service and that many of the recommendations identified during the course of the review were quickly acted upon, where possible. The defence

[Deputy Willie O'Dea.]

organisation has a good track record of implementing the findings of value for money reviews and I am confident that the further recommendations outlined in this review will be acted upon in due course.

Deputy Brian O'Shea: I was surprised to discover that there is not a preventative maintenance manual for each vessel. I would have thought that such manuals would be provided as a matter of course. Are makers' maintenance manuals not provided with each vessel? Such manuals are provided with motor cars and surely they must also be provided with large vessels. It is also extraordinary that an overall management team is not in place. The Minister stated that these matters will be dealt with in due course. Is that good enough, particularly if that which we are discussing is important in the context of ensuring better efficiency and value for money and bringing about savings? Should the Minister not focus on these matters immediately and ensure that prompt action is taken in respect of them?

Deputy Willie O'Dea: I agree with the Deputy. The management team has already been put in place and work on the preventative maintenance manuals has already commenced. The value for money review highlighted a number of issues, on many of which the Naval Service was already working. As already stated, the Department of Defence has a good record in implementing the findings of value for money reviews. In view of the fact that the management team has been established and that work on the preventative maintenance manuals has already begun, it is evident that the response has been prompt.

Deputy Brian O'Shea: So the management team has been established.

Deputy Willie O'Dea: Yes.

Deputy Jimmy Deenihan: One of our naval vessels will soon be 30 years old and will by that stage have outlived its usefulness. It is possible that, due to cutbacks, this vessel may not be replaced in the immediate future. Will the Minister clarify whether it will be replaced? If the vessel is to be retained, then it is important that it be properly maintained. Maintenance is going to be extremely important not only in the context of the vessel in question but also with regard to the other two vessels that are due to reach the end of their operational lifespans in the next two to three years.

Deputy Willie O'Dea: The value for money review discovered there was a low incidence of unscheduled maintenance resulting in lost patrol days. However, it also discovered that the situation could be improved in two ways. The first of these is by putting in place a dedicated maintenance management team in place, which has been done, and the second is by drawing up preventative maintenance manuals for each ship, work on which has already commenced.

I agree that the economic situation may impact on the replacement of naval vessels. To date, however, I have not received instructions to the effect that I should not proceed in this regard. A system is in place to replace the vessels in question and I have not, as yet, been informed that I should discontinue the process of replacement.

Deputy Brian O'Shea: I take the Minister's point with regard to the fact that restrictions have not been placed on him in the context of proceeding to acquire the three new vessels that are needed. However, should a cost-benefit analysis not be carried out in respect of the older vessels, particularly in view of the fact that maintenance costs begin to increase and stack up as vessels get older and become decrepit? A balance must be struck between maintaining older vessels and purchasing new vessels which would require a much lower level of unscheduled maintenance. The purchase of such vessels would lead to savings being made.

Deputy Willie O’Dea: I would appreciate all the assistance Deputy O’Shea can provide when I am discussing this matter with the Department of Finance. It is true that the older a vessel, the more difficult and expensive it is to maintain. The position will improve as a result of the implementation of the recommendations in the value for money review. We are all aware that approximately 30 years is the extent of the operational lifetime of any vessel. It is much better than vessels be replaced as the end of that 30-year period approaches. As already stated, I have put in place plans to replace the vessels that are nearing the end of their operational lifetimes. I have not, as yet, been instructed to discontinue the process in this regard.

Departmental Properties.

65. **Deputy David Stanton** asked the Minister for Defence the action he has taken to expand the naval base at Haulbowline, County Cork; and if he will make a statement on the matter. [17793/09]

Deputy Willie O’Dea: Haulbowline Island comprises approximately 84 acres. The property is vested in the Minister for Finance. The Naval Service currently occupies approximately 40 acres and these lands are administered by my Department. The balance of the island lands were formerly under lease to Irish Ispat, formerly Irish Steel, prior to the liquidation of that company.

The Department of the Environment, Heritage and Local Government has lead responsibility for the remediation of the Ispat site while the Department of Enterprise, Trade and Employment has responsibility for the future use of the area of Haulbowline Island that is not part of the naval base. My Department has signalled Naval Service interest in the future use of the site to both Departments. The Naval Service interest in the site relates primarily to meeting the berthage needs of the naval fleet. The Naval Service has also expressed interest in acquiring part of the former Ispat site to consolidate the existing naval base while also providing better access.

My Department is also represented on the working group, under the aegis of the Department of Enterprise, Trade and Employment, concerning the future of the former Ispat site and will make its requirements known when this group meets.

Deputy David Stanton: I thank the Minister for that response. How soon does the Minister envisage the Naval Service and his Department taking over a part of the island for berthing purposes? Will he agree it is essential that expanded berthing facilities be made available because there is not enough room for the naval ships, which is causing a difficulty; that the solution lies there and that it would not take much to expand now? Has he had discussions with the Minister for the Environment, Heritage and Local Government on this matter? Would he exploit this position?

Deputy Willie O’Dea: I agree we need more territory. Deputy Stanton is correct about that. We have expressed our interest in acquiring more for the reasons he stated. I understand this matter will shortly become live when the working group under the aegis of the Department of Enterprise, Trade and Employment meets. I understand it is about to be established and we will be represented on that working group. The sooner that working group meets, the better from our point of view. We have a great interest in expanding somewhat in that location for the reasons the Deputy stated.

Deputy David Stanton: Can the Minister give a timescale for that? Are we talking about weeks, months or years before a decision is made on this matter?

Deputy Willie O'Dea: It certainly will not be years. I am informed it will be very shortly. I will try to get a more precise timescale for the Deputy.

Reserve Defence Force.

66. **Deputy Noel O'Flynn** asked the Minister for Defence the impact the moratorium on recruitment to the public service is having on the Reserve Defence Force; if he expects the numbers in the RDF to decline in 2009 and 2010; the discussions he is having with the Reserve Defence Force's representative association; and if he will make a statement on the matter. [17720/09]

69. **Deputy David Stanton** asked the Minister for Defence his plans for the future of the Reserve Defence Force; and if he will make a statement on the matter. [17794/09]

83. **Deputy Jack Wall** asked the Minister for Defence the reason he is not proceeding with plans to allow members of the Reserve Defence Force to serve overseas; and if he will make a statement on the matter. [17773/09]

84. **Deputy Seán Sherlock** asked the Minister for Defence if he is considering proposals for the disbandment of the Reserve Defence Force; and if he will make a statement on the matter. [17782/09]

89. **Deputy Brian O'Shea** asked the Minister for Defence if there will be recruitment into the Reserve Defence Force during 2009; and if he will make a statement on the matter. [17467/09]

97. **Deputy Jim O'Keeffe** asked the Minister for Defence if he will confirm that the Reserve Defence Force is working effectively and efficiently; and if he will make a statement on the matter. [17788/09]

99. **Deputy Jim O'Keeffe** asked the Minister for Defence if he will confirm that the phased enhancement of Reserve Defence Force capabilities provided for in the Reserve Defence Force Review Implementation Plan will be completed. [17789/09]

104. **Deputy Jimmy Deenihan** asked the Minister for Defence if there will be recruitment to the Reserve Defence Force in 2009; and if he will make a statement on the matter. [17525/09]

Deputy Willie O'Dea: I propose to take Questions Nos. 66, 69, 83, 84, 89, 97, 99 and 104 together.

The Reserve Defence Force review implementation plan provides for the phased enhancement of the Reserve over the period from 2004 to the end of 2009. Significant progress has been made to date in implementing the plan. The Reserve has been re-organised along similar lines to the Permanent Defence Force. There has been increased investment in the Reserve with new equipment and clothing and opportunities for improved training. Pilot schemes for the introduction of the integrated Reserve were conducted in 2007 and 2008 and plans to send members of the Reserve overseas by the end of 2009 were at an advanced stage.

As the Deputies will be aware, the Government has introduced a moratorium on recruitment to the public service with effect from 27 March 2009. As with the public service generally, the defence organisation is required to operate with reduced funding for 2009. In this context, all recruitment to the Reserve has been suspended for the present.

The moratorium and reduced budgetary provision have also prevented the recruitment of members of the Reserve to the Permanent Defence Force for the purpose of overseas service and this project has been postponed for the foreseeable future. This is a disappointing develop-

ment for those members of the Reserve who had volunteered as candidates for overseas service and I would like to thank them for the dedication and interest they have shown.

It is not possible at this time to predict the impact that the suspension of recruitment will have on the Reserve. The trend over recent years has shown a decline in applications for membership of the Reserve but the changed economic environment could halt this trend. This situation will be closely monitored.

It is clear we are facing challenging times and the reduction in funding for 2009 has impacted on the Reserve as it has the broader defence organisation. However, there are no plans to disband the Reserve Defence Force and I am not considering any proposals in this regard. While the budgetary provision for the training of members of the Reserve has been reduced, it will be sufficient to allow all current members of the Reserve to undertake paid training this year.

Discussions are ongoing with the Reserve Defence Force Representative Association on a range of issues relating to the Reserve.

As the Reserve Defence Force review implementation plan is reaching its conclusion, options for the future development of the Reserve will be considered. This will be informed by the lessons learned from the implementation process. In addition, the Reserve Defence Force has been selected for review as part of the 2009–11 phase of the Government's value for money and policy review initiative. This review will include an examination of the efficiency and effectiveness of the Reserve. It is anticipated that this review, together with the general budgetary situation, will also assist in informing decisions regarding the future of the Reserve.

Deputy Jimmy Deenihan: Will the Minister tell the House the numbers currently in the Reserve Defence Force, the establishment number as projected in the White Paper and the reason for the difference? Also, will he outline the efforts he is making to recruit to the first line Reserve? Major emphasis was put on the first line Reserve, which would involve recruiting people formerly in the Permanent Defence Force. Those people would be better equipped to serve overseas, for example. Also, has the idea of the integrated Reserve been scrapped? What is happening as regards the first line Reserve and the integrated Reserve? Has anything happened in regard to both of those proposals?

Deputy Willie O'Dea: Regarding Deputy Deenihan's first question, the numbers in the Reserve on 31 March last were 7,513 personnel — 5,761 male and 1,752 female.

Deputy Jimmy Deenihan: What is the establishment figure?

Deputy Willie O'Dea: I will communicate that to the Deputy. I do not have it to hand.

Deputy Jimmy Deenihan: I understand it is approximately 12,000.

Deputy Willie O'Dea: It is something in that order, yes. We will communicate the figure to the Deputy.

We are awaiting recommendations from the military authorities on how best to deal with the first line Reserve. Those recommendations have not come to hand as yet.

Regarding the integrated Reserve and the initial results in terms of getting a particular group of the Reserve to integrate to allow them step in with the PDF in the event of a contingency, the pilot phase has been disappointing in terms of the numbers it has yielded but nevertheless it has resulted in approximately 300 people being trained to integrate in the circumstances outlined in the White Paper. We have learned lessons from the pilot project, however, and are examining the type of training and systems being put in place to advance the integrated Reserve

[Deputy Willie O'Dea.]

experiment. As soon as the position has been reviewed we will return to the integrated Reserve issue.

Deputy Brian O'Shea: Regarding the members of the Reserve Defence Force who were scheduled to engage in action with the Permanent Defence Force later this year, that plan has been abandoned.

Deputy Willie O'Dea: Overseas?

Deputy Brian O'Shea: Overseas, yes. Is there any possibility that decision can be reviewed? Does the Minister intend communicating with the Minister for Finance on that issue or is the only reason it was abandoned financial?

Deputy Willie O'Dea: It was abandoned because the relevant legislation provides that overseas service is confined to members of the Permanent Defence Force. The Reserve Defence Force members are not members of the Permanent Defence Force but it was hoped to temporarily integrate members of the Reserve in the Permanent Defence Force. I refer to the members of the Reserve who had done the integrated training and expressed an interest in going overseas. Unfortunately, the recruitment ban of 27 March has prevented us from recruiting people into the Permanent Defence Force and therefore we cannot send the Reserve Defence Force members overseas.

There are two obvious ways around this. The first is to change the legislation which is a rather tortuous process because there is much legislation backed up already. We will be changing the legislation in due course, but as a general amendment to defence legislation which will incorporate a number of other matters as well.

The other way would be to get an exemption from the Department of Finance, as the Deputy suggested. As I stated, we are looking at various issues related to how the embargo impacts on the Defence Forces, both permanent and reserve. When we have worked our way through those matters, I hope to speak to the Minister for Finance and to discuss the question of exemptions with him. However, I must tell the House that when I am discussing exemptions with the Minister for Finance my focus will be on the availability of the Defence Forces to do their job, as Deputy Deenihan stated, both at home and abroad.

An Leas-Cheann Comhairle: I want to include a number of Deputies.

Deputy David Stanton: Does the number of 7,500 the Minister for Defence mentioned include the active and inactive list and will he give a breakdown of the active and inactive list of members and the ranks in each case?

What is the role of the reserve and what has it been doing to fulfil this role in the past number of years? Does the Minister agree that one of the functions of the reserve has been to give an outlet to young men, in particular, and now young women, who have had an interest in military affairs for a number of years and that it has proven effective in that regard? It will now be abandoned because of the embargo?

What are his views on the danger of the reserve going into decline because it is an organisation that depends on continual membership and, with rolling membership and numbers in decline, it might become ineffective? How many members of the reserve will resign or retire by the end of the year?

Deputy Willie O'Dea: The Deputy has asked many questions.

Deputy David Stanton: It is Question Time.

Deputy Willie O’Dea: On active and inactive members, it is impossible to give a precise answer to that.

Deputy David Stanton: The list exists.

Deputy Willie O’Dea: All I can say is that the reserve has been vigilant in recent years in removing inactive persons from the roll. Last year 4,321 reservists utilised 81,000 man-days in terms of paid training. The total number on the books is 7,500. I am convinced that the majority of those would be fairly active.

Deputy David Stanton: The list is available. Can the Minister get those numbers for us because they are available?

An Leas-Cheann Comhairle: Please allow the Minister.

Deputy Willie O’Dea: As near as I can, I will get the figures for Deputy Stanton.

On the Deputy’s other point, I agree that the reserve is a useful outlet for persons who are interested in matters military. I do not know how many will resign between now and the end of the year. The trend in recent years has been that the numbers joining the reserve have been falling off, but in the changed economic environment it may well be different.

An Leas-Cheann Comhairle: I want to get in a supplementary for your colleague.

Deputy Willie O’Dea: The reasons for consistently recruiting have not disappeared. The embargo has interrupted those for the good reason that we must bring the public finances back into control.

Deputy Charlie O’Connor: I am always anxious to support the Minister and to ask him questions. The Minister will have noted I tabled a question about Chad because I wanted to tell him that my constituents in Tallaght, who met him in Chad, were very impressed.

An Leas-Cheann Comhairle: A brief supplementary, please.

Deputy Charlie O’Connor: I would not be as used to it as the rest of them.

On the Reserve Defence Forces, I will not repeat what has been stated already, but I want to bring a different perspective to it. The Minister will be aware that Deputy Noel O’Flynn tabled this question but it is an issue in Tallaght as well.

An Leas-Cheann Comhairle: A question, please.

Deputy Charlie O’Connor: I had three young people at my clinic on Saturday week last wanting to know why they are being cut off. They were recruited, they believed they completed their induction, they were very anxious to serve and suddenly they have been told they will not be needed. Surely such exemptions could be allowed.

Deputy Jim O’Keeffe: Does the Minister accept that the Reserve Defence Force is a cost-effective organisation for the relatively small amount of money involved — approximately €10 million apart from the PDF associated costs — and that in it we have a substantial body of men and women relatively cheaply by way of support for the civil powers? I ask him to confirm that the phased enhancement of the force’s capabilities, which was provided for in the Reserve Defence Force review implementation plan, will be completed. In a general sense, from the

[Deputy Jim O'Keeffe.]

point of view of reassuring the members of the reserve, can the Minister confirm that the reserve will continue to have an important role in this country?

Deputy Willie O'Dea: I can confirm that. That is my intention. There is no intention to disband the reserve.

On the specific problem Deputy O'Connor mentioned, I already indicated to the House in reply to earlier questions that it is a matter I will take up. I have been discussing it with my officials and I will take it up with the Department of Finance to see whether we can get around that issue. The Department has only so much money for so many paid man-days this year. It might be possible within that arrangement to resolve the problem mentioned by Deputy O'Connor.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy O'Mahony — the provision of a waste water treatment plant for Kiltimagh sewerage scheme, County Mayo; (2) Deputy Michael Higgins — the urgent need for the Minister for Education and Science to revisit and reverse the recent decision to suppress the special class in Scoil Bhríde, Shantalla, Galway; (3) Deputy O'Sullivan — the need for the Minister of State at the Department of Health and Children with responsibility for Children and Youth Affairs to clarify the current position on inter-country adoptions between Ireland and (a) Vietnam and (b) Russia and to intensify efforts to reach agreement on this issue as a matter of urgency; (4) Deputy Costello — the need for the Minister for Health and Children to renew the bilateral inter-country agreement with Vietnam urgently so that there is a legal framework for Irish couples to adopt Vietnamese children, and further, the need for the Minister to ensure that there is an appropriate legal framework available with other countries; (5) Deputy Bannon — the reason that application forms in respect of funding under the lottery sports grants for 2009 are not yet available; (6) Deputy Breen — the implications for US multinational investment here in view of the proposal to introduce a new tax code in the US; (7) Deputy Thomas Byrne — the need to increase the level of fines in respect of illegal dumping; (8) Deputy Penrose — the closure of army barracks including Columb Barracks, Mullingar, County Westmeath; (9) Deputy O'Donnell — the provision of adult day services for six young adults who attend the Daughters of Charity services for the intellectually disabled, St Vincent's, Lisnagry, County Limerick, and who are now leaving primary school and rehabilitative training; (10) Deputy Cuffe — that the Minister of State at the Department of Health and Children with responsibility for Children and Youth Affairs provide an update with a view to expediting current negotiations with Vietnam on the bilateral international adoption agreement, and that he would also detail any communication between his Department and authorities in Russia regarding future bilateral adoption agreement between the two countries; (11) Deputy Deenihan — the withdrawal of funding by the Department of the Environment, Heritage and Local Government for the replacement of Ballinagar Bridge, Lixnaw, County Kerry, and the resulting hardship for its many users; and (12) Deputy Sheahan — the Minister's plans for forestry.

The matters raised by Deputies Breen, Penrose, O'Mahony and Sheahan have been selected for discussion.

Leaders' Questions.

Deputy Enda Kenny: Tomorrow, 7 May, marks the first anniversary of the elevation of Deputy Cowen to the rank of Taoiseach. In that time it is important that we look not only at

the loss of the Lisbon treaty referendum, the death of social partnership, the three failed budgets, the lack of action on public service reform and the doubling of unemployment in 12 months to 384,000, but at the contradictions in the past 12 months. On the day he was elected as Taoiseach he stated that the fundamentals of the economy were still good and that, although we were not immune to international trends, we would do better than others. The stability and growth pact, as he will be aware, is 3%. We now have the largest deficit in the EU, running up to 11% or 12% of GDP and we are experiencing a recession that is twice as bad as that of the US or the UK. On the day that he was elected as Taoiseach he stated that reform of the public service was of the greatest urgency for him. The only reform introduced in the past 12 months has been slash and burn at the front line, where nurses are now working without contract and where a pension levy, which was unfair, has been delivered to the public service. On the day he was elected as Taoiseach he stated that throwing money at problems in the health service was not the way they should be handled and that serious reforms had to be undertaken, yet waiting lists remain unacceptably long and there has been no progress on primary care or on achieving value for the people's money.

Looking back at that 12 months, the Taoiseach either believed what he was telling us, in which case it is incompetence on his part and on the part of the Government, or misled himself and the people, in which case it is a question of denial. How does he account for the state of the country that he has led for the past 12 months? How does he account for the situation in which we find ourselves which is utterly depressing and on which he has given no reassurance whatsoever that he or his Government has the capacity to lead the people out of the mess he created?

The Taoiseach: I thank Deputy Kenny for wishing me well on my first anniversary.

Deputy Enda Kenny: The Taoiseach will not be here tomorrow.

Deputy Paul Kehoe: That is coming next.

The Taoiseach: Get your retaliation in first.

Deputy Paul Kehoe: Can the Taoiseach tell us of his achievements?

Deputy David Stanton: It is a joke.

Deputy Jim O'Keeffe: In fact, the Taoiseach might not be here much longer.

The Taoiseach: From the Government's point of view, the task we have had to undertake, in the context of the economic situation our country and others face, has meant we have had to involve ourselves in expenditure cuts totalling over €4.3 billion. That is 3% of GNP, a reduction greater than that taken by any other country in Europe. We have also had to increase taxes, a measure totalling €3.8 billion. I accept that level of adjustment of over €8 billion is an imposition on the people. It is, however, a necessary response, a balance between expenditure cuts and taxation measures, given the scale of the problems we face and the need to provide a sustainable path forward. This week the European Commission acknowledged the courageous efforts made by this Government to create a sustainable path for our public finances.

The basic point I have been making in this House for some time is that the rectification of our public finance position is an absolute prerequisite to economic recovery. The critique outlined by Deputy Kenny, in which he criticises the fact that expenditure savings had to be made and tax increases considered and implemented, flies in the face of that basic fact about recovery. He contends, as do his spokespersons, that the Government has not done enough with further

[The Taoiseach.]

expenditure savings. Yet he does not identify those further savings, in addition to ones we have already identified for this current year, which he feels are necessary or appropriate.

Deputy Kenny also seeks to contend that tax increases are not necessary to the corrective measures that have to be taken. We have outlined the plans in overall expenditure cuts and taxation measures that have to be considered for this year, for next year and the year after. We are also waiting on the Commission on Taxation to give a considered view of all the measures that the Government intends introducing in the further budgets.

The measures taken by this Government in the past 12 months have been very significant, not only in respect of the public finances but other major issues to deal with the financial crisis such as the banking crisis, etc. All of these measures are part of an overall plan to bring balance back to the public finances over a reasonable timescale. We have the agreement of the social partners in that task, as shown in the framework we agreed with them in January this year. They accept, on the basis of common analysis and the NESR report, that as a prerequisite to economic recovery we must make these changes, corrections and adjustments.

In the meantime, Deputy Kenny seeks to obtain an opportunity to exploit this for the popular mood. Of course these measures are unpopular in the short term. However, they are necessary in the longer term and in the interests of the country.

Deputy Enda Kenny: We had a different view on how to frame the recent budget. We argued for a two-third cut in spending and one-third tax increase approach. The Government, however, chose a different avenue.

Do the Taoiseach's Ministers realise the extent of anger on the streets when so much has been taken from so many? They had nothing to do with the problem that was caused by others which the Government has failed to rectify.

If the Taoiseach believed what he said a year ago, he has gone from hero to zero in 12 months. The problem is that the Taoiseach has no mandate for what he is now doing. As Taoiseach, he has not submitted himself to the people for adjudication. Before the Lisbon treaty referendum last year, I advised people to hold their fire about the Government until the local and European elections this year. The Taoiseach has said it is his way or no way. Yet, he has banjaxed the economy and robbed the people of their money. He has destroyed the hopes and careers of thousands of young people by failing to deliver confidence, trust and integrity in the country's future. He has failed to deliver a more efficient public service, health reform or rectify the public finances. Yet, he says he will do it his way when it is clearly not working.

On 5 June the people will cast their verdict on the Government in the local, European and by-elections. If the Taoiseach accepts that it his way or no way and if the people convict him and his Government, is he prepared to submit his Government to a general election? If the people reject the Government parties' candidates on 5 June, will the Taoiseach submit his Government to the people so they can have a government with a mandate to lead our nation out of the mess created by Fianna Fáil and the Greens?

Deputy Willie O'Dea: The Deputy can make whatever he wants from talking at the doors.

The Taoiseach: We are not electing a Government on 5 June; we are electing local authorities, people to the European Parliament and there are to be two by-elections. We look forward to engaging with the people in those campaigns, as many of our hundreds of candidates are already doing.

Deputy Enda Kenny: There is not much evidence of that on the ground.

Deputy Paul Kehoe: The people are engaging with Fianna Fáil all right.

The Taoiseach: Despite what the Deputy says, there are many people in the country who recognise that corrective measures must be taken and the Government has a responsibility to discharge, which they respect.

There are those like the Deputy who seek to suggest there is an easier way forward without increasing income taxes. He stated in his supplementary question that he would have provided a greater level of expenditure cuts but, again, with no specifics on them.

Deputy Willie O'Dea: Where were those cuts to be implemented? It was all about a performance budget.

Deputy Enda Kenny: Our budget was about creating 120,000 jobs.

The Taoiseach: It has been acknowledged that the changes we had to make in the tax system are progressive, in that a greater requirement has been made, rightly, on higher incomes. The Deputy has made a series of assertions claiming the Government has failed to rectify the public finances. We are in the process of rectifying them but it will be done over several years. The country would not be in a position to take the level of adjustment necessary in one year, or indeed two, without imposing far too great a hardship on our people which we would not contemplate. We have the agreement of the social partners on that timeframe.

4 o'clock

Deputy Tom Sheahan: He is dreaming.

The Taoiseach: Some of the most advanced and developed economies in the world are also suffering from this global recession. Germany's economy will contract by over 6% this year. The people know there is a context in which this is happening. The mandate we obtained in 2007 to provide government for this country until 2012 is one we wish to discharge.

Deputy Eamon Gilmore: I join with Deputy Kenny in marking the first anniversary of the Taoiseach's elevation to office. I hope there will not be a second anniversary. I do not know how it has been for him but it has been pretty lousy for the rest of us. Almost 200,000—

Deputy Martin Cullen: It is only lousy for the Opposition.

Deputy Eamon Gilmore: Never mind the Opposition. Let us think for a second of the people we represent.

Deputy Willie Penrose: Deputy Cullen would want to stay quite about that, particularly with €51 million hanging out of his ear with electronic voting.

Deputy Bernard J. Durkan: Deputy Cullen, the surrogate father of Fianna Fáil and electronic voting.

Deputy Thomas Byrne: There is no need to be bringing up that old one.

An Ceann Comhairle: Deputy Gilmore, without interruption.

Deputy Eamon Gilmore: Almost 200,000 people have lost their jobs since Deputy Cowen became Taoiseach. The precise number is 195,598. That is an average of 517 people losing their jobs every day since the Taoiseach's election. Many of them have lost their jobs because the companies and businesses in which they worked did not get credit from the banks. On 25 June 2008, I informed the Taoiseach that I was hearing from businesses across the country that the

[Deputy Eamon Gilmore.]

banks were not giving them credit facilities but instead squeezing the life out of them and putting jobs at risk.

The Taoiseach stated in response, "It is important to point out, however, that, as the Central Bank has confirmed, the Irish banking system is well capitalised and is in a healthy state in terms of its own financial situation." That was on 25 June. He then sent the Dáil on a three month holiday. The Government also went on holiday, only to return in a panic at the end of September to introduce an unconditional guarantee for the banks which did not work.

Deputy Peter Power: That is not correct.

Deputy Eamon Gilmore: This was succeeded by the nationalisation of Anglo Irish Bank.

Deputy Peter Power: It did work.

Deputy Eamon Gilmore: Wait a second. We are obviously using different yardsticks to measure what is working. The Government subsequently proceeded with the recapitalisation of the banks at a cost of €7 billion or €8.5 billion. This had to be followed up with a statement that the Government would bring in "an bord bail out" at a cost of God only knows how much more to the public purse.

In the meantime, the banks are not lending and businesses continue to be squeezed as a result of the shortage of credit. Everywhere I go, the message I repeatedly receive is that people cannot get money out of the banks. Yesterday, I was told by an auctioneer that he had a client who was willing to buy a house but while he could have got a loan for it three months ago, he cannot get the same amount now. Every business person I meet tells me he or she cannot get even the smallest facility from the very banks which the Government has bailed out with huge amounts of public money. The Central Bank's latest monthly statistics indicate that lending to business, or what it describes as "non-financial corporates", fell by €1.3 billion in March alone.

The banks keep telling us they are lending but businesses tell us they are not. What measure or ready reckoner is the Taoiseach using to determine whether they are lending? Has he a figure on the number of loans given, the amount of money lent or the overdraft facilities granted or refused? What is his measure? How is he assessing the performance of these guaranteed banks in circumstances where they publicly claim they are lending while businesses which depend on credit and provide jobs claim otherwise?

The Taoiseach: The Deputy raised a number of points. He referred to what we said on 25 June 2008 and what I have since been doing. It is true that the Labour Party has not supported any of the initiatives taken by the Government to provide stability.

Deputy Eamon Gilmore: Stick to the question I asked.

The Taoiseach: I would like to answer the question. The Deputy made certain charges against me and I would like to respond to them.

An Ceann Comhairle: He is entitled to answer.

Deputy Eamon Gilmore: He might answer the question.

An Ceann Comhairle: Deputy Gilmore is not entitled to interfere like that.

The Taoiseach: The Deputy may feel he is entitled to make a series of assertions before asking a question but that I should only answer the question and leave the assertions unanswered. I am entitled to respond to his assertions. He decided to ask a long-winded question and I will answer it as succinctly as I can within the Orders of the House.

He decried the fact that credit was not being made available to Irish customers of the banking system. The first point I want to make is that we had to stabilise the banking system. He did not support any of the measures which sought to stabilise the banking system.

Deputy Eamon Gilmore: We were right.

The Taoiseach: We have a credit problem which is worldwide and which remains to be fixed by the international financial system. If we had gone the Labour Party road, there would be no credit available to anybody because there was a real prospect that financial institutions of systemic importance would collapse without the support of this House. This support was available from some parts of the House but not from Labour Party Members. The Deputy is concerned about providing financial stability but neither he nor his party was prepared to support initiatives to bring that about.

Deputy Emmet Stagg: That is not true.

The Taoiseach: It is true. I am in mid-sentence.

An Ceann Comhairle: Deputy Gilmore was heard in silence and the Taoiseach is entitled to the same courtesy.

The Taoiseach: Not if one is Deputy Stagg.

Deputy Emmet Stagg: If he tells the whole story, we will listen.

Deputy Willie O'Dea: He would not want to tell the whole story about the Deputy.

An Ceann Comhairle: Allow the Taoiseach to finish.

The Taoiseach: To respond to some of the points made by Deputy Gilmore in his multifaceted question, he likes to portray recapitalisation as money that has been given to institutions without a return for the taxpayer. The taxpayer is getting a return on those investments.

Deputy Seán Sherlock: Preference shares.

The Taoiseach: I am sorry, Deputy Sherlock.

An Ceann Comhairle: Allow the Taoiseach to finish.

The Taoiseach: Leaders' Questions provide for Deputy Gilmore to speak on this occasion.

Deputy Seán Sherlock: We are getting a bad deal.

The Taoiseach: We are getting a good deal in terms of the warrants and the returns on that money but this was never the contention of Labour Party Members, who like to suggest that it was simply handed over without protection for the taxpayer. That is not the truth.

Deputy Seán Sherlock: Why not buy ordinary shares?

The Taoiseach: I do not interrupt when I am asked questions.

An Ceann Comhairle: I will have to ask Deputy Sherlock to leave if this continues.

The Taoiseach: I ask for respect in return. I respect his leader and perhaps he could pay some of the same to me.

An Ceann Comhairle: We cannot have that.

The Taoiseach: It is true that demand for credit is down because of the recession. It is also true that people are finding it difficult to obtain credit for viable but vulnerable businesses which are still trying to contend with the current situation. The Minister for Finance is seeking to ensure, on an ongoing basis, that good business ideas are not denied access to some level of credit, even if not the same amounts available when there was much more liquidity in the system than is the case at present. However, I do not accept Deputy Gilmore's basic contention that the Government has been doing nothing to seek to assist the situation. Every initiative we have taken has been rejected by the Deputy.

Deputy Eamon Gilmore: I will resist the temptation to engage in political argy bargy with the Taoiseach.

Deputy Willie O'Dea: That would be a first.

Deputy Willie Penrose: Are we wanted to sign the blank cheques?

Deputy Eamon Gilmore: The problem is that all over the country, good businesses are simply trying to survive. These business will thrive again when there is an upturn in the economy. They just need to get to that point while retaining as many staff as possible. They need help and credit. I am repeatedly hearing that the small facilities of €5,000, €10,000 or €20,000 — we are not speaking about large sums — which businesses need to keep going from one week to the next and to pay wages are unobtainable. The figures released by the Central Bank which reveal a decrease of €1.3 billion in March confirm what I am hearing.

We can have all the debate we want in this House or hurl political charges at one another but the difference between the Taoiseach and me is that he is charged with executive responsibility for running the Government and making sure credit is flowing in the economy so that businesses can continue. He has brought before us a succession of measures which have not worked because credit is not being provided. The banks are issuing press statements which claim they are lending but they are not doing so even though the State has provided an unconditional guarantee on the Taoiseach's recommendation. We were the people who advised that it should not be unconditional. The reason we differed with the Government on 30 September was because we argued that the guarantees and support provided by the State to the banking system should have been conditional on banks providing credit to business, cleaning up their act in terms of capping salaries and making the necessary reforms, some of which were made subsequently, and on the State taking equity in the banks, which was taken anyway and which may have to be increased in the future.

Deputy Thomas Byrne: We all know the problems.

Deputy Eamon Gilmore: The Taoiseach did not answer my question——

Deputy Peter Power: Does the Deputy know the answer?

Deputy Eamon Gilmore: The Members opposite are the Government. What is the Taoiseach's yardstick or measure? The banks claim they are lending but the Central Bank and businesses say they are not. How much can he tell the House about what the guaranteed banks

are doing to provide credit to businesses? Today, in the middle of the week, people who need to pay wages or bills by Friday and again next week do not know where they will get the money to do so. They need to know what will happen. What is the Taoiseach saying? He has headed the Government for a year almost to the day. Why are banks not lending? Why is credit not forthcoming? Have we not done enough for them? Every worker in this country will have his or her pay packet plundered over the next month to fill the hole that must be filled because the State is bailing out the banks. We can argue forever about whether it was necessary to do it but that is the reality. Working people are paying for this. What will happen in regard to banks lending to business in order that the economy can start moving again?

The Taoiseach: I am not in the business of hurling political charges. I want to address the seriousness of the question.

Deputy Eamon Gilmore: That makes two of us.

The Taoiseach: The Deputy still makes the assertions and the populist image he wants to portray today is the tax increases relate to the recapitalisation of the banks.

Deputy Eamon Gilmore: Here we go.

The Taoiseach: The tax increases we have brought forward are about the fact we have to redesign our taxation base because we do not have as much money coming in under other tax heads as in the past and not the banks.

Deputy Brendan Howlin: We told Fianna Fáil that 12 years ago.

The Taoiseach: Unless we broaden the base of our taxation system, including increasing income taxes and looking at other forms of taxation in the future, we will not be able to provide sustainable public services at the level the people expect. That is the reason we are involved in a change in taxation systems. For obvious reasons, the Deputy likes to popularly portray that the reason we are doing that is the issue relating to the financial system but that is not the reason.

Deputy Brendan Howlin: The Government made a bag of that anyway.

The Taoiseach: The reason we are increasing taxation is we need to increase revenue from sources like income tax and other taxes in the future to meet the expenditure needs even where the Government has made expenditure savings this year for €4.3 billion. Let us leave that aside because that is just another way of the Deputy getting his message out to the doors on that issue.

I refer to the issue he asked about regarding the financial system. There has been decreased demand because of recession. We are involved in objective analysis to see in what way we can assist business in order that banks provide more credit than is currently being provided. We are working to achieve that. The NAMA initiative is part of that proposition. It is how impaired assets are taken off the balance sheets of the banks so that we can get them back to the core franchise of doing business and providing credit for businesses customers and citizens going about their ordinary business.

Deputy Eamon Gilmore: The Government has not done that.

The Taoiseach: The Deputy does not agree with that either.

Deputy Eamon Gilmore: The Government has not done that.

The Taoiseach: He does not agree with State guarantees or even recapitalisation. What credit would have been available to banks if they were not recapitalised? Not alone would credit be a problem, the solvency issue would have been a problem. This is my response to the argument the Deputy is making. In other words, he does not agree with any measure that seeks to correct the issues but he continues to complain about the fact that there are still problems, which we acknowledge and continue to work on.

Deputy Eamon Gilmore: The Taoiseach still has not answered the question. He does not have an answer.

Deputy Peter Power: The reality is the Deputy is against everything and for nothing.

Ceisteanna — Questions (Resumed).

Social Partnership.

1. **Deputy Eamon Gilmore** asked the Taoiseach the progress made to date in the renewed talks with the social partners; if a date has been set for the resumption of the talks; and if he will make a statement on the matter. [15141/09]

2. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of the social partnership agreement; and if he will make a statement on the matter. [15531/09]

3. **Deputy Enda Kenny** asked the Taoiseach when he will next meet the social partners; and if he will make a statement on the matter. [15532/09]

4. **Deputy Enda Kenny** asked the Taoiseach if he will report on progress in the social partnership talks; and if he will make a statement on the matter. [15562/09]

5. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the status of the talks with the social partners. [16424/09]

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

Following my invitation on 24 March, the Government and social partners have had further engagement within the context of the Framework for a Pact for Stabilisation, Social Solidarity and Economic Renewal agreed in January, and the subsequent report of the National Economic and Social Council, NESc, which emphasises the importance of an integrated policy approach which addresses all five dimensions of the current crisis. This engagement has focused on developing a shared understanding of how to respond to the five interlocking sets of problems identified by the NESc — economic, social, banking, public finances and reputational.

Recent discussions with the ICTU and IBEC have focused, in particular, on protecting jobs and assisting those who lose their jobs; responding to the challenges facing the pensions system; support for enterprises facing particular difficulties at present; taxation and expenditure adjustments required to return the public finances to stability; maintaining a sustainable level of social protection; difficulties encountered in meeting mortgage commitments as a result of job losses; the transformation of public services; the concept of a national recovery bond; corporate governance concerns arising from recent developments; and employment rights and industrial relations.

There has also been engagement on issues relating to pay and related matters. The Government and each of the pillars of social partnership have continued these discussions on an

intensive basis following the supplementary budget on 7 April. Yesterday the Government considered the progress made, which included an overview on the main areas of difficulty that have emerged. The Government will reflect on these issues further in the coming days and further contact will be made with the social partners following that consideration.

It is clear there is a great deal of common ground between the Government and the social partners and there is a strong case for the continuation of social partnership as part of the distinctive European tradition of social dialogue. I am hopeful the basis will be found for that to continue in our case at this particularly challenging time.

Deputy Eamon Gilmore: The Government made an agreement with the social partners last September, which could not be implemented. It then had further talks with them in January where they agreed to a €2 billion adjustment in the public finances but the Government walked out and introduced the levy unilaterally, which caused huge anger and resentment among many working people. The Taoiseach then made a third attempt recently to reconvene the social partnership talks, which have collapsed. It looks like he will be the first Taoiseach in 22 years not to conclude a social partnership agreement with the trade unions and employers and this is in circumstances where there seems to be remarkable common ground between the ICTU and IBEC, in particular, on key issues such as the need to sustain employment, about which we heard from Turlough O'Sullivan last Friday. Is it not the case that the Government has collapsed the social partnership process, it is over and however he may try to put it back on life support or try to have further meetings to maintain the fiction that social partnership is continuing, nothing of any real significance will be agreed in the process?

The Taoiseach: That is not true. The contention we have collapsed talks is totally untrue. I value the social partnership process and I believe it is an essential aspect of governance in a modern democratic society, especially in a small open economy like ours where consistency of approach is helpful for economic and social well-being. It is true we have as yet failed to arrive at a basis for a formal agreement with the social partners. However, we remain committed to the approach and objectives agreed with them in Towards 2016, the ten-year framework agreement that remains in place to which we are all working. We are operating very much within the framework we agreed with the social partners at the end of January and are reflecting in our policies and actions the approach set out in the NESC report on the current crisis.

There is, therefore, a very solid measure of agreement with the social partners but turning that into a formal accord, which can be ratified by the members of the various social partnership pillars, is proving difficult. Far more unites than divides us and the Government will engage with the social partners in an effort to bring finality to the recent talks process over the coming days and weeks. Whatever the outcome of the engagement, I believe dialogue against a background of shared interests and objectives will continue.

There has been a great deal of discussion with the social partners. Complex issues have been discussed and teased out but there are difficulties and problems. There is certain room for manoeuvre for Government but the process has been beneficial and productive. We have not reached a formal accord. We agreed that by the beginning of May both sides would step back and reflect on what way we can move the issues forward. I said I intended formally returning to the talks and giving an outline of what I believe the Government's position would be based on all the discussions. At the end of the day, responsibility for policy remains with Government but the benefit of social partnership and social dialogue is to try to see in what way we can incorporate the perspectives and insights of the social partners in devising policies.

Deputy Eamon Gilmore: We are at a point where social partnership is all process and no agreement. What are the likely headings of any agreement that might emerge from a resump-

[Deputy Eamon Gilmore.]

tion of talks? It is clear there will not be an agreement on pay. The agreement made last September is dead.

The Taoiseach: The public sector pay agreement?

Deputy Eamon Gilmore: Is the Government implementing the public sector pay agreement?

The Taoiseach: Of course we are implementing it.

Deputy Eamon Gilmore: The public sector pay agreement did not provide for any pay increase. I thought the Taoiseach told us that was put off.

The Taoiseach: Yes, we deferred it.

Deputy Eamon Gilmore: That is the same thing. There is no point in splitting hairs. The Taoiseach made an agreement last September.

The Taoiseach: There is a problem with the private sector pay agreement.

Deputy Eamon Gilmore: The position is that it is not being implemented in the private sector.

The Taoiseach: That is a problem.

Deputy Eamon Gilmore: The Taoiseach is not going to implement it the public sector. The first rounds of it are due next September and October and he has deferred that. There is no point in saying there is a pay agreement; the reality is it does not exist.

Will the Taoiseach seek agreement with the social partners on public sector employment levels? Will there be agreement with the social partners when Mr. McCarthy and an *bord snip* reports? Will there be agreement with the social partners on private sector pensions? The Minister for Social and Family Affairs rushed to the House with legislation last week that does not appear to have been agreed with anybody. Will there be agreement with the social partners on that?

Paying lip service to the theory of social partnership is no substitute for having a social partnership agreement. I do not see the heads of any agreement either from what the Taoiseach has said in response to these questions today or in the reports that have been widely publicised in the media about the outcome of the talks that have been ongoing for the past couple of weeks.

The Taoiseach: Deputy Gilmore has unfairly characterised the talks that have been taking place in recent weeks and months. That is my answer to his question. He is suggesting it is all process and no substance. It has substance. We are working to a ten-year framework agreement. Much of the effort we have made on the budgetary position arises from the framework agreement, which has content, and getting the agreement of the social partners on the need to reduce the deficit position to 3% over a period of years. The framework agreement of January outlines in detail the areas where we have continued discussion and where we have been working on what we introduced legislatively last week. That was an effort to improve the situation for those pension schemes that are insolvent and are experiencing problems and to try to assist in some way deferred and active people in the pension schemes and pensioners themselves. Further consideration must be given to that area, which is a difficult and complex one, but it is one that has been highlighted as important by the social partners and we are working through those issues with them.

We have brought forward active labour policies and expanded programmes. That has come about as a result of social partnership discussions. We have had insights and perspectives from all pillars of the social partnership process. On the question of to what extent we can now develop those and the need to try to develop them, it was always the case that the budgetary response was a first step in that process. That continues to be discussed between us. I would like to see some measure of agreement on it. It is not fair to say that this is all about a process not substance. In fairness to all the people who are at the talks, the reason all of these discussions are taking place is for the purpose of trying to devise a framework for stability and recovery.

Progress can be reported in some areas and there are some areas on which it has not yet been possible for us to reach agreement for the purpose of trying to devise an accord. That process is continuing. We are at the stage in the process where both sides have had their discussions, offered their insights, shared analyses and considered all the facts. Rather than saying the process has collapsed, it is my intention that the social partnership talks would resume in the coming days and weeks so that the Government can put its views based on all of the discussions we have had. That is the right way to proceed.

Deputy Enda Kenny: I welcome the proposals put forward today by the Construction Industry Council for off-balance sheet financing of infrastructural projects. I regret that they are not nearly as ambitious as the proposals put forward by my party a number of weeks ago. We put forward serious proposals that would lead to the creation of 100,000 jobs in four years in a range of areas that of themselves would be an attraction for investment in the country. What is the nature of the discussion the Taoiseach proposes to have with the Construction Industry Council in respect of off-balance sheet financing for infrastructural projects?

The Taoiseach stated social partnership should be based on the key principles of fairness and equity. I share that view. The unfair and inequitable introduction of the pension levy and the manner of its introduction killed social partnership in February. What did the unions ask for that the Government was not able to deliver, which led to a breakdown of the talks? Does the Taoiseach believe the pay element of social partnership is dead? If that is the case, is an alternative being proposed by Government? Is there another method by which it sees social partnership being able to continue? In that regard, will he comment on reports that the Government is considering a new social partnership format and structure? If so, will that include people who have been left out of the previous one, such as consumers, and will the Oireachtas have any role or responsibility in any proposed new social partnership format? Will the Taoiseach comment on those matters first?

The Taoiseach: Social dialogue is important at all times, regardless of the status of discussions and whether there are agreements. Institutions are in place such as the National Implementation Body in industrial relations terms, the National Economic and Social Council in terms of common macroeconomic analysis and the steering committee for the Towards 2016 agreement. All of those bodies are important means by which dialogue and an open approach between the Government and the social partners is created. That is necessary in order to ensure that everyone understands where everyone is coming from on various issues as they arise. The idea that we wish to collapse social partnership is totally without foundation. In my view, these areas of activity must continue in any event, regardless of whether we can successfully conclude an accord. We are trying to conclude an accord but there are difficult issues and we are not there as yet. We have agreed to reflect and come back on those points.

On the pension levy question, given the financial situation the country was facing, it was made clear by me at all times that we had until the end of January to see whether we could find agreement on the savings of €2 billion that needed to be identified and obtained. It was

[The Taoiseach.]

not possible to find agreement. I respect that. If people cannot agree to something, they do not give their agreement to it. By the same token, it was designed to avoid a situation where, for example, a pay cut would have an effect on pensioners in a way that the pension levy does not have an effect on them. Therefore, there was an attempt to discriminate in that respect. That involves an imposition, but one was making those choices to avoid a situation where service levels would have been seriously depleted.

Apart from that, there was a level of job security in the public sector that was not available to the same extent in the private sector. The economic cost of pensions available in the public sector are not demanded of those who work in the sector because in the present circumstances if one were to pay the full economic cost of pension provisions it would in the region of 23% of income. That was not something the Government was contemplating, but some contribution had to be made and provision was made for the average 7.5% imposition. In addition, other expenditure savings had to be identified in any event.

On the question on the Construction Industry Council and the pension fund industry, the Minister for Finance set out his position in his Budget Statement. He indicated that discussions have been continuing in this regard to see whether it is possible to identify other sources of funding, given the serious lack of room for manoeuvre, for example, on the public finances, which one could seek to utilise for the wider public good to meet Government priorities. Even allowing for the difficult situation we are in at the moment, we are still spending an enormous amount of capital this year, at 5% of GNP, which is one of the highest ratios in the world. This already supports 100,000 jobs, and the reduction in tender prices means we can do more with less.

The Government is prepared to look at new ways to fund needed capital investment and support more jobs, provided the terms are right and in the taxpayers' favour, that the investment makes economic sense, that value for money is secured and that the private sector shares the appropriate level of risk. I would like to see money invested abroad put to work here, if a sensible and workable proposal emerges.

There have been talks between Department officials and the pensions industry and several other parties to discuss alternative funding proposals, which includes the likely sources of funding and what would be needed to access such funding. Further meetings will take place in the coming weeks as well.

Deputy Enda Kenny: Can the Taoiseach refer to reports that the Government is considering a new structure of social partnership? In what format does the Taoiseach see it? Will a greater number of community sectors be involved? Will the Oireachtas have any role or responsibility? Is it not a weakness in the current system that the Oireachtas has been left out of the framework?

Deputy Gilmore spoke about the issue of bank lending and credit. Fine Gael supported the guarantee scheme and the recapitalisation programme, but it has not worked to the extent that people wanted. The problem appears to be that people in business for 40 years and who have been good customers to their banks see that their reputation now counts for nothing when it comes to overdraft facilities. The real problem is that the local bank managers are now unable to make decisions, and that those who make decisions will not discuss with business people the question of making facilities available. In most cases, none of those decision makers have ever created a job in the first place.

Arising out of the fears of social partnership, what is the Government's approach towards retaining jobs? The first problem of every small firm is how to retain existing jobs. What is the Government's strategy to attempt to hold onto jobs we already have? Will there be some sort

of loan guarantee scheme, a subsidy towards the jobs or a reduction of PRSI or whatever, given the exceptional economic circumstances in which we find ourselves?

The unions made the point yesterday that if there is no agreement on social partnership, the Government will be facing a period of industrial unrest. Is the Government cognisant of that? What sort of discussions is it having with the social partners so that the country to a complete standstill. I am sure the Taoiseach is as concerned about this as everybody else. What sort of strategy will the Government adopt towards that possibility, which nobody would like to see happen?

The Taoiseach: We are not suggesting that there be a different type of social partnership. We are trying to provide agreement on the issues of concern that have been raised by the social partners. In the event of it being impossible to find an agreement, we still need structures of social dialogue in place. There are structures that will continue to be utilised with or without an agreement. We have a ten year framework agreement, Towards 2016, which informs many of the policy options that the Government must consider in any event. The national implementation body, NESC and the steering committee of the ten year framework agreement would continue to be in place regardless. We are working to see if an agreement can be reached, but it is not a question of everything collapsing and there being no dialogue between us. Those avenues for dialogue must continue to be available, as we all try to manage our jobs and responsibilities.

It has been a feature of banking for many years that the local bank manager has had less discretion than traditionally would have been the case ten, 15 or 20 years ago. In the current financial crisis, there has probably been a greater degree of oversight and monitoring from the centre into the branch system. I am as well aware as any other Deputy in the House of the difficulties in which some businesses find themselves due to this crisis. We are in the process of a recapitalisation programme, including EGMs and all the necessary legal steps that must be taken, so that these funds can be made available. They are being made available on the basis of warrants and on the basis of a return to the taxpayer. The suggestion that this is simply bailing out banks unconditionally is not true. There are conditions attached to these recapitalisation programmes.

The Government and public service employers must obtain agreements on redeployment to areas of greatest need. This flexibility in the workplace is needed, given the scarcity of resources available to the Government and the need to utilise those resources to their optimum. Good industrial relations practice would require that these issues need to be addressed. The issues relating to public service numbers, such as early retirement or temporary leave, must all be worked through the normal industrial relations process. There are several issues that are still part of the discussions on which we would like to see some finality.

Deputy Aengus Ó Snodaigh: Only yesterday, the Irish Congress of Trade Unions stated that there is no point in talking to the Government any more about its ten point plan for economic recovery, as the unions seem to have got a stonewall response. Did the Taoiseach state previously that he saw considerable merits in the plan? If this is the case, why has the Government made no progress to date? In spite of the fact that the Taoiseach spoke about much common ground, is there any part of the ICTU proposals he would implement? Will he and the Government ditch the so called public service pension levy, which the ICTU rightly described as crude and unfair and part of a strategy to drive down wages across the economy? Will the Government bring in a scheme where unemployed workers are guaranteed incomes of up to 80% of their salary for two years, conditional on participation in extensive training and up-skilling? Will the Government introduce a three year moratorium on house repossessions?

[Deputy Aengus Ó Snodaigh.]

Has the Taoiseach studied the ICTU plan for €1 billion to be invested in a job retention and job creation strategy? Congress has made proposals similar to those made by my own party, including State support for short time working, so that workers can be kept in employment and trained during slack periods, as well as training guarantees for workers and apprentices. Will the Government take on board any of the proposals contained in that document, or when will it produce a coherent job creation and job retention plan?

The Taoiseach: I am not in the position to ditch a pension levy that brings in the sort of money it does, given the importance of the changes we have made in the budget. We are not in a position to say that was required in January and not in March. There would be no credibility to that position. I have also said of course that an argument can be made for its introduction. While I recognise it is an imposition, I also recognise that the premium on job security is one that is important in the context of people in other sectors who, unfortunately, are vulnerable to losing their jobs, if they have not already done so.

On the question of active labour market policies, in the late 1980s and 1990s, when this issue previously arose, there was ongoing discussion in regard to the rolling out of active labour policies in response to emerging issues. We tried to design policies and approaches that would support those out of work or seeking upskilling in order to get back into the market by having active labour market policies that were effective, efficient and avoided dead weight issues. In the current context, we must contend with State aid issues when seeking to provide assistance to companies in the marketplace who are competing with others who do not have access to the same support. These are issues we must tease out and work through as best we can. The issues of flexicurity, a term used in this area, and active labour market policies will continue to be examined and rolled out as best we can in the context of what we can do.

I make the point that there are more than 128,000 job and work experience places, not all of which are annualised. As such there is a greater throughput than 128,000 people per year. Many thousands of people come through these schemes, some of which last for ten weeks and others for 20 weeks. A plethora of training schemes are in place for the purpose of assisting people in the training and work experience areas. We expanded the schemes as a result of the social dialogue that had taken place on the last budget. Even allowing for the considerable financial constraints on us and the need to cut expenditure, we expanded the number of places by almost 25,000.

Of course I am *au fait* with the ten point plan. I have studied it and discussed it at length. With regard to home repossession, through the statutory code of conduct for lenders and the conditions attached to recapitalisation of the main banks, we have gone a substantial way towards providing assurance to those who lose their jobs in terms of the position of their mortgages. We are making substantial resources available through the supplementary welfare allowance system to support the cost of mortgage repayments for those who are unemployed. Thankfully, the reality is that repossession here remains a relatively rare occurrence in comparison with what has happened in other countries. We share the objective of the Irish Congress of Trade Unions to ensure that the position remains that way where people are making a real effort to restructure and meet their mortgage commitments with the support of State services and benefits.

On employment and support for the unemployed, we have taken steps in the budget to provide resources to support companies which are viable but vulnerable and into expanding and widening the range of options available to those who have lost their jobs. We are fully committed to using available resources as creatively and flexibly as possible to support jobs rather than having to meet the needs of those who lose jobs. This is a shared objective that

can be advanced. I believe there is further worthwhile discussion and engagement to be had on that vital topic.

I believe that answers the specific questions raised.

Deputy Aengus Ó Snodaigh: Did the issue of child benefit, in terms of the Government's proposal to cut or alter that allowance thus screwing more money out of working and struggling families, arise in the discussions thus far? What has been the response to date of the social partners to the proposals put forward in this regard?

The Taoiseach: There has been no advance on the position as announced in the budget by the Minister for Finance, namely, that this area is being examined in the context of social welfare and by the Commission on Taxation. Anyone who is sincerely committed to social justice will accept that at a time of scarce resources, the need to target benefits at those most in need is a good principle upon which to try to deal with issues that arise in this or any other area of social support. I would emphasise that there is no substance or foundation to the assertions made during the week that decisions in terms of a flat rate reduction had been taken in this area. Those stories were obviously planted by somebody else.

Deputy Eamon Gilmore: I have two questions for the Taoiseach arising from the replies he has given us. We have been talking about the social partnership process for more than half an hour, but I am not clear as to whether or when agreement will be reached on pay. Does the Taoiseach envisage, if the talks resume, that agreement on pay will be reached and, if so, what form will it take?

As regards the early retirement scheme announced in the budget, and to which the Taoiseach referred, as I understand it quite a number of employees in various areas of the public service, including gardaí, teachers, nurses and so on are considering that option and are doing so on the basis that they understand — there was a strong hint in this regard from the Minister for Finance — that the pension lump sum will in future be taxed and that if they retire now their lump sums will not be taxed. People who wait to retire under normal arrangements may face having their lump sum taxed. What is the Government's position in this regard? Is it the position that everybody who applies for the early retirement option will be permitted to go? What will this mean for services which are reliant upon experienced people, in particular, the Garda Síochána? If a person is refused permission to retire under the scheme, will his or her lump sum be exempt from tax in the future, if taxation of the lump sum is introduced?

The Taoiseach: In relation to the first matter, the issue of pay is being discussed by employers, employees and congress in the context of the current discussions. I cannot anticipate whether agreement in that area will be reached. Obviously, the discussions are ongoing.

On the Deputy's other question, I refer him to the Department of Finance circular which outlines the position on these matters. Again, I cannot anticipate any future budgetary decisions to be announced by the Minister for Finance. I refer the Deputy to what he had to say on the matter in the budget statement.

As regards whether people will be permitted to retire based on their willingness to do so, ultimately that is a matter for agreement between local management and the Minister for Finance.

Deputy Eamon Gilmore: On the last point, these are questions that arise. I am sure the Taoiseach has been asked these questions by constituents. There are people who intend retiring under this arrangement. They are making calculations based on the likelihood of the lump sum being taxed in the future. An issue arises in regard to what will happen to their lump sums if

[Deputy Eamon Gilmore.]

their applications are refused. Let us say, perhaps, a garda sergeant or superintendent applies to retire under this arrangement and it is considered that too many people have applied, will some be permitted to retire and others not. What will happen in respect of the lump sums of those whose applications are refused, if lump sums are taxed in the future? It was quite clear from what the Minister for Finance said on budget day that the lump sum of those who applied to retire now would not be taxed. Some people will make their calculations on that. Will the Taoiseach give an assurance that the lump sum of anyone who applies to retire and is refused will not be taxed?

The Taoiseach: I cannot give any such assurance when the Government has made no such decision to tax the lump sum.

Deputy Eamon Gilmore: The Minister for Finance said it on budget day.

The Taoiseach: The Deputy is seeking to suggest the decision has been made to tax lump sums in the future. No such decision has been made whatsoever. If I may paraphrase the Minister — I do not have the speech in front of me — my recollection is his statement states that it was considered, it was a matter with which he was not proceeding and would revisit again in December in his next budget. As I recall those were the statements made by the Minister for Finance regarding this matter. I am not going to anticipate any decision from him in that respect at this point. I also make the point that there is not as such an entitlement to early retirement. It is a question of whether a person, who may be eligible to apply, in fact obtains the consent of the employer to so be provided with the opportunity. Obviously the tax laws that apply at any given time are the ones that apply on one's retirement. I cannot give any assurances one way or the other in respect of decisions that have not been made. That is a double hypothetical question to which I cannot give an accurate response.

Written Answers follow Adjournment Debate.

Requests to move Adjournment of Dáil under Standing Order 32.

An Ceann Comhairle: Anois, iarratais chun tairisceana a dhéanamh an Dáil a chur ar athló faoi Bhuan Ordú 32; we now come to requests to move the adjournment of the Dáil under Standing Order 32.

Deputy James Bannon: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the intolerable burden being placed on lower and middle income families, which is being further exacerbated by the failure of the Government to implement its budget measure to tax or means test child benefit, resulting in the likely introduction of a flat-rate cut in this benefit, which will once again hammer those on the lowest incomes who would and should have been protected by the original proposal.

Deputy Bernard J. Durkan: Outrageous.

Deputy Martin Ferris: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the decision to instruct Kerry County Council not to proceed with tender for the reconstruction of Ballinagar Bridge, Lixnaw, which was previously promised and which is urgently required in order to address the huge inconvenience that is being caused to people in the area who are forced to make long detours in order to make what were previously short journeys, including farmers reaching other parts of their land which is divided by the river.

Deputy Tom Hayes: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the possible closure of Clonmel Army Barracks which has been an issue for some months now. The barracks are essential for the economic functioning of Clonmel and it is urgent to clarify the situation for the Defence Forces staff and for other businesses in the area as the barracks are a huge employer in the area. We cannot afford to jeopardise a town the size of Clonmel and I urge the Minister to save the barracks.

Deputy Willie Penrose: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the need for the Minister for Defence to make a statement on reports that the Government is planning to close down three additional Army barracks, including Columb Barracks, Mullingar, particularly in view of the implications of such a move for the Defence Forces and local communities. In view of the importance of the issue I hope that the Ceann Comhairle will agree to this request.

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

Order of Business.

The Taoiseach: It is proposed to take No. 11, motion regarding a referral to joint committee of proposed approval by Dáil Éireann of An Bord Bia (Transfer of Functions of An Bord Iascaigh Mhara relating to Fish Marketing) Order 2009; No. 12, motion regarding a referral to select committee of proposed approval by Dáil Éireann of the terms of the International Tropical Timber Agreement (ITTA) 2006; and No. 13, motion regarding ministerial rota for parliamentary questions; and No. 24, Broadcasting Bill 2008 [*Seanad*] — Report Stage (resumed). It is proposed, notwithstanding anything in Standing Orders, that Nos. 11, 12 and 13 shall be decided without debate; and in the event a division is in progress at the time fixed for taking Private Members' business, which shall be No. 69, motion regarding special educational needs, Standing Order 117(3) shall not apply and the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted after Private Members' time, which shall be taken for 90 minutes tonight and shall also take place tomorrow after the Order of Business and shall be brought to a conclusion after 90 minutes on that day.

An Ceann Comhairle: There are two proposals to be put to the House. Is the proposal for dealing with No. 11, motion regarding a referral to joint committee of proposed approval by Dáil Éireann of An Bord Bia (Transfer of Functions of An Bord Iascaigh Mhara relating to Fish Marketing) Order 2009; No. 12, motion regarding a referral to select committee of proposed approval by Dáil Éireann of the terms of the International Tropical Timber Agreement (ITTA) 2006; and No. 13, motion regarding ministerial rota for parliamentary questions agreed to? Agreed?

Is the proposal for dealing with Private Members' business agreed to? Agreed.

Deputy Enda Kenny: The Minister for the Environment, Heritage and Local Government confirmed last week that the by-elections in Dublin Central and Dublin South will take place on 5 June. When does the Government expect to move the writs so that persons involved can then make arrangements for election material etc.?

I welcome that the Senate in the Czech Republic today approved the Lisbon treaty by the narrowest of margins. As I understand it, now that both Houses in the Czech Republic have given approval for the Lisbon treaty, this should not create a difficulty for President Klaus. Is it the Taoiseach's intention to resurrect the Oireachtas all-party committee dealing with the

[Deputy Enda Kenny.]

Lisbon treaty? When does he expect to be in a position to give an indication as to when the referendum might be held? Does he envisage it being at the end of September, October or November? I wish to know so that those of us who support the Lisbon treaty can start to put together a real campaign on this occasion in order that the people be properly informed in advance of giving their verdict and hopefully approval when the referendum is held.

The Taoiseach: On the first matter, I understand the writs would need to be moved between 8 May and 14 May. It will be a matter for the Whips in due course to agree how that can proceed, but that is the timeframe.

On the second matter, I also welcome that the Senate in the Czech Republic has voted positively in favour of the Lisbon treaty. I cannot give any date, unfortunately, for when a referendum will be held until we have the June European Council meeting. I hope that we will be able to conclude our business at that meeting. I am due to attend an Eastern Partnership summit in Prague tomorrow. I will take the opportunity of meeting the Czech Prime Minister, Mr. Topolánek, and his successor, for the purpose of having some discussions before he, as President, greets those who arrive and proceeds with the meeting as arranged.

Deputy Enda Kenny: While I know the Taoiseach cannot give a specific date now, whenever he is in a position to do so it would be helpful for him to give an indication early on. This is a matter of critical interest to the country. I would be very happy to know whether it will be approximately end of September, October or November so that we can make arrangements.

Deputy Eamon Gilmore: The Defamation Bill was published on 7 July 2006 and has been making very slow progress through the Houses. I understand it is currently on Committee Stage. It is the Government's intention to have the Bill enacted by the summer recess? From where on earth did the proposal on blasphemous libel come?

An Ceann Comhairle: I cannot discuss the contents of legislation as the Deputy well knows.

Deputy Eamon Gilmore: Was the proposal for a €100,000 fine a Government decision?

Deputy Denis Naughten: It applies to the Taoiseach and Tánaiste as well.

An Ceann Comhairle: We cannot discuss the contents of the legislation.

Deputy Eamon Gilmore: Was the entire Government present?

An Ceann Comhairle: We cannot discuss the contents of the legislation.

Deputy Eamon Gilmore: Were the Green Party Ministers missing that day as well?

An Ceann Comhairle: We cannot discuss the contents of the legislation. I call the Taoiseach on the Defamation Bill.

Deputy Jim O'Keeffe: It sounds like a blast from the past.

The Taoiseach: I am informed by the Whip that it will be a matter for those who are dealing with the Committee Stage to ascertain how long it will take for that consideration to be completed and come back to the House for Report Stage.

Deputy Eamon Gilmore: What about blasphemous libel?

An Ceann Comhairle: I call Deputy Jan O’Sullivan. We cannot discuss the contents of the legislation.

Deputy Eamon Gilmore: Was that the Taoiseach’s idea?

An Ceann Comhairle: Deputy Gilmore is being mischievous.

Deputy Jim O’Keeffe: The Joint Committee on the Constitution recommended it be totally abolished.

An Ceann Comhairle: I call Deputy Jan O’Sullivan.

Deputy Liz McManus: It is a silly idea.

An Ceann Comhairle: There will be no sidebar discussions. Deputies can have a discussion about it later. I call Deputy Jan O’Sullivan. Those questions can be asked in the course of the debate on the legislation and not on the Order of Business.

Deputy Eamon Gilmore: The Taoiseach could be in trouble himself.

Deputy Jan O’Sullivan: The issue that I want to raise is primarily a matter of European law, but it has significant relevance for my constituency in particular. Today, the EU will reduce the amount that a government must pay towards applying for the EU globalisation training fund. The Government indicated that it would apply for this fund in respect of the Dell workers who are to lose their jobs.

An Ceann Comhairle: That sounds like good material for a parliamentary question.

Deputy Jan O’Sullivan: I understand that the amount is now only 25%. The number of redundancies has decreased from 1,000 to 500.

An Ceann Comhairle: As the Deputy knows, we cannot go into that matter now.

Deputy Jan O’Sullivan: Has a decision been made on when an application will be made for the EU globalisation fund?

An Ceann Comhairle: The Deputy will need to raise that question in another way, of which there are several.

Deputy Jan O’Sullivan: It is an important issue. Perhaps the Taoiseach will be able to tell the House.

An Ceann Comhairle: There are several ways of raising this matter. Deputy McManus is next.

Deputy Jan O’Sullivan: The Taoiseach will not be in the House tomorrow, so this is my only chance to raise it with him.

An Ceann Comhairle: There are other ways to raise it. The Deputy could ask the line Minister.

Deputy Jan O’Sullivan: Would the Taoiseach not wish to——

An Ceann Comhairle: Deputy McManus is next.

Deputy Jan O’Sullivan: This EU legislation is being changed today.

An Ceann Comhairle: Deputy Jan O’Sullivan is out of order, as she knows better than I do.

Deputy Jan O’Sullivan: People have already lost their jobs. They have no training, options or anywhere to go.

An Ceann Comhairle: I appreciate all of that, but there are other ways of raising the issue. She must utilise them.

Deputy Jan O’Sullivan: The Government indicated months ago that it would apply for the fund.

An Ceann Comhairle: The Deputy has long experience of the rules of the House and knows that she is out of order.

Deputy Jan O’Sullivan: I am sure that the Taoiseach could give me information.

Deputy Liz McManus: I am raising an issue on secondary legislation relating to the ending of the adoption agreement between Ireland and Vietnam. I imagine that everyone in the House has received a considerable number of e-mails from the almost 1,500 adoptive families directly affected. Some of them are distressed. After working towards adoption for four or five years, they have been left stranded by the Minister of State with responsibility for children, Deputy Barry Andrews. Will the Taoiseach introduce interim legislation or when will the secondary legislation be laid before the House?

5 o'clock

Deputy Jim O’Keeffe: The Seanad.

Deputy Liz McManus: It is appalling that people have been left in this position when they could provide homes for children whom they have come to know.

An Ceann Comhairle: The Deputy has made her point.

Deputy Liz McManus: They have seen photographs of the children in question in orphanages, but they cannot get access because of the Government’s failure to provide a new agreement.

Deputy Jim O’Keeffe: I endorse Deputy McManus’s case. This is an important issue for many families and every effort must be galvanised to solve what appear to be difficulties that have emerged at a late stage and that still persist.

Deputy Paul Kehoe: As an Opposition Whip, I do not doubt that the Opposition Whips would make time available were the Government in agreement so that this matter could be sorted out as soon as possible. Every Deputy has received a significant number of e-mails on this issue in recent days.

An Ceann Comhairle: The point has been made.

Deputy Paul Kehoe: It is a significant issue and should be sorted out as soon as possible.

The Taoiseach: The Government is aware of the concern and anxieties that this process is causing to prospective adoptive parents. However, the Government is also firmly committed to ensuring that arrangements between Ireland and the Socialist Republic of Vietnam protect the best interests of the children, their families and prospective adoptive parents. The Minister of State with responsibility for children and youth affairs has communicated at every opportunity to update prospective adoptive parents and their representative groups on these matters

and has already committed to continuing with this process. Therefore, he is seeking to negotiate a new strengthened agreement in this respect.

Deputy Denis Naughten: On secondary legislation, approximately a fortnight ago the Minister for the Environment, Heritage and Local Government published revised regulations on the nitrates directive and the implementation of a second round of inspections by local authorities. Subsequently, the Minister for Agriculture, Fisheries and Food saw sense and stated that the one set of inspections by his officials could be utilised to streamline the process, which we would welcome. However, I understand that the regulations published by the Minister, Deputy John Gormley, will need to be amended. When will they be tabled in the House and will we be provided with clarity regarding the inspections? It seems that the Minister, who is prepared to comment on everything, is not prepared to comment on his Department's responsibilities.

An Ceann Comhairle: There is no need for the Taoiseach to elaborate. Is legislation promised in this area?

The Taoiseach: Obviously, this was a regulation, secondary legislation, that was being enacted in respect of this matter. I will have to come back to the Deputy after I check what the position is as to whether an amendment is required and what timescale is involved.

Deputy James Bannon: The public health (miscellaneous provisions) Bill is like a sun bed in that it seems to observe no seasons. It has appeared on the autumn and spring schedules. Now, it has appeared on the summer schedule. When will this important Bill be before the House?

Deputy Bernard J. Durkan: A Bill for all seasons.

An Ceann Comhairle: Is that Bill on the horizon?

The Taoiseach: Unfortunately, I have no date for that Bill at the moment.

Deputy Noel Dempsey: It could appear on the autumn and winter schedules yet.

Deputy Denis Naughten: Some people could be getting too much sun.

Deputy Emmet Stagg: In the past ten years, the Government has pursued a Thatcherite policy of establishing quangos for all sorts of purposes that were previously within the remit of the Dáil and the Ministers serving in it. Each quango has a chief executive officer, chairman, board and, usually, a public relations officer at a considerable cost to the Exchequer. Quangos remove authority from this elected Chamber of the people.

Deputy Seán Barrett: Hear, hear.

Deputy Emmet Stagg: The Government has promised to introduce legislation this parliamentary session to abolish quangos, but the only thing that has happened so far is that the Equality Authority has been starved of funding. It has been effectively abolished because it has not received enough funding to act properly.

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

Deputy Emmet Stagg: When will the legislation be introduced and will there be several Bills to deal with the approximately 600 quangos? What Ministers will introduce the Bills? Will it be all of those with quangos under their remits or will just one Minister handle it all?

The Taoiseach: Individual Ministers can update the Deputy in respect of each individual case. In budget 2009, the Minister for Finance announced 30 rationalisation decisions to reduce the number of State agencies by 41. As of now, nine of the 30 rationalisation decisions have been implemented, covering nine State agencies and the closure of four Army barracks.

Following analysis by Departments, legislation is required in 18 decisions. Legislation for two of the decisions has already been passed in the Social Welfare (Miscellaneous Provisions) Act 2008. The Bills to implement a further three decisions are already in the Oireachtas — the Housing (Miscellaneous Provisions) Bill 2008 and the Health (Miscellaneous Provisions) Bill 2009, which fully covers two decisions and most of a third.

Of the remainder, the public transport regulation Bill to implement one decision and the legislation to merge the Fisheries Boards are currently being drafted. In addition, the Government, on 24 March, approved the drafting of the nursing and midwives Bill 2009, which will implement a further decision, and also the drafting of legislation to disestablish the Children Acts Advisory Board. Heads of four further Bills are expected to be submitted to the Government by the summer. The heads of a further Bill are expected in the second half of this year and work on the legislation to implement the final four rationalisation decisions is under way in Departments.

Deputy Emmet Stagg: I will ask a short supplementary question. Is it intended that, as well as abolishing some of the authorities, the other bodies will be returned to the remit of the Dáil and the Ministers who serve here?

The Taoiseach: As I say, the question of decisions further to those that have been announced by the Minister for Finance are a matter for Government to consider in due course. I am referring to those areas where, in fact, Government decisions have been made.

Deputy Emmet Stagg: The Minister for Finance is on record as saying that a quango is no way to rule. I presume that he will be bringing back a few.

The Taoiseach: The Deputy has been very good at appointing a few himself.

Deputy Bernard J. Durkan: The Taoiseach and the Minister for Finance have previously stressed to the House the importance of a return to conventional banking and lending practices. Is this likely to be done through the means of the proposed financial services legislation or new legislation?

An Ceann Comhairle: We cannot comment on the contents of the legislation. Is legislation promised in this area?

Deputy Bernard J. Durkan: It is promised. I do not want to read the plethora of Bills outlined in section C, but some could deal with the issue. If this is not the case, is it intended to introduce primary legislation to deal with the issue, as expressed in the House by the Taoiseach on 29 September 2009?

The Taoiseach: The whole question of seeking to improve credit availability in the financial system in Ireland is dictated both by administrative practice and some of the legislative changes that we have implemented. The question of recapitalisation, for example, required legislation. That is one of the legislative means by which we are seeking to bring stability to the financial system and to improve access to credit.

Obviously, recapitalising the banks is an important means by which one can ensure they obtain access to money on wholesale markets in order that they can conduct their business.

Obviously, the establishment of the National Assets Management Agency constitutes another means and a further step by which the Government seeks to improve the means by which banks get access to money and return to the core franchise they now should prioritise.

Deputy Thomas P. Broughan: First, will the road traffic Bill be published before the end of this session? The Minister for Transport, who is sitting beside the Taoiseach, made some commitments to road traffic campaigners to the effect that it might be passed by the end of the summer session. I refer to the number of serious accidents that have taken place in recent weeks.

Second, when will the Tánaiste be in a position to make a statement on the SR Technics facility at Dublin Airport? As I told the Taoiseach privately a week or so ago——

An Ceann Comhairle: The Deputy cannot do that.

Deputy Thomas P. Broughan: ——the third year apprentices have been treated badly and let down. The Taoiseach might take a personal interest in this and——

An Ceann Comhairle: The Deputy cannot go into that.

Deputy Thomas P. Broughan: ——try to ascertain whether they can continue their education because the manner in which they have been treated is disgraceful.

An Ceann Comhairle: The Deputy cannot raise that issue in this way. The Taoiseach, on the road traffic Bill.

The Taoiseach: The road traffic Bill is expected this session.

As for what Deputy Broughan and I discussed privately, it was in a conversation that took place in the Chamber as he and I were leaving the House. One should not indicate it was anything more sinister than that.

Deputy Thomas P. Broughan: No, I meant about the apprentices.

The Taoiseach: Obviously, the Tánaiste continues to work extremely hard in this respect to try to find a solution to that problem.

Deputy Michael D. Higgins: I wish to raise two matters. What is the current position in respect of the trade union legislation promised in the last social partnership agreement, specifically in respect of the recognition of trade unions and revision of the Competition Act?

Second, I refer to the ratification process of international agreements and to the matter the Ceann Comhairle allowed earlier in respect of the Vietnamese agreement. This issue arises both in that regard and in respect of the agreements with Russia and Ethiopia. It is clear that nothing less than a diplomatic initiative, which may involve the sending of a Minister, now can resolve this issue as it is perfectly clear that the exchange of administrative opinions between the Vietnamese Government and Ireland will not resolve the issue. In order to be in a position to bring an agreement to be laid before the House for acceptance in the shortest possible time, will the Taoiseach take a diplomatic initiative? The Department of Foreign Affairs is the lead Department for signing international agreements and it requires an intervention of that status at this stage to rescue both this agreement and the other two agreements.

The Taoiseach: I do not have a date for the legislation to which the Deputy referred in the first part of his question. As the Deputy is aware, it has been the subject of ongoing and continual discussion between the social partners. We have a voluntary industrial relations code

[The Taoiseach.]

and trying to resolve that issue has been a matter of considerable discussion and debate between the social partners. Ongoing efforts continue to find a common understanding as to what is the position to which we are trying to return in the aftermath of the High Court decision that brought about a problem that required resolution, certainly as far as the trade union movement was concerned.

As for the question pertaining to diplomatic initiatives, both the Ministers concerned, that is, the Minister for Foreign Affairs, Deputy Micheál Martin, and the Minister of State with responsibility for children, Deputy Barry Andrews, are engaged in this matter, as are their officials. As the Deputy is aware, we require a level of co-operation and a preparedness to sign the strengthened agreements we have been seeking from the sovereign Governments on the other side. I assure the Deputy that everything possible that can be done will be done in this regard. I have heard his advice on the matter and will check whether that would be helpful at this point. As he is aware, the question of ministerial visits often can be helpful when there is a disposition on the other side to reach a conclusion on these matters.

Deputy Michael D. Higgins: Briefly, in respect of that last matter, my understanding is that the Vietnamese Government seeks a resolution at the level of an intergovernmental representation at ministerial level, howsoever this might be achieved, and that within the two cultures of the two sides of the agreement, administrative exchanges may not produce the result at this stage. I appreciate the Taoiseach's willingness to consider a diplomatic initiative that might be taken to resolve this matter.

Sea Fisheries and Maritime Jurisdiction (Fixed Penalty Notice) (Amendment) Bill 2009: First Stage.

Deputy Jim O'Keeffe: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Sea Fisheries and Maritime Jurisdiction Act 2006 to provide for the issuing of fixed penalty notices in respect of certain sea fisheries offences.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): No.

Question put and agreed to.

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

Deputy Jim O'Keeffe: I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

Small Claims (Protection of Small Businesses) Bill 2009: First Stage.

Deputy Leo Varadkar: I move:

That leave be granted to introduce a Bill entitled an Act to provide for the amendment of the District Court Rules; to provide that vendors may use the small claims procedure for the recovery of small debts; and to provide for connected matters.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): No.

Question put and agreed to.

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

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

Question put and agreed to.

An Bord Bia (Transfer of Functions of An Bord Iascaigh Mhara relating to Fish Marketing) Order 2009: Referral to Joint Committee.

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): Molaim an rún:

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

An Bord Bia (Transfer of Functions of An Bord Iascaigh Mhara relating to Fish Marketing) Order 2009,

a copy of which Order in draft was laid before Dáil Éireann on 1 May 2009, be referred to the Joint Committee on Agriculture, Fisheries and Food in accordance with paragraph (2) of the Orders of Reference of that committee, which, not later than 28 May 2009, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

International Tropical Timber Agreement: Referral to Select Committee.

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): Molaim an rún:

That the proposal that Dáil Éireann approves the terms of the International Tropical Timber Agreement (ITTA) 2006, the text of which was agreed at the United Nations Conference on Trade and Development (UNCTAD) in January 2006, a copy of which was laid before Dáil Éireann on 5 May 2009, be referred to the Select Committee on Agriculture, Fisheries and Food in accordance with paragraph (1) of the Orders of Reference of that committee, which, not later than 26 May 2009, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Ministerial Rota for Parliamentary Questions: Motion.

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): Molaim an rún:

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 Communications, Energy and Natural Resources, shall be set down to Ministers in the following temporary sequence:

Minister for Finance

Minister for Education and Science

[Deputy Pat Carey.]

Tánaiste and Minister for Enterprise, Trade and Employment

Minister for Agriculture, Fisheries and Food

whereupon the sequence established by the Resolution of 14 June 2007 shall continue with questions to the Minister for Health and Children.

Question put and agreed to.

Broadcasting Bill 2008 [Seanad]: Report Stage (Resumed).

An Ceann Comhairle: Amendments Nos. 32 to 34, inclusive, may be discussed together.

Deputy Liz McManus: I move amendment No. 32:

In page 39, between lines 26 and 27, to insert the following:

“(2) Prior to making a levy order the Authority shall once every three years present to the relevant Joint Oireachtas Committee a three year budget including the levy intended to be imposed for the information of the Joint Committee prior to a levy order being made.”.

Members have returned to the establishment of this new quango and, regrettably, it seems as though the Minister is intent on proceeding with it. However, if it is to be set up, it is extremely important for Members to ensure that there is robust oversight of what it does and how it pays its way. Broadcasters will have an obligation to pay a levy to keep this body functioning and while I do not detect that they are objecting to the principle, clearly there are concerns at a time when they are operating in such straitened circumstances that any draw on their resources will have an impact. There is no fat in the sense that they can easily pay for the running of another regulator.

I recall that the Minister stated on Committee Stage that he expected it would cost approximately €5 million. Subsequently, this figure climbed to approximately €7.2 million. Whatever the cost, it is important that it does not cost too much and as the Oireachtas joint committee will have a role, in that it will participate by putting forward names for consideration for inclusion on the boards, Members also should ensure that the Oireachtas has a monitoring role in respect of both the body's expenditure and with regard to the kind of levy that will be required of broadcasters. In others areas, such as the damning example of FÁS, it can be seen how expenditure went out of control completely. While such things do not necessarily happen, they have happened and do happen and Members must ensure that they learn from the experience.

As I recall, I adapted this amendment following the discussion on Committee Stage because the Minister stated that a three-year plan was acceptable to him. We adjusted the amendment to meet his point. I hope he accepts it as being part of democratic oversight. I hope we can ensure that funding for this regulator and the workings of the regulator are characterised by value for money and forward planning. The three year arrangement for budgeting can set out a strategy for the future rather than a short-term one, which is possible if we do not have the three year framework.

Deputy Simon Coveney: I support the comments of Deputy McManus. Amendment No. 34 has the same provision, except that I have suggested a report should come before the Oireachtas committee once every two years. I am happy with that being once every three years if the Minister accepts this amendment.

I proposed a number of other measures. Before the levy for the financing of the broadcasting authority is imposed on broadcasters each year, it is not unreasonable that it require approval by the Minister for Finance and that there be an estimate of expenditure before the approval is given. The approach of the Minister is that the levy can be imposed and, if the Oireachtas has a problem within 21 days, it can act upon it in the set timeframe. What I propose is that, each year, before the levy is imposed, the authority is required to bring an estimate before the Houses of the Oireachtas and get approval from the Minister for Finance for it before the beginning of each financial year.

Deputy McManus referred to the creation of another quango, which this is. We are trying to avoid this becoming any bigger than it needs or costing more than it needs. The industry is struggling and adding an extra levy to broadcasters is another burden they do not need. Let us ensure this is not an empire building exercise within the new broadcasting authority. Let us require the authority to set an estimate before it gets finance through a levy so that we can ensure the broadcasting authority is seeking value for money in everything it does. That is not an unreasonable request, particularly in the current environment.

I propose that it is the Minister for Finance and the Department of Finance which gives the final approval. I do not propose a long, drawn-out debate in the Oireachtas committee to approve the levy each year. I suggest putting an estimate to the Oireachtas and getting the green light from the Minister for Finance to ensure he and the Department of Finance are satisfied the new authority is getting value for money, is not getting bloated and is not seeking too much finance from the broadcasting sector to run itself efficiently. That is not too much to ask.

Amendment No. 33 is not directly related to the other amendments but it concerns the levy. It proposes to remove section 33(5)(a), which suggests that money left over each year can be retained by the authority to be offset against the levy obligations for the subsequent year. That is not necessary. If money is not used, it should be given back to its source, the broadcasters. A broadcaster may go out of business halfway through the year. There is the option for the authority to refund to broadcasters proportionately but if money is not needed it should be returned rather than rolled over into the next year. I will not press this amendment. My main amendment supports Deputy McManus's suggestion, to ensure we are not creating a bloated, overly expensive structure to regulate the broadcasting sector.

Deputy Eamon Ryan: I fully agree with both Deputies that we do not want to create an expensive administrative system with economic consequences for broadcasters, but the proposed legislation provides the right cover and strictures for the broadcasting authority of Ireland. A key determinant of the cost of a public service body such as this is the staffing level. Section 15(1) requires the consent of the Minister for Communications, Energy and Natural Resources and the Minister for Finance for an increase in staff. At this moment, that will not be an easy obstacle in terms of unchecked growth.

Section 33(7) requires that a levy order shall be laid before each House of the Oireachtas, where such an order may be annulled by resolution. In section 37(7) there is an obligation for the broadcasting authority of Ireland to publish the three year revenue and expenditure estimate that is part of its business plan. The Oireachtas then has the power outlined in section 20 to bring in the chairperson and CEO, where previous legislation did not include the chairperson. There is an obligation that the three year plan is transparent and is published on the broadcasting authority of Ireland website. The Oireachtas committee may question, investigate and pass a resolution if it sees fit. There is sufficient power to provide a three year review. All this amounts to the administrative check by the Oireachtas on what might be termed regulatory creep. For the reasons set out I do not propose to accept the amendments.

[Deputy Eamon Ryan.]

I refer to the principle of whether such a levy is a valid charge on the industry. It is common practice in most of our regulatory systems, such as the energy regulator and the communications regulator, that they are funded directly by an industry levy. It is more appropriate and works better than dependence on Exchequer funding, which is less predictable and less dependable.

I attended the annual event for independent broadcasters and spoke to the chief executives of a number of companies that have been in existence for some 20 years. Each recognised that the presence of a regulatory system worked to the advantage of the companies. The setting and maintenance of standards had guaranteed a more secure future than would otherwise be the case. Taking the example of local radio stations, the initial instincts might have been that people would want music 24/7 and that the 20% local content provision was an encumbrance or a financial cost to the station. However, in operation over the past 20 years, they found that the obligations and maintenance of standards and news content gave radio stations a real character and a connection to audiences that was to their benefit. The regulatory system benefits those in the industry by providing a fair level playing pitch and the cost, when it is of the order of €5 million to €7 million and spread between the players in the industry, is very good value for the security of being in a competitive yet regulated market.

Deputy Liz McManus: The Minister is amusing us. He has made a speech as if someone had argued against regulation. None of us is arguing against that. He has outlined the benefits of regulation, for which I thank him, but we are aware of them and do not need to have them rehearsed. That is not the argument or the point at issue.

The industry accepts that it must pay for regulation but I have heard from many different sectors within the industry that it is daft to have two regulators when we only need one. The integration of technologies requires us to have one regulator, and that will happen eventually. The current Minister, Deputy Eamon Ryan, may not be there to oversee it but somebody after him will argue in future that we should have done this years ago and will do it then. The process will be more efficient as a consequence.

Now that the Minister is persisting with this particular misguided view, he must ensure the process is transparent. It is one thing to have plans put up on the web — we have all seen plans and grandiose strategies — but this is about budgets, estimates, where the money will go, where it will come from and who will be behind it.

The Minister mentioned staffing that will need to be sanctioned. We all know what has happened because of the embargo in the local authorities and HSE. In these cases, the embargo is avoided by taking on temporary staff and employing consultants. I have not had a chance to check this in the Bill but I would like a guarantee from the Minister that the same sort of activity will not happen in setting up this board.

It seems the Minister is setting up a regulator and indicating it will not cost a cent more than the BCI, yet it will have many extra duties and responsibilities. Such an objective means the Minister is living in fairyland. If there is to be no extra staffing, will the controls apply that clearly did not apply to local authorities taking on temporary staff?

I support Deputy Coveney's point with regard to paying back levies which are not spent. It would be grossly unfair on broadcasters not to accept that amendment. The Minister is saying he will keep the money even though it has not been spent. The broadcasters may not have it back although they may need it desperately, as the law will state that the Government can decide to hold on to it. That is grossly unfair.

Deputy Simon Coveney: I will respond to the Minister's statements on this specific issue rather than the need for regulation in general as we are not arguing against that. There is a big difference between a requirement on the authority to put an estimate together before it raises money through a levy, for us to see that estimate and for it to be approved by the Minister for Finance and, on the other hand, laying a levy order before the Houses of the Oireachtas after it has been made. That is the crux of the issue with regard to my amendment. We should require the authority to put detailed costings together on how it will spend money for a 12-month period and then allow it raise the money, as opposed to allowing it decide how much it will need without giving us any estimate or costings, with the levy put in place, the levy order put before the Houses of the Oireachtas and without the opportunity to reverse it if required after the decision has been made.

No budgeting process works like that and there is no way the Minister would spend money in such a manner in his Department. A detailed planning process is required of how money is to be spent, how many staff are required, the likely decisions to be made and the cost to ensure this is done properly. The money is then raised rather than having it the other way around. I do not see any provision in the Bill which will give the Oireachtas the detail of the estimate of how the authority will spend its money over a 12-month period.

Deputy Eamon Ryan: Section 37(1) states:

The chief executive, following the agreement of the Authority, shall not later than 30 September in each year, submit estimates of income and expenditure to the Minister in respect of the subsequent three financial years, in such form as may be required by the Minister, and shall furnish to the Minister any information which the Minister may require in relation to such estimates, including proposals and future plans relating to the performance by the Authority, the Contract Awards Committee and the Compliance Committee of their functions, as required.

Section 37(7) states:

The Authority shall publish, with the consent of the Minister and the Minister for Finance, on a website maintained by the Authority, such estimates of income and expenditure as are required to be prepared under *subsection (1)* or a summary of them.

An estimate of what the three years of expenditure will be is a budget and that will be published on the website. The Oireachtas committee can question any such authority on the nature of its budget. The provisions are there and I do not believe the amendments should be accepted.

In response to Deputy McManus's comments, she is engaging in a separate exercise going back to the structure of the regulatory authority, although we will not go back to that. There will be additional duties and responsibilities. It is planned that the legislation we are introducing will also bring efficiencies, with complaints procedures and the likes of right to reply. It will not all be about additional work, it is about making work easier. With regard to the work programme in terms of development of codes, where there is a large responsibility, certain work is done and it is replaced by additional work.

We will not stop looking at further efficiencies to be gained, perhaps by taking on resources from other similar control functions in the audio-visual area. In the past we mentioned that we would look to see whether the Irish Film Classification Office could be amalgamated into this and bring about efficiencies and additional resources.

There are ways in which additional resources can apply through public service reform and that is what everybody is talking about here. Our mantra is to gain efficiencies.

Deputy Liz McManus: None of that is in the Bill.

Deputy Eamon Ryan: The Bill sets out the structure of what this authority will do. The ability to meet those is not given in statutory form as it is done by a chief executive and the Minister within the powers they have to get more from our public service commitments.

Deputy Liz McManus: There is nothing in the Bill about those kinds of reforms so I do not know how the Minister can claim that it can or will happen. That is not the nature of the beast, which is instead to set up a little empire and try to draw in resources. The Minister did not answer the staffing question, which is very important. I would be grateful if he would comment on that issue.

Is the right of the regulator to hold on to levies which it has not spent anomalous? If the Minister's Department does not spend all its allocation, my understanding is that the money goes back to the Department of Finance and the Minister's Department would be judged on that in terms of future allocations. The Department must operate under certain rules. Where broadcasters are to pay a levy, often with difficulty, they cannot receive back unspent money, which is fundamentally wrong.

An Leas-Cheann Comhairle: That concludes the debate on the amendment. Is the Deputy pressing it?

Deputy Liz McManus: I would prefer to have an answer.

Amendment put and declared lost.

Deputy Simon Coveney: I move amendment No. 33:

In page 40, to delete lines 1 and 2.

May I make a final comment? Perhaps not while I am in my seat.

An Leas-Cheann Comhairle: Exactly. I would do it if I were the Deputy.

Deputy Simon Coveney: I appeal to the Minister to accept the amendment as I do not see how it creates even an inconvenience for the authority. This is about returning unspent money to the source, which currently comprises hard-pressed broadcasters who could do with the money if it is not required. In other words, if the authority puts in place the kind of efficiencies that will allow it to save money, the surplus funds should be returned to broadcasters.

Deputy Eamon Ryan: I agree with the principle of carrying over funds because this ends the bad practice whereby people might be frantically seeking to spend money at the end of the financial year. It is better management and practice to have a certain level of flexibility. Such flexibility exists in respect of my Department's spend, in respect of which carryover facilities exist. I am of the view that carrying over funds is the right thing to do.

Deputy Liz McManus: The Minister did not reply to the question on staffing. He is being extremely selective in the context of the answers he is providing.

Deputy Eamon Ryan: I will answer the Deputy's—

An Leas-Cheann Comhairle: I must intervene and state that while it is possible for the House to disaggregate grouped amendments, Members are supposed, if amendments are being discussed in a group, to deal with the relevant issues within the time allowed.

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

Amendment declared lost.

Deputy Simon Coveney: I move amendment No. 34:

In page 40, to delete lines 8 to 18 and substitute the following:

“(7) (a) The Authority shall be required to bring an estimate before each House of the Oireachtas and get approval from the Minister for Finance for such an estimate before the beginning of each financial year.

(b) Approval of the Minister of Finance and the Houses of Oireachtas will be required for the estimate of expenditure for the financial year, before any levy orders are constructed or made.

(c) The detail of a levy order shall require the approval of the Minister for Finance.

(d) A request shall be made available to the Joint Oireachtas Committee at least once every two years on the levy order mechanism being adopted by the authority and the multi-annual budgeting in place for the Authority.”.

I do not accept the Minister’s assertion to the effect that section 37 covers the issue of a requirement for estimates of income and expenditure. It does not make sense to separate a presentation of estimates to the Minister from the raising of a levy. Surely it would make sense to link the two. In other words, the estimates would be presented, the Minister and Government would be persuaded that they represent value for money and then the money could be raised. This would be better than putting in place a levy-raising procedure that would be entirely independent of the discussion on the estimates that would take place in September each year.

An Leas-Cheann Comhairle: Unfortunately, we cannot have a debate on the amendment because it has already been discussed with amendment No. 32.

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

Amendment declared lost.

An Leas-Cheann Comhairle: Amendments Nos. 35, 62, 63 and 124 to 126, inclusive, are related, while amendments Nos. 125 and 126 are technical alternatives to No. 124. Therefore, amendments Nos. 35, 62, 63 and 124 to 126, inclusive, may be discussed together by agreement.

Deputy Eamon Ryan: I move amendment No. 35:

In page 42, between lines 39 and 40, to insert the following:

“(5) An annual report shall include a report to the Minister in respect of contracts entered into by the Authority under *section 67* and any consequent strategy the Authority proposes to adopt to encourage competition in respect of the award of sound broadcasting contracts, excluding contracts entered into under *sections 64* and *68*.”.

Section 67 provides for a fast-track procedure in respect of radio licences where the incumbent is the only party interested in broadcasting to the chosen franchise area. This section derives from the radio licensing review in 2004 and addresses the concerns expressed by incumbent radio stations about the necessity to incur the significant expense of compiling an application for a new licence even when there is no other applicant.

[Deputy Eamon Ryan.]

Amendments Nos. 35 and 63 aim to address the concerns raised on Committee Stage in respect of the maximum licence extension period permitted under the proposed fast-track procedure. Amendment No. 63, jointly proposed by Deputies McManus and Coveney and me, will permit the broadcasting authority of Ireland to make licence extensions of up to ten years under the fast-track procedures. Amendment No. 35 amends section 38 to provide that the broadcasting authority of Ireland must report on an annual basis on its usage of the fast-track procedure and its proposals to encourage competition for the award of commercial radio licences. These amendments aim to provide for a fast-track procedure that will balance the need to ensure that the radio sector will not bear unnecessary costs with that of ensuring that competition will be encouraged in respect of the award of commercial radio licences. Amendment No. 62 replaces an incorrect subsection reference in the text of section 67(4).

Amendment No. 125 relates to the incentives offered to radio licensees to simulcast digital radio services in addition to their analogue services. Section 134 provides that the broadcasting authority of Ireland may extend by up to four years the terms of an FM radio licence, providing that the licensee concerned is prepared to provide its radio service on a digital radio multiplex. The aim of this section is to encourage the development of digital radio. While there may be an additional cost for broadcasters which choose to simulcast on a digital network, there will also be benefits and opportunities associated with the new digital environment. Having listened to the views expressed by the Deputies on Committee Stage, I tabled amendment No. 125 to increase the maximum licence extension term permitted under section 134 from four to six years.

Deputy Simon Coveney: These amendments have the potential to be one of the success stories to emerge from the Committee Stage debate. Amendment No. 63 proposes that we should replace the period of seven years with one of ten in the aftermath of a fast-track application process for the awarding of a contract licence. It should not be forgotten that this will give the authority the power to grant a licence that will not exceed ten years. If the authority deems it so appropriate, it may impose contract extensions of only seven years or five years. I welcome what the Minister is doing in these amendments because there will be cases where a ten-year period will be appropriate.

It is nonsensical to require radio stations to apply for licence renewals on a regular basis and to foot the cost relating to that laborious process. It is important that broadcasters will be provided with a degree of certainty that will allow them to put in place the necessary investment programmes to allow them to build up their audiences and their broadcasting capacity. I am sure the industry will appreciate the provision of a ten-year period.

The Minister proposes to increase the maximum period relating to digital radio licences from four years to six. He has come a considerable way in that regard and, in such circumstances, I will be happy to withdraw the relevant amendment in my name.

Deputy Liz McManus: I welcome the changes the Minister is making. It must be acknowledged that he has listened to the Opposition and has made a good decision in the context of extending the period of a licence. It seemed particularly unfair that in circumstances where the incumbent had no competitor, the period was limited to four years. Like Deputy Coveney, I welcome the extension from four to six years and I will also withdraw my amendment in that regard. The extension to six years represents a good development.

A great many questions have arisen in respect of digital radio. Will the Minister outline the extent to which it has taken off or indicate the number of digital radios have been acquired by citizens? What incentives have been put in place to encourage commercial radio broadcasters

to spend money providing digital audio broadcasting, DAB, services? Will the Minister indicate what is the current position? When one considers what has happened in respect of digital terrestrial television, DTT, it is clear that a major problem has arisen following the withdrawal of the Boxer consortium. We are all probably guilty of engaging in hyperbole in respect of the creation of a digital Ireland. However, the position, as it stands, is not encouraging. Perhaps the Minister might outline the progress that has been made in respect of DAB.

The Minister is, by means of amendment No. 25, inserting in the Bill an additional subsection relating to contracts. I do not have a difficulty in this regard and I am glad community radio is being treated as a special case. However, it would have been no harm to have included another subsection dealing with other forms of contracts and circumstances where consultants are brought in, sometimes at enormous expense, to carry out particular tasks. The allocation of funding in this regard is not often seen in a very transparent way. To be fair to him, he was ruled out of order by the *Leas-Cheann Comhairle* in terms of answering the questions of staffing, temporary contracts and consultants. Will they be permitted or not?

Deputy Eamon Ryan: To answer the broad question the Deputy asked earlier in terms of staffing, one of the points I made is that what we are looking for in the public service reform process is the amalgamation of other agencies. That is not completed and, therefore, it is not in the legislation but there is nothing precluding us from doing that in this legislation. The amalgamation of such agencies into the broadcasting authority of Ireland would allow efficiencies and the addition of staff resources which could deal with some of the additional responsibilities. There is not a ban, as it were, on consultancy or short-term contract services but obviously that must operate within the authority's existing budget. That is in some way restricted by its full-time staff quota. It is not a vast budget within which large consultancy contracts can be written up.

One of the developments I see in the public service regulatory area, in terms of our own work in the Department, is that we will have to see increasing co-operation between regulators and the Department because our own consultancy budgets have been greatly reduced and, therefore, it behoves the public service, in regulatory and in departmental form, to work closer together and in that way also to achieve greater efficiencies. There are a number of different ways, therefore, that we will have to reform the public service to get more out of tighter budgets.

Regarding digital radio, it is in development phase here. RTE is operating trial digital audio broadcasting services using one multiplex. That provides space for approximately ten radio channels and carries content from RTE and certain commercial radio operators. It is on a trial basis which will come to an end.

The development of digital radio services here is not as advanced as it is in the United Kingdom. It is far from clear how it will be rolled out in the UK. RTE has applied for a national digital audio broadcasting licence from ComReg and I understand it is planning to develop an RTE only multiplex in the near future. It is anticipated that the Broadcasting Commission of Ireland will invite applications for commercial digital radio services in the near future.

The overall success of digital radio will depend on the commercial interest in digital radio and the subsequent level of consumer take-up. My view is that it will be taken up and, to a certain extent, it will be driven by the availability in standard cars of digital audio broadcasting tuning rather than FM. Once that becomes readily available, that will drive it here in large numbers.

[Deputy Eamon Ryan.]

In the UK, despite some of the difficulties, there is a large volume of digital audio radios. It is very popular and I believe it is the way to go. The higher quality and higher transmission capabilities make it a development we should and will see here.

Deputy Simon Coveney: I wanted to come in on the discussion on digital radio and, to a certain extent, digital television. I am interested to hear that the BCI will be seeking commercial interest in digital radio roll-out. That is welcome but it flags a major problem we have regarding DTT and RTE's exposure because of the Boxer DTT withdrawal.

I realise we are moving slightly from the amendment but there is an obligation on RTE to have free-to-air DTT services up and running by the end of this year. It has already spent approximately €40 million rolling out the infrastructure and it will cost it another €60 million to €70 million to finish that job. That is only financially possible for RTE if it has revenue coming from a commercial operator also using that platform.

Does the same problem apply in regard to digital radio in terms of the cost of rolling out the platform, that is, masts and aerials, to provide a digital radio service? Is the financing of an RTE roll-out programme contingent on a commercial digital radio operator or operators doing a similar job to what Boxer DTT had proposed to do with DTT?

Deputy Eamon Ryan: We are straying slightly from the amendment but I do not mind doing it—

Deputy Simon Coveney: We are, slightly.

Deputy Eamon Ryan: —because the development of digital terrestrial television is a crucial area. It is crucial because the switch off of analogue transmission services in 2012 gives us a major economic opportunity to switch on a range of broadband and other services we can use in that spectrum. What I have said to people in the broadcasting area is that this is a crucial economic development for the country and one we will achieve. That is the reason that provision is in the Bill in terms of recognising we are on a path towards analogue switch off.

The advantage of the system we have in terms of the procurement process the BCI was engaged in is that there was a number of different bidders and because the first bidder, for its commercial reasons, was unable to progress the contract, the BCI had to go to the second bidder. That process is in train and I am confident that DTT will be delivered here. It may be slightly delayed but it is on track to allow us make the switch off I mentioned our key target date.

Deputy Simon Coveney: By the second bidder?

Deputy Eamon Ryan: I will not prejudge the process the BCI is engaged in but there will be an outcome which sees us having an effective DTT service combining a free-to-air service with a commercial allied service.

The second key reason we want to see that delivered is not only do we get a benefit from the analogue switch off, but we also need a variety of platforms here to ensure that we are not dependent on outside platforms, as it were, and that there is a real benefit in terms of having a State supported terrestrial system. That is what the licence fee holders pay for and that is what we want to deliver.

The same analogue switch off date does not apply to radio. The spectrum used is much smaller and, therefore, there is not as big an economic issue, nor is there an imperative from the European Union which is the case regarding the analogue switch off in television. In the

same way that FM rolled out in the 1980s because it could provide a better quality service, I believe we will see digital radio coming here because it provides a better quality service. Major efficiencies can be gained in the transmission system, and that is in the long-term benefit of the broadcasters.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendment No. 36 is in the name of Deputy McManus. Amendments Nos. 37, 42, 43, 45 and 47 are related. Therefore, amendments Nos. 36, 37, 42, 43, 45 and 47 may be discussed together by agreement.

Deputy Simon Coveney: Can I propose an alternative to that?

An Leas-Cheann Comhairle: The Deputy can do so.

Deputy Simon Coveney: Amendments Nos. 36 and 37 are linked but my amendments Nos. 43, 45 and 47 deal with a separate issue and I would like those three amendments to be taken separately, if that is possible. I do not want to make an issue about it but it will make the discussion clearer.

Deputy Liz McManus: Yes.

An Leas-Cheann Comhairle: Does amendment No. 42 remain part of the group?

Deputy Simon Coveney: Amendment No. 42 deals with a separate issue to that which I am dealing with in my amendments.

Deputy Eamon Ryan: I am happy with that.

An Leas-Cheann Comhairle: We will take amendments No. 42, 43, 45 and 47 when we reach them. Can we take those as a separate group?

Deputy Simon Coveney: Yes.

An Leas-Cheann Comhairle: We are now taking amendments Nos. 36 and 37.

Deputy Liz McManus: I move amendment No. 36:

In page 43, line 29, after “crime” to insert the following:

“, anti-social behaviour, exploitation or commercialisation of children or bullying”.

An issue arises in regard to the type of material broadcast to children. We are all conscious of the fact that we should not overdo the restrictive approach but the problem of anti-social behaviour is a real one which is increasing. None of us doubts that the influence of television is significant when it comes to children’s attitudes and learning behaviour.

The Minister has said that the issue of exploitation, commercialisation of children or bullying are already covered in section 39(1)(d) but that is a vague section. It would be better if the Minister were more specific and included amendment No. 36.

Amendment No. 37, which I do not expect the Minister to accept, raises issues about which he is concerned, that is, the commercial exploitation of children through broadcasting. Television is such an important phenomenon in children’s lives that in some countries there has been a recognition that for a period of time when children are watching they should be free of advertising and the pressures that arise. The example with which we all are familiar is the

[Deputy Liz McManus.]

period coming up to Christmas when there is a bombardment by companies of products for children which can be extremely onerous and which will be increasingly so in a time of recession where people cannot buy what are often expensive presents.

The Minister has made a concession in terms of the food advertising, although it is fairly anodyne in terms of impact. However, I would favour it. Perhaps a more radical step would be more appropriate to the Minister's viewpoint which, I suspect, is not that far removed from mine.

Deputy Simon Coveney: I support both of these amendments.

An Leas-Cheann Comhairle: I should have stated we are also including amendment No. 42. We are discussing amendments Nos. 36, 37 and 42 relating to children.

Deputy Simon Coveney: Amendment No. 36 is a belt and braces approach towards ensuring that exploitation or commercialisation of children and the bullying and anti-social behaviour issues are raised explicitly in that section of the legislation. I support these amendments.

Deputy Eamon Ryan: In respect of amendment No. 36, as proposed by Deputy McManus, on the duties of broadcasters under section 39(1)(d), I would argue that the rewording of this paragraph on Committee Stage by the substitution of "causing harm and offence" for "offending against good taste or decency" in effect covers the issues of anti-social behaviour and bullying. Broadcasters would be under a duty not to broadcast something that is likely to cause harm. Subsection 5(6) of the children's advertising code already states that children advertising shall not encourage children to engage in or be portrayed engaging in anti-social behaviour, in particular, bullying, taunting or teasing other children unless the sole purpose of the advertisement is to discourage such behaviour.

This change is also carried through to section 42 in respect of the broadcasting codes to which I have referred. Section 42(2)(f) requires the broadcasting authority to develop a code which ensures that audiences are protected from harmful or offensive material, in particular, that programme material in respect of the portrayal of violence and sexual conduct shall be presented by a broadcaster with due sensitivity to the convictions or feelings of the audience and with due regard to the impact of such programming on the physical, mental or moral development of children.

With regard to the exploitation or commercialisation of children, in amendment No. 23, as already discussed, I have provided that the broadcasting authority of Ireland is obliged, in section 25, to protect the interests of children taking into account the vulnerability of children and childhood to undue commercial exploitation. As such, I believe that these changes address the matters raised in the Deputy's amendment.

With regard to amendment No. 37, I provided a requirement in section 42 that the broadcasting authority of Ireland prepare codes governing the standards and practices to be observed by broadcasters in relation to children — a continuation of one to which I have already referred. Section 42 also provides for the continuation of the existing codes, namely the code on programme standards which was delivered on 10 April 2007, the children's advertising code which was introduced on 1 January 2005 and the general advertising code which was introduced on 10 April 2007. In addition, section 25 now requires the broadcasting authority of Ireland to protect the interests of children taking into account the vulnerability of children and childhood to undue commercial exploitation. These provisions provide a level of protection while recognising the need of broadcasters to finance their operations by means of advertising. Overall, I

consider that sections 25 and 42 provide a balanced response to the concerns raised by the Deputy and as such I cannot accept amendment No. 37.

In respect of amendment No. 42, I would argue that the existing text of section 42(2)(f), which provides that the broadcasting authority of Ireland has a code which protects audiences from harmful material, in particular, material in respect of the portrayal of violence and sexual conduct, encompasses the issues raised by the Deputy and as such I do not propose to accept the amendment.

Deputy Liz McManus: I accept that there are certain protections in this section but there is a slightly different emphasis in amendment No. 42. There is a growing understanding that we need to know more about the impact of violence and explicit sexual behaviour as broadcast on television on people generally. I do not know how far we can take this but there has been a reaction because in the past those of us of a certain age lived under a severe censorship. However, we need a greater understanding of this aspect. It is more a matter of considering, looking at and exploring what is going on in terms of the influences that are coming from television. There are times when one doubts that codes of conduct have any impact. If one broadcaster is competing with another in terms of graphic material, I suspect that codes of conduct tend to be set aside because they are more akin to guidelines than anything else.

Amendment No. 42 is concerned with a cold analytical approach to the impact of such material, not on children but on adults and children. We need to look at the level and forms of violence in our society and understand why, generally speaking, we have become a more violent and aggressive society and what part television plays in that. It is not a problem we can solve alone. It is the kind of work that must be done at EU level. If we should put this specifically into the Bill, not merely stating that we would protect people from offensive material but also that we will consider the impact. If we do not look at what is happening in that relationship between broadcasting and the individual in the audience, we are missing the point in terms of what is going on in our lives and the role television plays in it.

Deputy Eamon Ryan: I would agree with Deputy McManus. I would refer to section 26(2)(c), which empowers the BAI to conduct that research. I agree that if it is not measured, it is hard to know the effect. However, there is provision in the Bill for such research to be done.

Amendment, by leave, withdrawn.

Amendment No. 37 not moved.

An Leas-Cheann Comhairle: Amendment No. 38 in the name of Deputy Coveney arises out of Committee proceedings. Amendment No. 39 is a technical alternative, therefore, amendments Nos. 38 and 39 may be discussed together by agreement.

Deputy Simon Coveney: I move amendment No. 38:

In page 44, to delete lines 30 to 34 and substitute the following:

“(2) The total daily time for broadcasting advertisements in the television broadcasting service must not exceed a maximum of 20 per cent of the total daily broadcasting time and the maximum time to be given to advertisements in any hour shall not exceed a maximum of 12 minutes averaged over 2 consecutive hours.”.

Amendments Nos. 38 and 39 deal with the same issue of the maximum amount of advertising that we will allow broadcasters to broadcast. The Minister's view is that there is enough adver-

[Deputy Simon Coveney.]

tising on television and radio and we do not need any more. The Bill provides for 15% of the total daily broadcast and ten minutes in the hour can be attributable to advertising.

I propose that we increase those figures. We are concerned here with giving the authority the power to set a maximum. There is no reason that the authority should not have the power, under certain circumstances, to increase the figure to a maximum of 20% or 12 minutes over consecutive hours.

Many Irish broadcasters are financially on their knees. When one examines what is considered best practice, many EU countries, including the UK, have no limits on radio advertising. They have decided that if there were too much advertising on one radio station, people will switch over to another. Ireland, however, regulates this area with a cap on the amount of advertising broadcast. Will the Minister allow a little more flexibility in the Bill's provision in this area? My amendment would provide an opportunity to allow broadcasters to increase revenue stream at certain times in the day. The proposed cap in this Bill is too limiting. Will the Minister examine how other countries have approached this area? I believe the Minister will find that my amendment is more in sync with the practice of most countries that regulate this area.

Having spoken to several broadcasters on this matter, allowing 12 minutes to be averaged over two consecutive hours is considered practical. We do not want a television or radio station having to end, say, an interesting interview because a certain minutage of advertising must be fitted into one hour. It makes sense to have a flexibility to allow a station carry that minutage into the next hour.

Minutage should be averaged out over two hours rather than having hard and fast exact minutage rules per hour. Will the Minister consider some flexibility in this area? If it were to be abused, the authority would have the power to impose the maximum limits that the Minister is proposing in the legislation anyway. All this amendment will do is give the authority the extra power to apply a slightly looser arrangement to advertising rules. It is a pragmatic response to a credible appeal from the broadcasting sector.

Deputy Liz McManus: Amendment No. 39 accepts that because of the way broadcasting can operate, it is not always possible to ensure the requirement of the ten minutes in the hour limit for advertisements is adhered to strictly all day every day. To average it over two hours provides a certain amount of flexibility which would be fair to broadcasters.

The current provision as it stands has only led to micro-management with the Broadcasting Commission of Ireland watching out for broadcasters to fail the test. If the new authority is meant to be taking on extra duties, it does not make sense that it must carry the old duty of managing per hour the amount of advertising by each broadcaster. A journalist, for example, falling by the wayside in letting a politician talk longer than he or she should must not become an issue for a broadcaster.

I do not support Deputy Coveney's amendment allowing for additional advertising time. The problem lies more with the current difficult economic climate. Broadcasters cannot get enough advertising to fill the spaces they have, let alone us giving them more space.

There are also issues about transparency. We have a dominant player in RTE, a public broadcaster which does a fine job. However, issues arise with broadcasters competing for advertising revenue not just in the broadcasting sector, but in the print media too, another area that needs to be addressed. The advertising revenue pool has shrunk dramatically. There are concerns about how advertising rates are being applied and whether fair competition applies.

I am sorry I cannot support Deputy Coveney's amendment but I ask the Minister accept mine. It is a modest and minor amendment which will mean the authority will not be wasting its time micro-managing broadcasters which, at this stage, know how to operate in this area.

Deputy Eamon Ryan: Deputy Coveney is correct in claiming there are examples elsewhere of much more lenient and flexible advertising regimes in broadcasting. Ireland, however, has one of the highest radio listenership in Europe and I believe this has been achieved on the back of good regulation. Listeners have much loyalty to our radio stations; they are not tuning in to hear advertising but people communicating. While I accept the advertising cap may be difficult for some broadcasters in this current economic downturn, the system is to the benefit of the industry.

Section 41(2) sets the statutory cap for advertising on radio broadcasters at 15 % of the total daily broadcast time and ten minutes in any hour. Chapter IV of the audio-visual media services directive sets the upper cap for advertising by television broadcasters of 20% of broadcasting time, 12 minutes an hour. Section 43(1) provides that the broadcasting authority of Ireland shall set the daily and hourly minutage maximum for radio and television advertising by commercial and community broadcasters in the context of the upper cap set by the legalisation. While the broadcasting authority of Ireland would have some discretion in respect of advertising minutage, it should exercise that discretion with due care to ensure that any change does not have a negative impact on the viewers' and listeners' experience or have a detrimental impact on the overall quality of Irish broadcasting services.

In respect of the upper limit of 12 minutes for television advertising proposed in amendment No. 38, this is covered by the requirement in section 43(4) for any broadcasting advertising rule, prepared by the broadcasting authority of Ireland under section 43, to accord with Chapter IV of the audio-visual media services directive.

While it may be argued that the average mechanisms proposed in amendments Nos. 38 and 39 would allow for more free flow and elimination of petty breaches, it would still have the effect of extending the amount of radio and television advertising over and above the ten and 12 minute maxima provided for in the Bill.

Having reflected on the matter since Committee Stage, particularly on the likely impacts on audiences and quality of broadcasting, I do not believe it is in the general interest to allow a greater amount of advertising in any one hour than the maxima proposed. The audio-visual media services directive requires a limit of 12 minutes per clock hour and does not permit an averaging over several hours. Accordingly, I will not be accepting these amendments.

Deputy Simon Coveney: I am willing to withdraw my amendment on the basis of the Minister looking again at amendment No. 39. The Minister is taking a legalistic and theoretical view on this matter rather than a pragmatic one. I would be surprised if he has spoken about this issue with radio broadcasters as he does not seem to understand what we are getting at about two consecutive hours rather than one.

Many examples could be given of radio stations which would turn away viewers by doing what the Minister proposes. It would be crazy if a station had to cut short an interesting interview with a Minister simply because of a requirement to broadcast three minutes of advertising before the end of the hour rather than delay the advertisements to the following hour. No radio station wants to reduce its audience.

The Minister argues that moving from an hourly requirement to a slightly more flexible arrangement that would allow advertising time to be averaged over two hours will in some way damage radio listenership. However, the motivation behind this amendment is to improve radio

[Deputy Simon Coveney.]

content rather than force advertising breaks to meet strict criteria. I fundamentally disagree with him in this regard and ask him to reconsider.

Deputy Eamon Ryan: We are not seeking a complete clampdown on radio stations so that any oversight leads to immediate revocation of a licence. In 2008, 11 stations were notified of 50 breaches to the ten minute rule. Common breaches included sponsorship announcements, competition announcements and other mechanisms, which were in effect advertising, not being included in the minutes, incorrect timing of recordings whereby a 40-second advertisement was logged as 30 seconds and the overrun of advertisements from one hour to the next. I understand that a very limited number of these breaches were due to the overrun of an interview. The broadcasting authority must have the flexibility to manage this issue, including mechanisms to address flagrant breaches, without requiring broadcasters to stop dead on the clock. The Bill provides for certain standards so that, for example, rush hour audiences are not forced to listen to lengthy advertising breaks.

An Leas-Cheann Comhairle: How stands the amendment?

Deputy Simon Coveney: I withdraw it.

Amendment, by leave, withdrawn.

An Leas-Cheann Comhairle: Given that amendment No. 38 has been withdrawn, we have not decided on the question “That the words proposed to be deleted stand part of the Bill.” As such, Deputy McManus may move amendment No. 39.

Deputy Liz McManus: I move amendment No. 39:

In page 44, line 34, after “minutes” to insert “averaged over two consecutive hours”.

Even if amendment No. 38 had been pressed, this amendment could still have been moved.

An Leas-Cheann Comhairle: By way of explanation of the procedural point, the question on amendment No. 38, had it been put, was: “That the words proposed to be deleted stand part of the Bill.” Had that question been carried, there would have been a decision by the House not to amend the words in the Bill. However, as the amendment was withdrawn and I did not put the question, it was proper to move amendment No. 39.

Amendment put and declared lost.

An Leas-Cheann Comhairle: Amendments Nos. 40, 41, 44 and 46 are related and may be discussed together by agreement.

Deputy Simon Coveney: I move amendment No. 40:

In page 44, to delete lines 38 to 41.

I recognise this is a sensitive area. As the reintroduction of religious advertising to broadcasting in Ireland should not be done lightly, I have been careful to propose a form of wording that would allow the broadcasting authority to put in place a code of conduct for such advertisements. I have also proposed in amendment No. 46 to give the authority the power to prohibit if necessary any form of religious advertising should the experiment be abused. I do not propose a radical free-for-all that would allow any form of religious or faith promotion.

Amendment No. 44 provides for the insertion of a new paragraph (j) which reads:

[T]hat any advertising, teleshopping material, sponsorship and other forms of commercial promotion employed in any broadcasting service which relates to a religious organisation, publication or teaching is in no way divisive or discriminatory in relation to any community, section of community or person and that a positive tolerance towards diversity and multiculturalism is shown at all times.

This is the basis for the code of conduct I would like the authority to put in place. As an insurance mechanism, amendment No. 45 provides the insertion of a new subsection (5), which reads:

A broadcasting code prepared by the Authority under *subsection (2)(j)* may prohibit advertising, in a broadcasting service of religious advertising considered by the Authority to be intolerant of diversity, or divisive in its content or message, indeed the Authority shall reserve the right to prohibit all forms of religious advertising, as was the case prior to the *Broadcasting Act 2009*, should the Authority deem it necessary to introduce a new code to do so.

Amendment No. 47 requires the authority to appear before an Oireachtas committee at least once every year to report on the effectiveness of the broadcasting codes in place, suggest amendments to established codes or propose entirely new codes. These amendments recognise that Ireland is mature enough to allow responsible forms of religious advertising, whether in the run-up to Christmas or in respect of the country's various minority religions. However, a mechanism will be available to shut these provisions down if they are abused.

I do not expect the Minister to accept my amendments but I ask him to consider them nonetheless. I recognise what he is trying to achieve in the existing text of the Bill in terms of permitting the advertisement of religious newspapers, magazines and periodicals. However, we should go a little further. It would be brave to do so but Irish society is mature enough now to handle that as long as an insurance mechanism is in place that can respond to abuse of the code of practice and oversight by an Oireachtas committee of the operation of the codes of practices on an annual basis is provided for in order that we can have an input into tightening, amending or introducing new codes of practice for advertising.

Deputy Eamon Ryan: This is a sensitive and, in some ways, difficult issue, which we rightly considered in depth on Committee Stage. Further consideration has been given to the amendments tabled by Deputy Coveney and myself.

Section 24 of the Broadcasting Authority Act 1960, as extended by section 10(3) of the Radio and Television Act 1988, provides that a broadcaster shall not accept any advertisement directed towards any religious end. Section 65 of the Broadcasting Act 2001 modified this requirement by providing that the prohibition on religious advertising does not preclude the broadcasting of a notice of the fact that religious newspapers, magazines and periodicals are available for sale or supply or that any event or ceremony associated with any particular religion will take place.

Section 41(4) provides for a lighter, more focused restriction on religious advertising, that is, "A broadcaster should not broadcast an advertisement which addresses the issues or merits or otherwise of adhering to any religious faith or belief or of becoming a member of any religion or religious organisation", as opposed to the original restriction on any advertisement directed towards any religious end. This change is intended to place the emphasis of the restriction on the content of the advertisement rather than on whether the organisation proposing the advertisement has objectives of a religious nature. Section 41(6) continues the original exemptions, as outlined in section 65 of the Broadcasting Act 2001.

[Deputy Eamon Ryan.]

On foot of the Committee Stage debate and following consultation with the BCI, it is proposed to retain the wording of section 41(4) but to delete section 41(6) in my amendment. The purpose of the deletion is to address concerns that this subsection would be legally interpreted as an exhaustive list of exemptions from the restriction on religious advertising, thus negating the effect of the lighter, more focused restriction proposed in section 41(4).

I agree with the general intent of Deputy Coveney's amendments that the existing position should be liberalised somewhat. However, given the highly contentious nature of religious advertising, some restrictions are still necessary and it is important that the Oireachtas gives a clear direction to the BAI. It is appropriate to concentrate on the content of the advertisement and try to retain a restriction, as we agreed on Committee Stage, in order that, for example, we do not open up a scenario where a religious group with access to funding could try to attract members or promote itself over another. We do not want that to happen. The retention of section 41(4) provides a proper restriction in that regard while, at the same time, the deletion of section 41(6) gives the authority greater flexibility in how it interprets the restriction. The provision allows the authority to concentrate on the content of the advertisement and it is not exhaustive. It is impossible to be completely exhaustive by legislative means. We are better to allow the commission to use the powers it is being given.

Deputy Simon Coveney: One of my frustrations in this regard is that on Committee Stage we tried to open the Minister's mind to accepting some form of tolerance of religious advertising. However, he proposes to delete section 41(6) but not to follow through and accept my amendments. In other words, he will make the Bill more restrictive. With regard to religious advertising, section 41(4) states, "A broadcaster shall not broadcast an advertisement which addresses the issues of the merits or otherwise of adhering to any religious faith or belief or of becoming a member of any religion or religious organisation", while the Minister proposes to delete section 41(6). Does that mean, for example, *The Irish Catholic*, can be advertised on television or radio? I do not see how that is necessarily the case. A judgment call is required of the authority as to whether anything in the newspaper promotes joining the Catholic faith.

At least section 41(6) makes it clear religious newspapers, magazines or periodicals can be available for sale but the Minister is saying that will no longer be catered for in the legislation and the only subsection that could guide the authority is section 41(4), which is very restrictive. I attempted to open up a discussion on a slightly more liberal approach to religious advertising because society is mature enough to deal with that but what is proposed shuts off the original provision, which is unfortunate.

Deputy Liz McManus: I appreciate this is a difficult issue and we are all conscious that we need to adopt a certain prudence but I agree with Deputy Coveney. The Minister is deleting section 41(6) on legal advice because it might be seen to be prescriptive, as only newspaper, magazines or periodicals and events or ceremonies could be exempt. I do not understand how that can be the case because the section is clear that nothing in section 41(4) is to be read as preventing the broadcasting of a notice of the fact and it then specifies and copperfastens two exemptions relating to publishing and an event or ceremony. It does not provide that it automatically excludes other issues because section 41(4) states an advertisement cannot be broadcast to address the issues of adhering to a religious faith. However, as the Minister pointed out, it is opening up, and, therefore, it is a matter of judgment.

There must be a question over the legal advice. If something is factual, which is clear, it is difficult to see how it could be open to an interpretation that would further restrict religious advertising. Were issues raised about whether the legal advice was correct or overly cautious

because it does not stand up logically? Two specific exemptions are provided for and we all know and understand them. People will be paid good money to make a judgment on what complies with section 41(4) and we hope we will get over silly decisions, such as the banning of the Trocaire advertisement and the reference to a crib being censored. However, I question the legal advice. The Minister must accept that there is a common sense approach in section 41(6), which states clearly and without any ambiguity that certain things will not be prevented because they are straightforward and clear-cut and that other issues will come under the ambit of section 41(4).

Deputy Eamon Ryan: To clarify, it is not legal advice, it is in consultation with the Broadcasting Commission of Ireland, which has been engaged, as Deputy McManus indicated, in a multitude of cases such as the advertising of a crib. Under the existing legislation the commission tries to interpret the direction of the Oireachtas, including what is included in specific provisions, as that is part of its interpretation. After its consideration and our consideration, including the debate we had on Committee Stage, it was considered that the way to achieve the dual objective of protecting ourselves from the introduction of religious advertising that would go over the line we would all consider appropriate, would be to keep that line but at the same time give the commission or the new authority the powers to judge whether an advertisement goes across the line or otherwise. The experience of what is happening on the ground and a desire to be more flexible drew us to the conclusion that this was the best way to proceed rather than having a list that referred to two particular areas, namely the publishing and the event or ceremony itself, because a crib does not fit in to either of those categories.

As to whether that would breach the original intent and if it was on the right side of the line, it was considered that it was better not to be prescriptive in that regard but to leave the judgment to the new authority. We are vesting it with the clear direction that we do not want religious advertising that tries to promote one faith versus the other but at the same time we want to provide flexibility. That is what we are doing by making the amendment. We are giving the authority greater freedom to make those calls based on the experience of what is happening and what type of advertisements are presented.

An Leas-Cheann Comhairle: How stands the amendment, Deputy Coveney?

Deputy Simon Coveney: I am pressing it.

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

Amendment declared lost.

An Leas-Cheann Comhairle: Amendment No. 41 is in the name of the Minister and Deputy Coveney.

Deputy Eamon Ryan: I move amendment No. 41:

In page 44, to delete lines 46 to 49 and in page 45, to delete lines 1 and 2.

An Leas-Cheann Comhairle: Is it agreed that the amendment be made?

Deputy Liz McManus: I disagree.

Deputy Simon Coveney: I am only supporting the amendment on the condition that the other amendments are likely to be passed, but from what I hear from the Minister they are not likely to be passed. I will not now support the amendment. I wish to record that. If the only thing the Minister is proposing to do is to take out section 41(6) then I will not support that.

Amendment put and declared carried.

Amendment No. 42 not moved.

An Leas-Cheann Comhairle: Amendments Nos. 43, 45 and 47 will be discussed together by agreement.

Deputy Simon Coveney: I move amendment No. 43:

In page 45, between lines 42 and 43, to insert the following:

“(g) that advertising, teleshopping material, sponsorship and other forms of commercial promotion employed in any broadcasting service, which relates to the promotion of alcoholic beverages, in particular beverages with a high alcohol content, shall have regard to general public health concerns.”.

These three amendments deal with how we address alcohol advertising. I have not been very successful with my amendments on religious advertising but I appeal to the Minister on this issue. What I propose is that, taking public health into account, we would ask the authority to put a code of conduct in place to deal with the advertising of certain alcoholic beverages. In the same way that we are dealing with junk food advertising, we would give power to the authority, should it deem it necessary, to introduce a prohibition on certain types of alcohol advertising, or at certain times of the day, and that would be reinforced by placing a requirement on the authority to appear before the Oireachtas committee to discuss the impact of its codes of conduct once a year.

My amendments are not likely to result in a legal prohibition on the advertising of any forms of alcohol. This is a stick to hold over the industry. Voluntary codes of practice are in place, and they are working to a certain extent but we need to continue to make progress on this issue. If that does not work then we have an alternative, and this is it. What the Minister is saying is that we need to give the authority the power to introduce a prohibition on junk food advertising for children but not alcohol advertising. I do not see the sense in that.

Ireland has an alcohol problem. The industry is very slick in terms of its advertising. Many in the industry have acted responsibly in the past two to three years in terms of implementing codes of practice and voluntary censorship on when alcohol advertising is broadcast and the type of alcohol advertising in terms of the alcohol content of certain drinks. I acknowledge that and wish to put it on the record. However, I also recognise that we are putting legislation in place for decades to come and I wish to ensure that if certain elements of the alcohol industry start to act irresponsibly, if the voluntary codes are not working because they do not have the teeth to persuade the industry to implement restrictions on a voluntary basis, then there is a fall-back position. These amendments would ensure that the industry would take legislators and the authority seriously because it knows that there is this nuclear option in the background in terms of prohibition and that there is a legally defined and recognised code of conduct in terms of alcohol advertising.

It is important to note that there are real drawbacks to asking the authority to implement codes of practice for alcohol advertising because much of our television is broadcast from outside the State and so we cannot control through legislation the advertising broadcast. My preference is to ensure we have a robust voluntary code of conduct that the industry would buy into, but we are aided in that process if we have the armoury in legislation to implement a more blunt mechanism to try to ensure that Irish broadcasters do not advertise alcohol irresponsibly in the future. I hope it will never come to that but it is worth having that provision in legislation. If we have it for junk food we should have it for alcohol. It is not just about

protecting children, it is about protecting the public from any potential abuses in alcohol advertising in the future.

Deputy Liz McManus: I strongly support Deputy Coveney on this issue. It is time we got to grips with alcohol and its abuse. We have talked about it for long enough. When one looks at the fairly dramatic changes that have occurred on another public health issue, namely, smoking, it is clear that political decisions can make a real difference. I am conscious of the fact that not that long ago, when Deputy Gormley was in Opposition, he would regularly speak on the Order of Business about the need to legislate on this issue. He was very critical of the Minister at the time.

It seems that there is something missing in this Bill as the alcohol issue has been avoided, even though there is an emphasis on junk food. On the scale of things, alcohol is a more serious issue. I am not denying that childhood obesity is not a big issue, but alcohol is a very big factor in adult obesity. Looking at the range of conditions that lead to early death or serious ill health, alcohol is a key factor along with smoking. Enormous resources are put into the promotion of alcohol, particularly in making the connection between alcohol and sport. It is obviously in the interests of the industry to capture people who are young enough to get a really good habit of consuming alcohol, and very often they take up drinking alcohol to excess.

Either we accept there is an issue of binge drinking in this country or we do not. All the medical evidence suggests that there is a serious issue, be it genetic, cultural or due to the fact that we have become very wealthy, even though we seem to have lost all that wealth again. All these factors have conspired to give us the dubious distinction of being one of the great binge drinkers of Europe. Given the requirements on this new authority to deal with a range of cultural issues, be they multicultural issues or the effects of commercialisation on children, it is really remiss of the Minister to ignore the elephant in the room. Deputy Coveney is trying to give the new authority a form of clout with an industry that is very powerful and makes huge profits, particularly over the period of the Celtic tiger. These profits benefitted people on one side, but on the other side, they have led to problems on an individual basis and on a societal basis that must be confronted. I regret the fact that the Minister has not done so, and I support Deputy Coveney in his attempt to bring this issue into the Bill where it belongs.

Deputy Eamon Ryan: I am in accord with Deputy Coveney's views on the need to regulate the promotion of alcohol on television and on the protection of minors in this area, as well as the wider issues for society. I have provided a requirement in section 42 that the broadcasting authority of Ireland prepare codes governing the standard and practices to be observed by broadcasters. These provisions, under section 42(2)(h), approximate and develop the previous provisions under which the BCI prepares the general advertising code, and the code specifically addresses the central point made with regard to the advertising of alcohol. It prohibits commercial communications for drinks which contain alcohol content over 25%, which means that drinks such as vodka, whiskey, rum and so on are prohibited, and the same provision applies to alcopops. The code also states that commercial communications for alcohol should not be aimed at children, or encourage children and other non-drinkers to begin drinking. Under section 42(9), I have provided for the continuation of this code.

The regulation of alcohol in the State is also a cross-departmental issue. My colleagues in the Department of Health and Children and the Department of Justice, Equality and Law Reform have all brought forward measures on this topic in the recent past, such as the revised codes on alcohol marketing, communications and sponsorship and the Intoxicating Liquor Act 2008. In light of that, I believe that the measures I outlined and those outlined by my colleagues in those Departments provide for the ongoing delivery of a governmental response which is

[Deputy Eamon Ryan.]

both measured and complimentary, and which encompasses the concerns raised by the Deputy. Therefore, I cannot accept amendments Nos. 43 and 45.

In amendment No. 47, Deputy Coveney proposes a requirement that the broadcasting authority of Ireland appears once a year before the joint committee to report on existing codes, amendments to such codes or new codes, as well as subjecting BAI codes to the approval of the Minister of Communications, Energy and Natural Resources. Section 20 empowers the relevant Oireachtas committee to call the CEO and chairperson of the authority before the committee at any stage. Section 45 requires that any broadcasting code or rule made by the BAI must be laid before the Houses of the Oireachtas and maybe annulled by resolution of the Houses of the Oireachtas; something that is entirely new in broadcasting legislation. Section 45 also requires the BAI to review the effect of broadcasting codes or rules once every four years, and subsequently to lay the report of such a review before the Houses of the Oireachtas. These existing provisions already empower the joint committee to scrutinise the development of broadcasting codes by the BAI.

The second element of the Deputy's amendment relates to ministerial approval of such codes. I would not be in favour of this, as it would interfere with the independence of the BAI in respect of the development of codes. The purpose of section 45 is to recognise the independence of the BAI in carrying out its duties as an independent content regulator, while also keeping the Oireachtas fully apprised of its work. Accordingly, I cannot accept the Deputy's amendment.

Deputy Simon Coveney: That is disappointing. I do not understand why the Minister is treating junk food advertising targeted at children differently from alcohol advertising targeted at children. Nor do I see why he is treating junk food advertising targeted at children differently from alcohol advertising targeted at adults. My proposals would complement what the Department of Health and Children and the Department of Justice, Equality and Law Reform and the Minister's Department should be doing on alcohol advertising, and would ensure that we have a holistic Government approach towards alcohol in this country. We need to give this independent regulator the power to do something about it, or to threaten to do something about it if it is not get the results it is looking for, but we are not doing that. Instead, we are relying on what's already there, which is disappointing.

With regard to amendment No. 47, there is a big difference between requiring an authority to come into the Oireachtas each year and discuss with Members how codes of practice are working and the amendments they would like to put in place to improve them, and requiring the authority to appear once every four years and allow the committee to call the chairperson or CEO before the committee if that is deemed appropriate by the committee. One of these styles is proactive as it ensures that there is an annual debate between policy makers and the regulator, while the other requires policy makers to make that happen by using the powers available to them.

Deputy Liz McManus: I ask the Minister to take note of this. He will have time to think about it and he should consider the points that have been made today. He should consult with the Minister for the Environment, Heritage and Local Government on the Green Party's views on this whole issue. I suspect that the Minister is so busy that he might have forgotten the Green Party position on these important issues.

Debate adjourned

Private Members' Business..**Special Educational Needs: Motion.**

Deputy Brian Hayes: I move:

That Dáil Éireann:

- noting with concern the unacceptable attack on the education of 534 children nationally by the withdrawal of 128 classes for children with mild general learning disabilities;
- acknowledging the pressure on existing infrastructure for special needs education in this country due to a delay in rolling out the Education for Persons with Special Educational Needs Act 2004;
- considering the minimal savings involved in withdrawing the classes and the potential cost implications the decision will ultimately have in terms of greater demands on special needs resources in mainstream schools;
- noting the lack of consultation by the Minister for Education and Science with the National Council for Special Education and all of the education partners prior to making this decision;

calls on the Government to immediately reverse the decision to suppress 128 special classes for children with mild general learning disabilities;

demands that the classes due to be cut continue in their existing form for the coming school year 2009-10; calls on the Minister for Education and Science to initiate a review of the number of classes in this area involving a thorough dialogue with education stakeholders and crucially the parents of those children affected before arriving at a decision to either merge or amalgamate these classes, based on falling numbers and educational best practice; and ensures that the conclusions of this review are made effective from September 2010.

I wish to share time with Deputies Burke, Crawford, Byrne, Carey, McHugh and McCormack.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Brian Hayes: I deliberately decided not to move this motion until today because I thought the Minister for Education and Science would have had the good grace to recognise the mistake he made last February in suppressing special classes in our primary schools. I had assumed that some time in March or April the Minister would have signalled his intention to sort out this problem and genuinely engage with people who knew what they were talking about when it came to the provision of special needs classes within our primary schools. Unfortunately, I was wrong.

7 o'clock

The Minister's immediate predecessor was sent packing from Marlborough Street because her doctrine as Minister was based on the principle, "It's my way or no way." She knew best and woe betide anyone who challenged the great oracle of knowledge or wisdom. The Minister's stubborn refusal to see sense and to work out a compromise on this issue reminds me of the attitude of his predecessor. It is not a sign of weakness for the Minister to admit he made a mistake on this issue. However, it is pitiful in the extreme that he has singled out some of the most vulnerable students in our school system. This is the worst decision the Minister has

[Deputy Brian Hayes.]

made since coming into office. He displays an extraordinary lack of knowledge and empathy when it comes to understanding the infrastructure that has been provided to assist special needs children in Irish education. What is most frustrating is the Minister's attitude that he knows best.

The people who actually work with children with a mild learning disability, including parents, teachers and principals do not, according to the Minister, know what they are talking about. That is what the Minister said when he took the decision to abolish the 128 special classes in February. Last week, according to the Minister, I was opportunistic in even raising the issue, the INTO was disingenuous, parents were misguided and principals should know better. We are all wrong except the Minister and the senior official who told him to sign on the dotted line and abolish the classes. This has all the traits of "Madam's" final days in Marlborough Street.

I reject the idiotic, penny pinching and cruel decision to suppress the 128 special classes in 119 primary schools in this country. I agree this decision will affect just over 500 young students, but it will have far-reaching consequences for the already overcrowded mainstream classes in these schools and for children with mild learning disabilities and their families. Does the Minister not think that all parents want their child to be in a mainstream class? Of course they do. However, there are times when children can do better and, yes, can ultimately integrate when placed in a smaller class in a mainstream school. That is the great flexibility in these special classes. Extra attention and more focused learning can yield better results for a child. For once, can we listen to parents and teachers on this issue and not the faceless bureaucrats who would not know one end of a classroom from another?

This decision came just over half way through the school year. That the Minister gave the affected schools such a short lead-in time for this major change in their school community shows the Minister's callous disregard for education. This is a bad day's work. Tonight and tomorrow my colleagues and I will attempt to overturn and to persuade the majority opinion in this House.

Our motion tonight is straight forward. We believe the classes should be left in place for the next school year, namely from September 2009 to September 2010. During this time, a review should be put in place with a proper dialogue with the education partners and crucially with parents. There are cases where some amalgamation, because of falling numbers, should be adopted. No one with whom I have spoken disagrees with this. To abolish all of the classes, effectively overnight, is a position that no serious educationalist could stand over with justification.

Despite having raised this matter twice on the Adjournment and with the Minister at Question Time, the House has not had an opportunity to seriously reflect on this decision since it was first made in February. Not only do I want my party to hear the views of all parties on the issue, I, in particular, want to hear the voices of Government Deputies. I want to know if any of them have the moral courage to put on the record what they have told me in private, namely, that this is a rotten decision and a direct attack on children.

Deputy Ulick Burke: Hear, hear.

Deputy Brian Hayes: The Minister needs to tread carefully here. He is very free and easy in quoting selectively from the UN convention but he should also have regard to the provisions of Article 42 of our Constitution. As the Minister well knows, under that Article, the State must provide a primary education system that is not only free but appropriate. The clear implication of the Sinnott and O'Donoghue Supreme Court judgments requires the State to

provide a form of education that meets the child's needs, so as to make that education appropriate and consistent with Article 42 of the Constitution.

The Minister's decision invites challenges to that decision in the courts. If that happens, the Minister and his Department will be on very dodgy ground. Whatever about getting or not getting legal advice, an issue which I would like the Minister to clarify before the end of the debate is why he decided to take this unilateral decision without obtaining the advice of the independent statutory agency, the National Council on Special Education, NCSE. The NCSE is tasked with advising the Minister on special education. Despite claiming that he made the decision on "educational" grounds, it has been confirmed that the Minister refused to wait for a report on special education provision currently being compiled by the NCSE and soon to be published. Where are the educational grounds for the decision? Would it not have been more sensible for the Minister to wait for the report from the NCSE before acting in the manner he did? The NCSE review is still being compiled and has not been published. The Minister must clarify what consultation he had with the NCSE prior to making his decision to cut special education classes. It seems extraordinary that in excess of 500 children can be removed from these classes without any view being expressed from the very body we charge to advise Government, in an expert manner, on this issue. There is something very odd in that.

The Implementation report: Plan for the Phased Implementation of the EPSEN Act 2004, published by the NCSE in 2006 states that the current state of the education system cannot provide the necessary supports for inclusion. Page 95 of the report states, "The current support framework, in almost all its manifestations, is unable, at present, to provide the necessary levels of support [for inclusion]." Page 94 states, "Schools believe they are not adequately resourced to provide effective inclusion education as envisaged by the EPSEN Act." There is no doubt that failure to implement the EPSEN Act means that it is virtually impossible to provide mainstreaming options in all cases. The Government abandoned children with special needs when it abandoned the EPSEN Act in the last budget. The Minister has done so again through his decision to slash special classes from primary schools, without any educational or academic justification for the decision. Once again, the Minister knows best.

I have four straight questions for the Minister in the context of this debate that I want answered tonight. Did the Minister obtain legal advice before deciding to abolish the special classes in a context where the EPSEN Act is now on hold? Why was the NCSE not consulted and why did he take this action when he knew his Department had requested a review which had not been completed? My third question is a question asked last Friday by a principal of a school in my constituency — someone close to the Leas-Cheann Comhairle's heart — namely, how many of these 128 classes did the Minister, as Minister for Education and Science, visit before taking this unilateral decision?

Deputy Ulick Burke: None.

Deputy Brian Hayes: I want to know how many of the 128 classes in 119 primary schools the Minister has visited? Has the Minister met the children? Did the Minister meet the parents, principals and teachers before being told by some official to abolish those posts? If the decision was not made for financial reasons, then the Minister must clarify whether the €7 million saving will be invested in additional learning support in the mainstream classes into which the 534 children are being moved. At the very least people in the Gallery and outside the House deserve answers to these questions.

The people who will be affected by this decision also want answers from those Deputies who seem to have no difficulty with supporting this attack on these children. On 9 March, we had to listen to the reflections of the Minister of State, Deputy Trevor Sargent, who proclaimed to

[Deputy Brian Hayes.]

the world that to make cuts to special education provisions turned his stomach. The Minister of State said that he was not only a member of Government, but also a former school principal. The people affected by this decision have no interest in how the Minister of State's stomach is turning; they want to turn his vote on this issue and they want to know the position of the Green Party. They want to know whether the Green Party Members will put up with anything that Fianna Fáil dishes up. If the bottom line for the Green Party is not special needs education, what is its bottom line?

Deputy Seymour Crawford: Where are they?

Deputy Brian Hayes: There has been some talk that the Minister of State, Deputy Sargent, wanted the opportunity to speak tonight or tomorrow. If he cannot get Government time to do so, we will allow him some of our time because I want to hear what he has to say. I know many Members opposite do not agree with their Minister on this and many other issues in education. They have told me that to my face. We need to hear their voices in this debate and their constituents want them to make a stand on this important issue of education provision.

There has been virtually no discussion on the impact of this decision on children in existing mainstream classes who will see bigger classes next year not just because of the abolition of special classes, but also because of the increase in the staffing schedule. The loss of a special class in a school will have a detrimental effect on all children in that school, a fundamental point that needs to be highlighted. I am predicting now that if this measure is introduced, children currently obtaining extra support in mainstream classes will have that support withdrawn from September. Despite what the Minister has said, he has made no commitments to the 119 affected schools about extra learning support for the next school year. In a great majority of existing mainstream classes there are already a high number of children with learning and emotional needs. Catering for the special class children for an extended period of the day will have a negative knock-on effect on the amount of time the teacher can spend with all the other children.

The Minister has stated that the children who move from a special to mainstream class will still have a special needs assistant when they move. How many of the 534 children currently have an SNA? The Minister seems to be unaware that the SNA only applies to children with special care needs and in any case SNAs are forbidden from getting involved in the learning needs of children. The Minister has also stated that the children can avail of resource support. Under Department of Education and Science circular SP ED 02/05 children with a mild general learning disability lost this entitlement to low incidence resource hours.

With the greatest degree of respect the Minister is out of his depth. Any Minister with the slightest understanding of special needs provision would have sent packing the official who came to his office with this proposal tucked under his or her arm. He is badly exposed in this as a Minister who neither listens nor understands. It is time he backed down in favour of the approach contained in our motion. It is time he started to listen to people at the coalface. It is time that he dumped the prepared scripts and dumped the attitude.

Deputy Ulick Burke: I thank Deputy Brian Hayes for sharing time and I support the motion. The Minister's decision is an unacceptable attack on the education of children with disability. In 128 classes in 119 schools, 534 children are seriously affected by this decision. The fact that it was carried out by the Minister without consultation with the stakeholders in education is a clear indication of his total disregard for people with special needs. In doing so he has robbed them of any hope of realising their full academic potential. It is crystal clear that the decision to slash special education was not only vicious, but also not based on any clear educational

policy. If the Minister believes that abolishing 128 special classes is in the interests of students who are to be mainstreamed, why does a report from an independent statutory agency argue the opposite?

The most substantial issue according to parents, teachers and all involved in special education is the impact the cuts will have on the education and consequent life experiences of the pupils who will lose the special education provision. There is also substantial concern over the impact of the movement of numbers of pupils currently in receipt of special education into mainstream classes with regard to the size of the classes and in terms of the further burden placed on teachers in mainstream classes.

In February the Minister wrote to 119 schools indicating that from September 2009 the 128 classes for children with mild general learning disabilities would be discontinued. This decision was made without contacting the parents, the educational partners or the Minister's expert advisers in the National Council for Special Education to obtain their view on cutting the classes. It is clear that this decision was motivated solely by cutting costs. There is no educational justification for this decision. The Minister suggests that the integration of children with special needs is the most appropriate means of education. While that might be true, without the resources in those schools it is unfair not only to the children with special needs, but also to the children in the other classes into which the special needs children now need to be accommodated. That is a fatal mistake on the Minister's part.

Mainstream classes are under serious pressure following numerous cutbacks in front line services already. Class sizes are due to increase from September. Language support teachers and home liaison teachers will also be lost. How can the Minister justify the statement in the Government amendment that it is "ensuring that teaching and care supports are available to children with special needs so that they can continue to access an education that is appropriate to their needs"?

I ask the Minister to reverse this decision because of the serious impact it will have not only on the children and their future, but also on their families who have campaigned for years to establish access to education for their children with special needs. The Minister cannot justifiably allow this to continue and I ask him to reverse his decision.

Deputy Seymour Crawford: I congratulate Deputy Brian Hayes on once again raising the issue of special needs classes. By removing these classes additional unsustainable pressure will be placed on existing mainstream classes and will not only damage the children in need of special classes, but will also inhibit the rights of all children to a decent education. My constituency of Cavan-Monaghan has three affected schools, Bailieborough national school, Castleblaney junior school and St. Mary's boys' school in Monaghan.

Last Monday, I met a parent in a somewhat different situation. Living in a rural area, her child gets home tuition and excellent support from the local national school. The child suffers from autism and the additional annual cost to the family is €60,000. While some of this cost was covered before the child became eligible for national school, these demands have been completely ignored since and the expense, although paid through the PAYE system and all above aboard, is not reclaimable against her personal tax. If it is reclaimable, she has been told otherwise.

In the short time available to me, I wish to revert to the specific cuts at Castleblaney junior school. Thankfully for this year, the principal has had the school's situation reviewed and the class will be retained, but this has nothing to do with the so-called appeals system. Rather, it has to do with the Department's reclassification. The majority of people involved in this issue believe the appeals system is a smoke screen that the Government created to remove the

[Deputy Seymour Crawford.]

pressure from itself. During the past four weeks, the parents have been in continual telephone contact with the Department, but no one seems to know what is happening or how the appeals system works. Without criteria being in place, it is impossible for schools to put forward cases based on fact that can be understood in the long term and on which a final decision is influenced. This situation is stressful for parents because at least some of them will need to look for alternative schooling for their children, who may need to be facilitated a long way from home, thereby creating further costs on taxpayers through transport and assistance.

There is also a difficulty in that children with special educational needs do not make friends easily. Breaking up the present classes will create significant problems and have severe consequences for their confidence, which is generally low to begin with. The teachers of special classes, who are highly trained and experienced in dealing with such children, help them with skills to conform to society in the best way possible.

While Castleblayney has retained its classes for this year, it was not due to the appeals decision, but to the Department's reclassification. I do not know how many schools will benefit in this way, but it is vital that these children and others who will be classified as in need of such education be allowed to retain their classes. It is up to the Minister to find savings within the administrative structures to ensure the most vulnerable and deserving are given a chance.

I have lived with parents who needed to deal with issues such as this. The pressures are enormous, but their efforts and the benefits of proper classes will mean that their children can live useful and profitable lives to the benefit of the State instead of being forced into a system that will leave them dependent forever.

Acting Chairman (Deputy Charlie O'Connor): The Deputy should conclude.

Deputy Seymour Crawford: The Government argues that these children must integrate with their peers. This is wonderful language and, while it may work for some children, it cannot work for all. I ask that the Government base its decisions on each child's specific needs, not on some average. Children are not averages. They are individuals. We need common sense.

Deputies: Hear, hear.

Deputy Catherine Byrne: As a mother of five, I know that children do not want to feel different. Whether they are at home, in school or on a playground or the street, they just want to be the same as their friends and part of the gang. However, we must realise that some children need a special helping hand. The Minister has, with the stroke of a pen, decided many of their futures. I welcome our motion, which shows a commitment from Fine Gael to a special group of children who are being abandoned by the Government.

Deputy Brian Hayes: Hear, hear.

Deputy Catherine Byrne: Just three months ago, the Minister for Education and Science, to whom we have entrusted the education of our children, announced that 534 children in 128 classes in 119 schools would lose the provision of their special needs teachers. We were all shocked and appalled at this announcement, not least the schools and teachers who were not informed before being sent a written letter. The Minister clearly did not consult with parents, teachers or experts in the field of special needs education and did not consider the consequences of his decision.

The Government will gain a saving of €7 million from this ridiculous decision. The Minister must ask himself whether the withdrawal of special needs classes, which are so valuable to

children with learning difficulties, will solve anything. It will only cause undue worry and upset and will reduce the standard of education that special needs children need and deserve.

I strongly believe that education is one area where we cannot afford to make any cuts. Special needs education in particular is an area that we must support. We cannot view education like a business or bank. This is about our children's future. It is about the future of the country and giving our children the best start in life. After all, they are the ones who will need to deal with the mess left behind by the Government.

It now seems that the most vulnerable children in our schools will suffer because the Government cannot balance its books. It is ridiculous that schools that do not meet the current minimum requirement of nine pupils with mild general learning disabilities per class will lose a teacher. Of the 119 schools on the Minister's list, 25 are in my area of Dublin South-Central. Nine are in Ballyfermot, seven are in the south-west inner city, four are in Crumlin, three are in Drimnagh and two are in Inchicore. Last week, I spoke to the principal of the Mater Dei primary school in Basin Lane, a DEIS band one school. It will lose a language support teacher and a special needs teacher. The principal is concerned for the future of many of the area's children.

Acting Chairman: The Deputy is in her last minute.

Deputy Catherine Byrne: We must understand that not every child fits an exact model when it comes to learning difficulties and special needs. In fact, many of these children have multiple problems, including learning disabilities, a difficulty in learning to read English and, in many cases, difficult family situations.

All across the country, special needs and language support teachers do a fantastic job. How does the Minister reward them? He tells them that their services are no longer required and deprives children of invaluable special needs help, leaving them to struggle in mainstream classes. I support Deputy Brian Hayes's motion.

Deputy Joe Carey: I commend Deputy Brian Hayes on tabling this motion in the House. The decision to withdraw mild general learning disability classes from primary schools has caused outrage up and down the country. St. Senan's national school in Kilrush, County Clare, provides a vital service to the west Clare peninsula. Having visited the school and having spoken with the principal, I fully appreciate the importance of the current service to the three children it serves. This special class must be retained, as it accommodates children with severe disabilities. It affords its three students the most appropriate model of education and is specific to their needs. They simply would not be able to cope in mainstream education. The medical evidence presented to the Minister, Deputy Batt O'Keeffe, by the school and parents proves this. If this class is removed and the service discontinued, the students in question will need to travel to Ennis, 30 to 40 miles away from their homes. It is a round trip of 60 to 80 miles per day. The medical evidence produced to the Minister's office proves that the children's health will not be able to withstand this travel.

The unique geographical case presented by the west Clare peninsula must be taken into consideration when providing educational cover to County Clare. In order to have a proper primary educational system, west Clare warrants such a special class to serve its population. It seems the class in St. Senan's national school has been identified and earmarked purely on statistical grounds. I extend an invitation to the Minister to visit the school and see at first hand the wonderful work that takes place there day in and day out.

Deputy Brian Hayes: Hear, hear.

Deputy Joe Carey: Last year, I visited the school with Deputy Brian Hayes, who is fully aware of the circumstances. I urge the Minister to ensure that any decision taken regarding these classes is made on educational grounds and in the best interests of the children involved.

The National Council for Special Education in Ireland has commissioned a report on special classes. Yet before it can be published, the whole infrastructure is being pulled down. Any sane and logical person can see that this decision certainly is not being made on educational grounds. Placing children who have been in special classes into mainstream classrooms which often have more than 30 pupils adds insult to injury and will further condemn such students to failure.

The Minister has suggested the withdrawal of special needs classes is due to the adoption by his Department of an integration approach to the education of children with special needs. Having asked the National Council for Special Education, whose members are the national experts in special needs education, to compile a report on the issue, he should have waited until it had compiled and published it before taking such a decision. The Minister must clarify the consultation he had with the NCSE prior to making his decision to cut the aforementioned special education classes. What evidence or advice does the Minister for Education and Science use when he makes such a decision? I suspect it is simply another slash and burn decision with little thought of the consequences. It appears to be a decision based on finance, rather than on anything else.

In correspondence to me, the Minister referred to €20 million in additional funding for 2009 to enhance front line services for children such as those referred to in this motion, with €10 million to come from the Department of Education and Science and €10 million from the Department of Health and Children. I would be interested to ascertain the manner in which it is proposed to spend this additional funding. As for St. Senan's national school, were the special needs class to be withdrawn it would cost more to transport the children concerned to and from Ennis. I appeal to the Minister to have a change of heart and to desist from subjecting parents and children with disabilities to such hardship by leaving alone these vital special needs classes.

Deputy Brian Hayes: Hear, hear.

Deputy Joe McHugh: At the outset, I congratulate Deputy Brian Hayes for tabling this important and timely motion. However, had the Minister's predecessor the wherewithal or foresight to roll out the Education for Persons with Special Educational Needs Act in time, this debate would not be taking place because the overarching right of each child with special needs would supersede any debate in this House and any motion that my colleague, Deputy Hayes, might table. I wish to focus on the EPSEN Act aspect of this debate tonight.

As legislators, Members have a role to honour the commitment to the rights of the child with special needs. The rights of the child must be honoured because at present there is pure mockery of such rights nationwide, arising from the limbo in which parents, teachers and principals find themselves as to where they will stand in September and whether a special needs assistant will be available or alternatively, whether the special educational needs organiser, SENO will in August put a pen through different schools and resources and state they will not be available. This limbo must be dealt with and the only way to so do it is by rolling out the EPSEN Act.

While this cloud hangs over special needs, the national council still exists. One could perceive it in a cynical manner, just as the Government has done a great job in distancing itself for the HSE. County councillors and candidates from Government parties will claim that issues raised have nothing to do with either the Department of Health and Children or the Government as they are the responsibility of the HSE. I can envisage the same thing happening in respect of

the National Council for Special Education, whereby people nationwide will claim that issues are the fault not of the Department or the Minister but that the council is to blame. This has happened and is happening nationwide.

Members need conclusive evidence from the Minister that there will not be a reduction in the roll-out of special needs assistants because I have heard figures of reductions of 25% through the grapevine. The grapevine is never far wrong, where there is smoke there is fire and Members require clarification that this will not happen. The NCSE knows its role, knows what it must do and is familiar with the policy. However, the Minister, not the council is in charge. The buck passing, grey areas and fudge between the Department and the NCSE must end before progress can be made in this area.

I will provide an example of the bureaucratic monster that has been created within the Department of Education and Science, the details of which I can supply later to the Minister. It concerns a principal in a school with a child who has challenging educational needs. The principal was obliged to apply in November but did not get word by February and still does not have word as to where the child stands. This type of logjam must disappear. As for the Minister's position, his response regarding capital projects, disabilities and all elements of education is that there is no money. That response is not good enough, as creative solutions exist. Such an answer is not good enough at a time when speech therapists and recently graduated teachers are on the dole queues. Creative solutions are needed and as the Minister is in charge, he must face up to his responsibilities.

Deputy Pádraic McCormack: This Fine Gael Private Members' motion concerns and wishes to highlight the cruel Government cutbacks and withdrawal of 128 classes for children with mild general handicapped disabilities. It calls on the Government to reverse its decision to suppress the 128 special classes for the children affected, a number of which are located in the Galway area, including some in my parish of Renmore. Why was such a cruel and backward step taken by the Government when one considers the comparatively minimal savings involved?

Parents cannot understand and will not accept that this cruel blow to the most vulnerable has been implemented by an uncaring Government that has wasted and squandered millions of taxpayers' money on itself and on crazy projects in recent years. I refer to the Bertie bowl, which was never built but which cost hundreds of millions, the purchase of useless electronic voting machines that cost €50 million and which now have been scrapped and several other crazy projects at which the Government threw money like snuff at a wake. I also refer to the tax incentive schemes to the Government's friends in the construction business and the necessary bailing out of the banks. Now the Government has brought the country and its finances to the sorry state in which it finds itself, the first people it attacks are from the most vulnerable sector of our society, in an effort to save a miserable amount of money through front-line cutbacks in health and educational services to the disadvantaged.

Deputies: Hear, hear.

Deputy Pádraic McCormack: How can the Government allow this when it permits top executives of the Health Service Executive management pay themselves large bonuses in addition to their extraordinary salaries. For example, the chief executive of the HSE has a annual salary of €380,000 and was paid a bonus of €80,000. Why is there a need for the HSE to pay public relations consultants and senior executives tens of thousands in fees and bonuses? In figures released last year, a close associate of the HSE chief executive was paid €1,367 a day while others were paid €724 per day for work outside their contract. In 2007, 111 senior executive staff in the HSE were paid more than €1.2 million in bonuses, which is an average of more

[Deputy Pádraic McCormack.]

than €11,000 each. At the same time, the Government has allowed those banking executives who stood down to walk away while awarding themselves extraordinary bonuses, golden handshakes and generous pensions.

This is what makes it so hard for hard-pressed parents of disadvantaged children to accept or understand the cutbacks at school level and in other services. On the doors while canvassing and in our offices, Members are being confronted by examples of the suffering, hardship and anxiety unfolding daily on parents of the disadvantaged. Parents are so frustrated and annoyed that they naturally are confronting politicians of all parties given the situation in which they find themselves. Fine Gael canvassers at such doors must be patient while explaining to the frustrated parents and carers that this Fianna Fáil- Progressive Democrats coalition, supported by some Independent Members, has caused this hardship.

While canvassing at the weekend, I met a home-working mother of five who has a mentally disadvantaged young adult who attends a training centre and whose case illustrated for me the effects of the cutbacks and the hidden costs therein. When her daughter receives respite care periodically, the hidden costs of outings or other activities, such as swimming, yoga or similar activities, arise. These parents can never go out together because a baby-sitter is not practical. However, although they wish to look after their disadvantaged daughter in their own home, the only thanks they get from the Government are these cruel cutbacks. How can I explain the large bonuses received by the HSE executive staff to the woman who came into my office recently in tears because her 24-year-old son, who attends a day care centre, lost the weekly subvention of €20 that he had received for his work there? How can I explain that? It would take that person eight years to earn what a HSE employee earns in one week. This is where the cruel cutbacks are taking effect on the real hardship being experienced by parents of disadvantaged children in the home. The Minister should cop himself on. The people will have an opportunity to redress this and give the Government a message on 5 June. I advise people to take this opportunity and start the process of getting rid of this uncaring Government.

Minister for Education and Science (Deputy Batt O’Keeffe): I move amendment No. 1:

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

“recognising that:

- since 1998 major improvements have been made to the range of supports available for children with special educational needs;
- investment in supports for special needs has more than doubled in the last five years to over €1 billion this year;
- there are over 8,000 resource and learning support teachers in our schools;
- children in the 128 mild general learning disabilities classes will receive learning supports through the general allocation model;
- in total there are now about 19,000 teachers and special needs assistants working with children with special needs in our schools;
- the inclusion of students with special educational needs in mainstream schools is a national and international development that is supported in national legislation and in statements, reports and conventions that have emanated from such international bodies as the United Nations and the Council of Europe; and

- improved collaboration between the education and health sectors has been prioritised, with the appointment of a Minister of State with that specific responsibility;

supports the Government's determination, in a difficult budgetary environment, to prioritise investment for children with special educational needs by:

- ensuring that teaching and care supports are available to children with special needs so that they can continue to access an education that is appropriate to their needs;
- increasing the number of Education Psychologists to provide support to every school in the country;
- enhancing the capacity of the National Council for Special Education to co-ordinate the provision of services to children with special educational needs; and
- funding the provision of expert support, professional development and training opportunities in special education for principals, class and subject teachers, special class teachers, learning support and resource teachers and special needs assistants."

This Government is committed to meeting the needs of children with special educational needs. Supports for these children have been protected in spite of the serious financial situation we now face. Since 1998, major improvements have been made to the range of supports available for these children.

Deputy Pádraic McCormack: How?

Deputy Batt O'Keeffe: Investment in supports for special needs has more than doubled in the past five years to over €1 billion this year. More than 8,000 resource and learning support teachers and more than 10,000 special needs assistants are now in place. Assistive technology is funded, specialist equipment and furniture is provided and special school transport arrangements are in place. This investment has transformed the ability of schools to provide for all children, promoting an inclusive school community.

Deputy Pádraic McCormack: What about the motion?

Deputy Batt O'Keeffe: This investment will continue to be made. The Government is committed to ensuring that as many children as possible can receive an appropriate education in their own communities, in their local school, alongside their friends, happily interacting with them.

This is not, to quote the Leader of the Opposition in a debate on special needs last year, a "social experiment". Not only is inclusion the desire of the vast majority of parents, it is also the guiding ethos of the UN Convention on the Rights of Persons with Disabilities.

Deputy Pádraic McCormack: Does the Minister believe that?

Deputy Batt O'Keeffe: Educating children in the least restrictive environment has become the norm in developed societies in recent times. Unfortunately, it would seem Fine Gael wants to deny that right to children with special needs.

Deputy Seymour Crawford: That is an outrage.

Deputy Pádraic McCormack: The Minister did not write his contribution.

Deputy Batt O’Keeffe: I did not interrupt Deputies. The principle of inclusion is now well established internationally. The comments of the Leader of the Opposition last year should have been a matter of considerable personal shame for him. In calling Deputy Kenny’s comments “disgraceful”, Deputy Ruairí Quinn reflected the views of enlightened educational experts around the world. It was hoped that Deputy Kenny’s insensitive remarks were just an unfortunate choice of words and that he does not really want to see a return to the restrictive and unjust policies of the past when children with special needs were unnecessarily sidelined from mainstream education and isolated from their peers for no good reason. I shudder at the thought.

With this motion, Deputy Kenny’s party is yet again showing that it does not understand children with special educational needs. Fine Gael does not value that “regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all”. These are not my words but the view of UNESCO as written in the Salamanca statement and framework for action on special needs education in 1994.

Deputy Brian Hayes: Where is Salamanca? I thought Bunreacht na hÉireann would do.

Deputy Ulick Burke: The Minister should come home.

Deputy Batt O’Keeffe: The principle of inclusion was further promoted by the Council of Europe declaration in Malaga in 2003——

Deputy Brian Hayes: The Minister is going a long way out of the country. What about Ballincollig?

Deputy Batt O’Keeffe: ——and the Council of Europe action plan in 2006.

Interrupting is the policy of Deputy Brian Hayes. I can arrange to do the same when he contributes.

Deputy Pádraic McCormack: The Minister should speak sense.

Deputy Batt O’Keeffe: The plan sought “to ensure that people with disabilities, including children, receive the support required, within the mainstream education system, to facilitate their effective education”. The UN Convention on the Rights of Persons with a Disability places a strong obligation on governments to provide inclusive education for all learners. It requires——

Deputy Ulick Burke: Proper facilities.

Deputy Batt O’Keeffe: ——states to ensure that “persons with disabilities are not excluded from the general education system on the basis of disability” and that “persons with disabilities can access an inclusive, quality, free primary education and secondary education on an equal basis with others in the communities in which they live”.

Deputy Ulick Burke: Properly resourced.

Deputy Batt O’Keeffe: This Government has ensured that additional supports for children with special educational needs are in place in schools all over the country. Our policies and levels of investment have delivered additional teachers, additional care supports, specialist equipment and assistive technology, along with specially adapted school buildings and special school transport arrangements.

I want to quash any suggestion that, by closing these special classes, schools will be without the additional teaching supports required to meet the educational needs of these children. This is simply not the case. These pupils will be provided with additional teaching supports through the general allocation model.

Deputy Pádraic McCormack: Bigger classes.

Deputy Batt O’Keeffe: Every day, and in every school, pupils with mild general learning disability are being successfully educated in integrated settings.

Earlier this year, I took the decision to close a number of special classes for pupils with mild general learning disability. This decision was taken because the pupil numbers in these classes were insufficient to merit the retention of the teacher based on my Department’s policy on class retention, which dates back to 1999.

The Opposition has called for the immediate reinstatement of all 128 classes. This call defies belief. Some eight of the classes concerned should have no pupils at all. Is Deputy Hayes really saying that I should provide teachers to classes where there should be no pupils?

Deputy Brian Hayes: No, I am not saying that.

Deputy Ulick Burke: The Minister should get real.

Deputy Batt O’Keeffe: Some 19 other classes should have only one or two pupils.

Deputy Seymour Crawford: The Minister should talk to his backbenchers.

Deputy Batt O’Keeffe: Deputy Hayes needs to make up his mind. Just a few weeks ago, during Oral Questions he told me that he agreed with the policy of integration——

Deputy Brian Hayes: Based on the circumstances.

Deputy Batt O’Keeffe: ——but now, without any rationale, he is insisting that 128 classes be kept open. This is a cynical exercise by the Opposition seeking to make political capital——

Deputy Brian Hayes: It is all our fault.

Deputy Batt O’Keeffe: ——using children with special educational needs for political gain. The Opposition is lecturing the Government on the need to carefully manage public expenditure yet it is now saying that it would give a teacher to classes without any pupils.

Deputy Brian Hayes: No one said that.

Deputy Batt O’Keeffe: How many children are going to benefit from that approach?

As I have said on many occasions, I am open to listening to the concerns of schools and that schools could make a case to keep those class. Only 40 of the 119 schools concerned have written to my Department seeking to retain their classes. My Department is currently reviewing these appeals and has listened to the concerns of the INTO about a small number of schools. Officials have also discussed the issue with the IPPN. It is notable that the main concern for some of the schools is that they had placed pupils with low incidence special needs in these classes.

My Department recognises that some pupils need additional teaching support, over and above that provided by the general allocation model. Schools with pupils with low incidence special educational needs receive additional teaching support in line with their assessed dis-

[Deputy Batt O’Keeffe.]

ability. These schools will be referred to the National Council for Special Education to be allocated the additional resource teacher supports.

One school has advised that its special class pupils have a severe or profound general learning disability. This school is to be commended on showing such leadership in inclusion. This class will not be suppressed. It will be reclassified as a special class for pupils with a severe or profound general learning disability.

Deputy Joe Carey: Is that school in Clare?

Deputy Batt O’Keeffe: Children in these classes benefit from even lower pupil teacher ratios of 6:1.

Deputy Joe Carey: Is that school in Clare?

Deputy Batt O’Keeffe: I look forward to receiving the report of the review of special classes and special schools but I do not accept any criticism that my Department has moved ahead of this report. The closure of these classes is in line with departmental policy going back many years.

Deputy Ulick Burke: It is about money.

Deputy Batt O’Keeffe: Some schools have opted voluntarily to stop the classes and integrate the children into an age-appropriate mainstream class.

Deputy Brian Hayes: Some.

Deputy Batt O’Keeffe: These classes predated my Department’s initiative to allocate additional learning teaching supports to schools to enable them to cater for the needs of pupils with high incidence special needs, including a mild general learning disability. My Department has always recognised that pupils with mild general learning disabilities may need additional teaching and care supports to enable them to learn in an integrated setting. My Department’s policies in this regard have not changed and the supports are and will be available in schools.

Since 2003, my Department’s policy has been to support a more flexible deployment of these resources in primary schools. All pupils, including those with learning disabilities, need to belong to a peer group and to mix with pupils of different levels of ability in a variety of situations. An exclusive reliance on using resource teaching hours for individual tuition only is contrary to the principle of integration in learning and teaching.

My Department has advised primary schools to deploy their allocated special education resources in a way that best accommodates the special educational needs of pupils. It has recommended that wherever possible, schools should provide additional teaching support for pupils in the mainstream classroom or in small groups. Such an approach helps maximise effective and efficient teaching and learning and minimise disruptions to the class programme.

I assure parents that these pupils will receive teaching supports in school. There are now over 8,000 learning support and resource teachers in place in our schools. These teachers support children through a variety of well-established approaches, including co-operation teaching or team teaching, where the support is provided in class to the pupil. There is also withdrawal teaching, where the support is provided on a one-to-one basis or in smaller groups away from the classroom; and differentiation of the curriculum, where the curriculum is modified by both the class and learning support teachers to meet the needs of a particular pupil or group of pupils, among other approaches.

These additional teaching supports are, at primary level, allocated to schools through the general allocation model, known as the GAM, which was introduced in 2005. The general allocation model effectively replaced the special class model for pupils with a mild general learning disability. Instead of being unnecessarily isolated in special class settings, away from their friends, pupils with a mild general learning disability receive additional teaching support from the learning support teacher. Since the general allocation model's introduction, many schools have voluntarily moved to disband their special classes. This decision only addresses those classes where the pupil population was insufficient to retain the teacher. The remaining classes with sufficient pupils will stay in place.

Deputy Ulick Burke: There will be larger classes.

Deputy Batt O'Keeffe: I am disappointed with the Opposition's motion.

Deputy Brian Hayes: We are really gutted.

Deputy Batt O'Keeffe: The Opposition may not have intended to prey on the vulnerabilities of parents of pupils with or without special educational needs.

Deputy Ulick Burke: What would the Minister do?

Deputy Batt O'Keeffe: However, this is the result. I take this opportunity to reassure parents that teachers and schools are working on a daily basis to deliver an excellent education to their children. These teachers should be congratulated on the difference they make in these children's lives. For students with special educational needs, placement in mainstream education provides increased opportunities to improve communication skills and interact with their peers. These students benefit socially from inclusion through a reduced sense of isolation.

Deputy Ulick Burke: In larger classes.

Deputy Batt O'Keeffe: There is a tendency for students with special educational needs to be more motivated and work harder in the inclusive classroom. An inclusive setting can expand a student's personal interests and knowledge of the world to prepare him or her for better post-school experiences and adulthood.

For students without special educational needs, inclusion provides many benefits. It helps them to overcome the misconceptions they may have about peers with disabilities. In the inclusive school, all students can learn to accept and value individual differences.

Deputy Brian Hayes: Did the Minister get that in the handbook?

Deputy Batt O'Keeffe: Experience of inclusive education can help everyone in the school community to prepare for a future inclusive society. All students can benefit from having two teachers in the classroom during co-operative teaching. Teachers are more apt to break instruction into finer parts, repeat directions, coach students in the use of learning strategies and offer individualised support when a student with special needs is in the classroom. Students with low achievement, who are not classified as having a special educational need, also benefit from these effective teaching strategies.

Deputy Ulick Burke: The Minister should get some officials to visit a classroom.

Deputy Batt O'Keeffe: I note that a concern of the Opposition is that my Department did not consult with the NCSE and all the partners in this decision. The reality is that the rules

[Deputy Batt O’Keeffe.]

governing the retention of such posts have been in existence since 1999 and have been operational since that time.

Deputy Brian Hayes: Why has nobody abolished them since then?

Deputy Batt O’Keeffe: On its introduction in 2005, the Department undertook to carry out a review of the general allocation model after three years of operation. This review is now under way and is expected to be completed in 2009. As part of the review, the Department of Education and Science consulted the relevant partners in education.

I am pleased to be able to advise the House that the general allocation model is successfully meeting its goals. The INTO, for example, gave its view that “the general allocation model is generally working well for pupils with special educational needs in the categories covered by the model”. This includes pupils with a mild general learning disability. The INTO has also said that the GAM provides for an “increased emphasis on inclusive education for pupils with special educational needs”. The National Council for Special Education has advised that the general allocation model’s flexibility “to address the totality of needs of pupils with special educational needs is viewed as a positive and progressive development”.

Whereas a case can always be made for additional resources, it can be seen that the partners are broadly supportive of the general allocation model and its ability to resource schools to meet the needs of the pupils concerned. What is important is that the policies of Governments since 1998 have delivered a continuum of provision for pupils with special educational needs. I am proud of these achievements.

In just over ten years, the Government has driven a complete transformation in educational policy for children with special educational needs.

Deputy Ulick Burke: It is now destroying it.

Deputy Brian Hayes: It has taken ten months to destroy it.

Deputy Batt O’Keeffe: I remind the House of what was available for children with special educational needs in 1997. There was no automatic entitlement to either teaching or care supports; provision for children with special needs in mainstream schools was virtually non-existent; and not all schools had resource or learning support teachers.

Deputy Ulick Burke: They still have not.

Deputy Batt O’Keeffe: There were only 252 special needs assistants in total, with virtually all of these employed in special schools, and if a child had any significant educational or care need, parents had no choice but to enrol him or her in special schools where the child would have access to exceptional teachers and care staff but little opportunity to mix with other children from the community.

In 1998, the Government put in place the policy of automatic response. For the first time, a child with a special educational need had the right to additional teaching or care supports.

Deputy Seymour Crawford: They may have the right but they do not get it.

Deputy Batt O’Keeffe: Whereas ten years ago, most parents of children with significant special education or care needs had no choice but to send them to a special school, now they have three distinct choices available to them. Their child can either attend a mainstream class in their local school with additional supports as required; if the child has a low incidence special

need, he or she can attend a special class in a mainstream school with a lower pupil-teacher ratio; or the child can attend a special school.

The needs of students can change as they get older and mature. The system now in place provides both a continuum of education and options to enable students to move from one setting to another in line with their changing needs. How much is left in the slot?

Acting Chairman: There are 11 minutes left in the slot.

Deputy Batt O’Keeffe: I will finish up, although I wanted to deal with the EPSEN Act. The speech will be recorded in the records of the House.

We will continue to expand the educational-psychological service so that every school in the country will have a direct service for NEPS.

Deputy Ulick Burke: We are a long way from that.

Deputy Batt O’Keeffe: This year, out of the €10 million, we will provide an extra 50 psychologists so that every part of the country will have that psychological service. We will continue to work with the NCSE to ensure that the provision of services for children with special educational needs is provided in a co-ordinated and effective manner. We will also
8 o'clock continue to fund the provision of expert support, professional development and training opportunities in education for all school staff. Furthermore, we will continue to deliver for pupils with special educational needs.

I commend the amendment to the House.

Minister of State at the Department of Education and Science (Deputy John Moloney): I support the amendment and the Department’s policy, as outlined by the Minister. Rather than be drawn into an argument regarding the Government’s commitment to disability, I wish to outline what is done by the office of equality, disability and mental health, which I have the privilege of heading up. Instead of engaging in a political argument, I wish to confirm to members of the public, rather than those on the Opposition benches, the Government’s commitment in respect of the area of disability.

I accept the point made by Deputies Brian Hayes and McHugh in respect of the Education for Persons with Special Educational Needs Act and I wish to clarify the position in that regard. It is completely disingenuous and untrue to suggest that the Government has abandoned the Act. In light of the new economic position in which the country finds itself, on budget day the Government clearly explained that it does not possess the financial resources to commit to the full implementation of the Education for Persons with Special Educational Needs Act. However, the Minister for Finance did allocate €20 million in respect of education for people with special needs. In an era of press releases and Government statements, very little was done to claim credit in this regard.

Both the €20 million allocated to the Department of Health and Children and the €10 million allocated to the Department of Education and Science are specifically ring-fenced for a particular purpose. More importantly, the 125 therapists in respect of which the Government has made a commitment will be specifically employed in the area of special educational needs. People must realise that the Government could not fully implement the Education for Persons with Special Educational Needs Act. However, it has made the specific allocations to which I refer.

It is difficult to believe what Deputy Brian Hayes stated regarding Fianna Fáil Members saying certain things to him in private. It is extremely difficult to believe that Fianna Fáil Deputies might say one thing while believing another.

Deputy Brian Hayes: I will spare their blushes by not naming them.

Deputy Ulick Burke: The Minister of State should watch his back.

Deputy John Moloney: Deputy Brian Hayes did not use names, so neither will I. However, I have heard Opposition Deputies state that they are satisfied with the commitment relating to the 125 therapists.

Deputy Brian Hayes: The Minister of State may certainly name them.

Deputy John Moloney: These people indicated their views to me in private and I will not betray their confidence.

Deputy Seymour Crawford: The Minister will not name them because he cannot do so.

Deputy John Moloney: These individuals acknowledged the fact that we are targeting children of school-going age. The provision of 90 posts in the area of disability services represents part of the Government's ongoing commitment——

Deputy Brian Hayes: Those people are not teachers.

Deputy John Moloney: I did not interrupt the Deputy. Some of his colleagues referred to their difficulty in persuading people to support Government policy. I understand that some of them even took time to explain what the Government is doing and I would have liked to have been present to hear what they had to say in that regard.

I am trying to put to bed the notion that the Government is merely engaged in a salvage operation. In that context, I emphasise the funding that has been put in place in respect of people with disabilities.

Deputy Ulick Burke: The Government is wrecking everything.

Deputy John Moloney: I will not insult those present by reading into the record the funding that has been provided. It is not the case that the Education for Persons with Special Educational Needs Act has been abandoned. Rather, the building blocks relating to that Act have been put in place in the form of the €20 million to which I refer.

The areas of disability and mental health often come under sustained attack during a recession. Some of what is being said in the House might give families with members who have special needs or individuals who access mental health services the impression that the Government is intent on discontinuing the provision of services. Since becoming Minister of State I have taken the opportunity to meet with the representatives of the various disability groups on a three-monthly basis. I have assured them that I will be coming before the Government in the next number of months with a five-year programme similar——

Deputy Ulick Burke: Another promise.

Deputy John Moloney: This is not a promise. I am not merely making a speech for the sake of doing so or trying to encourage those in the Gallery to applaud me.

Deputy Seymour Crawford: Nobody will be applauding the Minister of State this evening.

Deputy John Moloney: In the nine months during which I have had the privilege of heading up my office, I met all the groups to which I refer and I made it clear to them that the Government's commitment to those with disabilities remains intact. In ensuring that facilities

will be provided, I will be dealing specifically with the areas of special needs, transport, housing, education and, most importantly, employment.

I hosted a press conference — which was attended by very few people — at which I provided information on the Government's strategy on mental health, as outlined in *A Vision for Change*. I will be doing something similar in the near future in respect of the area of disability. I will be inviting people to participate in the process that will lead to my drawing up the five-year programme to which I referred earlier.

The Government has made a commitment to delivering in respect of those with disabilities and special educational needs by means of the national disability strategy. It also made a commitment to provide the best possible assistance in the context of addressing the needs of those with disabilities. I will not list the issues to which the Government amendment refers but it is important to reflect on what has occurred in recent years.

I know I will not convince Opposition Members with regard to my point of view but I would like the public to retain its belief that the Government's commitment to the areas of disability remains intact. Overall, the health service spends approximately €2.6 billion on disability programmes such as those relating to residential day care, respite care and assessment.

Deputy Ulick Burke: What about the classes in our schools?

Deputy John Moloney: I am outlining the aspects of this matter about which those opposite do not want to hear.

Deputy Brian Hayes: This has nothing to do with the motion.

Deputy John Moloney: Rather than going door to door in the hope of securing support in respect of elements people may not like, I want to take the opportunity to explain what is happening. I accept that certain Members do not wish to hear what I have to say, but I want to reaffirm the Government's commitment in respect of the areas under discussion. In that context, it is important to state that the funding to which I refer is in addition to the significant moneys provided in respect of mainstream health services, which can also be availed of by those with disabilities.

I wish to revisit the Government policy programme, namely, the multi-annual investment programme, that won widespread acclaim. In 2006, €550 million was allocated to the HSE under the multi-annual investment programme, which is a key component of the Government's national disability strategy. Of this, €425 million related to services for people with disabilities and the other €125 million related to mental health services.

Deputy Ulick Burke: The Minister of State might also refer to the funding provided in respect of the Luas.

Deputy John Moloney: When I try to explain the position to those who are expressing major concerns with regard the area of disability, I am subjected to comments relating to the Luas. I do not see the connection with the Luas. Perhaps the Deputy is merely engaging in loose talk.

Deputy Brian Hayes: Where is the connection with the 128 classes to which the motion refers?

Deputy John Moloney: I am responding to the motion that was tabled by the Deputy. At least four of his colleagues referred to the Government's uncaring attitude to those with disabilities.

Deputy Ulick Burke: That is correct.

Deputy John Moloney: I am trying to——

Deputy Brian Hayes: What is the Minister of State's view on the 128 classes to which the motion refers?

Deputy John Moloney: Unfortunately, I could not make my point because of the interruptions but I realise I am saying something the Deputies do not want to hear. I remind Deputy Hayes that in my opening comment I supported the Minister and the amendment. That is all-embracing in terms of what must be contained in the Government amendment.

Parts of the special education programme have not been abandoned or curtailed. The Government has recognised that rather than give a commitment on the full implementation of the Education for Persons with Special Educational Needs Act that could not be delivered, we took the opposite view of putting in place the base structure.

I support what the Minister said. He has taken advice that he can publicly stand over and in that context he has my full support.

Deputy Ciarán Lynch: I wish to share my time with Deputies Ó Snodaigh, Ó Caoláin, Upton and McManus.

Acting Chairman (Deputy Jack Wall): Is that agreed? Agreed.

Deputy Ciarán Lynch: I thank Deputy Hayes for bringing this motion before the House and share with him the Labour Party's concern regarding the withdrawal of classes for children with mild general learning disabilities.

The decision by the Minister, Deputy O'Keeffe, to cut special teacher support in over 100 schools is a clear indication that vulnerable children are a target of this callous Government. As the recession bites and the Government struggles to bring our public finances under control, and as it bales out bankers and developers, it is clear that this Government, and its various agencies, is taking the easy approach and targeting vulnerable groups for unfair treatment.

Prior to being elected to this House I worked as an adult literacy organiser in the area of second chance education for adults who did not get fair treatment the first time around. The price of delivering education at that time was not measured only in financial terms but also in personal cost. The Government amendment should not only be measured in financial terms but also in personal terms for those children and their parents. As legislators and campaigners for people with intellectual disabilities, we must not let that happen.

This September, close to 1,000 children with learning disabilities will be told they will no longer get the support they need in what amounts to their abandonment by the Department of Education and Science, with the Minister, Deputy O'Keeffe, at the helm. In recent months, special needs assistants and special needs teacher support schemes have come under fire from the Minister, Deputy O'Keeffe, his party and its partners in Government. Somebody has to stand up in this House and say "Stop". If we expect the Green Party Members to say "Stop", and particularly Deputy Gogarty in his role as chairperson of the Green Party, we will be waiting a long time. One could say that for the Green Party to leave Government it will require Fianna Fáil to walk out first because the Green Party will never walk out of Government on any issue of principle on which it went into Government.

The decision being taken by this Government means that not only will these children suffer but so too will their classmates as a further burden will be placed on mainstream teachers already under huge pressure in the classroom. In recent years the trend has been to accommodate children with learning disabilities in mainstream schools, with much of the old special school system and its infrastructure thankfully being dismantled. That is something the Labour

Party welcomed but if the replacement infrastructure in the mainstream schools is now being dismantled, that means these children are being left high and dry.

I say to the Minister that the Government's ending of vital services for these children is inexplicable but denying them the opportunity to flourish in school is unforgivable. It beggars belief how the Minister can come into the House this evening and claim that what he is doing is an improvement on the current system.

Questions must be asked regarding the Government's priorities when we consider that it is targeting the weaker sections of our society. Any reduction in the SNA numbers will mean that not only will these children suffer but so too will their classmates as a further burden will be placed upon teachers who are already under huge pressure in the classroom.

I cannot understand how the Minister can say that the current system that was arrived at through examination should be dismantled and something else put in its place, and that represents an improvement. We know it is being dressed up to hide the removal of funds, which are needed to cover banking and developers' costs, from working families and their children in the school sector, whether they be in special needs or mainstream classes.

Teachers cannot be expected to have all the skills required to provide a child with special needs with all the supports they require. Recently in St. Columba's school in my area of Cork South-Central, students had to be sent home in the morning because of the inability to get coverage for special needs teachers. One classroom cannot simply be lumped in with another classroom on a Monday morning on the basis that cover can be provided in that fashion. The education system, particularly in the area of special needs, does not work in that fashion. A "one size fits all" approach cannot be taken. The Minister is advocating that students with special needs should be mainstreamed with their fellow students in regular classes. That is a "one size fits all" solution where all children's learning needs are seen as being the same but which are not addressed equally.

The Irish National Teachers Organisation was quoted by the Minister earlier. Earlier this year the INTO got into a row with the Minister and his Department. Speaking at that time the INTO president, Declan Kelleher, said that supporting a policy of inclusion does not mean forcing all children with special needs into mainstream classrooms. No one has ever said that. Every special needs child should be integrated into mainstream classes, even with additional support. The UN convention does not state that, neither does the Council of Europe, yet the Minister came into the House tonight and said it was good teaching practice.

Currently, most children with learning disabilities join their own age group for general subjects such as physical education, arts and religious studies but practice has shown that they benefit most when greater attention and help is provided in special classes. The dismantling of the current system has all the signs of another Government cock-up. Furthermore, it will penalise children with special needs by denying them the specialised assistance they require and penalise the other students by further slowing up an already overcrowded classroom.

At the very least the motion before the House is an attempt to maintain the existing quality of hand in hand education currently being provided. It is a hand-in-hand education system in which students with mild learning disabilities and those operating in the mainstream are educated in a complementary way. However, the Minister wants to change that but at what cost?

Children with mild general learning disabilities have been sacrificed in this House tonight to save a cost of €7.5 million out of an annual budget of €9 billion in the Department of Education and Science. The cost saving proposed will cost a lot more in the long term.

Deputy Aengus Ó Snodaigh: Is oth liom nach bhfuil ach cúig nóiméad agam chun déileáil leis an ábhar rí-thábhachtach seo — ceist siúd atá tacaí breise oideachais uathu ionnas gur

[Deputy Aengus Ó Snodaigh.]

féidir leo foghlaim agus tairbhe a bhaint as na huairanta cloig a chaitheann siad ar scoil. Fiú in am an tíogair Cheiltigh, níor chaith muid mar sochaí i gceart leo siúd is boichte nó is leochailí inár sochaí, cé go raibh muid ag dul sa treo cheart sa deireadh thiar — bhí muid ag déanamh beagáinín de dhul chun cinn. Ní fíor sin anois, áfach, maidir leis an Rialtas seo. Tá sé tar éis díriú isteach orthu siúd a shíleann sé nach bhfuil guth acu chun an todhchaí a bhí acu a sciobadh uathu.

Fianna Fáil always targets the sick, the elderly and those marginalised. It targeted the over 70s with their medical card rip-off only a few months ago, it has continuously presided over a chaotic health service and now it is targeting the most vulnerable again, with a €6 million snatch of funds for special needs classes. I issue a challenge here and now to the trade union movement in the stalled partnership talks to demand a reversal of this punitive cut.

There is absolutely no logic, even in these stringent times, for penalising those most in need and that is exactly what this cut does. The lousy €6 million the Minister will save in this cut is one-tenth of what the Government is spending on horse and greyhounds chasing their tails. Are dogs more important than children? That, at the end of the day, is what it boils down to and the Government needs to address that.

In the past few months I have received many emails from parents, teachers and students in my constituency and beyond who are angered and in despair at the abolition of the special needs classes. Hundreds of children will be directly affected by this cut which will see them lose vital supports and services they need to achieve a robust education. Literally thousands of other children will be also affected by this, due to the extraordinary additional pressures and burden which must be overcome by teachers in the mainstream classes, which are already overcrowded and trying to tackle other issues. The Government is robbing children of their future for a paltry saving of €6 million when executives of publicly guaranteed banks are walking around with bonuses of €1 million, €2 million or whatever.

At the time this cut was announced I asked the Minister for Education and Science, Deputy Batt O’Keeffe, to point to any educational rationale to underpin his ruthless decision and he was not able to do so. Rather he claimed at the time, and I presume he still does, that the needs of these children will be adequately met in mainstream classes with limited learning supports. If that were true, why set up the special classes in the first place? That is illogical. That answer, in fact, is a lie. I am sorry, I am not supposed to say that a Minister would lie.

Acting Chairman: The Deputy cannot say that.

Deputy Aengus Ó Snodaigh: I am sorry, I will withdraw the statement that it is a lie but it is, in fact, bullshit.

In this instance I feel certain that parents know best. One of the parents who contacted me on the issue stated that, as parents, they know this solution will have a detrimental effect on their child’s education and social learning education, and they speak from experience as their child has been in a mainstream class in the past. The person asked me to trust them when they say a special class is without doubt the best place for their son to learn and thrive and to develop into a responsible and independent young adult, reaching his full potential, which no child should ever be denied.

Does the Minister of State, Deputy Haughey, have any idea of the scale of the problem with which many of these children must cope and how vital are the supports? I have to hand some of the lessons that children in a special needs sixth class would go through and these may be compared to some lessons I have to hand for children in a mainstream sixth class. What child with special needs will achieve the latter? I also have to hand lessons for a special needs third

class and lessons for a mainstream third class. The decision is illogical, ill-thought out and needs to be reversed.

Deputy Caoimhghín Ó Caoláin: It falls to me to make the last contribution in this debate this evening and to appeal to Government to step back from the brink. The cutting of education for children with special needs is one of the most deplorable acts perpetrated by this totally discredited Government. When it comes to cuts, it now seems to be a rule of thumb for this Fianna Fáil and Green Party Government that the most vulnerable must suffer first. Therefore, I support this motion and I reject the dishonest Government amendment.

I wish to put on record the point that when it is necessary to amalgamate special classes based on falling numbers it is important to recognise the circumstances of those living in rural areas and their right to attend classes that cater for their needs.

The White Paper on Education, Charting our Education Future of 1995, states:

All students, regardless of their personal circumstances, have a right of access to and participation in the education system, according to their potential and ability.

This means that education is a fundamental right. It means that everybody, regardless of his or her social background or ability, has an absolute right to be educated in an appropriate environment. Maybe Fianna Fáil and the Green Party should have a look at this document because it certainly seems they either just do not care or are thoroughly ignorant of what it says.

The standard answer to every parliamentary question, Oral Question and query put to the Minister for Education and Science on this issue is that there will be no pupil with a special educational need who will be without access to a special needs teacher as a result of the decision to apply the normal rules which govern the appointment and retention of teachers of special classes for pupils with a mild general learning disability. I put it to the Minister and his colleagues in Government that he has either absolutely no clue what kind of answers are being issued in his name or he himself is a sham. Either way, it is shame on Deputy Batt O’Keeffe—

Deputy Aengus Ó Snodaigh: Hear, hear.

Deputy Caoimhghín Ó Caoláin: —shame on the Department of Education and Science and shame on this Government.

If the Minister took the time to look at the correspondence, lobbies and submissions that are sent to his office, he would see the real effects of these cruel measures on needy children. For example, St. Catherine’s senior girls school in Cabra recently sent the Minister a detailed submission illustrating starkly just how the abolition of its special class will affect its students. Most of these children will enter classes of 24 plus and it will not be possible for the mainstream class teacher to continue his or her individualised programmes in any subjects. The submission describes starkly how differentiation in a mainstream class will serve only to alienate, humiliate and destroy any self-confidence the children may have. It describes how the children in this particular class are at least four years behind the chronological age and, sadly, will remain that way throughout their lives. I submitted a parliamentary question to the Minister, Deputy Batt O’Keeffe, on this submission and, in reply, he stated that there will be no pupil with a special educational need who will be without access to a special needs teacher as a result of the decision to apply the normal rules, etc. It is typical. The same reply mantra time after time.

To remove these children and all children with special educational needs from their own special class is utterly appalling. I am not sure if the Minister actually recognises what he has done to these children and the damaging impact it will have on them for years to come, and for what — a paltry sum, as Deputy Ó Snodaigh stated, of €6 million. I call on the Minister of

[Deputy Caoimhghín Ó Caoláin.]

State, Deputy Haughey, and all of his colleagues collectively, in front-line Cabinet positions and junior ministries, to reverse these appalling cuts.

I conclude by asking a party not represented here at this point in the debate, the Green Party, to try to rescue the remaining shreds of its credibility by supporting the motion, to show some back bone and to do what it knows is right. I hope it will do the right thing. Children with learning disabilities across the State are depending on the Government not to deprive them of their right to be treated fairly and with respect. That is a basic right we demand on behalf of all those children and their families. It is within the Minister's gift to deliver it now.

Debate adjourned.

Adjournment Debate.

Job Protection.

Deputy Pat Breen: I congratulate Deputy Calleary on his recent appointment as a Minister of State and wish him well in his new role. I thank the Ceann Comhairle for facilitating this matter on the Adjournment.

Exchequer returns for the first four months of 2009 were published yesterday afternoon and do not make for pretty reading. The deficit for the four months of this year is €7.3 billion. Taxes are down 24% with a 6% fall in income tax receipts and VAT receipts down more than €1 billion. Up to 384,448 people are registered unemployed, making an average of 5,800 people joining the dole queues every week. If unemployment continues to grow at this rate, up to 570,000 people could be without a job by the end of the year.

The plans of US President, Mr. Barack Obama, to overhaul the US tax code has sent a shiver up the spine of many US companies based in Ireland and has put many economic commentators on red alert. More than 570 US firms are based in Ireland, accounting for 70% of all IDA Ireland supported companies. More than 65 US firms are located in the mid-west region which has had some devastating job losses recently such as Dell in which 1,700 people lost their jobs. Almost two out of every three foreign direct investment projects which came to Ireland in 2008 originated in the US. In the same year, US firms paid €2.5 billion in corporation tax into the Exchequer, approximately 40% of the total corporation tax take for 2008. They contributed a further €13 billion in expenditure to the economy in terms of payroll, goods and services, etc.

Ireland's rate of corporation tax, 12.5%, was introduced by the rainbow coalition Government and has contributed enormously in terms of promoting the country as a location for foreign direct investment. While US firms contribute significant tax receipts, the lower tax rate actually makes those US companies more competitive, a point which the US Administration should bear in mind.

Some commentators in the US claim the US President's measures will target offshore tax havens rather than countries like ours which have low corporation tax rates. Ireland has also signed up to many tax treaties with the US. However, while Mr. Obama's recent speech on the US tax regime did not outline specific details, it is concerning that its accompanying factsheet identified three countries — Ireland, Bermuda and the Netherlands — as tax havens for US multinational companies.

Ireland has a long and proud history of association and friendship with the United States. No other world leader was fortunate to have had the opportunity to meet with the new US

President so soon after his inauguration as our Taoiseach had. This is due to the rapport built up between both countries, culminating in the Irish taking over the White House on St. Patrick's Day.

The Shannon and mid-west region values the importance of American industry and tourism to its economy. The co-operation between both our countries will culminate shortly in the opening of full US pre-clearance customs facilities at Shannon Airport which is very welcome. I urge the Minister of State and my constituency colleague, Deputy Killeen, who is also present in the Chamber, to remind the Minister for Transport, Deputy Dempsey, of the urgency to bring the relevant legislation before this House so the facility can be up and running by 1 July as promised.

Many key US Democrats are not lit up with enthusiasm for this plan. Senator Max Baucus, chairman of the US Senate finance committee, reacting to Mr. Obama's proposals said further study is required to assess the impact of the plan on US businesses. There is much to play for and I believe the Irish US lobby is hugely influential. No stone should be left unturned to get the message across to the US that Ireland is not a tax haven. These proposals could have significant implications for the future of US investment in Ireland. Yesterday, the US Chamber of Commerce said they were an unacceptable burden on American firms. We cannot have another Dell scenario and I ask the Minister of State to put a co-ordinated strategy in place to deal with Mr. Obama's proposals.

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): I thank Deputy Breen for his good wishes and for raising this topic. This is an important issue and, consequently, it is being closely monitored and acted upon by the Government on an ongoing basis. However, I would encourage all to take a measured view of yesterday's developments. While the Government is treating the matter seriously, this is not simply an issue for Ireland. This is about how the US tax regime for US companies works globally rather than posing some imminent threat to Ireland.

The Government will make certain the mutual interests of Ireland and the US are highlighted during consideration of this issue by the US Administration and Congress on an ongoing basis. I agree with the Deputy regarding the importance of US foreign direct investment in Ireland. US business is the largest component of our overseas investment with more than 500 US companies operating out of Ireland which have invested over €55 billion. While detailed and final provisions are yet to emerge, the US President, Mr. Obama's proposals are likely to have some impact on this activity.

Ireland is, however, recognised as one of the best locations in the world for foreign investment for a wide variety of reasons. The level of foreign direct investment in Ireland, relative to the size of its economy, is one of the highest in the world. US and other international investors choose Ireland for several reasons — efficient access to EU and near-markets; skills mix; English and other language skills; and financial consideration, of which the corporate tax rate is one element.

The US Administration has announced part of its plan to reform its international tax laws and improve enforcement. First, reforms have been proposed to ensure the US tax code does not, in its view, unduly incentivise job creation outside the US. Second, the US Administration seeks to reduce the amount of US taxes lost to so-called tax havens, either through unintended loopholes or through illegal activity. There is an important distinction between action against tax havens and proposed changes to the broader US international tax system. Ireland is not considered a tax haven by the US and proposals in this area should not be any threat to our interests.

[Deputy Dara Calleary.]

Deputy Breen called for a co-ordinated strategy to lobby the US Government and focused effort to protect jobs in Ireland. Both are already in place. The Government has been monitoring and expecting the recent developments. The issue was raised with the US Administration by the Taoiseach, the Minister for Foreign Affairs and the Tánaiste and Minister for Enterprise, Trade and Employment, who met with the US Treasury Secretary, Mr. Timothy Geithner, on recent visits to the US.

A monitoring system on developments in the US international tax code has been in place for several years. In addition, a contact group, comprising senior officials from the Departments of Enterprise, Trade and Employment, Finance and Foreign Affairs, IDA Ireland and the Revenue Commissioners, has been meeting regularly on US tax policy issues for the past six months and will continue to monitor developments closely.

Now that the US Administration has announced its initial proposals, we will continue to engage with it and with Congress as this issue develops. To this end, IDA Ireland has deployed a senior executive to the Irish Embassy in Washington as a point person to monitor and engage with this issue.

Regarding job creation and protection, we must continue to invest in our people to ensure we have the skills and knowledge to support the vision set out in the programme for sustainable economic renewal. We will support those who have lost jobs due to the economic downturn and provide them with opportunities to re-enter the workplace. More than €1 billion of the Department's budget for 2009 is targeted at labour force measures, including activation and training programmes for the unemployed, upskilling for those in employment and employment programmes. In addition to these major programmes, the Cabinet committee on economic recovery has been working across the Government to deliver the best support and results for enterprises. We are also supporting enterprises through other measures, such the new enterprise stabilisation fund with its budget of €100 million.

The US proposals must now go to Congress for intense and lengthy debate. Assessing the impact of the proposed changes on present and future levels of direct investment by US companies in Ireland is dependent on more detail and we should be conscious that nothing has been enacted thus far. The proposals have potentially wide-ranging effects for US companies as well as for destinations of US investment worldwide, including Ireland. Consequently, they have not been universally welcomed in the US. In addition, the US Government has clearly signalled that it is conscious of the need to maintain the competitiveness of US companies operating globally. The Government will make sure that the mutual interests of Ireland and the US contribute to consideration of this issue by the US Government and Congress on an ongoing basis.

Army Barracks.

Deputy Willie Penrose: I congratulate the Minister of State, Deputy Calleary, on his new position. I thank the Acting Chairman on behalf of the people of Mullingar and its hinterlands, including in particular the serving and former military personnel of Columb barracks and their extended families for allowing me to raise this important issue. I ask the Minister for Defence to give a clear, concise and unequivocal commitment that he will not attempt to dispose of, close or in any way downgrade the status of Columb barracks, Mullingar, which has been in operation as an integral part of Mullingar since 1822 and which was the subject of a recent illuminating and informative lecture in the barracks by an eminent historian.

To say that I am shocked to have to raise this matter in our Parliament on behalf of all those affected in order to seek an unqualified assurance as to the future of Columb barracks is an

understatement. I cannot believe that a sovereign government would ever contemplate closing such a major and integral part of the Defence Forces' facilities. The fact that my telephone line has been buzzing with deeply concerned people, including former and serving personnel and their families, is an indication of the anger and fear that has been generated following the reports by Conor Kane in this morning's *Irish Independent*. We are gobsmacked but the people of Mullingar and County Westmeath will fight the closure tooth and nail. If the Minister is even contemplating such a move, I advise him to forget about it because we will not allow it to happen in any shape or form. I do not want mealy mouthed side steps or obfuscatory assurances such as a statement that it is not intended to close any more barracks in the short term. We will not allow the barracks to close in any term, whether short, medium or long.

Let me explain the importance of Columb Barracks to the economy of Mullingar and County Westmeath. It is the home of the fourth field artillery regiment. As one comes into Mullingar one can see signs of the town's pride in its association with the military. It is the last remaining artillery barracks in Ireland and, given its location in the geographical centre of the country, it is of great strategic importance and acts as a staging post for all our overseas and UN based operations. Over 200 serving personnel are based in the barracks, together with more than 20 highly skilled civilian staff. The income generated from pay, pensions and ancillary purchases is worth approximately €10 million to the local economy. The facility's 200 beds increases its importance to the western brigade. It also acts as a headquarters of the Reserve Defence Force and the 54th regiment. It is ironic that the blocks in the barracks have recently been upgraded for fire proofing.

Up to a quarter of the strength of the barracks is going to Chad on 21 May, continuing the fine tradition of our military personal of making significant contributions to the strength of the fourth western brigade on important missions. We are proud of the military personnel from Columb Barracks, Mullingar, and Custume Barracks, Athlone, who have served with great skill and distinction on important missions. The fourth field artillery regiment has in recent times been honoured by addresses of recognition by Westmeath County Council and Mullingar Town Council, which reflects the importance of Columb Barracks to the economic, cultural and community life and future of the town of Mullingar.

Two active groups, ONE and IUNVA, represent retired soldiers in Mullingar. Their members do great social and community work and ensure their colleagues are never forgotten. I salute them for their fundraising efforts and the work they do on behalf of their members throughout the country. Many serving members of the Defence Forces also do community work in their spare time across a range of voluntary organisations. Regimental Sergeant Major Noel O'Callaghan and his colleagues have embarked upon a fundraising venture to help the stroke unit at Mullingar hospital and, even though the campaign is only a few months old, have already raised over €30,000 for this worthy cause.

From an economic perspective, it is foolhardy to contemplate closing Columb Barracks. Apart from being unable to dispose of it in the current climate, all personnel would have to be paid disturbance money. No money will be saved, therefore. Families of serving personnel would suffer significant disruption if they are forced to relocate. They would have sell their houses, which is not easy in a collapsed market, and might face difficulties in securing school places elsewhere. I urge the Minister to put the serving personnel and their families, who have made long term decisions based on the future of Columb Barracks, to the fore in his considerations.

Deputy Dara Calleary: I thank the Deputy for his good wishes. One of the downsides of my new job is that I am no longer a member of the Committee on Enterprise, Trade and Employment, which he has expertly chaired for the past two years. The Minister for Defence has asked

[Deputy Dara Calleary.]

me to convey his regrets at being unavailable to take this Adjournment matter in person. However, he is grateful to the Deputy for giving him the opportunity to address the misleading impression given by media reports this morning regarding potential barrack closures.

As he has advised the House on many occasions the closure of barracks and the consolidation of the Defence Forces into a smaller number of locations is a key objective of the White Paper on defence. The dispersal of personnel over an extended number of locations is an impediment to essential collective training and imposes increased and unnecessary overheads on the Defence Forces in terms of barrack management, administration, maintenance and security. The consolidation process is designed to facilitate higher training standards while also freeing under utilised resources and personnel for operational duties.

The funding previously realised from the disposal of surplus barracks and properties has, together with pay savings, provided some of the resources required for infrastructure, training development and equipment procurement. In this regard, the White Paper states that the Government's decisions are based on its recognition of the necessity to enhance the equipment and infrastructure available to the Defence Forces. It is the Minister's intention that the funding realised from the disposal of recently closed barracks will provide further funding for the ongoing re-equipment and modernisation of the Defence Forces.

The development and increased capability of the Defence Forces, together with the improved security situation along the Border, removed the rationale for seven barracks and posts in Border areas and provided the opportunity for consolidating units in fewer locations. In framing the 2009 budget the Government, therefore, decided to reduce the number of Army barracks to bring them into line with the operational requirements of the Defence Forces and achieve economies of scale. As a result, the seven barracks along the Border were consolidated into three posts.

This morning's article suggested that further closures are on the way. This is a complete misrepresentation of the current position and the documents provided by the Department of Defence under a freedom of information request. If anything, the manner in which the issue was reported is contrary to the purpose of the Freedom of Information Act, which is designed to inform rather than misinform the public on policy issues. The documents in question were prepared in the context of the 2008 budget and include a memorandum from the Defence Forces' strategic planning office from January 2008. These documents set out a range of possible options on barrack closures for consideration by the Minister for Defence and the Government.

Having considered the matter, the Government agreed in the context of the budget to announce the closure of four barracks, namely, Longford, Rockhill, Lifford and Monaghan. As the Deputy will appreciate and as the Minister has previously stated, the decision was based on the particular requirements in the Border region given the changed security situation arising from the Good Friday Agreement dispensation.

The Government has made no decision on other barracks nor are further closures under active consideration by the Minister or the Government at this time. The Government and the Minister must take cognisance of the requirements of the Defence Forces and ensure on an ongoing basis that the overall organisation and deployment of Defence Forces personnel across the country fully supports the ongoing professional development and training of our Defence Forces. While the Department and the Defence Forces continually review requirements relating to barracks, infrastructure and other military installations, it is important that the most recent changes be given the opportunity to bed down. Contrary to media reports this morning, there are no plans for further barrack closures.

Deputy Willie Penrose: There is no smoke without fire.

Water and Sewerage Schemes.

Deputy John O'Mahony: I thank the Ceann Comhairle for selecting this urgent issue on the Adjournment. I would like to pass on my warmest congratulations again to the Minister of State, Deputy Dara Calleary, who is following a fine family tradition and Fianna Fáil tradition, and I wish him well. Normally I would complain that the Minister for the Environment, Heritage and Local Government is not present to take this matter but I take the Minister of State's presence to be a signal that he has good news for Kiltimagh, County Mayo. I am glad I have given him the opportunity to give Kiltimagh the good news.

A new and updated sewerage scheme was mooted as far back as 1992 for Kiltimagh. It has been promised and reneged on many times since then but especially in 2002 when we were told its delivery was imminent prior to the election in that year. During that period the development of the town was held back and restricted because the treatment plant was incapable of dealing with the expanded capacity. For example, the owners of a hotel built in the town a few years had to install their own treatment plant costing them thousands of euro and everybody will be aware of the pressure hotels and the tourism industry are under.

However, this issue has become more serious in recent years because of the threat to the environment posed by raw sewage running into the Pollagh River, a tributary of the River Moy, which is the biggest salmon river in Ireland, if not Europe. I have seen this raw sewage with my own eyes on numerous occasions and few days ago I witnessed it again in the company of local Councillor Lavin. The reality is that if a farmer or industrialist caused the pollution in this river, they would be rightly prosecuted. I have attended two public meetings in recent weeks, as has the Minister of State, organised by the angling club in Kiltimagh, along with every other public representative. The official delegation was informed by the council that it is waiting for approval from the Minister for the tender report it supplied in order that the scheme can proceed immediately.

The entire scheme, including the network collection and the treatment plant, will cost more than €9 million but it is crucial that the Minister for the Environment, Heritage and Local Government gives the go-ahead now. The Minister of State and Deputy Beverley Flynn representing the Government informed people at the public meetings that the scheme would happen within weeks. It was supposed to happen under the former Minister, Deputy Dick Roche, in 2005. The people of Kiltimagh have waited long enough. The tourism potential of Kiltimagh and Mayo needs to be developed to its full potential, especially in these difficult times. I urge the Minister to give approval for this scheme.

As the Minister of State is well aware, the community has a case ready to go to Europe if sanction is not given immediately. I would like to put on record a Fianna Fáil press statement released on 9 May 2007, which states:

Minister for the Environment, Mr Dick Roche gave the go ahead last week for the €6m contract, which will upgrade and extend the existing wastewater collection system and will include the outfall from the new wastewater treatment plant. More than 5km of watermains will also be replaced alongside the sewerage works.

"I authorised Mayo County Council last January to invite tender for the construction of the new Wastewater Treatment Plans for Kiltimagh, This latest approval means that the way is now clear for the entire scheme," noted Minister Dick Roche . . .

"This new sewerage scheme will mean that Kiltimagh will be able to cater for new residential and commercial development well into the future and the local community will continue to enjoy the highest environmental standards," noted Deputy Carty.

[Deputy John O'Mahony.]

I urge the Minister of State to give us goods news. I will cross the floor and shake his hand once he announces it.

Deputy Dara Calleary: I thank the Deputy for his good wishes, which were extended previously. I extend good wishes to him in regard to his activities next weekend.

We have been working on this issue together since our election in 2007. The Water Services Investment Programme 2007-2009, which was published in September 2007, includes 20 major water and sewerage schemes at various stages of planning and construction, with a value of more than €205 million for County Mayo. These includes Ballina sewerage scheme and the extension of Ballina water supply scheme to Crossmolina costing almost €24 million between them, both of which are substantially complete. In addition, Castlebar sewerage scheme costing €50 million and Achill Sound sewerage scheme costing €7.4 million are under construction. A range of other schemes is advancing through the planning process.

The schemes in the programme, including Kiltimagh sewerage scheme, will provide much needed modern water and wastewater infrastructure in many areas of the county. The Department of the Environment, Heritage and Local Government originally approved a budget for the Kiltimagh sewerage scheme in September 2008, and approved an increase in the budget recently, bringing the total amount approved to just under €9.2 million. The scheme comprises two related elements, which involve the upgrading of the collection system and the treatment works. Separate contracts are involved for each element.

The Department approved Mayo County Council's preliminary report and the preparation of contract documents for the collection network and wastewater treatment plant for a population equivalent of 3,300 in February 2004. The contract documents for the collection network were approved in May 2007, which allowed Mayo County Council to advance to the procurement stage. While tenders were received and examined by the council, the Minister understands from the council that the successful tenderer withdrew before signing the contract. The council is considering its options for progressing these works and the Department expects to receive a report on the outcome of this consideration in the near future.

The council's contract documents for the wastewater treatment plant design, build, operate contract for an increased population equivalent of 4,000, were approved by the Department in January 2007. The council submitted their tender recommendation for this contract, which includes the operational and maintenance element of the Killala and Achill Sound sewerage schemes, in late December 2008. The Department raised some queries with the council to complete its examination of the tender recommendation and the necessary clarifications were received last month.

The Minister understands the scheme is important for the local community, as it will ensure that the town has a sewerage scheme capable of meeting current demands, that there will be capacity to service new development and that environmental standards, including water quality in local rivers, will be preserved and improved for the benefit of the town and its residents. He will ensure that there is no avoidable delay in the Department finalising its examination of the council's tender recommendations and has agreed, on my request, to meet a delegation from Kiltimagh as soon as is possible. I will continue to work with the Deputy to finalise this project but, as he will be aware, there were delays that were beyond even the Department's control over the past few years.

9 o'clock

Forestry Industry.

Deputy Tom Sheahan: I wish to share time with Deputy Creed.

Is the 8% reduction in forestry premia announced in the supplementary budget last month legal? More than 20,000 people are employed in forestry and 16,500 farmers have invested in forestry. Forestry premia and forestry-related activity such as road building and planting cost the Exchequer a total €122 million annually and the 8% reduction will cost farmers in excess of €7.5 million. For that reason other farmers do not have the necessary security or confidence required to get involved in planting. Farmers are worried that there will be another 8% cut in November or in April 2010. Farmers have come to me who wish to invest in forestry but they have lost confidence and are shying away from it. Will the Minister of State outline his ongoing plan for forestry that will give confidence to farmers and demonstrate that the Government is dedicated to the sector?

I have some suggestions on where one might claw back the sum of €8 million. If we were to suspend the roads programme for one year, that would result in savings of €4 million that could be used for the forestry programme. Planting tenders have dropped by between 10% and 15% but Coillte, Green Belt and other companies are not passing on the benefit of the cut to the man who is planting the trees. A cut in the planting grant by 10% would yield a sizeable sum. Will the Minister of State outline a plan for the future for forestry to show that the Government is dedicated to the sector and support the farmers who wish to develop forestry? I suggest that, when forestry premium payments finish, perhaps in year 21 one could pay the 8% to farmers.

Deputy Michael Creed: Forestry involves a commitment of 30 to 40 years on the part of landowners. At the simple stroke of a pen not only has the Minister for Finance and his Cabinet colleague, Deputy Smith, in the Department of Agriculture, Fisheries and Food taken money from farmers' pockets but they have simultaneously undermined their ongoing commitment to future afforestation because there is a fear that the viability of forestry as an income source could be further undermined at another stroke of the pen. That is penny wise and pound foolish.

The Minister of State, Deputy Killeen, is aware that there are legal penalties and sanctions for a failure to meet our obligations signed up to at European level to reduce our carbon emissions. Forestry represents the easiest and fastest way to meet our carbon sequestration requirements. In the budget the Minister has dealt a body blow to the industry and the commitment of farmers as landowners to planting and meeting future targets.

Deputy Sheahan referred to the legal principle of legitimate expectation. People who entered into a commitment to forestry as a land use measure did so on the basis that they expected their level of income to be predictable for the period of the grant — up to 20 years — but that has been undermined. Has the Department taken legal advice on the matter?

I seek clarity from the Minister of State on another matter on which there is uncertainty. Is it the intention of the Government that income from forestry which up to now was tax exempt will be subject to the various levies introduced in the budget by the Minister for Finance? That would be a further breach of contract between the Department and farmers and sound the death knell of the afforestation programme. The Minister should be concerned that the target set in the programme is hopelessly behind schedule.

What the Minister has done is penny wise and pound foolish. There are other areas in which funding could be saved. Closing the stable door after the horse has bolted is something at which the Government has become adept. A round table of the various interest groups has been convened to give the Government cover on this issue and it would have been preferable for the Minister to have embarked on this. With this precipitative action he has dealt a fatal blow to the future of the forestry industry which is critical to our economic future.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Tony Killeen): Gabhaim buíochas leis an mbeirt Teachta as an t-ábhar tábhachtach seo a chur faoi bhráid na Dála. I am pleased to have an opportunity to highlight the Government's commitment to forestry and my future plans for it. In essence, they are for the continuance of support for the forestry programme. The continued funding of forestry is an appropriate use of national funding from the Government's viewpoint, given the income it delivers to the rural community, the raw material it provides for industry and energy uses, the jobs it continues to sustain and the essential contribution forestry makes to carbon sequestration in furtherance of the national climate change strategy.

Deputy Sheehan has referred to the recent decision to reduce forestry premia by 8%. This reduction was necessary in view of the unprecedented pressure on the public finances and the need to work within limited resources. I acknowledge that this will have a significant impact on the annual income of premium recipients. However, it should be noted that, notwithstanding the reduction, approximately €58 million was paid to forestry owners this week in the annual premium run. I am sure the House will agree that this is still a substantial amount of money to invest in the rural economy. This is not the full extent of the amount to be paid out in premia this year as payments will continue to be made during the year.

The decision to reduce the premium was balanced by the need to maintain the establishment grants scheme, the lifeblood of planting and employment in the forestry sector. The continuation of the 100% establishment grants, coupled with expenditure on support schemes, is evidence of the ongoing commitment of the Government to forestry and our plans to continue that support of the sector. Forestry planting is labour intensive and the continued 100% funding of the establishment grants seeks to ensure continued employment in the nursery, planting and maintenance elements of the forestry sector. It should also be appreciated that, despite the financial pressure on the Department, the total amount of funding being made available for forestry and bio-energy is still approximately €120 million, only marginally over 1% less than that provided in 2008.

The rationale for continuation of support for forestry is the extensive contribution it makes to the economy, society and the environment. Evidence of this is the employment of some 16,000 persons in the forestry sector. Allied to this is the figure released by COFORD that Irish forest product exports for 2007 were worth in excess of €333 million to the economy, an increase of more than 14% in value on the previous year. This contribution is the outcome of the Government's commitment to forestry to date, as well as the investment by all of the stakeholders in the industry, from the nursery right through to the processor. However, it is essential that support is continued to facilitate an ongoing supply of raw material to use the capacity that has been developed to date and sustain the viability of the sector. The Department is seeking to ensure continued confidence in the sector in order to maintain this contribution into the future. To this end, I met today the forestry liaison group which consists of representatives of the stakeholders in the forestry sector to discuss proposals for a number of policy actions to ensure continued confidence in the sector.

Deputy Tom Sheahan: Did the Minister of State agree anything?

Deputy Tony Killeen: I thank the Deputy for the alternative proposals, some of which were made by groups at today's meeting. I assure both Deputies that legal advice supports the Department's action. My understanding is that levies apply to all income, including that from forestry. We await the report of the Commission on Taxation.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Thursday, 7 May 2009.

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 5, inclusive, answered orally.

Questions Nos. 6 to 56, inclusive, resubmitted.

Questions Nos. 57 to 66, inclusive, answered orally.

Air Corps Operations.

67. **Deputy Noel O'Flynn** asked the Minister for Defence the number of air ambulance and other emergency missions flown by the Air Corps in 2007, 2008 and to date in 2009; the type of aircraft involved; the types of mission; and if he will make a statement on the matter. [17719/09]

Minister for Defence (Deputy Willie O'Dea): The role of the Air Corps as set out in the White Paper on Defence is to provide a range of military and non-military services in support of the State. These services include the provision of an air ambulance service on the basis of agreed arrangements with the Department of Health & Children, and the provision of assistance in relation to civil emergencies in response to requests from the An Garda Síochána, and the principal response agencies such as the Irish Coast Guard. These services are provided as the need arises and within the available capability of the Air Corps, having regard to both current and contingent operational commitments. Details of Air Ambulance and other emergency missions flown by the Air Corps since 2007 are presented in the tabular statement.

Mission Type	Aircraft	Number of Missions 2007	Number of Missions 2008	Number of Missions 2009
Air Ambulance	Helicopter	51	44	20
	Gulfstream IV	1	0	0
	Learjet 45	17	12	0
	Beechcraft	8	10	0
	CASA	20	21	14
Search and Rescue	Helicopter	9	3	3
	CASA	8	3	1
Aid to the Civil Power	Helicopter	20	13	0
	CASA	1	0	0
Total		136	106	38

European Council Meetings.

68. **Deputy Dinny McGinley** asked the Minister for Defence the details of the concept of the European military Erasmus initiative contained in a recent General Affairs and External Relations Council declaration; and if he will make a statement on the matter. [17913/09]

Minister for Defence (Deputy Willie O’Dea): The proposal to launch a European Military young officers exchange scheme, modelled on Erasmus, was one of the major initiatives of the French EU Presidency and was formally adopted by the Council of the European Union in November 2008. The European Military Erasmus initiative seeks to establish a military exchange programme for European military officers undertaking their initial training and education. It would enable young officers to complete some of their initial training in another Member State.

This will be a voluntary initiative, with participating Member State academies bilaterally working out agreements. Ireland supports the initiative and feels that the concept of shared training could be of particular benefit to smaller countries. It should be noted, however, that Ireland has already developed a flexible and effective working relationship between the Defence Forces and foreign military academies, which accommodates requirements for officer and non commissioned officer (NCO) education and training. The primary objective of the Military Erasmus is to enhance the capacity of European Armies to work together and to reinforce the potential for co-operation and to strengthen their interoperability to conduct increasingly complex multinational crisis management and peace support operations.

In order to advance this initiative, Member States have established an Implementation Working Group working under the aegis of European Security and Defence College (ESDC) Executive Academic Council. To date there have been two meetings of the Implementation Working Group and the Defence Forces have been represented at both. The purpose of the Implementation Working Group is to agree on a number of practical matters for encouraging and facilitating exchanges between their national training colleges, with assistance from the European Security and Defence College. The measures will relate to cooperation between military universities, exchanges during basic military training and the provision of a forum for specialised military training and education. These measures will be implemented at both European and national level and based on existing bilateral and multilateral exchanges.

There are also plans to develop Distance Learning (DL) and a common module on ESDP will be provided as standard in the curriculum. An important aspect of the initiative from Ireland’s perspective is that it is voluntary and that we are under no obligation to deliver a quota of courses. Secretary General/High Representative Javier Solana is preparing a report for Council on progress on the implementation of this initiative, which will be presented to Defence Ministers at the GAERC on the 18th May 2009.

Question No. 69 answered with Question No. 66.

Army Barracks.

70. **Deputy Phil Hogan** asked the Minister for Defence if work will commence in 2009 on renovating and converting C House, Cathal Brugha Barracks, Dublin 6, to single officers’ quarters in order to alleviate the situation of officers forced to live in steel containers at that barracks; and if he will make a statement on the matter. [17903/09]

Minister for Defence (Deputy Willie O’Dea): In the first instance I must reject the suggestion that the officers in question are being housed in steel containers. The facilities provided to the officers are individual containerised accommodation units which are of the highest standard and meet all health and safety requirements. Each of the units contain a bedroom and study area, with desk and chair, and separate ensuite toilet and shower facilities. The officers also have full access to all the other facilities available in the barracks.

In relation to the commencement of work on Block C in House in Cathal Brugha barracks, the position is unchanged since I last addressed the issue in response to question number 45 on the 10th March 2009. At that time I advised that Projects in the Capital Programme are prioritised in terms of addressing the Defence Forces operational requirements taking into account the annual capital allocation for the on-going building programme. Given the current set of priorities it is unlikely that this project will commence this year. Should the current allocation change the building programme will be reviewed and projects in the programme will be prioritised on a needs basis.

As the Deputy will appreciate, in the current economic environment, capital expenditure projects must be subject to the most rigorous analysis. As I said previously in response to this issue, additional single living in accommodation may not be required in Cathal Brugha barracks in the long term. The temporary accommodation is only used during term time with the officers in question returning to their units during holiday periods. As such, it makes economic sense to provide this type of temporary accommodation, which cost €200,000 for twenty units, rather than expend €1.5 million euro of taxpayers money on additional permanent accommodation which may actually turn out to be surplus to requirements.

Ministerial Meetings.

71. **Deputy Olwyn Enright** asked the Minister for Defence the number of formal meetings he has had with the Permanent Defence Forces representative associations, RACO and PDFORRA, respectively, since first being appointed Minister for Defence; and if he will make a statement on the matter. [17892/09]

Minister for Defence (Deputy Willie O’Dea): I had several formal meetings with RACO and PDFORRA since my appointment as Minister for Defence. I have also attended the Delegate Conference of both associations. On taking this appointment I was determined that I would operate an “open door” policy. I wanted, as far as practicable, to be available to the Representative Associations to listen to their concerns and, where possible, to address them speedily. The Conciliation and Arbitration Scheme provides the mechanism for addressing issues, which come within the associations’ remit. This scheme provides a range of fora to the Associations, from formal Council and subcommittee meetings to less formal meetings and contacts.

Naval Service Vessels.

72. **Deputy Emmet Stagg** asked the Minister for Defence if he intends to proceed with plans for the replacement of the *Asgard II* with a new steel hulled vessel; if estimates are available as to the potential cost; when tenders will be sought; and if he will make a statement on the matter. [17778/09]

Minister for Defence (Deputy Willie O’Dea): It is my intention to proceed with plans to replace *Asgard II*. In that regard, the Board of Coiste an *Asgard* has initiated planning for the procurement of a new steel hulled vessel similar in design to *Asgard II*. A firm estimate of the

[Deputy Willie O’Dea.]

cost of a new vessel is not available at this stage. It is expected that tenders for the new vessel will be sought before the end of the year.

Defence Forces Medical Corps.

73. **Deputy Timmy Dooley** asked the Minister for Defence if he has received advice from the Chief of Staff or the director of the Defence Forces medical corps on the use of laser eye surgery; when the Defence Forces will introduce guidelines as to the suitability of this treatment for serving troops or future possible recruits; and if he will make a statement on the matter. [17753/09]

Minister for Defence (Deputy Willie O’Dea): The position is that there are a number of physical and medical standards laid down by the Military Authorities for entry to the Defence Forces. These requirements are based on the professional advice of the Medical Corps and having regard to the nature of the job, the duties of military service and the training undertaken by members of the Defence Forces. The Medical Corps regularly reviews the medical standards for entry to The Defence Forces.

The question of the suitability for military service of persons who have had laser surgery to correct their visual acuity is complex. It depends on a number of factors including the exact type of surgery and the amount of visual correction effected. I have just received a report from the Military Authorities on the issues relating to laser eye surgery. Once I have had an opportunity to consider the report and the recommendations I will decide on any policy changes required in this area.

Overseas Missions.

74. **Deputy Damien English** asked the Minister for Defence if members of the Defence Forces serving in Chad will be awarded a UN MINURCAT medal; and if he will make a statement on the matter. [17887/09]

106. **Deputy Joanna Tuffy** asked the Minister for Defence if he will confirm that Irish troops serving with the UN in Chad may not qualify for UN medals for their tour of duty in view of the fact that they will fall 90 days short of the 400 required; if he will raise this matter with the United Nations with a view to securing medals for these troops; and if he will make a statement on the matter. [17777/09]

457. **Deputy Lucinda Creighton** asked the Minister for Defence the action being taken to ensure that all members of the Defence Forces who are serving or have served in Chad receive a United Nations medal; and if he will make a statement on the matter. [18175/09]

Minister for Defence (Deputy Willie O’Dea): I propose to take Questions Nos. 74, 106 and 457 together.

Medals are awarded to members of the Defence Forces on the basis of various criteria such as their length of service, for service overseas and for acts of bravery associated with such service both at home and overseas. Members who serve overseas on UN missions or UN mandated missions, subject to certain criteria, are eligible for the award of the UN Peacekeepers Medal. This medal is only awarded once to any one individual, irrespective of the number of overseas missions that they complete during their career.

In addition to the Peacekeepers Medal, a member who serves overseas may also be eligible for the award of a mission-specific medal by the international organization responsible for the mission. Accordingly, in this instance, qualifying personnel currently deployed to Chad as part of the EUFOR Chad/CAR mission were awarded European Security Defence Policy (ESDP) EUFOR Service Medals prior to being “rehatted” to the UN MINURCAT Mission on 15 March 2009. The qualifying criterion for the award of a UN MINURCAT Medal is at least ninety (90) days service in the theatre. Consequently, personnel returning in May will not be eligible for the award of this medal. I do not intend raising this matter with the UN authorities.

Furthermore, owing to the importance placed on the award of medals and in order to preserve the sense of value and entitlement attached to same, it is policy that only one service medal is recognised per tour of duty. Personnel deployed to Chad beyond 15 March 2009 or indeed those personnel who were ineligible for an ESDP EUFOR Service Medal, will be eligible for the award of a UN MINURCAT Mission Medal provided they meet the qualifying criteria as set down by the UN i.e. over 90 days service.

Military Medals.

75. **Deputy Darragh O’Brien** asked the Minister for Defence if his Department is still issuing certificates in lieu of lost or destroyed 1916 and War of Independence medals; the number issued in 2008 and to date in 2009; and if he will make a statement on the matter. [17657/09]

Minister for Defence (Deputy Willie O’Dea): The arrangement in question remains in place and my Department continues to issue Medal certificates signed by me in cases where the 1916 Medal or other War of Independence-related Medal has been lost, stolen or destroyed. Since its introduction in 2006, 1,364 certificates have been issued including 128 in 2008 and 50 to date in 2009.

Departmental Reports.

76. **Deputy Kieran O’Donnell** asked the Minister for Defence when the report of the consultants appointed to review the medical services of the Defence Forces will be published; if he will implement the recommendations of the report in 2009; and if he will make a statement on the matter. [17924/09]

102. **Deputy Darragh O’Brien** asked the Minister for Defence if he has received the report of the consultants appointed to review the operation of the Defence Forces’ medical services; when he proposes to publish the report; his views on same; and if he will make a statement on the matter. [17656/09]

464. **Deputy Jimmy Deenihan** asked the Minister for Defence if the final report of the consultants appointed by his Department to review the medical services of the Defence Forces has been received by his Department; if not, when he expects the report to be submitted; his views on the delay in receiving this report, which was scheduled for completion before the end of 2008; and if he will make a statement on the matter. [17955/09]

Minister for Defence (Deputy Willie O’Dea): I propose to take Questions Nos. 76, 102 and 464 together.

The development of the Medical Corps forms part of the agreed programme for Government. I am committed to providing a sustainable medical service to meet the needs of the Defence Forces both at home and abroad. As I stated in my answer to a question on this issue

[Deputy Willie O’Dea.]

in March the final report from PA Consulting on the review of the Defence Forces Medical Services was scheduled for completion before the end of 2008. I registered my disappointment that the schedule for completion was not met. However the main objective of this consultancy is that the final Report is comprehensive, meets the requirements as detailed in the contract and can stand up to robust examination of its assessments and recommendations.

I received the report from PA Consulting, last week and am currently reviewing it. Once I have had an opportunity to consider the recommendations, I intend to publish the report and engage with all of the key stakeholders in relation to its implementation.

Ombudsman for the Defence Forces.

77. **Deputy Michael McGrath** asked the Minister for Defence the number of cases submitted to the Office of the Ombudsman for the Defence Forces in each year since that office was established; the number of persons making claims to that office in each of those years; the number of findings issued in each year; and if he will make a statement on the matter.

[17654/09]

Minister for Defence (Deputy Willie O’Dea): The Office of the Ombudsman for the Defence Forces was established under the Ombudsman (Defence Forces) Act 2004. On the 19th September 2005, Ms. Paulynn Marrinan Quinn SC was appointed by the President, upon the recommendation of the Government, as the first Ombudsman for the Defence Forces. Her term of office was extended for a further three years from 19th September 2008.

The function of the Ombudsman for the Defence Forces is to act as the ultimate point of appeal for, and administrative investigation into, complaints made by members (and former members) of the Defence Forces against another member (or former member) of the Defence Forces, or against a civil servant of the Department of Defence. The Ombudsman for the Defence Forces may investigate a complaint in respect of an action or decision, which may have adversely affected the complainant personally. The action or decision complained of must have occurred no earlier than the 1st December 2005.

In her Annual Reports for 2006 and 2007 the Ombudsman for the Defence Forces reported that her office received twenty-six (26) referrals in 2006 and seventy-six (76) in 2007. She also reported receiving seventy-six (76) Notifications of Complaints under section 114 of the Defence Act in 2006 and one hundred and sixty-eight (168) in 2007. Sixteen (16) Final Reports were issued in 2006 and twenty-nine (29) in 2007. In accordance with the terms of the Ombudsman (Defence Forces) Act 2004, the Ombudsman for the Defence Forces is independent in the performance of her duties. She is required to cause a report on the performance of her functions under the act to be laid annually before each House of the Oireachtas. In these circumstances and as her Annual Report is awaited for 2008, I do not consider it appropriate for me to report on the number of cases submitted to her Office in 2008.

Overseas Missions.

78. **Deputy Seán Barrett** asked the Minister for Defence if he is satisfied with the fixed and rotary wing air transport support that is available to the Irish battalion in Chad; and if he will make a statement on the matter. [17863/09]

80. **Deputy Charlie O’Connor** asked the Minister for Defence his views on media reports that the UN peace support mission in Chad is at half strength and has insufficient helicopter

support; if Ireland may be asked to increase the number of troops contributing to this mission; and if he will make a statement on the matter. [17650/09]

92. **Deputy Denis Naughten** asked the Minister for Defence if he is satisfied with the level of back-up support being provided to Irish troops in Chad; and if he will make a statement on the matter. [17468/09]

110. **Deputy Joanna Tuffy** asked the Minister for Defence if his attention has been drawn to the concerns expressed by the UN's assistant secretary for peacekeeping, Mr. Edmund Melet, that the UN operation in Chad has less than half the troops required and it is chronically short of helicopters; his views on whether these shortages may expose Irish troops to undue risk; if he has raised the matter with the United Nations; and if he will make a statement on the matter. [17776/09]

Minister for Defence (Deputy Willie O'Dea): I propose to take Questions Nos. 78, 80, 92 and 110 together.

On 15 March 2009, MINURCAT, the United Nation's led mission in Chad and the Central African Republic assumed operational control of the United Nations force of 2,085 personnel, including 1,877 troops re-hatted from eight EUFOR contributors. An Irish officer, Brigadier General Gerald Aherne, has been appointed Deputy Force Commander in the mission. In the eight short weeks or so since MINURCAT took over the force, the mission is facing a number of challenges — mainly force generation, a shortfall in helicopter assets and fuel shortages in Chad.

In his report last month to the United Nations Security Council on the MINURCAT mission, the Secretary-General indicated that the build-up of the force will be phased, with a period of consolidation prior to the beginning of the rainy season in June 2009. The force was expected to reach its full troop strength of 5,200 by the end of 2009 but this has now been revised downwards to 4,700 by that date. As of 30 April 2009, the MINURCAT force strength was 2,400 troops. It is likely to reach a strength of 3,000 troops by 30 June 2009. The pace of troop generation has been attributed to the brief period allowed between the United Nation's authorisation of the military component of MINURCAT and the deployment of military personnel. There has been no request from the UN and Ireland has no plans to increase its commitment to MINURCAT. In addition, the UN has only received pledges for 10 of the 18 military helicopters detailed in the force requirements. It has urged Member States to meet the shortfalls in personnel and air assets, particularly night-capable military helicopters, to ensure the mission can implement its mandate without constraint.

There are currently eight (8) fixed wing aircraft and ten (10) Rotary aircraft assigned by the UN to the MINURCAT mission. There are three (3) fixed wing and six (6) rotary aircraft located in Abéché, five (5) fixed wing and (2) Rotary aircraft in N'Djamena. Regarding helicopter support available to the Defence Forces contingent in Goz Beida, two UN helicopters are currently available to the Defence Forces serving with MINURCAT. In addition, the Defence Forces have retained the two contracted Mi-8T helicopters to support its operations in Chad. As such, there are now four helicopters based in Goz Beida.

The detailed threat assessment and reconnaissance undertaken informs decisions regarding the configuration of the contingent and its armaments and protection. In the case of MINURCAT, as was the case with the EUFOR mission, the Defence Forces have deployed a full range of force protection assets, including 18 MOWAG APCs and 4 Close Reconnaissance Vehicles

[Deputy Willie O’Dea.]

and indirect fire capabilities (mortars). Together, these provide the necessary armoured protection, mobility, firepower and communications. The MOWAG APCs deployed were also deployed with the Defence Forces when they served with UNMIL in Liberia and UNIFIL in Lebanon, where they performed very effectively. The Defence Forces have also deployed a suite of robust tactical communications systems.

The fuel problems being encountered by MINURCAT are common to the whole of Chad, as there is a country-wide fuel crisis. The UN is fully exercised on the issue and all possible sources of fuel for MINURCAT contingents are being investigated by the UN to meet the mission’s current needs. This includes the airlifting of fuel from a neighbouring UN mission, which has been ongoing. The UN has indicated that once sufficient fuel stock has been rebuilt in Abeche, the UN should be prepared for future countrywide crises of this nature.

Fuel conservation measures at Camp Ciara, where personnel of the Irish Battalion are based, are being constantly reviewed. While there has been some limitations on operations conducted by the Irish Battalion, the maintenance of essential “life support” systems in the Irish Camp i.e. water, cooking, sanitation, air –conditioning etc., has continued to be prioritised by the Defence Forces. The Irish Battalion has retained the capability to react to emergency situations using both air and land assets. Fuel rationing is expected to continue until the 1st of June when a new UN contract is mobilised. The situation continues to be monitored closely by the Defence Forces. I am satisfied that all necessary measures are being taken by the UN to address the various difficulties faced by the mission in its transition period.

Departmental Staff.

79. **Deputy Róisín Shortall** asked the Minister for Defence the number of civilian employees working for his Department or the Defence Forces under short-term contracts; the number of such contracts that will expire by the end of 2009; and if he will make a statement on the matter. [17780/09]

Minister for Defence (Deputy Willie O’Dea): A total of nine civilian employees are employed by my Department under short term contracts to work with the Defence Forces. Contracts relating to two of these employees are due to expire by the end of 2009. My Department is currently considering the implications of the Government decision on the savings measures on public service numbers announced by the Minister for Finance on 27 March 2009 in relation to the renewal or otherwise of the contracts for the employees in question.

Question No. 80 answered with Question No. 78.

Naval Service Vessels.

81. **Deputy Emmet Stagg** asked the Minister for Defence the position in regard to the refurbishment programme for the *Creidne*; if he will confirm that the vessel will be available in May 2009; and if he will make a statement on the matter. [17779/09]

Minister for Defence (Deputy Willie O’Dea): The refurbishment programme on the *Creidne* for use as a sail training vessel by Coiste an Asgard is nearing completion. The work is being carried out by the Naval Service at the Naval Base, Haulbowline, Co. Cork. The *Creidne* is due to commence a programme of sail training cruises on 3 July.

Defence Forces Recruitment.

82. **Deputy Eamon Gilmore** asked the Minister for Defence if he will confirm that no recruitment to the Defence Forces will take place during 2009; the strength of the Army, the Air Corps and the Naval Service as of 1 January 2009; the projected strength of each at the end of 2009; and if he will make a statement on the matter. [17771/09]

447. **Deputy Bernard J. Durkan** asked the Minister for Defence if it is intended to increase the strength of the Army, Navy and Air Corps; and if he will make a statement on the matter. [18159/09]

Minister for Defence (Deputy Willie O’Dea): I propose to take Questions Nos. 82 and 447 together.

The strength of the Army, the Air Corps and the Naval Service as of 31 December 2008 is set out in the tabular statement. The Government introduced a moratorium on recruitment to the Public Service with effect from 27th March 2009. In this context and given the reduced budgetary provision available for 2009, all recruitment to the Defence Forces has been suspended for the present.

The moratorium and the reduction in the pay budget were introduced as cost saving measures to achieve necessary savings in the pay bill in the public sector. These savings will have to be achieved. The question of recruitment is currently under review by my officials and the military authorities in consultation with the Department of Finance. The outcome of the review and any subsequent recruitment in 2009 will prioritise the operational requirements of the Defence Forces.

STRENGTH OF THE DEFENCE FORCES 31-Dec-08

	LT Gen	Maj Gen	Brig Gen	Col	LT Col	Comdt	Capt	LT	Total Oftrs	SM	BQMS	CS	CQMS	SGTS	CPLS	Total NCOS	PTES	Cadets	Total
Army	1	3	7	41	131	305	237	346	1,071	32	39	133	251	1,048	1,467	2,970	4,394	71	8,506
Air Corps			1	2	12	32	56	44	147	7	4	48	15	135	171	380	291	14	832
Naval Service			1	2	12	43	42	60	160	6	7	76	15	216	175	495	402	13	1,070
Total	1	3	9	45	155	380	335	450	1,378	45	50	257	281	1,399	1,813	3,845	5,087	98	10,408

Questions Nos. 83 and 84 answered with Question No. 66.

Defence Forces Equipment.

85. **Deputy Chris Andrews** asked the Minister for Defence the major equipment purchases planned for 2009 and 2010; the progress being made in sourcing new equipment and vehicles; if the global economic downturn is resulting in a reduction in equipment prices; and if he will make a statement on the matter. [17649/09]

98. **Deputy Brian O'Shea** asked the Minister for Defence the way the €30 million reduction in defence spending, announced in the 7 April 2009 supplementary budget, will be achieved; the instances in which plans to acquire new equipment during 2009 will not proceed; and if he will make a statement on the matter. [17770/09]

Minister for Defence (Deputy Willie O'Dea): I propose to take Questions Nos. 85 and 98 together.

As the Deputies are aware, there has been very significant investment in equipment and infrastructure in the Defence Forces over the past twelve years. The acquisition of new equipment for the Defence Forces remains a key focus for me as Minister for Defence. It is, however, imperative that my Department and the Defence Forces look to whatever efficiencies we can make taking into account the current difficult economic environment and the overall financial envelope available for the Department for military equipment over the coming years.

Several important equipment purchases will be advanced in 2009 and 2010 including the acquisition of Light Tactical Armoured Vehicles, $\frac{3}{4}$ Ton 4 x 4 vehicles and two Heavy Recovery Vehicles for the Defence Forces. The Naval Service Ship replacement programme will also be advanced this year. Where it is possible to take advantage of price reductions, these will be pursued.

The reduction of €30m will be achieved from:

- The reduced costs of the Chad mission consequent on its changeover to a UN mission from March 2009 — approximately €10 million.
- A deferment of certain building and refurbishment projects for the remainder of 2009 — saving approximately €6 million on new building and €3 million on refurbishment. In that regard, it should be noted that over €400 million has been spent on upgrading barracks, buildings and infrastructure across the Defence Forces Since 1997.
- Reduced fuel and utility costs — approx €2 million.
- The balance will be achieved by the implementation of economies across the entire Defence organisation, i.e. savings on pay and allowances and recruitment advertising etc.

Defence Forces Recruitment.

86. **Deputy Seán Sherlock** asked the Minister for Defence the number recruited to the Reserve Defence Forces to date in 2009; the number of potential recruits in the enlistment process prior to 27 March 2009; and if he will make a statement on the matter.

Minister for Defence (Deputy Willie O'Dea): The Government introduced a moratorium on recruitment to the Public Service with effect from 27th March 2009. In this context and given the reduced budgetary provision available for 2009, recruitment to the Reserve Defence Force has been suspended for the present. I am advised by the military authorities that the number

[Deputy Willie O'Dea.]

of recruit enlistments to the Reserve Defence Forces in 2009 prior to the moratorium was 232 and the estimated number of potential recruits in the RDF processing system prior to 27 March 2009 was 1,254.

Naval Service Vessels.

87. **Deputy Róisín Shortall** asked the Minister for Defence the progress he expects to make during 2009 in regard to the acquisition by the Naval Service of modern new replacement vessels; if the plan will be delayed by the cuts in the funding for his Department announced in the 7 April 2009 supplementary budget; and if he will make a statement on the matter. [17781/09]

441. **Deputy Jimmy Deenihan** asked the Minister for Defence if agreement on funding and approval has been received to award a contract for the purchase of two offshore patrol vessels for the Naval Service; when a decision will be made on this matter; and if he will make a statement on the matter. [18115/09]

442. **Deputy Jimmy Deenihan** asked the Minister for Defence the expected timetable for the acquisition of three new vessels for the Naval Service; and if he will make a statement on the matter. [18116/09]

Minister for Defence (Deputy Willie O'Dea): I propose to take Questions Nos. 87, 441 and 442 together.

Following Government approval in July 2007, notice of a tender competition for the purchase of replacement vessels for the Naval Service was sent to the Official Journal of the European Union on 24 August 2007. The competition is for the purchase of two Offshore Patrol Vessels (OPV's) with an option of a third and one Extended Patrol Vessel (EPV) with an option on a second. The options provide an effective value for money opportunity, at locked in prices, to provide replacements for Naval Service vessels, which will reach the end of their service life in the years immediately following the current replacement programme.

Following Stage 1 of the tender competition for the OPVs, Stage 2 of the competition commenced on the 12th September 2008 with the issue of an Invitation to Tender to the shipbuilders who had been short-listed as part of the Stage 1 process. This document included a very detailed ship specification. The detailed tender responses were returned to the Department by the shipbuilders on the 11 November last. The Tender evaluation commenced immediately and continued for a number of weeks. Consultants were engaged under contract to assist with the tender evaluation. A preferred bidder has been selected and contract negotiations have recently commenced. No contract has yet been signed. However, I expect to bring this matter to Government shortly.

Subject to Government approval on funding, it is expected that the new vessels will be delivered for acceptance by the Naval Service on a phased basis between 2011 and 2013. The expected timetable for the delivery of the first OPV will be approximately 30 months after the date of signing of the contract whilst the specified delivery date for the second OPV will be approximately 37 months after the date of signing of the contract. If the Department exercises its option of purchasing a third OPV, a mutually agreeable delivery date shall be negotiated. These timelines are indicative and do not prejudice the right of the Department to adjust or alter the delivery schedule at the contract negotiation stage.

In the current difficult economic environment, it is important that we look to the efficiencies which all parts of the public sector can make so as to continue to deliver high quality public services within a more constrained financial resource envelope. However, it is also important that we continue to invest in public services so as we can maintain service levels into the future.

Within the resources available to us, to maintain capacity, we need to continue the process of modernisation and reinvestment in the Defence Forces generally, into the future. The Naval Service Ships Programme is part of this process.

The acquisition of these modern new vessels will ensure that the Naval Service will be fully equipped to carry out its day to day roles in enforcing the State's sovereign rights over our waters and our fisheries and meeting Ireland's obligations in the area of maritime safety and security and fisheries protection. In relation to the larger EPV, the Department intends to complete the contract negotiations in relation to the OPV before the second stage of the EPV competition is initiated. As with the OPVs, any decision to award a contract for the purchase of an EPV must be approved by the Government.

Overseas Missions.

88. **Deputy Bernard J. Durkan** asked the Minister for Defence the expected number and location of overseas Defence Force deployments in the next 12 months, whether under the aegis of the UN, EU or joint operations; and if he will make a statement on the matter. [17811/09]

113. **Deputy Margaret Conlon** asked the Minister for Defence the number of Irish Troops serving on UN mandated missions; the location of those missions involving more than 12 Irish Defence Force personnel; the expected duration of these missions; if he expects Irish participation in any of these missions to come to an end in the next 12 months; and if he will make a statement on the matter. [17653/09]

Minister for Defence (Deputy Willie O'Dea): I propose to take Questions Nos. 88 and 113 together.

Ireland has offered, through the UN Standby Arrangements System (UNSAS), to provide up to 850 military personnel for overseas service at any one time. This figure equates to some 10% of Ireland's standing Army (excluding Reserves) and demonstrates Ireland's commitment to the cause of international peace. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations. Ireland is currently contributing 779 Defence Forces personnel to 12 different missions throughout the world. Full details of all personnel currently serving overseas are listed in the tabular statement attached.

The main overseas missions, in which Defence Forces personnel are currently deployed, are the United Nations Mission in the Central African Republic and Chad (MINURCAT) with 421 personnel, the NATO-led International Security presence (KFOR) in Kosovo with 239 personnel and the EU-led operation in Bosnia and Herzegovina, ALTHEA, with 44 personnel. Other personnel are serving as monitors and observers with the United Nations, the European Union and the Organisation for Security and Cooperation in Europe (OSCE). Staff are also deployed at the organisational headquarters of the EU, OSCE and NATO. The commitment to MINURCAT will be for an initial period of 1 year to 14 March 2010. Subject to the renewal of the mandate, a satisfactory review of the mission and available resources, I would propose, subject to Government approval, to extend the Defence Forces participation on a year to year basis thereafter. Participation by the Defence Forces in the NATO-led International Security presence (KFOR) in Kosovo is reviewed by the Government on an annual basis.

Following on from the General Affairs and External Relations Council (GAERC) meeting on 10 November 2008, the EU-led Operation "ALTHEA" in Bosnia and Herzegovina is expected to change from its current configuration of some 2,200 troops, to a support and training operation. This transition is now expected to commence after the next meeting of the Peace Implementation Council in June 2009 and should take approximately six (6) months to complete. Ireland currently has Government approval to continue to provide a contingent of the Permanent Defence Force for service with this mission in its current configuration up to

[Deputy Willie O’Dea.]

31 December 2009, subject to renewal of UN authority for the mission beyond 20 November 2009 to 31 December 2009.

Members of the Permanent Defence Force Serving Overseas as of 01 May 2009

		Number
1.	<i>UN Missions</i>	
(i)	UNIFIL (United Nations Interim Force in Lebanon) HQ	8
(ii)	UNTSO(United Nations Truce Supervision Organisation) — Israel, Syria and Lebanon	12
(iii)	MINURSO (United Nations Mission for the Referendum in Western Sahara)	3
(iv)	MONUC (United Nations Mission in Democratic Republic of Congo)	3
(v)	UNOCI (United Nations Mission in Ivory Coast)	2
(vi)	MINURCAT (United Nations Mission in the Central African Republic and Chad) — HQ	13
	MINURCAT (United Nations Mission in the Central African Republic and Chad) — 99th Inf Battalion	408
	Total	449
	<i>UN Mandated Missions</i>	
(vii)	EUFOR (EU-led Operation in Bosnia and Herzegovina)	44
(viii)	EUFORTCHAD/RCA (EU-led Operation in CHAD and the Central African Republic) OHQ — Paris	16
	EUFORTCHAD/RCA (EU-led Operation in CHAD and the Central African Republic) FHQ — Chad	4
(ix)	KFOR (International Security Presence in Kosovo) HQ	18
	KFOR (International Security Presence in Kosovo) 39th Inf Group	221
(x)	ISAF (International Security Assistance Force in Afghanistan)	7
	Total number of personnel serving with UN Missions	759
2.	<i>Organisation for Security and Co-operation in Europe (OSCE)</i>	
(i)	OSCE Mission to Bosnia and Herzegovina	2
(ii)	OSCE Mission in Belgrade — Serbia	1
(iii)	Staff Officer, Higher Level Planning Group, Vienna	1
	Total number of personnel service OSCE	4
3.	<i>EU Military Staff</i> Brussels	7
4.	<i>Military Representatives/Advisers/Staff</i>	
(i)	Military Adviser, Permanent Mission to UN, New York	1
(ii)	Military Adviser, Irish Delegation to OSCE, Vienna	1
(iii)	Military Representative to EU (Brussels)	4
(iv)	Liaison Office of Ireland, NATO/PfP (Brussels)	2
(v)	Military Representative to NATO/PfP Co-ordination Cell/Supreme Headquarters Allied Powers Europe (SHAPE), Mons. Belgium	1
	Total number of Defence Forces personnel serving overseas	779

Question No. 89 answered with Question No. 66.

Defence Forces Promotions.

90. **Deputy Jack Wall** asked the Minister for Defence if his attention has been drawn to the concerns expressed by the representative organisations about the implications for morale of the ban on promotions within the Defence Forces; the steps he will take to counter same; and if he will make a statement on the matter. [17772/09]

Minister for Defence (Deputy Willie O’Dea): The savings measures on public service numbers were introduced by the Government on 27 March as part of the response to the current unprecedented economic challenges. I am sensitive to the career aspirations of the many excellent members of the Permanent Defence Force. I understand that the impact of the moratorium will lead to disappointment. However, it must be set against the dramatic deterioration in the economic environment and the action being taken in response.

The Defence Forces have improved in every respect since 2000 through the implementation of the White Paper. This represents a significant public service success story. The organisation is in a healthy state both in terms of personnel and equipment. I intend, within the resources available, to retain the capacity of the organization to operate effectively across all roles. This will represent a significant challenge in the coming years and I will work closely with the Chief of Staff in meeting it. The men and women of the Defence Forces have over the years risen admirably to that challenge of change and modernisation. They are now being asked along with other Public Servants to rise to this particular challenge. I have no doubt that they will do so with the same sense of public service they have displayed in the past.

Defence Forces Deployment.

91. **Deputy Denis Naughten** asked the Minister for Defence the steps which are being taken to provide for additional personnel numbers in Custume Barracks, Athlone, County Westmeath; and if he will make a statement on the matter. [17469/09]

Minister for Defence (Deputy Willie O’Dea): I wish to refer the Deputy to my reply to question 91 on Tuesday 10th March last. There have been no further developments since then.

Question No. 92 answered with Question No. 78.

Overseas Missions.

93. **Deputy Peter Kelly** asked the Minister for Defence if the use of dietary and body building supplements by Defence Forces personnel in Chad has been prohibited by military authorities; if personnel were notified in advance of this prohibition; if this prohibition applies to all Defence Force personnel, whether serving at home or overseas; and if he will make a statement on the matter. [17746/09]

Minister for Defence (Deputy Willie O’Dea): I am advised by the Military authorities that the Director of the Defence Forces Medical Corps has recommended that all personnel should be discouraged from the use of dietary supplements/muscle building agents of any kind unless taken under medical advice. The Director has also advised that their use by personnel deployed on overseas duty should be forbidden. Any person who believes that he or she requires supplements are advised to consult with a military Medical Officer who will advise accordingly.

This recommendation stems from a routine search of baggage for personnel deploying to CHAD with the 99 Infantry Battalion earlier this year during which Military Police Personnel noted food supplements being consigned with luggage. Upon medical advice, the Officer Commanding directed that food supplements were to be removed from baggage and their consign-

[Deputy Willie O’Dea.]

ment to Chad was not permitted. As this issue had not been foreseen, personnel for this flight would not have been notified in advance.

94. **Deputy Charlie O’Connor** asked the Minister for Defence if a decision has been made as to the future participation by Ireland in the EUFOR mission in Bosnia and Herzegovina; if it is intended to keep Irish troops there; and if he will make a statement on the matter. [17651/09]

Minister for Defence (Deputy Willie O’Dea): The EU operation in Bosnia and Herzegovina — Operation “Althea” — was established in December 2004, under the authority of UN Security Council Resolution 1575 of 22 November 2004, to replace the NATO-led Stabilisation Force in Bosnia and Herzegovina (SFOR). On 20 November 2008, the UN Security Council adopted Resolution 1845 (2008) renewing EUFOR’s mandate for a further period of 12 months. The Defence Forces have participated in EUFOR since December 2004, having previously been a participant in SFOR since 1997. Currently, a total of 44 Defence Forces personnel are serving with the EU-led operation.

Following on from the General Affairs and External Relations Council (GAERC) meeting on 10 November 2008, which I attended, the EU-led Operation “ALTHEA” in Bosnia and Herzegovina is expected to change from its current configuration of some 2,200 troops, to a support and training operation. This transition is now expected to commence after the next meeting of the Peace Implementation Council in June 2009 and should take approximately six (6) months to complete. Ireland currently has Government approval to continue to provide a contingent of the Permanent Defence Force for service with this mission in its current configuration up to 31 December 2009, subject to renewal of UN authority for the mission beyond 20 November 2009 to 31 December 2009. Participation by the Defence Forces in the EU follow-on mission is not under consideration.

Defence Forces Operations.

95. **Deputy Peter Kelly** asked the Minister for Defence the number of call-outs made by the bomb disposal unit in the greater Dublin area, the Munster area, the Connaught-Ulster area and the Leinster area in 2008 and to date in 2009; the number of these that turned out to be a hoax; if there has been an increase in the number of hoax call-outs; the cost associated with all EOD call-outs; and if he will make a statement on the matter. [17745/09]

Minister for Defence (Deputy Willie O’Dea): The information sought by the Deputy is not compiled in the manner requested. Each Brigade of the Defence Forces records information on calls out in its own area. The total number of calls out responded to by each Brigade for 2008 and to the period ended 24 April 2009 is set out in the following table:

Brigade	2008	2009 (as at 24/04/09)
East	111	34
South	37	4
West	20	10
DFTC (Curragh)	12	5
Total	180	53

The following table indicates the total number of hoaxes as a percentage of total calls out for the period 2006-2009 (24th April 2009):

Year	Total number of calls out	Number of hoaxes	Hoaxes as percentage of total calls out
			%
2006	101	8	8
2007	98	11	11
2008	180	58	32
2009 (24th April 2009)	53	19	36

The cost of each individual call out is not recorded separately but costs include: the salary and allowances of the team (i.e. one officer, one NCO and one driver), fuel for the distance travelled by the vehicle to and from the location of the incident and any ordnance used to dispose of the device. The Defence Forces EOD team is required to treat all suspect devices as real until the EOD Officer confirms the nature of the suspect device. The determination as to whether a suspect device is viable or hoax can only be made following detailed inspection by the EOD Officer.

National Emergency Plan.

96. **Deputy Seán Connick** asked the Minister for Defence when the task force on emergency planning last met; the items discussed; if there is a programme of simulated exercises in place for 2009; the nature of these exercises; and if he will make a statement on the matter.
[17748/09]

Minister for Defence (Deputy Willie O’Dea): I chair the Government Task Force on Emergency Planning which includes Ministers, senior officials of government departments, senior officers of An Garda Síochána and the Defence Forces and officials of other key public authorities, which have a lead or support role in Government emergency planning. The Government Task Force meets on a regular basis. The most recent meeting took place last week, on Wednesday 29th April.

While the details of matters discussed at meetings of the Government Task Force are confidential, I can confirm that the Task Force examines current risks and supports coordination arrangements for emergency planning across Government. At last week’s meeting, the Task Force received a comprehensive presentation from the Department of Health and Children on the public health situation with regard to human cases of influenza type A H1N1 (Human Swine influenza). Also, each meeting of the Task Force has, as a standing agenda item, an assessment of the current security threat, which is provided by An Garda Síochána and the Defence Forces.

With regard to simulated exercises, I have, on many occasions stressed to the members of the Task Force the importance of conducting regular exercises. Departments have submitted details of their exercise plans for the current year. These are strategic exercises, varied in nature, and include table-top and live exercises. This year, exercises are being conducted in areas such as search and rescue, pollution control, airport and other transport emergencies and exercises aimed at testing inter-agency communication arrangements.

Question No. 97 answered with Question No. 66.

Question No. 98 answered with Question No. 85.

Question No. 99 answered with Question No. 66.

Defence Forces Operations.

100. **Deputy Mary Upton** asked the Minister for Defence the number of cash in transit escorts provided by the Defence Forces during 2008; the amount of personnel hours involved in these operations; the amount paid by banks or financial institutions for this service; and if he will make a statement on the matter. [17775/09]

Minister for Defence (Deputy Willie O’Dea): The number of cash in transit escorts provided by the Defence Forces in 2008 was 2,210. The average number of personnel per escort was 8 and the average duration of an escort was 10.9 hours. This gives a total of approximately 193,000 personnel hours expended by the escort teams on cash in transit escorts in 2008. Costs in respect of the service provided in the twelve month period to the end of December 2008 are currently being prepared by my Department. A sum of €7.34 million was paid by the banks for the provision of this service in 2007.

Ministerial Transport.

101. **Deputy Michael McGrath** asked the Minister for Defence the number of hours flown by all aircraft including fixed and rotary wing as part of the ministerial air transport service in 1996 and 2006; and if he will make a statement on the matter. [17655/09]

Minister for Defence (Deputy Willie O’Dea): The Ministerial Air Transport Service is provided by the Air Corps to facilitate members of the Government in fulfilling their official engagements at home and abroad. The Service is primarily provided by the Gulfstream IV and Learjet 45 aircraft, which were specifically acquired for that purpose. The Gulfstream IV was acquired in December 1991, and the Learjet 45 entered service in January 2004 as a replacement for the Beechcraft Kingair. Until recently, the Beechcraft continued to be used as a back up aircraft for short and medium haul flights, in addition to its primary pilot training role. The CASA maritime patrol aircraft have been used infrequently for Ministerial Air Transport missions where no MATS aircraft has been available for operational or technical reasons.

Helicopters are used from time to time for ministerial air transport in situations where, for operational reasons, fixed wing aircraft may not be available, the point of destination may not be close to an airport and in circumstances where there is a requirement for greater flexibility than can be delivered by fixed wing aircraft. The information requested by the Deputy regarding the number of hours flown on Ministerial Air Transport in 1996 and 2006 is presented in the tabular statement:

Type of Aircraft	Hours Flown 1996	Hours Flown in 2006
Gulfstream IV	890	558
Beech Kingair	290	135
Helicopters	147	53
Learjet 45		301
CASA		5
TOTALS	1,327	1,052

Question No. 102 answered with Question No. 76.

Question No. 103 answered with Question No. 64.

Question No. 104 answered with Question No. 66.

Drug Testing Programme.

105. **Deputy Timmy Dooley** asked the Minister for Defence the changes he has made to the Defence Forces drug testing programme; the number of personnel tested under the programme in 2008 and to date in 2009; the number and rank of those who tested positive; the type and class of drugs detected; the action taken when a member tests positive; and if he will make a statement on the matter. [17752/09]

Minister for Defence (Deputy Willie O’Dea): On 11 March last I signed into effect new Regulations covering the operation of the Compulsory Random Drug Testing programme (CRDT) in the Irish Defence Forces. The Irish Defence Forces policy on drug and substance abuse or misuse is based on the premise that unlawful possession, supply or use of a controlled drug is incompatible with membership of the Defence Forces. Any member who tests positive is liable to be removed from the Defence Forces. A CRDT programme aimed at deterrence was introduced in October 2002.

A review of the existing regulations became necessary arising from a High Court judgment last year. The new Regulations strengthen the administrative process, which follows a positive test result. They also provide for the introduction of Targeted Drugs Testing, in certain circumstances, which may be afforded to an individual with their agreement for a period not greater than 18 months. The main changes introduced in the case of a positive test include:

- Additional time for an individual to make representations;
- A more structured approach to the consideration of individual representations by a Commanding Officer and a Formation Commander;
- The appointment of an Appeals Officer to conduct a hearing in the event of an appeal;
- The facility for a Formation Commander to defer, for a period not exceeding eighteen (18) months, a decision on discharge/retirement or retention of an individual;
- Targeted Drug Testing regime for use in association with the Formation Commander’s discretion regarding deferral of a decision on discharge/retirement or retention.

When a member tests positive, they are afforded the opportunity to have a “B” sample tested independently. In the event that this also tests positive, the individual is assigned to duties of an administrative nature. At the same time, the administrative process as laid down in Administrative Instruction A7 Chapter 3 is initiated. This provides for the submission of representations by the individual prior to a recommendation being made by the Commanding Officer as to whether the person should be retired/discharged, retained or retained conditional on participation in a Targeted Drug Testing programme.

If the individual does not accept the recommendation, it is open to them to make further representations to the Formation Commander who may then appoint an independent Appeals Officer to conduct an appeal “de novo”. Having considered the issues and any written or oral representations, the Appeals Officer makes their recommendation as to whether the person should be retired/discharged, retained or retained conditional on participation in a Targeted Drug Testing programme. The recommendation is considered by the designated authority and a decision made regarding which course of action is to be followed.

The objective of Targeted Drugs Testing is to ensure that an individual, who has previously tested positive for the presence of a controlled drug but who conditionally remains in service as a result of a decision of their Formation Commander, is performing his/her military duties devoid of the presence and/or influence of any controlled drug or substance. Targeted Drugs Testing (TDT) may be invoked for a period of up to 18 months in circumstances where, at the discretion of a Formation Commander, a decision/recommendation is deferred on the retention or otherwise of an individual who has had a positive test result on a CRDT or a TDT. TDT

[Deputy Willie O’Dea.]

will only be invoked with the agreement of the individual concerned. TDT involves the individual agreeing to submit to targeted drugs testing, in addition to the random selection process, for a period of up to 18 months, the commencement of which will be determined by the formation commander or equivalent.

An individual who agrees to submit to targeted drugs testing may expect to be tested up to six (6) times over a maximum period of eighteen months. As with CRDT, no prior notification of the date/dates of targeted testing will be given. Targeted tests will be conducted in a similar manner to that prescribed for CRDT. An individual who has a positive test result recorded against him/her on a TDT will be dealt with in the same manner as a positive test result on a CRDT. The following table shows the numbers of tests conducted in 2008 and 2009 to date, as well as outlining the results:

Year	No. tested	Positive tests	Positives by Rank	Drug type
2008	1,129 PDF 779 RDF	4 PDF 2 RDF	All Private Rank	3 THC (Cannabis) 2 Cocaine 1 Barbiturates
2009 (to date)	559 PDF 155 RDF	1 PDF	Private Rank	1 THC (Cannabis)

Question No. 106 answered with Question No. 74.

Overseas Missions.

107. **Deputy Chris Andrews** asked the Minister for Defence if reports that Irish troops serving in Chad have been ordered not to play football or other sports due to the risk of injury and that troops are being served cold meals because fuel supplies are low are untrue; and if he will make a statement on the matter. [17648/09]

Minister for Defence (Deputy Willie O’Dea): In exercising his statutory duty of care to his troops, the Irish Commander of the 99th Infantry Battalion deployed with the United Nations Mission in the Central African Republic and Chad (MINURCAT) conducted a risk assessment of all activities, including sporting activities, carried out by personnel deployed in the theatre of operations. It was the Commander’s assessment that the risk of hospitalisation or permanent repatriation of personnel due to sports injuries was not acceptable to him as all personnel are required for operational deployments on immediate notice. He, therefore, imposed a ban on competitive contact and other sports such as soccer and volleyball.

I might add that a wide range of sporting activities including unarmed combat skills, running and the use of a well equipped gymnasium is available to troops based in Camp Ciara. Any restrictions on contact sports are purely for the benefit of the troops. The fuel shortage in Chad has not impacted on the maintenance of essential “life support” systems in the Irish Camp i.e. water, cooking, sanitation, air-conditioning etc. As such, members of the Permanent Defence Force deployed to Chad are served three hot meals, with multiple choices, each day.

Defence Forces Operations.

108. **Deputy Bernard J. Durkan** asked the Minister for Defence if it is intended to increase naval and air surveillance in view of the need to combat drug trafficking or other criminal activity which may become more lucrative in the current economic climate; and if he will make a statement on the matter. [17812/09]

Minister for Defence (Deputy Willie O’Dea): The Naval Service provides the maritime element of the Defence Forces and has a general responsibility to meet contingent and actual maritime defence requirements. The Naval Service operates eight general purpose patrol ships. All eight ships are involved in coastal and offshore patrolling and surveillance for the State in that part of the seas where State jurisdiction applies. The primary day-to-day tasking of the Naval Service is to provide a fishery protection service in accordance with the State’s obligations as a member of the European Union. However, as the need arises, Naval Service vessels are deployed to other duties such as aid to the civil power and drug interdiction operations.

The current Exclusive Fishery Limits extend to 200 miles offshore and cover an area of 132,000 nautical square miles. The Naval Service currently patrols the entire 200 mile limit and periodically patrols beyond these limits to protect specific fisheries. These patrols are carried out on a regular and frequent basis and are directed to all areas of Irish waters as necessary. The number of Patrol Vessels on patrol in Irish waters at any one time varies between three and eight. The Naval Service is committed to having at least three vessels on patrol within the Irish Exclusive Economic Zone at any one time. All vessels are multi-tasked in the sense that they also undertake general surveillance, security and other duties while on patrol. Naval Service patrols are complemented by assistance provided by the Air Corps. The Air Corps Maritime Squadron carries out aerial surveillance of territorial waters using the two CASA maritime patrol aircraft.

Responsibility for the prevention of drug trafficking rests primarily with the Customs Service of the Revenue Commissioners. Responsibility for the prevention of crime, including people trafficking, rests primarily with An Garda Síochána. However, the White Paper on Defence provides for a security role for the Naval Service and the Air Corps to assist and support the civil authorities in this important work. Government measures to improve law enforcement in relation to drugs, including the establishment in 1993 of a Joint Task Force involving An Garda Síochána, the Customs Service and the Naval Service, have helped to maximize the effective use of Naval Service resources in combating drug trafficking.

The Air Corps provide air support and on occasion, carry the Customs National Drugs Team in an observational capacity for the purpose of monitoring vessels suspected of drug trafficking and other illegal activities. There is close co-operation between the civil authorities and the Naval Service and the Air Corps in discharging this important mission.

Consultancy Contracts.

109. **Deputy Pat Rabbitte** asked the Minister for Defence the reason for the 67% increase in the Estimates for his Department in respect of consultancy services; and if he will make a statement on the matter. [17784/09]

Minister for Defence (Deputy Willie O’Dea): An amount of €100,000 has been provided in Subhead A7 of Vote 36 for expenditure on consultancy services in 2009. The outturn for this Subhead in 2008 was €60,000. The total gross provision in Vote 36 for 2009 is 6% less than the outturn for 2008. The increased provision in Subhead A7 for 2009 is required to support the Department’s ongoing programme of value for money and business process reviews.

Question No. 110 answered with Question No. 78.

Air Corps Operations.

111. **Deputy Seán Connick** asked the Minister for Defence the number of hours flown by the Air Corps aircraft on all training and operational duties in 2008; the breakdown of these flying hours and the percentage of flying time spent on training, on air ambulance, search and

[Deputy Seán Connick.]

rescue, ministerial transport, security, aid to the civilian power and other duties in 2008; and if he will make a statement on the matter. [17747/09]

Minister for Defence (Deputy Willie O’Dea): The role of the Air Corps as set out in the White Paper on Defence is to provide a range of military and non-military services in support of the State. These services include the provision of a 24 hour general helicopter capability for a variety of tasks, including Garda Síochána support; the provision of a Ministerial Air Transport Service, the provision of fishery protection patrol services to agreed standards, the provision of an air ambulance service on the basis of agreed arrangements with the Department of Health and Children, and the provision of an appropriate capability to meet training requirements. In 2008, Air Corps aircraft flew in excess of 11,000 hours across a range of mission taskings. A detailed breakdown of the hours flown is presented in the tabular statement:

Air Corps Flying Hours 2008

Types of Missions	Hours Flown	Percentage of Total Flying Time
		%
Air Ambulance	252.7	2.29
Search and Rescue	14.6	0.13
MATS	921.8	8.35
Military Support	1,528.5	13.85
Aid to the Civil Power	2,141.3	19.40
Maritime Patrol	1,665.9	15.09
Other Duties	367.8	3.33
Training	3,782.2	34.27
Maintenance Support	196.0	1.78
Service Support	166.7	1.51
Total Hours	11,037.5	100.00

Departmental Reports.

112. **Deputy Pat Rabbitte** asked the Minister for Defence the value for money and policy reviews to be undertaken by his Department in 2009; and if he will make a statement on the matter. [17785/09]

Minister for Defence (Deputy Willie O’Dea): The Government’s Value for Money and Policy Review Initiative is overseen by the Value for Money and Policy Review Central Steering Committee. Government Department’s are required to submit review topics for inclusion in a rolling programme of Value for Money Reviews. The Department of Defence reviews approved by Government for inclusion in the 2009-2011 round of Value for Money and Policy Reviews are: A Value for Money Review of the Reserve Defence Force; A Value for Money Review of the Training of General Service Recruits. The Value for Money Review of the Reserve Defence Force will be undertaken in 2009. In addition, work is currently ongoing to complete a Value for Money Review of Military Training Lands.

Question No. 113 answered with Question No. 88.

Ministerial Transport.

114. **Deputy Margaret Conlon** asked the Minister for Defence the number and type of Air Corps aircraft used by the ministerial air transport service; the way the hourly direct and total costs are calculated; the cost headings used to calculate direct and total costs; the cost headings

which are fixed and which are variable; and if he will make a statement on the matter. [17652/09]

Minister for Defence (Deputy Willie O’Dea): The Ministerial Air Transport Service is primarily provided by the Gulfstream IV and Learjet 45 jet aircraft, which were specifically acquired for that purpose. Until recently, the Beechcraft Super King Air 200 turbo-prop aircraft was also used as a back up aircraft for short and medium haul Ministerial Air Transport missions, in addition to its primary pilot training role. The 2 x CASA maritime patrol aircraft are used infrequently for Ministerial Air Transport missions where no MATS aircraft are available for operational or technical reasons.

There are a total of 8 military helicopters in operational service with the Air Corps at present, comprising 6 x AW139 utility helicopters and 2 x EC135 P2 light utility helicopters. These helicopters are used from time to time for ministerial air transport in situations where, for operational reasons, fixed wing aircraft may not be available, the point of destination may not be close to an airport and in circumstances where there is a requirement for greater flexibility than can be delivered by fixed wing aircraft.

My Department follows the normal practice in the aviation business of costing aircraft by reference to the average cost per flying hour. This is done under either of two headings:

- The direct cost, i.e. the costs which are additional to those associated with having the aircraft and which only arise when the aircraft is flown. These include maintenance, technical requirements, fuel and support services; and
- The total cost, i.e. the direct cost plus the costs associated with having the aircraft, i.e. depreciation and personnel costs.

The fixed costs are those which arise from having the aircraft regardless of whether it is flown or not. These include depreciation and personnel costs. The variable costs are those impacted by the level of activity of the aircraft, i.e. the hours flown. Such costs include maintenance, fuel and support services. The costs associated with Air Corps aircraft used in the provision of the Ministerial Air Transport Service are as follows:

Aircraft	Average Direct Cost Per Hour	Average Total Cost Per Hour
	€	€
Gulfstream	4,050	7,890
Learjet	1,270	2,950
Beechcraft	1,320	1,770
CASA	1,335	2,821
EC 135	430	1,590
AW 139	1,470	3,130

Departmental Reports.

115. **Deputy Fergus O’Dowd** asked the Taoiseach if his Department has commissioned internal or external reports in relation to his Department or bodies under the aegis of his Department in the past five years; if so, the objectives of such reports; the cost of same; if such reports have been laid before the Houses of the Oireachtas; and if he will make a statement on the matter. [17402/09]

The Taoiseach: The information requested by the Deputy in respect of my Department is detailed in the schedule below:

Title of Report	Year	Objective	Cost	Laid before Houses of the Oireachtas (yes / no)
Annual Report 2003 (published 2004) (Annual Reports are produced internally but are published for both internal and external use)	2004	Progress report on the Department's Strategy Statement	€ 26,352	Yes
Strategy Statement 2005-2007 (Strategy Statements are produced internally but are published for both internal and external use)	2004	As required every three years or within 6 months of the appointment of a new Taoiseach/Government	16,201	Yes
Review of Usability and Accessibility of the Department's Websites [<i>Internal report</i>]	2005	To ensure that the Department of the Taoiseach is meeting the commitments in it's Customer Charter in relation to it's websites and publications	37,890 inc VAT	No
Employee Opinion Survey 2005 (Report was undertaken by an external consultant for internal use only. Results of the EOS are not published.)	2005	As above	22,990	No
Annual Report 2004 (published 2005) (Annual Reports are produced internally but are published for both internal and external use)	2005	Progress report on the Department's Strategy Statement	28,976	Yes
Department of the Taoiseach Scheme (2005-2008) under Section 11 of the Official Languages Act 2003	2005	To fulfil our requirements under the Official Languages Act 2003 in relation to the delivery of our services to the public through the medium of Irish.	6,222	No
Annual Report 2005 (published 2006) (Annual Reports are produced internally but are published for both internal and external use)	2006	Progress report on the Department's Strategy Statement	17,082	Yes
Employee Opinion Survey 2007 (Report was undertaken by an external consultant for internal use only. Results of the EOS are not published.)	2007	An EOS has been carried out every 2 years since 2001 to ascertain staff perceptions in relation to a range of themes including organisational climate, communication, managing performance, motivating and developing people and management style. The results of the survey are then used to inform management on relevant issues.	18,081	No

Title of Report	Year	Objective	Cost	Laid before Houses of the Oireachtas (yes / no)
Annual Report 2006 (published 2007) (Annual Reports are produced internally but are published for both internal and external use)	2007	Progress report on the Department's Strategy Statement	€ 12,183	Yes
Strategy Statement 2008-2010 (Strategy Statements are produced internally but are published for both internal and external use)	2007	As required every three years or within 6 months of the appointment of a new Taoiseach/Government	8,000	Yes
Knowledge Management Vision Document [<i>Internal report</i>]	2008	To examine how the department currently create store and manage knowledge and to outline the vision for managing Knowledge going forward.	2,269 inc VAT	No
Annual Report 2007 (published 2008) (Annual Reports are produced internally but are published for both internal and external use)	2008	Progress report on the Department's Strategy Statement	8,041	Yes

The information requested by the Deputy in respect of the bodies under the aegis of my Department are detailed in the schedule below:

Title of Report	Year	Objective	Cost	Laid before Houses of the Oireachtas (yes / no)
Value for Money and Policy Review of the National Economic and Social Development Office	2008	<p>As part of the implementation of the Government's Value for Money Review and Policy Review Initiative, a review of the National Economic and Social Development Office and its constituent bodies — the National Economic and Social Council, the National Economic and Social Forum and the National Centre for Partnership and Performance was undertaken.</p> <p>The main objectives of the Value for Money and Policy Review Initiative are to: analyse Exchequer spending in a systematic manner; and provide a basis on which more informed decisions can be made on priorities within and between programmes.</p>	€ 3,375.90	No*

*This Review has been signed off by the NESDO Value for Money Steering Group and has been submitted to the Secretary General of the Department of the Taoiseach for consideration. Following his approval it will be laid before the Houses of the Oireachtas and forwarded to the relevant Select Committee. It will also be published on the Department's website.

116. **Deputy Fergus O'Dowd** asked the Taoiseach if he has received reports from bodies under the aegis of his Department in relation to their operation; if such will be laid before the Houses of the Oireachtas; and if he will make a statement on the matter. [17403/09]

The Taoiseach: The following is the information requested by the Deputy in respect of the reports I have received from the bodies under the aegis of my Department in relation to their operations.

National Economic and Social Development Office (NESDO)

The National Economic and Social Development Office's Annual Report 2007 was laid before the Houses of the Oireachtas by my Department on 8 July 2008. NESDO are currently drafting their 2008 Annual Report and it is expected to be laid before the Houses of the Oireachtas by the end of June 2009.

Central Statistics Office (CSO)

I have received reports in relation to the operation of the Central Statistics Office (CSO) in the form of the CSO Statement of Strategy 2004-2006 and the CSO Statement of Strategy 2008-2010. These documents set out the CSO corporate objectives for the time period stated. Both documents were laid before the Houses of the Oireachtas and were made available on the CSO website www.cso.ie. In addition, a CSO Statement of Strategy Progress Report 2006, providing an update on the Statement of Strategy 2004-2006 was made available to the Oireachtas Library and was published on the CSO website in April 2008. The CSO's Statement of Strategy Progress Report 2008 is currently being finalised and will be made available to the Oireachtas Library shortly.

The National Statistics Board (NSB)

I also received reports from the National Statistics Board (NSB) of relevance to the operation of the CSO. The Implementation of Strategy for Statistics 2003-2008 Progress Report details progress made on the NSB's Implementation of Strategy 2003-2008 which set priorities for the compilation and development of official statistics in Ireland. The NSB Survey of CSO Users 2006 assessed how successfully user needs were being met. The NSB Survey of CSO Users 2006 and the Implementation of Strategy for Statistics 2003-2008 Progress Report were both laid before the Houses of the Oireachtas and are also available on the NSB website www.nsb.ie

Ireland Newfoundland Partnership

The Ireland Newfoundland Partnership was established in 2001 on foot of a Memorandum of Understanding and came under the aegis of my Department in 2004. They have submitted their Annual Reports to me since 2004. There is no requirement to lay the Annual Report before the Houses of the Oireachtas and their most recent reports are available on their website www.inp.ie

The National Forum On Europe

The National Forum On Europe produced a series of nine Reports covering each phase of the Forum's work. These Reports were circulated to all Members of the Oireachtas at the time of their publication. The Forum also produced a range of other information material which was circulated to Members of the Oireachtas.

Departmental Expenditure.

117. **Deputy Seán Sherlock** asked the Taoiseach the cost to the Exchequer of the annual

[Deputy Seán Sherlock.]

budget of the National Centre for Partnership and Performance; and if he will make a statement on the matter. [17669/09]

The Taoiseach: The National Centre for Partnership and Performance (NCP) is a constituent body of the National Economic and Social Development Office (NESDO) which is funded by Subhead B of my Department's vote. The provision in the Revised Estimate for this year for the NCP is €1.175m. Of this, €0.717m relates to pay and €0.458m relates to non-pay expenditure.

118. **Deputy Lucinda Creighton** asked the Taoiseach the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17846/09]

The Taoiseach: The following tables detail the annual expenditure on external legal costs by my Department and agencies under the aegis of my Department in each of the past five years:

Department of the Taoiseach

Year	Annual Expenditure on external legal costs
	€
2009 (Jan-March)	Nil
2008	1,727
2007	12,197
2006	60,846
2005	4,448
2004	23,270

NESDO

Year	Annual Expenditure on external legal costs
	€
2009 (Jan-March)	Nil
2008	19,954
2007	26,710
2006	Nil
2005	Nil
2004	Nil

Independent Commission of Inquiry

Year	Annual Expenditure on external legal costs
2009 (Jan-March)	Nil
2008	157,950
2007	407
2006	Nil
2005	Nil
2004	Nil

Commission of Investigation

Year	€ Annual Expenditure on external legal costs
2009 (Jan-March)	Nil
2008	Nil
2007	10,938
2006	20,854
2005	Nil
2004	Nil

Central Statistics Office

Year	€ Annual Expenditure on external legal costs
2009 (Jan-March)	Nil
2008	1,706
2007	Nil
2006	Nil
2005	Nil
2004	Nil

EU Funding.

119. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Enterprise, Trade and Employment the way the EU Globalisation Adjustment Fund which was launched two years ago under Regulation 1927/2006 is being promoted here; and if she will make a statement on the matter. [17373/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): My Department monitors those collective redundancies in the State, which are potentially eligible for support from the European Globalisation Adjustment Fund. Eligibility criteria include reaching specific numerical levels of redundancy, timeframes and compliance with notification procedures and globally related causes for unemployment. Applications may only be made by a Member State and no promotion of the Fund is material in that sense. My Department is responsible for the making of applications for EGF assistance to the European Commission where it judges a valid application can be made. Promotion of the EGF in the broader sense of ensuring any new developments, requirements, procedures, statistics or other information are made known to Member States and their citizens is a matter in the first instance for the European Commission. It operates a dedicated website in respect of the Fund.

Departmental Agencies.

120. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the cost of running the Science Foundation Ireland administration since it was established; and if she will make a statement on the matter. [17694/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Since its establishment in 2000, initially as a sub-committee as Forfás and subsequently on a statutory basis under the Industrial Development (Science Foundation Ireland) Act, 2003, Science Foundation Ireland's (SFI) focus has been clearly on research excellence to enhance Ireland's human capital in strategic areas of scientific endeavour relevant to the future competitiveness of Irish industry and enterprise. SFI invests in building world-class research teams, increasing the number of high quality researchers in Ireland and through these teams the output of new knowledge, opportunities and talented people including a stream of PhDs. The SFI administration costs over the period 2000-2008 is as set out in the table below.

	2000/1	2002	2003	2004	2005	2006	2007	2008
	€m	€m	€m	€m	€m	€m	€m	€m
Pay	0.4	0.9	1.0	1.3	2.7	3.2	3.5	4.4
Non-pay	2.2	3.1	3.4	3.8	4.6	4.5	4.8	5.0
Total Administration costs per annum	2.6	4.0	4.4	5.1	7.3	7.7	8.3	9.4
SFI Capital expenditure	8.8	31.0	65.0	108.5	122.2	139.8	155.7	161.0
Administrative costs as a % of overall SFI expenditure	22.8%	11.4%	6.3%	4.5%	5.6%	5.2%	5.1%	5.5%

At the end of 2008 SFI was directly supporting a total of 2,650 researchers engaged in high quality international peer reviewed research. SFI research teams leverage further non-SFI funding that supports an additional 1,537 researchers in industry.

SFI is connecting its funded research teams with industry primarily through its Centres for Science, Engineering and Technology (CSETs) programme and the Strategic Research Clusters (SRCs) programme. SFI is currently supporting 9 CSETs and 17 SRCs. It is through these industry-embedded research groups, which are formally linked to over 123 multinational and small to medium high-tech enterprises that SFI is supporting the retention of employment of over 53,000 people in high-value jobs in Ireland.

Furthermore, the SFI funded research groups have also been integral to IDA Ireland's strategy of attracting more R&D-based foreign direct investment to Ireland and are underpinning the significant IDA wins in R&D in recent years. In 2008 alone just over 40% of the IDA's client portfolio of awards made had a significant R&D component, which is a direct consequence of the Government's significant investment in the science arena in recent years, primarily through SFI.

Redundancy Payments.

121. **Deputy Tom Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment when an application by a person (details supplied) in County Tipperary for payment of redundancy from the social insurance fund will be processed. [17382/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): A notification of redundancy form RP50 was received on 7 April, 2009 by the Redundancy Payments Section of my Department in respect of the individual concerned. A request has been communicated to her former employer to discharge his liability under the Redundancy Payments Acts by paying the employee her statutory lump sum and, having done so, to advise the Department.

In the event that this employer cannot discharge his liability in favour of the former employee, the employer must provide a letter from his Accountant or Solicitor attesting to this

fact and provide documentary evidence to substantiate inability to pay. This would include submitting the most recent statement of accounts proving inability to pay the statutory redundancy entitlement to this employee. This information has been requested from the employer as a matter of urgency. Upon receipt of the necessary information, the Redundancy Payments Section can then proceed to complete the processing of the claim. If the employer fails to provide a response within a reasonable time frame, the individual in question would be advised to apply to the Employment Appeals Tribunal for a determination of Redundancy. The Redundancy Payments Section will, on receipt of a favourable determination, make the payment to the employee.

Health and Safety Regulations.

122. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Enterprise, Trade and Employment her proposals to make it mandatory for all employers to have appropriate personal insurance cover for all of their employees; and if she will make a statement on the matter. [17385/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Employers are responsible for the health and safety of their employees while they are at work. Employers' liability insurance enables employers meet the cost of compensation for employee injuries or illnesses, which occur while employees are working for an employer. While employer liability insurance is not compulsory under Irish law, surveys carried out in respect of employers' liability and public liability insurance indicate that approximately 90% of companies were covered either by commercial or self-insurance.

The introduction of a statutory requirement for companies to have certain minimum levels of insurance cover in place would represent a radical departure from current practice. I believe that any such proposal would need very careful consideration and would involve detailed consultation both across Government and with a range of key stakeholders. Currently, I do not have nor am I aware of any proposals regarding the introduction of compulsory employers' liability insurance.

Departmental Programmes.

123. **Deputy Phil Hogan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the administrative arrangements in respect of the graduate placement scheme; and if she will make a statement on the matter. [17387/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Work Experience Scheme, which was announced in the Supplementary Budget, will provide 2,000 six-month places to individuals who are unemployed and it will also include the placement of graduates. This scheme will provide invaluable work experience to individuals who are unemployed, who have just left college or have very limited experience of the workplace. The places will be created on a cost neutral basis, as the State's payment will be equivalent to social welfare Job Seeker Benefit/Allowance weekly rates. The details including the administrative arrangements of the Work Experience Scheme are currently being drafted by officials in my Department and other Government Departments. It is expected that these details will be agreed as soon as possible and the scheme will be launched in the coming weeks.

Health and Safety Regulations.

124. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Enterprise, Trade and Employment her proposals to provide compensation for employees injured at work when the

[Deputy Brian O'Shea.]

employer goes into receivership and no employee liability insurance was in place beforehand; and if she will make a statement on the matter. [17388/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Employers' liability insurance enables employers meet the cost of compensation for employee injuries or illnesses, which occur while employees are working for an employer. While employer liability insurance is not compulsory under Irish law, surveys carried out in respect of employers' liability and public liability insurance indicate that approximately 90% of companies were covered either by commercial or self-insurance.

I do not have nor am I aware of proposals to provide compensation for employees injured at work when the employer goes into receivership and no employee liability insurance was in place beforehand. Redress may of course be available through the Civil Courts. As is the case with proposals to make employer liability insurance mandatory (PQ 122), any such proposal for compensation of the type to which the Deputy refers in respect of companies in receivership would similarly represent a radical departure and would require detailed consideration and analysis across Government and with all relevant stakeholders.

Official Travel.

125. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of companies from Kildare South that have accompanied her or An Taoiseach on the trade missions that they have made in each of the past two years; and if she will make a statement on the matter. [17413/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Since becoming Minister for Enterprise, Trade and Employment, in May 2008, two of the Trade Missions which I have led had participating companies located in Co. Kildare. On last week's Mission to Saudi Arabia/Qatar, there were two such companies; one from Kill and one based at The Curragh. On the Trade Mission to the United Arab Emirates in November 2008, one company from Clane participated.

In January 2007 the former Taoiseach, Mr. Bertie Ahern, T.D. led a Trade Mission to Saudi Arabia/UAE. with five companies from Kildare participating. Of those five, two were from Naas, one from Rathangan, one from Kill, and the other from The Curragh. One of the Trade Missions led by the present Taoiseach, Mr. Brian Cowen, T.D., was to China in October 2008, which had a total of five participants from Co. Kildare. Of those five, three were based in Maynooth, one in The Curragh and one in Athy. In addition to the businesses listed above, it may be the case that other companies who participated in Trade Missions had their principal base (and their stated address) elsewhere in the country, but they may operate facilities in Co. Kildare also.

Industrial Development.

126. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment if progress has been made in regard to the sale or use of Industrial Development Authority lands in south Kildare (details supplied); if she or the IDA has had further meetings with Kildare County Council as to possible partnership agreements for the use of these lands as incubation or commercial units; and if she will make a statement on the matter. [17414/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The management of IDA Ireland's industrial property portfolio is a day-to-day operational matter

for the Agency, as part of the statutory responsibility assigned to it by the Oireachtas, and it is not a matter in which the Minister of the day has any involvement. I am informed by IDA Ireland that, at present, the Agency has approximately 2.27 hectares remaining available in Monasterevin, approximately 1.77 hectares remaining available in Athy, (Woodstock), and approximately 1.53 hectares remaining available in Castledermot. The Agency has no lands in Kildare town.

I understand that IDA approved the sale of all these lands to Kildare County Council at its Board Meeting on 9th April, 2003, but this transaction was never finalised due to a failure in negotiations. IDA is currently reviewing the future use of the lands. As part of this, in November 2008 IDA had meetings with Kildare County Council to determine their interest in the acquisition of these lands. In January 2009, Kildare County Council confirmed that due to the present financial position facing Kildare County Council the local authority would not be in a position to purchase the sites.

Science and Technology Sectors.

127. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and Employment the latest estimate of the value of science and technology focused companies to the economy here; and if she will make a statement on the matter. [17447/09]

128. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on the potential of future growth in the science and technology sectors; and if she will make a statement on the matter. [17448/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 127 and 128 together.

The drive to encourage Irish companies to use science and technology to increase competitiveness and value added is a significant pillar of Government Policy, as recognised in the Strategy for Science, Technology and Innovation and the Smart Economy Framework. This applies equally not only to technology driven sectors such as the information and communications technology and bio-pharma sectors, but as much to the traditional sectors such as food production and to the services sector. Competitiveness in these latter sectors is increasingly being influenced by science and technology driven innovation. Therefore the impact of science and technology innovation is now broadly spread across a wide sector of Irish enterprises.

The recently published CSO data on Business Expenditure on Research and Development (BERD) shows total expenditure by companies on Research and Development has increased from €900 million in 2001, to €1,105 million in 2003, to €1,329 million in 2005, to €1,598 million in 2007 and to an estimated €1,684 million in 2008. This amounts to an increase of 87% in expenditure by business enterprises on research and development over the seven year period. In 2007 there were almost 13,900 persons engaged in research and development activities in Ireland of whom 8,300 were researchers. All of this research and development effort is supporting significant economic activity across Irish enterprises.

Over 40% of IDA investments in 2008 were in Research and Development and amounted to approx. €420 millions in investment. Significant new R&D announcements in 2008 included investments by many world class companies including Boston Scientific, Oriflame, Business Objects, Synopsis, EMC, IBM (three separate announcements) ON Semiconductor, AON Corp., and CITI.

The impact of research, development and innovation on indigenous industry is also significant. Enterprise Ireland provides a broad spectrum of support, including a number of significant

[Deputy Mary Coughlan.]

research and development programmes, to indigenous enterprise. Companies supported by Enterprise Ireland programmes contributed over €4bn in new exports sales over 2005-2007 with total exports in 2007 of more than €13 billion. Enterprise Ireland client companies are estimated to have secured over €1 billion in new export sales in the challenging conditions of 2008.

Direct expenditure in the Irish economy by agency assisted Irish owned companies in 2007 was 11% of GNP. Enterprise Ireland (EI) clients directly spent an estimated €19.6bn in the Irish economy, with over €9bn being spent on materials, €4bn being spent on services and €6bn spent on payroll in 2007. Additionally, these companies sourced the majority of their materials and services in Ireland. The value added by Enterprise Ireland client companies reached over €14bn in 2007, up from under €9bn in 2000. Over the same period value added per person employed increased to €99,700, from €57,400 in 2000. EI client companies had employment of 145,758 in 2008 of which 70% was spread throughout regions outside Dublin, delivering strong economic impact to communities all over Ireland. It is estimated that well over 100,000 jobs are indirectly supported in the economy due to these businesses.

Science Foundation Ireland (SFI) is also connecting its funded research teams with industry through its investment in research activities linked to Ireland's economic development in the fields of ICT, Biotechnology and Sustainable energy/Energy efficient technologies. Through its Centres for Science, Engineering and Technology (CSETs) and the Strategic Research Clusters (SRCs) programmes, SFI currently supports Irish enterprise by providing funding for 9 CSETs and 17 Strategic Research Clusters. These 26 centres are currently partnering with 123 distinct multinational corporations and small medium enterprise indigenous companies, who collectively employ approximately 53,000 people in Ireland. This R&D investment is aimed at anchoring and embedding these companies further in Ireland. In addition, another 34 multinational companies are collaborating with SFI funded researchers under other SFI programmes, notably the Principal Investigator Programme.

The Strategy for Science, Technology and Innovation sets an ambitious target of growing BERD to €2.5 billion by 2013. While the trend over the period 2001 to 2009 is positive, the current global economic environment will provide a serious challenge to the effort to deliver the growth targets. However, the comprehensive program of supports in place from Enterprise Ireland and the IDA, coupled with the investments by Science Foundation Ireland, create a sound platform for the future growth of the innovation driven economy, and will place Irish based companies in a strong position to capitalise on an upswing in the economy when it comes.

129. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and Employment the strategies she has in place to promote science and technology in both education and business; and if she will make a statement on the matter. [17449/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Government has made a major commitment, through the substantial investment set out in the Strategy for Science, Technology & Innovation (SSTI) 2006-2013 and the National Development Plan (NDP) 2007-2013, to making the transition to a knowledge-economy. The ambition is that "Ireland by 2013 will be internationally renowned for the excellence of its research, and will be to the forefront in generating and using new knowledge for economic and social progress, within an innovation driven culture."

The Government is committed to making this vision a reality and making Ireland a key location for leading edge research and development, and a location for high quality jobs that

are underpinned by knowledge and high skill levels. The targets within the Strategy, which relate to business and education sectors, include:

- Increased participation in the sciences by young people;
- Significant increase in the numbers of people with advanced qualifications in science and engineering;
- Transformational change in the quality and quantity of research undertaken by enterprise — both directly and in cooperation with third level institutions;
- Enhanced contribution of research to economic and social development across all relevant areas of public policy including agriculture, health, environment and the marine and natural resources;
- Increased output of economically relevant knowledge, know how and patents from those institutions;
- Increased participation in international S&T cooperation and transnational research activity;
- An established international profile for Ireland as a premier location for carrying out world class R&D;
- Greater coherence/exploitation of synergies in the development of S&T policy on the island of Ireland.

The First report on the implementation of the SSTI was published in December last and is available at www.entemp.ie/publications/science/2008/firstreportonSSTI. This report, together with the initial findings from the latest Business Expenditure on R&D (BERD) survey for 2007 and 2008, which was published in March of this year and is the most recent high level indicator of R&D investment, confirms that substantial progress has been made in achieving these objectives. Both reports provide evidence that the Government's integrated strategy is working, as seen in the following internationally comparable key indicators:

- Total R&D spending has almost trebled over 10 years and Ireland's total expenditure on R&D had risen to 1.56% of GNP at end 2006. Total R&D spending across all sectors of the economy is expected to climb to €2.6bn in 2008 (1.66% of GNP). This is an OECD derived indicator called Gross Expenditure on Research and Development (GERD), common to all OECD members.
- Business Expenditure on Research and Development (BERD) rose to an estimated €1.56 billion in 2006 — a 17% increase on the previous year — almost double the level recorded in 2000. This trend continued in 2007 with BERD climbing to €1.60bn. It is estimated that BERD will reach €1.68bn in 2008.
- The ratio of BERD to economic activity as measured by Gross National Product increased from 0.96% in 2005 to 1% in 2007. It is likely that this ratio will rise further in 2008 to an estimated 1.08% of GNP.
- Higher Education R&D spending has almost quadrupled in current terms over 10 years and is now at the EU and OECD average levels. This increased investment in the higher education sector is having a significant impact in terms of human capital development, feeding through to attraction of FDI and commercialisation.

[Deputy Mary Coughlan.]

- The number of research personnel employed in R&D activities across the business sector in Ireland rose to 13,861 in headcount terms in 2007.
- Early estimates of R&D activity levels point to sharp increases in the number of firms performing significant R&D (>€2mn), with 164 significant R&D performers in 2007 compared to 118 in 2005.
- There also appears to be evidence of firms who were smaller performers of R&D in 2005 stepping up activity to become larger performers in 2007.
- Enterprise Ireland (EI) has developed a range of schemes to ensure we have the capacity to capture and transform the ideas and advances coming from higher education research into commercial reality. EI and IDA are working closely with companies to strengthen the research and technological base of the enterprise sector in order to drive productivity, competitiveness, exports and jobs. In 2008 EI assisted 698 companies to perform R&D. Over the period 2000 to 2007, EI supported 430 High Performance Start-Ups, 40% of which were specifically R&D projects. This investment yielded sales of €638 million, exports of €344 million and generated employment for 5,500 people.

Many of the education aspects of the SSTI are primarily the responsibility of my colleague, the Minister for Education and Science. However, my Department does have responsibility for Science Foundation Ireland and the Discover Science and Engineering programme. Science Foundation Ireland, through its supports for world-class researchers and the creation of world class research centres in higher education institutions, is creating a stream of highly skilled research talent and building Ireland's reputation as a location for R&D activity. Growth in researcher capacity, led by Science Foundation Ireland, coupled with the enhanced R&D tax credit, continues to be a major attraction for overseas investors, and is resulting in a series of significant industrial R&D investments in Ireland by IDA supported companies. Over 40% of IDA investments in 2008 were in R&D with approx. €420 millions of investment. Currently there are about 170 IDA supported companies with a significant R&D mandate with a spend of approx. €1.7 billion. Significant new R&D announcements in 2008 included investments by many world-class companies including Boston Scientific, Oriflame, Business Objects, Synopsis, EMC, IBM (three separate announcements) ON Semiconductor, AON Corp., and CITI.

The Discover Science and Engineering (DSE) Programme aims to raise the general level of awareness of the physical sciences and to raise the level of student uptake of the physical sciences at second and third level. The DSE Programme will continue to play an important role in encouraging young people to study science and technology and in enhancing general science awareness. Despite the current global upheaval, the Government is committed to investing in Ireland's science base as one of the key cornerstones underpinning future jobs in Ireland and the linchpin of our transformation to the Smart Economy. The challenge, for the immediate future, will be to effectively manage the implementation of the Government's Strategy for Science, Technology and Innovation in a much tighter resource environment.

130. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and Employment the amount her Department has contributed to the Discover Science and Engineering programme for each year since its establishment; the way budgetary cutbacks have been implemented in 2009; the effects of these cutbacks; and if she will make a statement on the matter. [17450/09]

131. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and Employment the action she is taking to encourage greater awareness of science and technology among the public and students; and if she will make a statement on the matter. [17452/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 130 and 131 together.

The Discover Science and Engineering Programme was established in late 2003 to promote an awareness and understanding of the importance of science and engineering in a modern knowledge-based economy. The Programme is administered by Forfás on behalf of my Department. Discover Science and Engineering (DSE) aims (i) to raise the general level of awareness of the physical sciences; (ii) to raise the level of student uptake of the physical sciences at second and third level; (iii) to promote a positive attitude towards careers in Science, Engineering and Technology; and (iv) to promote a greater understanding of science amongst the public/society. The amounts provided by my Department for the Programme since its establishment are in the table.

To ensure that the DSE Programme remains strategically relevant and operationally efficient, an evaluation was sought by my Department in 2007. The evaluation was carried out by an independent panel of experts, who presented their final report in late 2008. The overall finding by the panel was that the DSE Programme represents very good value for money and is playing an important role in encouraging young people to study science and technology and in enhancing general science awareness. The panel outlined a number of recommendations to improve the strength and efficacy of the Programme in delivering its objectives. A key finding was that the remit of the Programme should continue to focus on the physical sciences and engineering and also extended to comprehend the promotion of maths literacy, to promote the increased take up of higher-level maths at second level, and to promote career opportunities which require a high level of maths competency.

The current financial exigencies have dictated the level at which the DSE Programme can be resourced in 2009. All of the recommendations made in the evaluation are currently being studied by the DSE Programme team in conjunction with my Department and having regard to the resources available. These discussions have confirmed that the DSE Programme team will focus, for the remainder of this year, on delivering its key strategic objectives of promoting study in the priority areas of science, engineering and technology. Within resource constraints, the Programme team is now gearing up to replicate at second level the success it had with programmes like Discover Primary Science at primary level and is extending its remit to promote maths as a key underpinning discipline.

The reduced funding for the Programme will inevitably lead to changes and a reduction in some activities. At the same time, the DSE team is attempting to counter the effect of this reduction by looking at other options of delivering on its objectives such as greater use of the internet and by strengthening its coordination role with its key education, industrial and outreach partners. In this regard, DSE will continue to support engineering through its own initiatives and through funding partnerships.

Year	2004	2005	2006	2007	2008	2009
Funding Provided	€1.5 m	€2.0 m	€4.0 m	€5.0 m	€5.25 m	€2.685 m

Departmental Staff.

132. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Enterprise, Trade and

[Deputy Deirdre Clune.]

Employment the number of staff in her Department, including their grades and responsibilities, charged with promoting science and technology; and if she will make a statement on the matter. [17454/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Office of Science, Technology and Innovation (OSTI) forms part of the Science, Technology and Intellectual Property Division of my Department which also includes the Intellectual Property Unit and the Patents Office. An Assistant Secretary General has overall responsibility for the Division. The role of the OSTI is to develop, promote and co-ordinate Ireland's Science, Technology and Innovation Policy and Ireland's policy in EU and International Research Activities. Currently there are 16.6 staff serving across the 3 business units of the OSTI. The grade breakdown is as follows:

- 1 Assistant Secretary
- 3 Principal Officers
- 5 Assistant Principal Officers
- 2.6 Higher Executive Officers
- 3 Executive Officers
- 2 Clerical Officers

Another officer, at Administrative Officer level, who works part-time on a 50% basis, is currently on Maternity Leave. The 3 business units in the OSTI are as follows:

- Cross-Departmental Science Technology & Innovation Policy, Governance and Awareness Unit.
- Industry Research & Development/Financial Co-ordination Unit.
- EU — International/ Science Foundation Ireland & EU Structural Funds Unit.

(1) The Cross-Departmental Science Technology & Innovation (STI) Policy, Governance and Awareness Unit: This unit comprises 4 staff currently with 1 Principal Officer, 1 Assistant Principal Officer, 1 Executive Officer and 1 Clerical Officer. The unit has responsibility for the development of Ireland's national policy on STI under the aegis of the Cabinet Committee on STI via, in particular, the work of the Interdepartmental Committee on Science and Technology, and its operational mechanisms. One of the principal tasks of the unit is to drive and coordinate the implementation of the Strategy for Science, Technology and Innovation 2006-2013 and measure its impact against pre-defined targets and metrics.

The section also supports and monitors the integrated awareness programme, Discover Science & Engineering, which is administered by Forfás, with the aim of increasing the numbers of students taking up Science Engineering and Technology as a career and promoting science literacy generally. Other key responsibilities for the unit include promoting North/South Cooperation in Science and Technology and also driving implementation in groups established under the Strategy for Science, Technology and Innovation 2006-2013 (SSTI), such as the Higher Education Research Group (HERG), the Health Research Group and the Enterprise Feedback Group.

(2) The Industry Research & Development/Financial Co-ordination Unit comprises 5.8 staff in total with 1 Principal Officer, 2 Assistant Principal Officers, 0.8 Higher Executive Officer and 1 Clerical Officer. This unit is responsible for the development, promotion and co-ordination of industry research and development policy, primarily through the implementation of the SSTI. The section is also responsible for:

- The research funding allocated to Enterprise Ireland and consequential policy issues arising from Ireland's investments through it;
- The improvement and operation of structures for implementation of the SSTI through Technology Ireland; and
- Co-ordinating and overseeing effective management of Subhead F (Science, Technology and Innovation Programmes) of the Department's vote.

(3) The EU — International research policy/ Science Foundation Ireland & EU Structural Funds Unit comprises 6.8 staff in total with 1 Principal Officer, 2 Assistant Principal Officers, 1.8 Higher Executive Officers and 2 Executive Officers. This unit deals with Ireland's engagement with EU and international research policy issues and Ireland's membership and involvement with organisations such as the European Space Agency amongst others. The unit also has responsibility for basic research funding allocated to Science Foundation Ireland (SFI) and consequential policy issues arising from Ireland's investments through it. The third significant element of this unit's work relates to contributing to the effective management and drawdown of EU Structural Funds by Ireland related to EU co-funded research activities under the Productive Sector Operational Programme 2000-2006 and the National Strategic Reference Framework 2007-2013 relevant to the enterprise development agencies.

The promotion of Science and Technology issues undertaken by the OSTI is also complemented by the work of 2 other staff, who are currently serving in the Private Office of the Office of the Minister for Science, Technology and Innovation. These officers, one Executive Officer and one Clerical Officer, assist with the co-ordination of Science and Technology related activities on behalf of the Minister for Science, Technology and Innovation, Mr. Conor Lenihan TD.

Redundancy Payments.

133. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a redundancy payment issue referred to her Department by the Labour Relations Commission in the name of a person (details supplied) in County Kildare will be resolved shortly; and if she will make a statement on the matter. [17487/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Redundancy Payments Section of my Department and the Labour Relations Commission has checked to see if a redundancy payments issue has been referred for the individual in question but there is no record of a submission from this person. In the circumstances, and given the fact that two previous questions have been asked in the case of the individual in question, should the Deputy wish to provide further information to me which would clarify the issue, I would be happy to renew enquiries.

Company Closures.

134. **Deputy Finian McGrath** asked the Tánaiste and Minister for Enterprise, Trade and

[Deputy Finian McGrath.]

Employment the position regarding the proposals in relation to a company (details supplied). [17534/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Since the company announced its plans to close its Dublin operations, IDA Ireland and I have had numerous meetings with the company to express my concern regarding the effect the closure will have on the economy of North Dublin and the effect of the loss of 1135 highly skilled jobs on the Irish aviation sector. IDA Ireland and Enterprise Ireland established a team to market the operation internationally through their overseas office network and have held discussions with over 15 companies to encourage them to put forward investment proposals to take over all or part of the operation. Following receipt of proposals, a full evaluation will take place and each proposal will be considered on its merits and long-term viability.

The company has indicated that it has received up to 30 expressions of interest in parts of the operation and has stated that any approach or proposal would be considered in detail and evaluated in full on its merits and potential long term benefit. At this stage, SR Technics has received 5 bids from interested parties for parts of the business and are currently assessing these bids. Following the assessment process, SR Technics will select a successful bidder. In tandem with this process the agencies are in discussions with the interested parties on an ongoing basis to assess the viability of the bids so as to be in a position to offer appropriate support to the successful bidders to maximize the level of sustainable employment in the resulting operations.

Industrial Development.

135. **Deputy Seán Connick** asked the Tánaiste and Minister for Enterprise, Trade and Employment her views on the role that exports produced by foreign companies located here play in the Irish economy; her further views on the importance of assisting these companies to access new export markets for their Irish produced products; if she will instruct Enterprise Ireland to promote the export of these Irish products; and if she will make a statement on the matter. [17586/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Enterprise Ireland is the government agency responsible for the development and promotion of the indigenous business sector. Its mission is to accelerate the development of world-class Irish companies to achieve strong positions in global markets resulting in increased national and regional prosperity. Enterprise Ireland's key focus, for companies headquartered in Ireland, is covered under five areas of activity : Achieving export sales, Investing in research and innovation, Competing through productivity, Starting up & scaling up and Driving regional enterprise. Enterprise Ireland estimates that export gains of up to €1 billion will be achieved by its client companies this year despite the unprecedented global economic environment.

IDA Ireland's mission is to win for Ireland the best in international innovation and investment and, working in partnership with other Irish organisations, to enhance the best of Irish capabilities and talents and match them to the best of global investment. Foreign direct investment is a key component of Ireland's economic system and IDA Ireland will continue to develop new value propositions and work processes that will reflect Ireland's competitive advantages in an increasingly competitive market place. FDI is a key driver of Irish exports and is an important element of Ireland's economic recovery. IDA supported exports have grown by c.50% since 2000 and account for 60% of total Irish Exports. IDA Ireland provides a range of financial incentives to support capital, employment, training, research, development and innovation activity as well as advice, facilitation and property services to prospective and

existing clients in an effort to grow FDI. In 2008, IDA announced 130 new investments, up 14% on the previous year creating circa 8,800 new jobs and securing investment of circa €2 billion.

As regards assistance to access export markets many such supports are available to FDI companies operations in Ireland, although some efforts are confined to SMEs or are relevant only to companies headquartered in Ireland. I have asked IDA and Enterprise Ireland to review their operations to ensure that FDI companies can avail of all supports appropriate to their circumstances.

Export Services.

136. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the resources that have been expended on the Enterprise Ireland initiative on exporting construction services abroad for delivery of the smart economy as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; and if she will make a statement on the matter. [17595/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Smart Economy Document commits Enterprise Ireland to providing a construction sector export service to assist companies and professionals to market their products and services abroad. The agency is devoting considerable resources to meeting this commitment. Enterprise Ireland has reorganised its Department Structure to put the required emphasis on Construction. Expert appointments have been made in London, Dublin and two Gulf States. The agency is working with the RIAI (Arch) and the ACEI (Consulting Engineers) and held a series of seminars on exporting.

Enterprise Ireland has led construction specific missions to Russia, Poland, Romania, Saudi and the Gulf States. Arising from this activity Enterprise Ireland has registered in excess of 100 new Construction Clients and approved grant assistance to 100 Construction Clients to explore new markets. There are 29 clients on the Leadership for Growth initiative designed specifically for the construction industry. Many of the participants have taken part in the missions and grant assistance referred to above. Moreover, their participation in L4G has led to the formation of various formal and informal consortia to pursue business opportunities.

Over 100 agency Clients have registered on the London Olympics tender and the sector will be significantly representative of the recently introduced Stability Fund. Enterprise Ireland has also approved funding for the Construction Technology Industry Association. The latter are preparing an application for industry led research support.

Economic Competitiveness.

137. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps taken to achieve the 25% reduction of administrative burdens placed on business as included in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 in areas (details supplied); and if she will make a statement on the matter. [17597/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): My Department is charged with leading the cross-Government drive to reduce red tape costs for business. We are doing this in a prioritised way, drawing on the experiences of other Member States who are also involved in this international effort. Departments are currently identifying the "Information Obligations", contained in their legislation, likely to be causing the biggest burdens for business. This will encompass all areas of regulation affecting business, including Taxation, Health & Safety, Statistics, Employment, and Company Law.

[Deputy Mary Coughlan.]

When the top Information Obligations have been identified, these priorities will be measured and, following this, simplification plans will be developed, detailing how the reductions are to be carried out. Work is now well advanced in my own Department, in measuring information obligations in Company Law, Employment Law, and Health & Safety Law. In parallel to this process, the High-level Group on Business Regulation, chaired by the Secretary General of my Department, was set up to deal with specific business suggestions and issues relating to red tape. The Group consists of senior civil servants as well as business and trade union members. The Group has been examining concrete areas in which the administrative burden of regulations on business can be reduced.

The issues already addressed by the High-level Group are estimated to have saved Irish business some €20 million in administrative costs annually through cutting out paperwork, revising the rules for small businesses and making better use of on-line services. If the work of the Group is to produce optimal benefits, business, and especially small business, must continue to submit the practical proposals and concrete suggestions they have regarding the areas where they feel the burden is greatest. Small businesses in particular have a lot to gain from participating in this process and making known areas where they feel over-burdened by red tape. The Group will continue to find solutions by opening up dialogue with relevant Departments and Agencies.

FÁS Training Programmes.

138. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the measures that have been taken in the retraining of construction workers in line with the projected future green economy as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; and if she will make a statement on the matter. [17599/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): FÁS is involved in the funding and provision of a number of programmes to retrain construction workers in the requisite skills pertaining to the green economy in line with the document 'Building Ireland's Smart Economy A Framework for Sustainable Economic Renewal 2009 to 2014'. Relevant programmes include:

Gas safety and installation courses:

- 'G.I.S. Gas Installer — Safety' to upgrade the skills and knowledge of persons in gas safety features so as to enable them to work safely on domestic installations and non-domestic gas pipe work.
- 'G.I.D. Gas Installer — Domestic' to provide the necessary skills and knowledge to install, maintain and service domestic gas installations and equipment in accordance with current standards and regulations. This course is currently available in Dublin (Ballyfermot Training Centre) and Cork.

Sustainable Energy courses:

- Solar Thermal Installer
- Heat-pump Installer
- Bio-mass boiler Installer

These courses aim to develop the necessary skills, knowledge and competence of plumbers, electricians, fitters and other suitably qualified construction workers to design, install and commission domestic solar hot water heating, bio-mass and heat-pump systems in a safe and competent manner. Courses are currently available in Dublin (Ballyfermot Training Centre) and Cork.

Building Energy Rating: This course provides the necessary skills, knowledge and competencies to suitably qualified participants to produce Building Energy Rating Assessor (BER) labels and advisory reports for new and existing dwellings in accordance with current standards and regulations. The course is currently available in Dublin (Cabra Training Centre).

Smart/Intelligent Building Systems: This course provides qualified electricians or suitably qualified applicants with the skills, knowledge and competence to install, configure and test an intelligent building control system using KNX/EIB technology. This course is currently available in Dublin (Loughlinstown Training Centre).

Insulation technologies and techniques: This course provides general construction trades persons with skills and knowledge in the areas of insulation materials, techniques and technologies, and provides plasterers with external wall rendering techniques for existing and new buildings. FÁS is also currently planning the following courses:

Micro-Electricity Generation Wind Turbine and Photovoltaic Courses: These courses are being developed in close co-operation with Sustainable Energy Ireland and will enable Installers to safely install appropriate micro-generation equipment up to 11Kw 3 phase or 6Kw single phase in size, in line with the current requirements as defined by E.S.B. networks. These courses are scheduled to be available in summer 2009 subject to budget approval and will be available in the Dublin (Finglas) and Galway Training Centres.

Passive House Building: This course will be aimed at construction workers and will provide the skills and knowledge to understand and use the technology associated with the passive house construction method/standard. The course is scheduled to be available in late 2009.

Since 2007 FÁS Services to Business have also delivered a number of programmes in Energy Efficiency, Renewable Technologies, Carbon Footprint Calculation and Reduction, Waste Prevention, Water Protection and Waste Water Treatment, aimed at the general workforce including construction workers. These programmes included the following:

Programmes

- Waste Management
 - Waste Facility Operative
 - Radon Gas Remediation & Prevention
 - Laboratory Procedures
 - Water & Waste Water Plant Operation
 - Water Protection & Nutrient Mgmt Planning
 - Environmental Management Systems
 - Environmental Inspection Skills
 - Litter Warden Training
 - Packaging Prevention
 - Energy Efficiency & Renewable Technologies
 - Hazardous Good Awareness
 - Water Sampling Techniques
 - Construction & Demolition Waste Management
 - Building Regulations
 - Supervision of Timber Frame Erection
-

[Deputy Mary Coughlan.]

Programmes

- Road Worker Training Programme
 - Site Suitability Assessment Training Programme
 - Site Suitability (Out Wintering Pads)
 - Site Suitability (Earth Lined Stores)
 - Carbon Footprint Reduction
-

In addition, under the Skillnets Training Networks Programme a number of relevant training courses are currently provided to participants, including construction workers, in knowledge areas such as Building Energy Rating, Low Carbon Energy Assessment, Air Permeability Training, Energy Savings and Water Hygiene.

Industrial Development.

139. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the way the multinational community will be incentivised to intensify (details supplied); and if she will make a statement on the matter. [17601/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): IDA Ireland provides a range of financial incentives to support capital, employment, training, environmental and RD&I activity as well as advice, facilitation and property services to prospective and existing clients in order to maintain and grow FDI output and employment in Ireland. IDA is particularly focused on both encouraging and assisting its client companies to move up the value chain in terms of both carrying out higher skilled operations and expanding their presence in Ireland. The aim of this is to retain its existing clients, improve the quality of employment opportunities in Ireland and increase the positive economic impact. IDA has now established a dedicated team focusing on winning FDI projects in the Services Innovation sector.

Ireland is now seen by the global business environment as a prime location for Research Development and Innovation (RD&I) functions. IDA has played a key role in establishing this competitive advantage for Ireland and is heavily involved with all stakeholders in RD&I. In 2008 there was a strong flow of substantial new IDA supported R&D investments by multinational companies. These commitments by major knowledge based companies such as Fidelity, Nortel, Coca Cola, Citi and DePuy demonstrates Ireland's reputation in R&D and services innovation activities. Multinational's expenditure on RD&I in Ireland amounted to €1.12bn in 2006 (latest available data). In 2008, IDA supported clients announced 56 RD&I projects with a projected investment of circa €420m.

The multinational community will continue to be incentivised to intensify innovative, high-value activity and technological convergence that will provide quality jobs; IDA will continue use research funding in conjunction with SFI, Enterprise Ireland and IDA to instil a commercialisation culture in third-level institutions alongside the now embedded teaching and research culture. Recent government initiatives in the Finance Bill such as the increase in the 'R&D Tax Credit from 20-25% and the proposed enhancements on Ireland's IP offering announced in the April Budget will enhance Ireland's product offering.

IDA is targeting convergence technology as a key growth area. A dedicated team are working to target investment in this area with a key focus on the intersection of life sciences and ICT; both areas where IDA has a significant track record. An example of success so far in this 'new' sector is the Intel TRIL project with an investment commitment of \$30 million. The

TRIL Centre brings together world-class industry and academic experts who are inventing and testing new technologies with older people, and their families, to support them in continuing to live independently.

In addition, Science Foundation Ireland (SFI) is playing a central role in Ireland's sustainable economic renewal as outlined in the Government's "Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal". SFI has a number of programmes, which are specifically designed to promote strong industry/academic collaborations such as the Centres for Science, Engineering and Technology (CSET) programme and the Strategic Research Cluster (SRC) programme.

To date, SFI has made awards to 9 CSETs and 17 SRCs in total. These industry-embedded research groups are linked to 123 multinational and small to medium high-tech enterprises that employ over 53,000 people in high value jobs in Ireland, including many of the world's leading firms such as Intel, Hewlett Packard, GSK, IBM and Medtronic. In recent years, SFI has gradually shifted the focus of investments from individually-led investigator groups to groups within enterprise clusters with over double the number of SFI funded world-class Principal Investigators now being located within the CSETs and SRCs when compared to the 2004 position. These groups have been integral to IDA Ireland's strategy of attracting more R&D-based foreign direct investment to Ireland. For example, in 2008 alone just over 40% of the IDA's client portfolio of awards made had a significant R&D component, which is a direct consequence of the Government's significant investment in the science arena in recent years, primarily through SFI and the Higher Education Authority. These SFI funded activities are consistent with promoting research and development as a key part of the enterprise agenda, assisting as they do the retention and attraction of quality employment in Ireland, and thereby increasing output and jobs in Irish industry.

140. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps taken since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 in areas (details supplied); and if she will make a statement on the matter. [17604/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The development of a "smart" or knowledge based economy is a critical opportunity to enable Ireland to negotiate the present economic difficulties and to sustain a national recovery. Since the Government strategy document was published in December 2008, there has been a constant focus on achievement of the targets set out by the strategy and progress, in the specific areas identified, has been as follows:

R&D Tax Arrangements

The Finance (No. 2) Act 2008 introduced a number of changes to the R&D Tax Credit Scheme to further encourage companies to invest in research and development. The rate of the tax credit was increased from 20% to 25%, the year 2003 was set permanently as the base year for the purposes calculating eligible incremental R&D expenditure, a new provision was introduced to allow a cash refund option over three years in respect of unused credits (a provision of particular assistance to pre-revenue firms), and the qualification criteria was eased in respect of the tax credit on R&D building costs.

Competence Centres

Competence Centres are collaborative centres of excellence established and led by industry that are resourced by highly-qualified researchers associated with research institutions who

[Deputy Mary Coughlan.]

are empowered to undertake market focussed strategic R&D for the benefit of industry. The Competence Centre initiative has been designed jointly between EI and IDA. To date 65 companies have become involved in establishing 7 Competence Centres nationally. In addition, a major collaborative centre, Functional Foods Research Centre, is currently being funded through Enterprise Ireland.

Initiatives in seven separate areas were selected for the Initial Research Phase of the programme, of which the following collaborative groups has been issued a contract to proceed with the initial research phase work viz:- Applied Nanotechnology, Advanced Manufacturing Productivity, Energy Efficiency in Manufacturing, Composites Materials, and CMOS Circuits. In addition, a BioEnergy Competence Centre has been approved for research phase funding and the contract will be issued subject to budgetary considerations and an IT Innovation Competence Centre is still in the approval process with a decision from the evaluation panel expected in May.

Following this first research phase, the five initiatives — viz. Applied Nanotechnology, Advanced Manufacturing Productivity, Energy Efficiency in Manufacturing, Composites Materials, and CMOS Circuits, will be going forward to the next phase of their establishment which will involve the selection of a Host Institution in summer 2009 and approvals of Technology Leaders in Autumn 2009 to manage the centres. Work to develop business plans for 2010 will continue in respect of the Energy Efficiency and Manufacturing Productivity initiatives and it is expected that these business plans will go forward for funding, subject to that approval. The Competence Centre Programme is providing an important link which leverages the expertise built up in the research community for the benefit of a wide range of enterprises, and will contribute to competitiveness in these companies.

Tax Code.

141. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps taken in relation to the revision of the arrangements for the taxation of intellectual property since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; and if she will make a statement on the matter. [17605/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Minister for Finance, in his 7 April 2009 budget speech, announced that a “scheme of tax relief for the acquisition of intangible assets, including Intellectual Property” will be included in the legislation giving effect to the budget. The Finance Bill will be published this month.

Departmental Bodies.

142. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment if the manufacturing forum as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 has been formed; and the number of meetings it has had. [17606/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Manufacturing Forum has not yet been formed but I expect to appoint its members very shortly.

Science and Technology Sectors.

143. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employ-

ment the specific measures that have been taken to increase public and industry wide focus on commercial opportunities available (details supplied); and if she will make a statement on the matter. [17608/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Among the functions of the Department's enterprise development agency, Enterprise Ireland, is the provision of a range of supports aimed at realising the commercial potential of Ireland's research community. These supports include the Commercialisation Fund, the Campus incubator Programme and the Technology Transfer Strengthening Fund.

(1) The Commercialisation Fund

Over recent years, there has been a significant increase in the levels of national funding available for research. In order to ensure that the Irish economy will derive a return on this investment, researchers are being encouraged and supported to deliver commercially relevant research results. The goal is to create new spin out companies and technologies which can help firms to move beyond their existing product and service offerings and explore new markets. Among the supports provided, is a Commercialisation Fund which delivers funding to supports academic researchers to undertake commercial, outcome-driven research and to bring that research to a point where it can be transferred into industry.

During 2007 and 2008 support was provided to 298 commercially relevant projects. In the same period outputs from research funded through the Commercialisation Fund have facilitated the creation of 17 company start-ups and 60 advanced enterprise relevant technologies. To date, a portfolio of 400 pieces of technology have been created and are now available for companies to develop. To boost this process, a new Business Partners Programme has been established to facilitate entrepreneurs' access to this portfolio and to develop new start-up companies.

(2) Campus Incubation Programme

Enterprise Ireland's campus incubation programme provides a protective environment on Third level campuses where new companies can grow significantly in their formative years. The programme is designed to foster entrepreneurship and drive campus company creation, to support balanced regional development and to help realise the commercial potential of Ireland's research community. Spending time in these facilities gives an emerging company access to expert business development support, academic R&D expertise as well as a high-quality office location.

More than €50 million has been invested under the programme over 10 years which has created business incubation centres on the campus of each Institute of Technology around the country, as well and 6 specialised bio-incubation facilities in universities and 6 business incubation facilities. The impact of this investment can now be seen in the level of activity at the centres: currently there are 240 companies using campus incubation centres, which employ over 1,000 persons. Many of the centres are approaching full capacity and Enterprise Ireland is currently engaged in discussions with a number of the host institutions about supporting an expansion of the centres.

(3) Technology Transfer Strengthening Fund

The presence of effective Technology Transfer offices in Third Level institutions is an important factor in increasing the level of intellectual property (IP) transferred to industry from research. Technology Transfer offices also facilitate the development of high quality and

[Deputy Mary Coughlan.]

effective systems and policies to ensure that IP is identified, protected and transferred, where possible, into companies in Ireland.

The Technology Transfer Strengthening Fund supports the employment of technology transfer professionals in universities, to allow the institutions to manage their intellectual property and engage with companies in an effective manner. A level of investment is planned to ensure that over the next 5 years Ireland's technology transfer offices are adequately resourced to effectively carry out their role of capturing research results for economic benefit, as an integral part of the research environment. In the last two years the Enterprise Ireland supported Technology Transfer Offices facilitated the creation of 29 Start-up companies, 490 invention disclosures, 271 patent applications and 107 technology licence transfers.

Departmental Agencies.

144. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment if there has been significant progress in the survey of collaborations and co-operation between enterprise agencies as set out in the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; if she will provide examples of this collaboration; and if significant gaps been found. [17610/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): My Department, in conjunction with Forfás and the other Industrial Development agencies, has commenced a review to see if there can be further improvement in collaboration between the agencies and to identify any gaps in their support programmes and their implementation. A project Steering Group has been established, chaired by my Department and also including representatives from Forfás, IDA, Enterprise Ireland, Science Foundation Ireland, Shannon Development and Údarás na Gaeltachta. It is anticipated that the project will be completed by Quarter 4, 2009.

There are a number of mechanisms already in situ that facilitate collaboration across the agencies. The powers and functions of each agency are set out in one body of legislation, the Industrial Development Acts. While IDA and Enterprise Ireland serve different client bases, they operate similar schemes and programmes. The specific role of each agency in relation to matters such as Science and Technology and Training is also set out in the legislation, which avoids overlaps or duplication in agency mandates. Forfás delivers policy advice to the Minister on the programmes of all the agencies and Forfás has powers under legislation to co-ordinate the work of all of the agencies involved in industrial development. Forfás also operates a Business information System which monitors all agency programmes.

This allows general reviews of enterprise policy, such as the review Ahead of the Curve carried out and published recently by the Enterprise Strategy Group, to assess the impact of all of the programmes of the Industrial Development agencies and to make recommendations on how they can be improved. The work of the agencies in inputting to policy on matters such as Skills, Competitiveness and Science and Technology is centralized in Forfás, again avoiding overlaps or duplication. At a more administrative level, responsibilities for matters such as pensions and accommodation for all the agencies is also centralized in Forfás. As with all agency programmes, collaboration between the agencies is reviewed from time to time to see if it can be further improved, and that is the purpose of the current review.

Skills Development.

145. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps taken since the publication of Building Ireland's Smart Economy — A Frame-

work for Sustainable Economic Renewal 2009 to 2014 to prioritise flexible learning initiatives targeted at up-skilling the workforce; and the initiatives that will be funded. [17611/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): My Department, through FÁS, continues to prioritise the need to assist and up-skill those who have become unemployed as a result of the current downturn in the economy. In 2009 FÁS estimates that it will be in a position to deliver over 6,000 training courses under the Training Services, Community Services and Services to Business categories. In conjunction with FÁS, my Department has taken a range of steps to expand services to the unemployed and promote a flexible learning environment tailored to the specific needs of the individual. In addition to the 51,000 FÁS training places announced in February, a further 18,725 training places for the unemployed were provided in the Supplementary Budget to bring the total number of training and work experience activation places funded by my Department in 2009 to approximately 128,000.

As part of these measures FÁS has re-aligned its focus to provide a more flexible delivery of training interventions for individuals to include on-line, evening and blended learning training options in addition to the more traditional mix of course offerings. The aim of these additional training places is to offer increased flexibility and flexible learning options to enable the unemployed and those who wish to further develop their skill-sets and competencies to secure employment as soon as possible.

Skillnets continues to provide flexible and effective training solutions to companies. Its enterprise-led approach ensures that networks can identify and access relevant, high-quality and cost-effective training relative to the needs of its member companies and contribute to the upskilling of the national workforce. Skillnets is also managing a new training networks programme, entitled Finuas, devised to provide support for a targeted upskilling programme within the international financial services industry. The programme, which will provide co-financing and development support for enterprise-led training and upskilling, will address identified skills gaps and enhance the current skills base necessary to attract and retain investment within the sector. The programme is scheduled to commence in June 2009.

Departmental Bodies.

146. **Deputy Brian Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of times the advisory council of business leaders set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 has met; and if she will make a statement on the matter. [17634/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I have not as yet established the Advisory Council of Business Leaders. However, I am in receipt of ongoing advice from the heads of the enterprise development agencies that report to my Department, as well as from business leaders and representative groups around the country. This has assisted in framing the Government's response to the economic situation and difficulties, which are being faced by business.

Employment Support Services.

147. **Deputy Mattie McGrath** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason, in view of the economic climate, there are only three FÁS job clubs in the south east; and if she will make a statement on the matter. [17750/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): FÁS Job Clubs were introduced in 1999 to assist people who were actively seeking employment by providing support for the job search process and an environment in which it could be carried out. Independent Sponsor Groups are contracted by FÁS on a year to year basis to run the programme. In order to ensure that programmes respond appropriately to local needs FÁS carries out an annual review of the need for and the value provided by each programme. FÁS will consider the need for further Job Clubs in the South East in the light of the changing economic situation.

EU Funding.

148. **Deputy Kieran O'Donnell** asked the Tánaiste and Minister for Enterprise, Trade and Employment when moneys will be available in Limerick from the European Globalisation Adjustment Fund to assist with redundant workers (details supplied); the amount of funding her Department is projecting that will be provided by the EU; the amount that will come from the State in matching funding; the purpose for which these moneys will be used; the organisations that will be in receipt of these moneys; and if she will make a statement on the matter. [17831/09]

149. **Deputy Kieran O'Donnell** asked the Tánaiste and Minister for Enterprise, Trade and Employment the contacts that have taken place between her and the European Commission in relation to the use of the European Globalisation Adjustment Fund in Limerick; if the regulations governing the fund will be redrawn; the reason moneys from the fund are not in place in Limerick; when the moneys will be in place; the stumbling blocks that exist to releasing funds in Limerick immediately; and if she will make a statement on the matter. [17832/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 148 and 149 together.

My Department, in conjunction with the relevant State agencies, is currently preparing an application for EGF support in respect of the redundancies announced at DELL's Raheen plant and directly related redundancies in the Mid-West Region. In order to ensure that a reasoned and detailed case satisfying the stringent EGF eligibility conditions is advanced with the greatest prospect of success the technical process of collection, verification and analysis of supporting data and the development and costing of a tailored package of applicable measures for each individual redundant worker is currently under way. In this context there has been ongoing consultations with the European Commission on technical issues related to the making of a relevant application for DELL.

As currently provided for funding is available from the European Globalisation Fund (EGF) for the retraining of workers in EU Member States made redundant as a result of changing global trade patterns where, inter alia, at least 1,000 workers have been made redundant within a 4 months period and have been individually notified of redundancy. This is not currently the case in relation to DELL.

However, the Regulation governing the EGF is being revised at present to ensure that it responds more effectively and efficiently to the needs of EU workers made redundant due to the adverse effects of globalisation including now as a result of the current global economic and financial crisis. The proposed changes include the halving of the current threshold number of redundancies, an increase in the EU co-financing rate from up to 50% to 65% and the doubling of the implementation period from 12 to 24 months. All these measures, which were supported by Ireland during negotiations at the European Council, should make the Fund more

accessible. These measures would apply retrospectively to all applications made between 1 May 2009 and 30 December 2011.

The revised Regulation has yet to be formally adopted by both the European Parliament and the European Council Irrespective of the timing or eventual outcome of any EGF application the Government has already begun to put in place relevant supports to facilitate those workers facing redundancy in DELL to retrain, to improve their skills or to pursue educational opportunities in order to assist in their reintegration into the workforce. FÁS has put in place a dedicated team to assist DELL workers and has offered its full range of training and employment supports to assist the first batch of 480 DELL workers being made redundant in the period to the end of April. Both group based and one-to-one occupational guidance interviews conducted by the FÁS team in February were attended by 345 and 325 workers respectively, while ECDL training was delivered to those 60 workers who requested it.

A dedicated website, www.túsnu.ie to assist redundant workers in assessing their options for alternative employment or further education in the Mid-West Region has also been put in place through collaboration between University of Limerick, Limerick Institute of Technology, FÁS, the County and City Enterprise Board, Enterprise Ireland and several other regionally located bodies. The majority of such supports are being provided, mainly through FÁS, from the State's own resources in the interim. Any subsequent co-financing received under the EGF will serve to defray some of the costs of supports already being provided or planned.

As I have stated previously in this House a valid EGF application submitted in due course on behalf of DELL and related redundancies is being prepared and will be made without any undue delay with the aim of providing the maximum level of permitted supports and attracting the maximum level of EU co-financing to the benefit of the relevant redundant workers.

Departmental Expenditure.

150. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the annual expenditure on external legal costs by her Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under her aegis in each of the past five years; and if she will make a statement on the matter. [17839/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The detailed information being sought by the Deputy, going back to 2004, is currently being compiled across my Department. However, in the short time available to me since the Deputy tabled this Question, I am not in a position to provide those details at present. A full response will be forwarded to the Deputy as soon as possible.

Redundancy Payments.

151. **Deputy Tom Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment when full redundancy payment will be made to a person (details supplied) in County Tipperary. [17995/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): As Tánaiste and Minister for Enterprise, Trade and Employment I do not have a role in the administration of individual cases. The administration of individual cases is a day-to-day matter for FÁS as part of their responsibility under the Labour Services Act 1987.

Retail Sector Developments.

152. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and

[Deputy Willie Penrose.]

Employment if her attention has been drawn to the media reports that a company (details supplied) intends to start replacing products sourced here with products sourced in the United Kingdom; if in this context, she has conducted an evaluation of the impact of same on the consumer foods industry here in terms of lost income and jobs for the sector; and if she will make a statement on the matter. [18129/09]

156. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she has met or if she will meet with representatives of a company (details supplied) to discuss their plans to replace products sourced here with products sourced in the United Kingdom, particularly in view of the commitments given by the company that it is committed to buying Irish products; and if she will make a statement on the matter. [18134/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 152 and 156 together.

The Deputy will appreciate that issues in relation to the strategies employed by businesses, including in the area of sourcing supplies, are primarily matters for the businesses themselves. The need to reduce costs and streamline operations at all stages of the supply chain is an established feature of modern business practice. This has been the reality for manufacturing firms in Ireland and elsewhere for some considerable time and has brought undoubted benefits to consumers in terms of lower prices for manufactured goods. Nevertheless, I am aware of the concerns that have been expressed in relation to the possible implications for employment in Ireland particularly if changes in supply chain arrangements reduce the level of purchases by retailers from Irish producers.

With regard to the specific instance referred to in the Deputy's Questions, I am aware of the announcement earlier this week by the organisation concerned regarding changes it has made in relation to the sourcing of certain internationally branded products. I would advise the Deputy that I have for some time been engaged in discussions with all the various elements of the retail trade, including with the organisation concerned, in order to bring greater clarity as to the reasons for the current differential in retail prices between this jurisdiction and Northern Ireland and the UK. In this regard, the organisation concerned did meet with my colleague, Minister Kelleher, on Tuesday 28th April 2009 to outline the details of the changes in its sourcing arrangements, which it announced this week. The Deputy will note that in its public comments that the organisation concerned has advised that the changes in its supply strategy are focused on its contractual relationships with international suppliers and that it does not envisage that its new strategy will directly impact on its Irish suppliers, who will continue to compete with internationally sourced products.

The future viability and success of the retail sector, including all its constituent parts, is vitally important to the national economy. It is essential, therefore, that the focus of all those in the sector, whether they be suppliers, manufacturers, distributors or retailers, is on ensuring that the sector delivers in terms of providing the best value for money for consumers whilst also minimising the negative impact of the current trading conditions on employment.

Departmental Offices.

153. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to establish the office of retail ombudsman to deal with disputes between retailers and suppliers, similar to that recently recommended by the UK Government; and if she will make a statement on the matter. [18131/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I understand that the ombudsman referred to in the Deputy's Question relates to a proposal made by the UK Competition Commission to introduce a scheme to deal with disputes between retailers and suppliers. It is important to point out that the Commission's proposal is currently the subject of a public consultation process and that no formal decision has been made at this stage to introduce an ombudsman's scheme in the UK. It is not possible, therefore, to say when any such scheme will be introduced in the UK and what form any such scheme might take, or indeed if such a model would be appropriate in an Irish context.

Insofar as the relationship between retailers and suppliers in this country is concerned, whilst the negotiation of commercial contracts between such parties is essentially a matter for the contracting parties themselves, the Competition Acts contain specific prohibitions prohibiting retailers from engaging in certain practices in their dealings with suppliers. Should the Deputy have any evidence of retailers engaging in prohibited practices, I would urge him to bring such evidence to the attention of the Competition Authority in order that it may be investigated fully.

Proposed Legislation.

154. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to bring forward fair trade legislation; when it will be published; and if she will make a statement on the matter. [18132/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I understand the Deputy is referring to fair trade in the context of fair and equitable terms and conditions between parties in a contractual business relationship. In general, contract law, enforceable in the Courts, governs the terms and conditions entered into by contracting parties.

In so far as competition law has an effect on business relationships, this is in the form of prohibition of certain anti-competitive practices such as price-fixing, applying dissimilar conditions to equivalent transactions with other trading parties thereby placing them at a competitive disadvantage, making the conclusion of contracts subject to acceptance by the other party of supplementary obligations which by their nature or according to commercial usage have no connections with the subject of such contracts, abusing a dominant position, requesting "hello" money and imposing resale price maintenance. It is my intention to bring forward legislation during the course of 2009 which, inter alia, will be informed by the consultation process undertaken in 2007/08 on the operation and implementation of the Competition Act 2002.

Retail Sector.

155. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment if her attention has been drawn to the growing concerns among food suppliers here regarding the abuse of buying power by certain retailers which can lead to a situation in which such suppliers are not recovering costs; and if she will make a statement on the matter. [18133/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Deputy refers in his question to concerns regarding possible abuses by certain undertakings in the retail sector. I would advise the Deputy that the Competition Acts specifically provide that any abuse by one or more undertakings of a dominant position in the State or in any part of the State is prohibited. Should the Deputy have any evidence of undertakings in the retail sector engaging in the abuse of a dominant position, I would urge him to bring such evidence to the attention of the Competition Authority in order that it may be investigated fully.

[Deputy Mary Coughlan.]

In addition to prohibitions in relation to instances of abuse of dominance, the Competition Acts contain further specific provisions prohibiting retailers from engaging in certain practices in their dealings with suppliers. Again any evidence of retailers engaging in such prohibited practices should be brought to the attention of the Competition Authority.

Question No. 156 answered with Question No. 152.

Redundancy Payments.

157. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding an application for statutory redundancy payment by a person (details supplied) in County Kildare; and if she will make a statement on the matter. [18140/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Redundancy Payments Section of my Department has checked to see if a redundancy payments claim has been lodged for the individual in question but currently there is no record of a claim having been submitted. In the circumstances, if the Deputy wishes to provide me with further information which would help to clarify the matter, I would be happy to renew enquiries.

158. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding an application for statutory redundancy payment by a person (details supplied) in County Kildare; and if she will make a statement on the matter. [18141/09]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Redundancy Payments Section of my Department has checked to see if a redundancy payments claim has been lodged for the individual in question but currently there is no record of the claim having been submitted. In the circumstances, if the Deputy wishes to provide me with further information which would help to clarify the matter, I would be happy to renew enquiries.

Departmental Programmes.

159. **Deputy Brian Hayes** asked the Minister for Finance the steps that have been taken since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 to prioritise projects focusing on e-Government. [17633/09]

Minister for Finance (Deputy Brian Lenihan): There have been a number of important developments with eGovernment since the publication of "Building Ireland's Smart Economy" in December 2008. As the Deputy will be aware, the focus over the past year has been on making progress with those 20 specific services included in the European Commission's eGovernment Benchmarks and those eight specific services identified in the Dáil Joint Motion on eGovernment of 30 April 2008. Good progress has already been achieved with a number of these and work is ongoing with others. Therefore, at this stage, approximately 70 services are fully available online, and forms can be downloaded electronically for hundreds more.

The Government's aim is to have a rolling eGovernment Programme in place. With that in mind, my Department issued Circular 6/09 on Arrangements for eGovernment in March of this year. It requires all Departments, Offices, Agencies, and all non-commercial public bodies and authorities to develop detailed eGovernment plans by end of June 2009. These plans must set out additional projects they intend to undertake from hereon in. These plans will be subjected to regular monitoring by my Department and reporting to Government.

To support this work, my Department has established a website on eGovernment specifically for civil and public service bodies. This website provides them with a range of resources to aid and guide them in developing and progressing eGovernment projects. In this regard, my Department has produced a working definition of eGovernment projects that should be included in individual plans. It includes projects that are organisation-specific, cross-organisational, sector-specific or cross-sectoral, and it highlights eight categories of project types such as those providing online information, online transactions, automated transactions, triage facilities, and full business transformation opportunities. This definition may be changed over time as opportunities and priorities develop. Additionally, my Department has produced an eGovernment Planning Advisory Note which provides public bodies with assistance on how to develop a project plan and helps to ensure that such plans contain full details on ownership; timelines; facilities being offered; costs; benefits and impacts; capacity of the organisation to deliver; monitoring arrangements; and progress to date.

Progress has also been made with a number of central eGovernment operations. A central ePayments facility, operated by the Local Government Computer Services Board, is now being used by approximately 60 different public bodies for over 30 different service types worth about €20 million per annum. Since assuming responsibility for the Public Services Broker, my Department has simplified its operation, and integrated its portal with other Government websites such as www.gov.ie, www.citizensinformation.ie, and www.ros.ie. My Department has also implemented a simplified technology solution for the electronic publication of death events to civil and public service. This solution provides a way for authorised public service staff to access records of all recently-registered deaths in a simple and secure way. It is now being used by 6 civil service Departments and Offices, 20 Local Authorities, and a number of HSE functions. Plans are in place to extend this solution to also facilitate the electronic publication of birth and marriage events subject to business needs being identified and the necessary regulatory changes being implemented. My Department has also commenced work on the integration of customer identity data from seven sources around the civil and public service, using the “Public Service Identity dataset”. Once completed, this will allow public bodies to better establish the identity of persons in order to maximise re-use of such data and to aid the process of administrative simplification.

My Department is providing the Cabinet Committee on Transforming Public Services with regular updates on developments and progress. Additionally, it is providing the Government with comprehensive progress reports every six months. The first such report was submitted in March 2009. Finally, my Department is working on developing brochures to explain to people what services are available online, how they can use them, and how they will benefit them. It is intended to publish these in the latter half of the year.

Coastal Erosion.

160. **Deputy Brian O’Shea** asked the Minister for Finance the funds that have been provided in 2009 for works to combat coastal erosion in County Waterford; and if he will make a statement on the matter. [17663/09]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The Office of Public Works assumed responsibility for coastal flood risk management and coastal erosion in January this year. The Commissioners of Public Works will shortly be writing to Local Authorities, to request them to identify significant coastal erosion issues in their areas, their proposals for dealing with them and the order of priority in which they consider they should be

[Deputy Martin Mansergh.]

addressed. The Commissioners will prioritise projects based on overall response from the local authorities and will allocate funding for projects, which are considered viable on economic, environmental and social grounds. OPW will continue the practice of working closely with Local Authorities to deal with coastal erosion issues. Funding will be allocated from the overall provision for flood risk management and coastal erosion on a project rather than a geographical basis.

Pension Provisions.

161. **Deputy Finian McGrath** asked the Minister for Finance if he will support a matter (details supplied). [17676/09]

Minister for Finance (Deputy Brian Lenihan): Section 22 of the Social Welfare and Pensions Act 2009 provides that the Minister for Finance may, after consultation with the Minister for Social and Family Affairs, make a Pensions Insolvency Payment Scheme (PIPS), providing for the payment of monies to or in respect of relevant pensioners. The Act does not provide for the inclusion or exclusion of any particular pension scheme in PIPS. One of the main aims of the scheme is to support pension schemes in the greatest need. For that reason, and having regard to a number of factors, the Government decided to offer PIPS to insolvent pension schemes of insolvent companies, that is, companies which may not be in a position to assist schemes in meeting the original pension commitment made to pensioners.

It is my intention to bring forward the necessary regulations giving effect to PIPS shortly. Once that has been done, it is open to any pension scheme that meets the criteria to apply to participate. The principal qualifying conditions for PIPS are that the sponsoring employer must be insolvent (in accordance with the definition used in the Protection of Employees (Employers' Insolvency) Act 1984) and the defined benefit pension scheme must be in deficit.

Departmental Staff.

162. **Deputy Seán Connick** asked the Minister for Finance if he will facilitate a transfer for a person (details supplied) in County Wicklow in his Department; and if he will make a statement on the matter. [17372/09]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that staff transfers take place in accordance with agreed procedures and the needs of the work of the organisation. In this context, the person in question has been informed of the position in relation to her application on a number of occasions. The Commissioners have also advised me that they have arranged for the person in question to be reminded of the relevant rules and procedures.

Tax Code.

163. **Deputy Joan Burton** asked the Minister for Finance if there is special tax treatment of foster parents; if foster parents are entitled to special tax credits or other payments; and if he will make a statement on the matter. [17383/09]

Minister for Finance (Deputy Brian Lenihan): The position is that foster parents are treated for tax purposes in the same manner as other individuals. However, under the provisions of section 192B of the Taxes Consolidation Act 1997, certain payments made by the Health

Services Executive to foster parents in respect of children in their care are exempt from income tax.

The payments in question are:

- payments made in accordance with article 14 of the Child Care (Placement of Children in Foster Care) Regulations 1995,
- payments made in accordance with article 14 of the Child Care (Placement of Children with Relatives) Regulations 1995, and
- payments made at the discretion of the Health Service Executive in respect of a person who was in foster care until the age of 18 and who continues to reside with the foster parent after the age of 18. The exemption from income tax applies to such payments until the person reaches 21 years of age or completes his or her full time education or indefinitely in the case of a person with a disability.

Similar payments made in accordance with the law of any other EU Member State are likewise exempted for income tax.

164. **Deputy Phil Hogan** asked the Minister for Finance the basis of calculation for private crèche facilities; the reason such facilities are rateable; and if he will make a statement on the matter. [17444/09]

Minister for Finance (Deputy Brian Lenihan): I should point out that the Commissioner of Valuation is independent in the exercise of his duties under the Valuation Act 2001 and that I, as Minister for Finance, have no function in decisions in this regard. The Valuation Act 2001, which came into effect on 2 May 2002, provides that all buildings used or developed for any purpose, including constructions affixed thereto, are rateable unless expressly exempted under Schedule 4 of the Act. Such exempt buildings would principally include those used for public worship, education and health care provided on a not-for-profit basis, and charitable purposes. The Act maintains the long-standing position that commercial facilities — including all private childcare facilities such as play schools, pre-schools, crèches and Montessori schools — are liable for rates. The basis of rateable valuation for all commercial property is net annual value (NAV) i.e. the rental value of the property. Like all commercial properties the valuations of private crèche facilities are determined by reference to the values of comparable properties on the same valuation list.

Any individual ratepayer who has concerns about the valuation of their property or of any part thereof, including its rateability or the method of calculation may, on payment of a statutory fee of €250, apply to the Valuation Office for a revision of the valuation. If dissatisfied with the outcome, they may appeal to the Commissioner of Valuation in the first instance and subsequently to the independent Valuation Tribunal. There is also a further right of appeal to the High Court and ultimately to the Supreme Court on a point of law.

I have no plans to provide for special treatment of private childcare facilities under the Valuation Act which provides that all buildings used for commercial enterprises are valued in a fair and equitable manner. Exceptions to this key principle would be quickly followed by demands for similar treatment from other interests involved in commercial activity, which in equity would be difficult to resist. The process could thus substantially reduce local authority revenues.

Tax Collection.

165. **Deputy Paul Kehoe** asked the Minister for Finance the status of the request for a refund of tax following unemployment for a person (details supplied); and if he will make a statement on the matter. [17445/09]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that the taxpayer's claim was processed on the 14th April 2009. No tax refund issued as no tax had been deducted in the taxpayer's employment in 2009.

Pension Provisions.

166. **Deputy Joan Burton** asked the Minister for Finance his views on allowing people in financial difficulty through loss of employment or income to access a proportion of their AVC or PRSA contributions during the period of financial distress; and if he will make a statement on the matter. [17461/09]

Minister for Finance (Deputy Brian Lenihan): The rationale for giving tax relief for contributions to various types of retirement savings products is to encourage and promote savings over the long term in order that individuals will have an adequate replacement income in old age. A pension fund is not a "rainy day" fund in the normal sense of that term. Emerging demographic indicators point to increasing numbers of people living longer, with a longer period spent in retirement than previously. Any proposal, however well intentioned, that would allow pre-retirement access by individuals to retirement savings could significantly reduce the quantum of pension savings available to those individuals in old age.

Revenue approval of pension schemes, including AVC schemes, is given on the basis that a scheme can only provide "relevant benefits" as defined by Section 770 of the Taxes Consolidation Act, 1997. This means, essentially, that benefits may only be paid at the point of retirement (usually from age 60) or on earlier death. The legislation governing Revenue approval of PRSA products contains a similar provision. I have no plans to amend these provisions. However, employees may take "early retirement" benefits from both a pension scheme and a PRSA, anytime from age 50. This may provide some immediate assistance to employees in that age group who find themselves in a redundancy situation.

Tax Collection.

167. **Deputy John Perry** asked the Minister for Finance if he will ensure that a person (details supplied) in County Sligo is issued with a tax clearance certificate for 2007 by the Revenue Commissioners as soon as possible; and if he will make a statement on the matter. [17478/09]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that there is no record of receipt of an application for the relevant Tax Clearance Certificate from the person (details supplied) who has been contacted by the Sligo Revenue Office. An application Form TC1 has been posted to him and he has been informed that he may also apply electronically. His application, when received, will be processed at the earliest opportunity.

Departmental Staff.

168. **Deputy Denis Naughten** asked the Minister for Finance his plans to recruit seasonal guides for Office of Public Works sites here; the number employed on a permanent basis at

each site; the number employed at each site on a seasonal basis in 2008; the planned numbers for 2009; and if he will make a statement on the matter. [17528/09]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The Commissioners of Public Works plan to recruit up to 310 seasonal guide/information officers this year to service visitor requirements at various heritage sites throughout the country. The following table details, on a site by site basis, both the numbers of guides employed on a permanent basis at present and the number who were employed on a seasonal basis in 2008. It is anticipated that a peak total of approximately 420 guide/information officers, both seasonal and permanent will be employed in 2009.

Site	Current number of permanent guides	Number of seasonal guides (peak 2008)
	30/04/09	01/07/08
Battle of the Boyne	7	6
Blasket Islands	0	11
Derrynane House	0	3
Emo Court	0	4
Garinish Island (Illnacullin)	0	3
John F. Kennedy Park	0	4
Kilmainham Gaol	12	8

Tax Collection.

169. **Deputy Edward O’Keeffe** asked the Minister for Finance the position regarding an application by a person (details supplied) in County Cork for a tax refund under MED1. [17539/09]

Minister for Finance (Deputy Brian Lenihan): I have been informed by the Revenue Commissioners that the application for a tax refund by the person in question has been processed and a cheque will issue.

Departmental Expenditure.

170. **Deputy Brian Hayes** asked the Minister for Finance the steps that have been taken to reprioritise capital investment programmes towards more labour intensive projects and provide examples of projects which have been prioritised since the publication of Building Ireland’s Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014. [17593/09]

Minister for Finance (Deputy Brian Lenihan): My Department has already been analysing the labour intensity of capital projects with a view to redirecting resources in that regard on an ongoing basis. We are also very aware of the need to boost employment. The Government has already reallocated €150 million from within the overall capital allocation for 2009 in February last, to areas that, while providing a high economic return to the State, are also labour intensive. Of this €150 million, €75 million was provided for energy efficiency measures. €55 million of this was allocated to the Department of Communications Energy and Natural Resources (D/CENR) and €20 million to the Department of Environment, Heritage and Local Government (D/EHLG).

The remaining €75 million has been allocated to the school building programme. Further decisions on reallocation will be decided in a Budgetary context for 2010 and beyond. Details

[Deputy Brian Lenihan.]

of the operation of these schemes and individual projects instituted under them are a matter for the Ministers for Communications, Energy and Natural Resources; Environment, Heritage and Local Government; and Education and Science, respectively.

Banking Sector Regulation.

171. **Deputy Brian Hayes** asked the Minister for Finance the steps already undertaken to protect mortgage holders in banks participating in the guarantee scheme as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 in relation to areas (details supplied); and if he will make a statement on the matter. [17600/09]

Minister for Finance (Deputy Brian Lenihan): A number of steps have been taken in the areas the Deputy refers to since the publication of the Framework document in December 2008. The Financial Regulator published its Code of Conduct on Mortgage Arrears on 13 February 2009 in keeping with the Government's announcement on recapitalisation. The new mandatory Code builds on the existing voluntary Code of Practice issued by the Irish Banking Federation and incorporates a requirement for the lender to wait at least six months from the time arrears arise before taking legal action. The two recapitalised banks, Bank of Ireland and AIB, have each committed that they will not commence court proceedings for repossession of a principal private residence until after twelve months of arrears appearing, where the customer continues to cooperate reasonable and honestly with the bank. Under the Code of Conduct, a lender may not seek repossession until every reasonable effort has been made to agree an alternative repayment schedule with the borrower. The Financial Regulator's Code will strengthen consumer protection by putting the Code on a statutory footing thus requiring all mortgage lenders, including sub-prime lenders, to comply with its provisions.

As the Deputy is aware, the Government funds the Money Advice Budgeting Service (MABS) which provides valuable help to those in difficulty. A new debt protocol agreement to be finalised shortly with MABS and the Irish Bankers Federation will provide added reassurance for borrowers with the most difficult issues. I am in regular contact with the Financial Regulator on all matters relating to banking and I am assured that those institutions covered under the Government's Bank Guarantee Scheme are monitored for compliance with the Code of Conduct.

Tax Code.

172. **Deputy Brian Hayes** asked the Minister for Finance the steps have been taken since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 to realise tax measures in areas (details supplied); and if he will make a statement on the matter. [17603/09]

Minister for Finance (Deputy Brian Lenihan): The provisions of section 31 of the Finance (No 2) Act 2008 provide for relief from corporation tax for their first 3 years of operation for companies incorporated on and from 14 October 2008 that commence to carry on a new trade in 2009. The tax treatment of restricted and forfeitable shares was put on a statutory basis in Section 12 of Finance (No. 2) Act 2008.

As regards Section 31, the relief is granted by reducing the corporation tax on the profits of the new trade and on the gains from disposal of assets used for the purpose of the new trade to nil. Full relief is available where the corporation tax otherwise payable by the company in respect of any of its first 3 years is €40,000 or less. There is marginal relief where the corpor-

ation tax liability is between €40,000 and €60,000. The scheme of relief is currently being finalised in the context of seeking State-aid clearance from the EU Commission.

Public Procurement Policy.

173. **Deputy Brian Hayes** asked the Minister for Finance the steps that have been taken to deliver centralised and specialised procurement as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; the money that has been saved by this measure; and if he will make a statement on the matter. [17631/09]

Minister for Finance (Deputy Brian Lenihan): The National Public Procurement Policy Unit (NPPOU) has been established in the Office of Public Works. The NPPOU will manage the purchase of goods and services common to all areas of the public service, e.g. office equipment, furniture and fittings, fuel, electricity, printing, stationery and office supplies, uniforms and transport fleets. Staff seconded to the Unit will be required to have an appropriate level of knowledge and experience of public procurement. The NPPOU will deliver savings from leveraging the public service's buying power and administrative efficiencies arising from the elimination of tendering for similar goods and services by a wide range of public service bodies. A target of €25 million in savings for 2009 has been set.

The NPPOU will be the main driver in the development of eProcurement in the public sector. In fulfilment of the Government's eProcurement Strategy, the Department of Finance has been responsible to date for the development of an eTenders system, under which 2,100 contracting authorities and 48,800 suppliers have registered as users. It is intended that the new Unit will assume this responsibility. It is envisaged that the new Unit will introduce a fully integrated end to end system inclusive of eTenders and eEvaluation. E-Auctions will also be developed by the NPPOU; to that end, a tender for electricity for Central Government Departments will be conducted through eAuction on a pilot basis in the coming weeks.

Public Service Staff.

174. **Deputy Brian Hayes** asked the Minister for Finance the steps that have been taken to achieve a unified public service labour market since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014. [17632/09]

Minister for Finance (Deputy Brian Lenihan): Since the publication of the Report "Building Ireland's Smart Economy A Framework for Sustainable Economic Renewal" and the Report of The Task Force on the Public Service, the Government has established a Cabinet Committee, chaired by the Taoiseach and a Steering Group of Secretaries General, to support the work of the Cabinet Committee. The Cabinet Committee has held three meetings to date and has set in train a programme of work based on the ambitious timelines recommended by the Task Force. In addition a Programme Office has been put in place in the Department of the Taoiseach to support the work of the task based groups established to address the cross-cutting issues arising.

The Task Force recommended that the Government should create a Public Service made up of a single flexible labour market and talent pool. There should be a facility to redeploy staff across sectoral boundaries to areas of greatest priority. It also recommended that a senior public service should be created as an enabler for the development and mobility of leaders across the public service. The Cabinet Committee is advancing all of these recommendations with a focus on locating staff where they are most needed to improve customer service.

Addressing the particular issue of a unified labour market, the Government recognises that the ability to deploy public servants effectively and efficiently across the system, to areas of

[Deputy Brian Lenihan.]

greatest need, is critical to cost savings and efficiency across the public sector. In the light of the constraints on the public finances and in particular the moratorium on recruitment and promotion across the public sector, there is a critical need to maximise the use of existing resources and to develop appropriate redeployment mechanisms. I announced in Budget 2009 a programme of rationalisations of state agencies as a first step in an ongoing programme of agency rationalisation and reform. In addition the Special Group on Public Service Numbers and Expenditure Programmes that I established to review public service staffing levels and spending, will report in June. The report of the Group will help to identify the scope for moving staff across the public service to areas of greatest priority.

Tax Code.

175. **Deputy Eamon Gilmore** asked the Minister for Finance when, arising from his budget announcement of changes in pension related deductions for public servants to ameliorate the impact on lower paid public servants, the new arrangements will come into effect; if it is intended to refund deductions made at the higher, pre-budget rates; and if he will make a statement on the matter. [17638/09]

Minister for Finance (Deputy Brian Lenihan): The Financial Emergency Measures in the Public Interest Act 2009 introduced a pension-related deduction of 3% on the first €15,000, 6% on the next €5,000 and 10% on the remainder of the remuneration of public servants. In order to ameliorate the impact of the deduction on lower paid public servants with a partial offset by an increase on earnings above €60,000, new rates and bands have been introduced with effect from 1 May 2009, as follows:

- First €15,000 of earnings — exempt
- Between €15,000 and €20,000 — 5%
- Between €20,000 and €60,000 — 10%
- Above €60,000 — 10.5%

The deduction for the initial two month period 1 March to 30 April 2009 has been made in accordance with the rates provided for in the Financial Emergency Measures in the Public Interest Act 2009. The revised rates will apply for the period 1 May to 31 December 2009.

176. **Deputy Joe Carey** asked the Minister for Finance if he will end the travel tax imposed on Shannon Airport; and if he will make a statement on the matter. [17685/09]

Minister for Finance (Deputy Brian Lenihan): As the Deputy is aware, I announced in Budget 2009 that an air travel tax would come into force in respect of passengers departing from Irish airports on and from 30 March 2009. A general rate of €10 per passenger would apply, with a lower rate of €2 for shorter journeys. The Finance (No. 2) Act 2008 confirms the introduction of an air travel tax from 30 March 2009. However, I took account of concerns raised by the regional airports particularly those on the western seaboard. The lower rate of €2 will apply to departures from any Irish airport where the destination is 300kms or less from Dublin airport. This means that all Irish departures to locations such as Manchester, Liverpool and Glasgow will be subject to the €2 rate.

We currently face significant financial challenges and the air travel tax is an important revenue raising measure. Ireland is not unique in regard to applying a tax on air travel. Other countries within the EU apply similar taxes including, the UK and France, as do Australia and

New Zealand. The proposed rates for the Irish air travel tax are not unreasonable both for shorter and longer journeys, when compared to rates in other countries.

It should be recognised that tourists will only be subject to the tax on their return journey. The additional €10 or €2 in the context of a much larger purchasing decision involving travel, hotel expenditures etc. shouldn't have much of an effect on tourist numbers. I appreciate the airline industry continues to go through a difficult period. However, this difficult trading period has, in addition to weak world economic activity, been largely driven by a massive spike in oil prices. Oil prices have now halved from the all-time high prices experienced last year.

177. **Deputy Mary Upton** asked the Minister for Finance if he will address the concerns of research staff in relation to the pension levy taking account of certain issues (details supplied); and if he will make a statement on the matter. [17703/09]

179. **Deputy Terence Flanagan** asked the Minister for Finance his views on correspondence (details supplied); and if he will make a statement on the matter. [17715/09]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 177 and 179 together.

Public servants who are members of public service pension schemes are liable to pay the pension-related deduction legislated for in the Financial Emergency Measures in the Public Interest Act 2009. On this basis, third-level researchers on fixed-term and temporary contracts must pay the deduction, since they are members of the relevant occupational pension schemes. They are just one of many groups of non-permanent public servants paying the deduction. Distinctions between public servants on the basis of whether they are permanent or temporary, and if temporary what contract duration applies, are irrelevant insofar as liability to pay the deduction is concerned. The pay of the post, in terms of whether it features incremental progression, is likewise irrelevant.

In recent years fixed-term researchers in third-level institutions have been made pensionable, and this has significantly improved the attractiveness of a research career. These researchers accrue pensionable service even for short-duration appointments and that service can be aggregated with past and future service in other pensionable public service employment.

Section 6 of the Act provides for a refund of the deduction in certain circumstances, and should reassure third-level researchers on short-term non-renewable contracts who have no prior public service employment history and who may be concerned about accruing no pension benefit at the expiry of their contract due to insufficient service. A deduction refund may be payable provided that the departing employee has accrued no benefits under any public service pension scheme, has not received a payment in lieu of scheme membership and has not transferred the service to another public service pension scheme.

In light of all the above factors, I am satisfied that it is fair and appropriate that public servants on fixed-term and temporary contracts, including third-level researchers, are subject to the pension-related deduction. I might add that, as the Deputy may be aware, in order to ameliorate the impact of the deduction on lower paid public servants (with a partial offset by an increase on earnings above €60,000) I announced, in the Supplementary Budget of 7 April 2009, a change to the structure of the deduction which will exempt the first €15,000 of earnings. This should be of benefit to third-level researchers.

Finally, in relation to the bodies listed in the Schedule to the Act ('Bodies to which the definition of 'Public Service Body' does not apply) I would point out that these are organis-

[Deputy Brian Lenihan.]

ations with a commercial remit and have pay and pensions which are not funded by the Exchequer. Accordingly, such bodies would not be liable to pay the pension-related deduction.

Tax Collection.

178. **Deputy James Bannon** asked the Minister for Finance the reason a person (details supplied) in County Westmeath has not received the 20% refund due to them on fees in respect of a postgraduate diploma; and if he will make a statement on the matter. [17714/09]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that they have no record of having received a claim in respect of a tax refund for tuition fees paid by the person (details supplied). To qualify for relief the postgraduate course must:

- be carried out in an approved College (National College of Ireland is an approved college)
- be of at least one academic year but no more than 4 academic years in duration
- lead to a postgraduate award on either a thesis or an examination and
- the person taking the course must already have a primary degree or equivalent qualification.

A claim form is available at www.revenue.ie and a receipt from the college should accompany the claim.

Question No. 179 answered with Question No. 177.

Economic Competitiveness.

180. **Deputy Leo Varadkar** asked the Minister for Finance, further to Parliamentary Question No. 200 of 3 February 2009, the loss to the Exchequer arising from cross-Border shopping in 2008 and 2009; if he will publish said report; and if he will make a statement on the matter. [17722/09]

Minister for Finance (Deputy Brian Lenihan): The report on the Implications of Cross Border Shopping for the Irish Exchequer, which was prepared by the Office of the Revenue Commissioners and the CSO was published on my Department's website on 20 March 2009. The report notes that the main causes of price differentials between goods in Northern Ireland and the Republic, are operating costs, profit margin (mark-up), taxes and the rapid depreciation of Sterling against the Euro (depreciation of around 30% between January and December 2008). While changes in the standard VAT rates have widened some price differentials, their impact remains small compared to the size of the change in the exchange rate.

The report estimates the value of cross-border shopping in 2008 in the range of €350m to €550m and the potential loss in Exchequer revenues due to cross-border shopping arising from reduced VAT and excise yields at between €58m and €90m (the higher estimate represents under 0.5% of the total VAT and excise revenue in 2008). In addition to the VAT and excise loss, there is a possible corporation tax revenue loss that is tentatively estimated to be in the range of €15m to €24m. However, it should be noted that all estimates for corporation tax revenue are provisional and should only be considered as indicative of the potential loss.

In regard to 2009, if the exchange rate remains at close to current levels, the estimated value of cross-border shopping is put in the range of €450m to €700m, and the estimated VAT and

excise revenue loss is put at between €72m and €112m, and a possible corporation tax revenue loss in the range of €20m to €31m. With a view to improving the data available, Revenue and the CSO are working on questions to be included in the Quarterly National Household Survey that should facilitate a more detailed assessment of cross-border shopping in the future.

Tax Code.

181. **Deputy Olwyn Enright** asked the Minister for Finance his intentions in relation to the Shannon tax scheme; if he will extend the duration of same; if his attention has been drawn to the fact that a considerable amount of pre-planning work had been completed in some areas in relation to this; and if he will make a statement on the matter. [17725/09]

Minister for Finance (Deputy Brian Lenihan): Section 29 of the Finance Act 2007 introduced a pilot tax based scheme for tourism facilities in the mid-Shannon area. The scheme is aimed at encouraging the development of new tourism infrastructure, or the refurbishment of existing tourism infrastructure, in the mid-Shannon area.

The scheme provides for tax relief in the form of accelerated capital allowances over 7 years for qualifying construction and refurbishment expenditure incurred in the qualifying period. The scheme is essentially confined to certain tourism infrastructure buildings and structures, the criteria for which are out in guidelines which were issued by the Minister for Arts, Sport and Tourism in consultation with the Minister for Finance. The qualifying period for the scheme is 3 years from the commencement date of 1st June 2008. Projects wishing to avail of relief must get approval in advance (for which an application must be made within 1 year of the commencement of the scheme) and also must get formal certification after completion. This approval and certification is given by a special board established for the purposes of the scheme and carried out in accordance with the scheme guidelines.

I am aware that a considerable amount of pre planning work has been completed in some areas in relation to potential projects. However, any proposals to extend the scheme deadlines have been and will, like all proposals for new tax or expenditure measures, be considered in the context of the ongoing development of budgetary and economic policy.

182. **Deputy Denis Naughten** asked the Minister for Finance his plans to tax child benefit; and if he will make a statement on the matter. [17739/09]

Minister for Finance (Deputy Brian Lenihan): The position in relation to Child Benefit is as set out in my Supplementary Budget on 7 April 2009. The Government does not believe that it is fair to pay the same level of benefit irrespective of the level of income of the recipient. In time of scarce resources the Government believes support should be targeted at those most in need. My Department, together with the Department of Social and Family Affairs and the Revenue Commissioners are considering how best to achieve this policy objective. The tax treatment of child benefit is also being considered by the Commission on Taxation. I will be informed by its proposals on this matter.

Departmental Expenditure.

183. **Deputy Lucinda Creighton** asked the Minister for Finance the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17841/09]

Minister for Finance (Deputy Brian Lenihan): In general, my department uses the services of the Office of the Attorney General and the Office of the Chief State Solicitor, and seeks outside legal advisors in circumstances requiring legal services of a specific and/or specialist nature. The guidelines on the engagement of external support apply in such circumstances and require that such external support is procured only where essential. My department requires that each office and department confirms regularly that these guidelines are applied. The following table sets out expenditure in the years 2005 to 2008 and to date in 2009 on contracts for legal services by my department and the related offices.

Name of Office	2005	2006	2007	2008	2009
	€,000	€,000	€,000	€,000	€,000 (YTD)
Office of the Revenue Commissioners	6,800	9,100	14,800	18,500	4,300
Office of Public Works	—	—	—	—	—
State Laboratory	—	—	—	103	—
Valuation Office	26	125	20	139	666
Public Appointments Service	—	—	—	17	—
Office of the Commission for Public Service Appointments	66	63	130	115	3
Office of the Ombudsman	526	542	444	582	55
Office of the Minister for Finance	1,134	624	336	1,876	1

In the time available, the Office of Public Works was unable to collate the information sought. I have asked that office to communicate the relevant information direct to the Deputy.

Banking Sector Regulation.

184. **Deputy John Deasy** asked the Minister for Finance if he has plans through his negotiations with the banks to assist people who wish to transfer from fixed rate mortgages to variable rate mortgages without incurring the present costs that these institutions are demanding. [17849/09]

Minister for Finance (Deputy Brian Lenihan): The Deputy's question refers to the redemption fee applied by mortgage providers in circumstances that a customer seeks to break a fixed rate mortgage. Mortgage lenders in Ireland generally seek to recover costs of funds when a borrower with a fixed rate mortgage agreement seeks to terminate the agreement some time before the term agreed.

On 26 March 2009, I undertook, in this House, to contact the Consumer Director of the Financial Regulator on the subject of customers who wish to switch from a fixed rate mortgage. On foot of that my Department has contacted the Financial Regulator to request confirmation that the redemption costs for switching from a fixed rate mortgage cover funding costs only and that there are no other costs included in these charges. The Financial Regulator has confirmed to my Department that it is looking into this matter and that it will revert shortly. I will advise the Deputy of the outcome of the Financial Regulator's consideration of this matter.

Departmental Staff.

185. **Deputy Mary O'Rourke** asked the Minister for Finance if the employment of the seasonal guides and other seasonal employment at Clonmacnoise, County Offaly and other historic sites open to the public can go ahead in view of the public service embargo. [17856/09]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The Commissioners of Public Works have received sanction to recruit seasonal guide/information officers to facilitate visitor requirements at various heritage sites throughout the country that they manage. The majority have now been recruited and most of the remaining seasonal intake will be in place within the next month.

Tax Code.

186. **Deputy Róisín Shortall** asked the Minister for Finance the income levy rate that will apply to someone on €40,000 who worked for the first four months of the year but takes maternity leave for the remainder; and if he will make a statement on the matter. [18021/09]

Minister for Finance (Deputy Brian Lenihan): An individual who has emoluments of €40,000 per annum but who takes maternity leave for the last 8 months of the year would have emoluments of €13,077 in respect of the first 17 weeks of the year ($€40,000 \times 17/52$). In addition she would have a maximum maternity benefit of €280 per week for 26 weeks being €7,280. The final 9 weeks to end of year would be unpaid maternity leave.

This represents an annual income of €20,357. Of this income the maternity benefit paid by the Department of Social and Family Affairs is specifically exempted from the income levy. The balance of emoluments of €13,077 is less than the annual exempt threshold of €15,028. Therefore the individual in question would not be subject to income levy for the year. This assumes that the individual has no other income sources. Any levy deducted by the employer would be refunded on receipt of a claim after the end of the year of assessment.

Financial Services Regulation.

187. **Deputy Brendan Howlin** asked the Minister for Finance if, in the context of his plans for the banking sector, specific effort is being made to ensure relief for persons on fixed rate mortgages who incur financial penalties if they opt to change to variable rate mortgages; and if he will make a statement on the matter. [18027/09]

Minister for Finance (Deputy Brian Lenihan): The Deputy's question refers to the redemption fee applied by mortgage providers in circumstances that a customer seeks to break a fixed rate mortgage. Mortgage lenders in Ireland generally seek to recover costs of funds when a borrower with a fixed rate mortgage agreement seeks to terminate the agreement some time before the term agreed.

On 26 March 2009, I undertook, in this House, to contact the Consumer Director of the Financial Regulator on the subject of customers who wish to switch from a fixed rate mortgage. On foot of that my Department has contacted the Financial Regulator to request confirmation that the redemption costs for switching from a fixed rate mortgage cover funding costs only and that there are no other costs included in these charges. The Financial Regulator has confirmed to my Department that it is looking into this matter and that it will revert shortly. I will advise the Deputy of the outcome of the Financial Regulator's consideration of this matter.

Tax Code.

188. **Deputy Róisín Shortall** asked the Minister for Finance the entitlement to mortgage interest relief and the relevant thresholds and rates of relief that apply in the circumstances in which a couple are purchasing an apartment that they will occupy themselves when one is a first-time buyer and the other a second-time buyer with eight years expired on their first property; and if different rates apply if the second-time buyer trades up or if they retain the property. [18059/09]

Minister for Finance (Deputy Brian Lenihan): As announced in my Budget Statement on 7 April last, from 1 May 2009 all mortgage holders are eligible for mortgage interest relief for a period of 7 years on any new loan taken out to purchase, repair, develop or improve their sole or main residence in the State. In the circumstances described, the couple will individually receive mortgage interest relief through the tax relief at source (TRS) system for 7 years on their portion of the new mortgage taken out to purchase the apartment where it is to be their sole or main residence.

From 1st January 2009, the rate of relief applicable to a first time buyer is 25% for the first two years. This falls to 22.5% for the next 3 years and to 20% for years 6 and 7. The rate for non first time buyers is 15%. The ceiling or maximum amount of interest eligible for TRS will be €10,000 for the first time buyer and €3,000 for the non first time buyer. If the non first time buyer is retaining their first property, they will have no entitlement to mortgage interest relief in respect of that property because the newly purchased apartment is now their principal private residence. A decision to retain their first property or not, as the case may be, will not impact on the rate of relief that will apply to their new apartment.

Tax Collection.

189. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare is due a tax rebate; and if he will make a statement on the matter. [18082/09]

Minister for Finance (Deputy Brian Lenihan): I have been advised by the Revenue Commissioners that, based on the information available, no tax was paid by the person concerned in 2008 and accordingly no tax rebate is due.

Tax Code.

190. **Deputy Finian McGrath** asked the Minister for Finance if he will support a matter (details supplied). [18122/09]

Minister for Finance (Deputy Brian Lenihan): I announced in my Budget statement of 7 April that with effect from 1 May 2009 the number of tax years in respect of which mortgage interest relief may be claimed is 7 years for both first time and non first time buyers. Since the Budget the Revenue Commissioners have been working with the lending institutions on the implementation of the Budget measure. The objective is to make the implementation as straightforward as possible and to ensure insofar as possible that mortgage account holders who are entitled to mortgage interest relief under the new rules get that relief without the need for any action on their part.

Where all parties to the account are first time buyers, i.e. are in receipt of mortgage interest relief on their first mortgage for less than 7 years, Revenue has the necessary information to confirm entitlement to mortgage interest relief after 1 May 2009 in accordance with my Budget statement. Such account holders will therefore continue to receive relief through the tax relief at source (TRS) system until the end of the 7th year. This includes those mortgage holders where 2009 is the 7th year of relief. For non-first time buyers, Revenue does not currently have available to it adequate information on the duration of all such accounts or the amount of the loan in respect of which relief may be appropriate. In those circumstances it cannot make a determination as to which accounts are entitled to mortgage interest relief after 1 May 2009.

To date many of the lenders have provided information in respect of the non-first time buyer accounts to Revenue and that information is currently being processed. Where Revenue is in a position to decide with certainty from the information provided by the lender that an account holder is entitled to relief then the payment of relief through TRS will be reactivated as quickly

as possible without the need for any action by the account holder. Any arrears of relief will also be automatically credited to such accounts, again without the need for any action by the account holder. Where Revenue is in a position to decide with certainty from the information provided by the lender that an account holder is not entitled to relief then clearly there will be no reactivation of relief.

Where despite the information provided by lenders Revenue cannot make a determination whether a mortgage account holder is eligible for relief, then Revenue will be writing to each such account holder this month requesting the necessary information. I believe that the approach taken by Revenue, which is focused on minimising the effort needed by individual mortgage account holders in establishing their entitlement to mortgage interest relief under the new rules is the correct one and will ensure that the appropriate relief is available to all those who have an entitlement to such relief in the fastest and most efficient manner possible.

Tax Collection.

191. **Deputy Bernard J. Durkan** asked the Minister for Finance when a tax refund will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [18170/09]

Minister for Finance (Deputy Brian Lenihan): I have been advised by the Revenue Commissioners that in December 2008 completed returns of income for 2006 and 2007, with supporting documentation including details of tax deducted, were requested from the person concerned. This information has not yet been received by Revenue and correspondence is ongoing with the person concerned in order to establish his tax liability for 2006 and 2007.

Disabled Drivers.

192. **Deputy Mary Upton** asked the Minister for Finance if he will address the concerns of a person (details supplied) in Dublin 12 in relation to the driver and passenger with a disability tax relief scheme. [18176/09]

Minister for Finance (Deputy Brian Lenihan): The initial application for a Primary Medical Certificate under the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994, is made to the Senior Medical Officer of the relevant local Health Service Executive administrative area. If the Primary Medical Certificate has been refused in this case, the named person may appeal the refusal to the Medical Board of Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dun Laoghaire, Co. Dublin. I would point out that the Medical Board of Appeal is independent in the exercise of its functions.

Inter-Country Adoptions.

193. **Deputy Arthur Morgan** asked the Minister for Health and Children when the bilateral agreement with Vietnam on adoption will expire; if she is negotiating a new agreement with the Vietnamese authorities; if so, when this agreement will be complete; if special temporary arrangements will be put in place to facilitate those Irish families who are almost through the process of adopting Vietnamese children but cannot proceed as a result of the lapse of the current agreement; and if she will make a statement on the matter. [17408/09]

194. **Deputy Seán Sherlock** asked the Minister for Health and Children the position regarding the renewal of the five year bilateral agreement between Ireland and Vietnam which ends on 1 May 2009; and if she will make a statement on the matter. [17457/09]

201. **Deputy Pat Breen** asked the Minister for Health and Children, further to Parliamentary Question No. 165 of the 18 February 2009, if she will report on the ongoing negotiations regarding the bilateral agreement between Ireland and Vietnam; if she will clarify if the current agreement remains in place while finalisation on a new agreement is reached; the implications for families who are in the process of adopting from Vietnam during this period; and if she will make a statement on the matter. [18295/09]

202. **Deputy Mary Upton** asked the Minister for Health and Children the reason for the delay in signing a bilateral agreement with the Republic of Vietnam regarding inter-country adoption; when she expects a treaty to be signed; if her attention has been drawn to the impact on prospective parents of the lapsing of this agreement; and if she will make a statement on the matter. [18389/09]

203. **Deputy Emmet Stagg** asked the Minister for Health and Children the actions she will take to resolve the issue of inter-country adoption with Vietnam; her views on visiting the country herself to resolve issues which remain outstanding. [18402/09]

204. **Deputy Dan Neville** asked the Minister for Health and Children if she will make a statement on the bilateral agreement between Ireland and Vietnam; if she will travel to Vietnam to sign the new agreement; the timeframe for negotiations; the steps she is taking at present to ensure that all outstanding issues are resolved successfully; the reason she has not worked on an interim agreement until such time as the new agreement is put in place; if it is the case that the post-placement reports on the children here after being adopted are not sent to Vietnam in an acceptable timeframe; the length of time from the time the post-placement report is carried out before it reaches the authorities in Vietnam. [18301/09]

229. **Deputy Olwyn Enright** asked the Minister for Health and Children the position regarding the visit by the Irish delegation to Vietnam to discuss the provisions of the renewal of the bilateral agreement regarding adoptions between the two countries; and if she will make a statement on the matter. [17572/09]

271. **Deputy Liz McManus** asked the Minister for Health and Children if she will renew the bilateral adoption agreement between Ireland and Vietnam before the Adoption Bill 2009 is passed; the position regarding inter-country adoption, in particular such adoptions between Ireland and Vietnam; the status of the agreement between the two countries; the status of persons who had been on the list of adoption before the initial agreement was terminated; the position in this matter; and if she will make a statement on the matter. [18033/09]

280. **Deputy Joanna Tuffy** asked the Minister for Health and Children the position regarding applications to adopt being processed in view of the 1 May 2009 deadline; when the negotiations will be finalised; the reason the delegation from Ireland did not travel to Vietnam sooner; the reason a satisfactory interim arrangement was not put in place; and if she will make a statement on the matter. [18081/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 193, 194, 201, 202, 203, 204, 229, 271 and 280 together.

Work in relation to the bi-lateral agreement with Vietnam has been ongoing for over 14 months. During this period, there have been three visits to Vietnam, including the most recent visit to discuss the draft text of an agreement. The Deputies will be aware that Ireland offered to provide the Vietnamese Authorities with the text of a draft agreement as a basis for negotiations. A draft Bi-lateral Agreement for Inter-country Adoption was delivered on 6 March,

2009, through the Department of Foreign Affairs, to the Vietnamese Authorities for their consideration. On 2 April, 2009, the Vietnamese Government invited a delegation from Ireland to visit Vietnam to discuss the provisions of the draft Bi-Lateral Agreement provided. An Irish delegation travelled to Hanoi in the week commencing on 20 April, 2009 — the earliest opportunity provided to meet with the relevant Vietnamese Ministries — for an intensive round of discussions on this draft Bi-lateral Agreement.

The delegation was led by the Office of the Minister for Children and was assisted in discussions by the Adoption Board. Discussions were facilitated and guided locally by the Irish Embassy in Hanoi. The meetings were progressive but there are a number of residual issues and discussions on these issues are ongoing. I would like to again reiterate my personal commitment, and the commitment of the Government, to continue with these discussions with a view to bringing them to a conclusion at the earliest possible date. It is anticipated that further proposals to advance the discussions will be made to the Socialist Republic of Vietnam in the coming week. It is also anticipated that the Vietnamese side will revert with proposals on their part shortly.

I do not wish to speculate on the timeframe or the outcome for these negotiations as this is genuinely difficult to determine. What I can say is that efforts on the Irish side are intensive and will continue in the coming weeks. I can also say that there has been a high level of engagement on both sides. It is clear from progress so far that there is a willingness on both sides to bring these matters to a successful conclusion if at all possible. The need for a further visit will be guided by the developments in the coming days and weeks. I am committed to travelling to Vietnam at any time to facilitate the successful conclusion of these discussions as and when appropriate.

One matter that has emerged in the public comment is whether the provision of post-adoption reports is an issue. Such speculation is unfounded. The Helping Hands Mediation Agency (HHMA) received an award from the International Adoption Department in Vietnam for providing detailed post-adoption reports and has been complimented on several occasions for having an excellent system in place to ensure that all reports are returned to Vietnam on time. This is an example of where speculation on either the nature of the issues or the degree of progress being made is unhelpful and could compromise the outcome of discussions. It may also prove misleading and distressing to those applicants currently waiting to adopt.

The Adoption Board has advised that the situation in relation to adoptions and applicants is as follows: all adoptions from Vietnam, which have been registered on the Register of Foreign Adoptions, are safe and secure; all applicants who have adopted children from Vietnam and returned to Ireland but as yet, have no entry in the Register of Foreign Adoptions will be registered subject to the usual statutory requirements; applicants who have referrals in respect of children from Vietnam will be allowed to complete their adoption; there will be no new referrals from May 1st, 2009, and the process of granting Declarations (which are not country specific) is not affected by the ending of the Bilateral Agreement with Vietnam.

Finally, Ireland has a long and positive relationship with Vietnam, but I must also emphasise the need to respect the authority of that jurisdiction, having regard to the sensitive nature of discussions regarding inter-country adoption.

Health Service Staff.

195. **Deputy Catherine Byrne** asked the Minister for Health and Children if Health Service Executive employees are entitled to apply for the early retirement scheme outlined in the 7 April 2009 budget; the way this scheme will operate; and if she will make a statement on the matter. [17472/09]

Minister for Health and Children (Deputy Mary Harney): Health Service Executive employees will be entitled to apply for the early retirement scheme outlined in the 7 April, 2009 Budget. The scheme is being finalised at present and a copy of the circular, detailing the way in which the scheme will operate, will be provided to the Deputy as soon as it is available.

Infectious Diseases.

196. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the steps being taken at airports, ports and all other points of entry into the State in relation to screening for the swine flu influenza; and if she will make a statement on the matter. [17529/09]

Minister for Health and Children (Deputy Mary Harney): The issue of screening at airports has been considered by the National Public Health Emergency Team on the basis of advice provided to it by the Pandemic Influenza Expert Group and has decided not to introduce screening at this time. The matter is however being reviewed on a daily basis. Health notices at Airports and Ports are in place.

Health Services.

197. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Longford is not being given the required three home help visits per day as advised by the public health nurse in respect of their mother; and if she will make a statement on the matter. [17711/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Grant Payments.

198. **Deputy Finian McGrath** asked the Minister for Health and Children if she will reverse her decision to extend the grant aid of €150,000.00 to a centre (details supplied) in order to maintain the current staff and services for the year 2009/10. [18038/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Community Development.

199. **Deputy Mary Upton** asked the Minister for Health and Children if she will ensure that a project (details supplied) in Dublin 8 will be supported; and if she will make a statement on the matter. [18050/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): RAPID is a joint initiative involving the Department of Community Rural and Gaeltacht Affairs (DCRAGA) and the Health Service Executive (HSE). While the relevant agencies were involved in the assessment of projects sent forward for consideration, the HSE as the lead agency is responsible for the contractual arrangements involved in each of these projects. The Government recently announced an examination of all current and capital expenditure as part of its decision to introduce further measures to stabilise the public finances. The HSE have subsequently resubmitted both CLÁR and RAPID programmes for re-approval to the Department of Finance. As this is a service matter it has been referred to the Health Service Executive for direct reply.

Child Care Services.

200. **Deputy Mary Upton** asked the Minister for Health and Children the steps she proposes to take to alleviate the pressures on private pre-school operators when they are forced by the budget proposals to suffer a serious drop in income (details supplied); and if she will make a statement on the matter. [18069/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy will be aware I have responsibility for the implementation of the new scheme to provide a free Pre-School year of Early Childhood Care and Education (ECCE) which was announced recently by the Minister of Finance. The scheme will allow children to avail of a free playschool place in their pre-school year, which will be provided for 3 hours per day, 5 days per week for 38 weeks. It will also allow children in their pre-school year who are attending full day or part-time daycare services to avail of a free session of 2 hours and 15 minutes per day, 5 days per week for 50 weeks. As the new scheme will be introduced from January next, the first full year will be from September 2010 and children availing of the scheme in January 2010 will have a reduced period of free pre-school provision.

Participating children must, normally be aged between 3 years 3 months and 4 years 6 months on the 1st September of each year. Exceptions will be allowed where children have special needs or it is necessary to accept children at an older age due to the enrolment policy of the local primary school. Participating services will receive capitation of €64.50 per week where children attend for 38 weeks, and €48.50 where they attend for 50 weeks of the year. Services will receive payments at the start of each term. Where the child is attending full-day or part-time child care, the service will be required to reduce the child care fees by the amount of the capitation. A participating service may also operate a pre-school service which is not within the scheme.

A major benefit for pre-schools arising from the Scheme is that it will introduce certainty in their income, with payments being made at the start of each term. For many months now, I have had private pre-schools and their national bodies approaching me about high vacancy rates in services, often of 20-25%, with many on the brink of closure as a result. For many, a significant part of their cost per place is to cover for unused places, and many pre-schools which had run 2 sessions per day have cut back to a morning session only, citing lack of demand. This scheme will save these pre-schools, and allow them see out what are, in economic terms, tough times ahead for all of us.

Taking the example provided by the Deputy, the service states that they are considering increasing their fees by approximately 16% this September due to rising costs, although only water charges are mentioned as having increased. While I do not have the precise details of that service's cost base, it would be extremely unlikely that charges such as these could increase the underlying total cost by such an extent, as typically 65% of the costs associated with running a pre-school service are wage costs, which are not rising at present, and a significant portion of the remaining 35% are rental costs, which are currently falling. It would therefore appear more likely that the main reason for any increase in unit cost is under-occupancy, i.e. the total costs are being divided among a reduced number of children, thereby increasing the cost per child. However, I would be concerned that, in the current economic climate, a pre-school service which increased its fees by 16% would see an even greater level of under-occupancy from September, making the service unsustainable.

Services participating in the scheme would be expected to see increased occupancy levels and, therefore, increased total income, which, together with the payment of the capitation fee in advance at the start of each term, should make them generally more sustainable. I understand

[Deputy Barry Andrews.]

that the service in question employs 3 child care workers and the staff to child ratio required in sessional pre-schools is 1:10. A pre-school service with two sessions daily (e.g. 9am — Noon & 12:30-3:30 pm) of 30 children each would, under this scheme, receive capitation of some €147,000 for the 38 weeks of pre-school, which in most cases would be expected to result in a sustainable margin after costs such as wages, rent and local authority charges. Of course, if the service only opens for 1 session per day, this would reduce that margin, although the additional demand created by the scheme will make a second session more viable. I would still hope, however, that the margin would be sufficient for the scheme to be attractive to this service and others like it, particularly when the benefits of advance payment and guaranteed income are taken into account.

It is of course the case that some very high cost services may choose to stay out of the scheme, in much the same way as fee paying private Primary Schools choose to operate outside the national school system, however, it is hoped that the very large majority of eligible services will participate in this scheme. Participating services may charge for additional hours (e.g. when open for 4 hours per day) or for optional extras such as dancing classes etc, however, it is a fundamental principle of the scheme that children have access to free pre-school provision regardless of the ability of parents to pay for additional services.

Questions Nos. 201 to 204, inclusive, answered with question No. 193.

Health Service Allowances.

205. **Deputy Noel J. Coonan** asked the Minister for Health and Children when an application for domiciliary care allowance will issue in respect of a person (details supplied) in County Tipperary; the reason for the delay in processing this application; and if she will make a statement on the matter. [17377/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

206. **Deputy Noel J. Coonan** asked the Minister for Health and Children when an application for domiciliary care allowance will issue for a person (details supplied) in County Tipperary; the reason for the delay in processing this application; and if she will make a statement on the matter. [17378/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Nursing Home Subventions.

207. **Deputy Brian O'Shea** asked the Minister for Health and Children her proposals to improve the length of time it is taking to process nursing home subvention applications in Waterford city and county; and if she will make a statement on the matter. [17384/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services.

208. **Deputy Dan Neville** asked the Minister for Health and Children the progress of the

recommendations of the Joint Committee on Health and Children on the orthodontic services published in 2005. [17391/09]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE) established an Orthodontic Review Group in 2006. One of the terms of reference for the group was to review the recommendations contained in the Joint Oireachtas Committee Reports on the Orthodontic Service in Ireland (February, 2002 and June, 2005). The Review Group's report was approved by the HSE's Management Team and published 2007. Therefore, the Executive is the appropriate body to consider the question raised by the Deputy. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and a reply issued directly to the Deputy.

Medical Cards.

209. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Longford has had their medical card rescinded, despite no change of circumstances; and if she will make a statement on the matter. [17393/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services.

210. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children when St. Joseph's ward in Crumlin children's hospital, Dublin, will re-open. [17417/09]

211. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children when the outpatients' department in Crumlin children's hospital will begin working at 100% capacity again. [17418/09]

212. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children when the newly opened theatre in Crumlin children's hospital, Dublin, which is proposed to be closed from July 2009 will re-open; the length of time this theatre was in operation; the type of operations carried out in it; and the number of operations per month it is predicted will have to be postponed due to the proposed closure. [17419/09]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 210 to 212, inclusive, together.

As the matters raised by the Deputy relate to service issues they have been referred to the Health Service Executive for direct reply.

Hospital Staff.

213. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the plans to replace the contract and agency nursing staff in Crumlin children's hospital, Dublin, with permanent staff in view of the announcement recently that the agency and contract staff were not to have those contracts renewed. [17420/09]

Minister for Health and Children (Deputy Mary Harney): In order to implement savings measures on public service numbers, the Government has decided that, with effect from 27 March 2009 to end 2010, no post in the public sector, however arising, may be filled by recruitment, promotion, or payment of an allowance for the performance of duties at a higher grade. The decision also applies to temporary appointments on a fixed-term basis and to the renewal

[Deputy Mary Harney.]

of such contracts. Therefore when vacancies arise, each agency must reallocate or reorganise work or staff accordingly. In the case of the health sector, any exceptions to this principle, which will arise in very limited circumstances only, require the prior sanction of both the Minister for Health and Children and the Minister for Finance.

In order to ensure that essential front-line services provided by nurses and other health care professionals are maintained, the new employment control framework for the health sector provides for the redeployment of staff (and associated salary costs) within and across the hospital and primary, community and continuing care pillars, and from one institution to another to support the development of integrated care delivery. The way in which the Government decision will be applied in the health sector, including hospitals such as Our Lady's Children's Hospital, Crumlin is a matter for the Health Service Executive, and I have accordingly referred that part of the Deputy's question to the Executive for attention and direct reply.

Medical Cards.

214. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the reason a person (details supplied) has been refused a renewal of their medical card and if she will reinstate same. [17421/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services.

215. **Deputy Seán Sherlock** asked the Minister for Health and Children when a person (details supplied) in County Cork will receive an orthopaedic outpatient clinic appointment at Cork University Hospital; and if she will make a statement on the matter. [17456/09]

Minister for Health and Children (Deputy Mary Harney): The management of out-patient waiting lists is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply.

Services for People with Disabilities.

216. **Deputy Richard Bruton** asked the Minister for Health and Children her views on the long-term charges that are appropriate for persons with a disability who are in long-term care, bearing in mind that the charges in these cases were recently increased by more than 25%; and if she will clarify that she does not intend applying rules similar to persons in long-term nursing home care to such clients. [17479/09]

285. **Deputy Róisín Shortall** asked the Minister for Health and Children the position in relation to persons with an intellectual disability who are in residential care and the contributions which they are required to make towards their care; the manner in which this contribution is set; the statutory basis for same; and if she will make a statement on the matter. [18096/09]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 216 and 285 together.

The Health (Amendment) Act 2005 and the subsequent Health (Charges for In-Patient Services) Regulations 2005 and the (Health Charges for In-patient Services) (Amendment) Regulations 2008 provide the legislative basis for the imposition of long stay charges. The

legislation provides for two different classes of person for the purpose of levying a charge. Class 1 refers to persons in receipt of in-patient services on premises where nursing care is provided on a 24 hour basis on those premises. Class 2 refers to persons in receipt of in-patient services where nursing care is not provided on a 24 hour basis on those premises.

The Health (Charges for In-Patient Services) (Amendment) Regulations, 2008 amend the 2005 regulations and provide for the first increase in the level of long stay charges payable since 2005. The following revised level of charges will apply. In the case of Class 1 a weekly charge of €153.25 or the weekly income of that person less €44.70, whichever is the lesser. In the case of Class 2 a weekly charge of €114.95 or the weekly income of that person less €70.25 or 60% of the weekly income of that person, whichever is the lesser. The actual charge levied will vary from person to person depending on individual circumstances and under the legislation the Health Service Executive can waive or reduce the charges to avoid undue financial hardship.

The increase in the level of long stay charge levied is directly linked to recent increases in social welfare entitlements. The new weekly charge for Class 1 of €153.25 represents an increase of €33.25 or 27.7% on the 2005 charges and the new weekly charge for Class 2 of €114.95 represents an increase of €24.95 or 27.7% on the 2005 charges. In the corresponding period from 2005 to 2009 the rate of Disability Allowance payable has increased by €55.50 or 37.7%. The rate of Disability Allowance has increased from €148.80 in 2005 to €204.30 in 2009.

Medical Cards.

217. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the position in the matter of an application for a medical card in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [17518/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services.

218. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a person (details supplied) in County Kildare will receive a psychological assessment or electroencephalography; and if she will make a statement on the matter. [17519/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As this is a service matter the question has been referred to the HSE for direct reply.

Medical Cards.

219. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if or when she will review the refusal of a medical card in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [17520/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Charges.

220. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the expected cost in the event of long-term admission to Maynooth Community Hospital in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [17522/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Mental Health Services.

221. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a person (details supplied) in County Kildare will be offered urgent psychiatric services at St. John of God Brothers, Stillorgan, County Dublin in view of their increased level of anxiety, depression and fear; and if she will make a statement on the matter. [17523/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As this is a service matter the question has been referred to the HSE for direct reply.

Vaccination Programme.

222. **Deputy Denis Naughten** asked the Minister for Health and Children the number of children on waiting lists for the BCG vaccination in each primary community and continuing care area; the steps which are being taken to ensure that every child is covered; and if she will make a statement on the matter. [17527/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Health Services.

223. **Deputy Finian McGrath** asked the Minister for Health and Children if she will respond to a query (details supplied). [17530/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards.

224. **Deputy Finian McGrath** asked the Minister for Health and Children if she will respond to a query (details supplied). [17531/09]

Minister for Health and Children (Deputy Mary Harney): Automatic entitlement to a medical card for persons aged 70 and over ceased under the Health Act 2008 which came into effect on 1st January 2009. In response to the query posed by the Deputy, I have no reason to believe that the withdrawal of automatic entitlement gives rise to any constitutional issue.

Mental Health Services.

225. **Deputy David Stanton** asked the Minister for Health and Children, further to Parliamentary Question No. 355 of 22 April 2009 regarding the national review of autism services, if she will provide the terms of reference of the review; if it excludes education services provided by schools; and if she will make a statement on the matter. [17552/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

226. **Deputy David Stanton** asked the Minister for Health and Children if the Health Service Executive is in a position to provide funding for second level students with autism and other special needs or disabilities who are due to leave special schools in summer 2009 and move to

day services provided by voluntary or other support organisations; if she will provide a breakdown of students being accommodated in these services; the number of extra students who will need such services in 2009; and if she will make a statement on the matter. [17553/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Care of the Elderly.

227. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the position regarding the development of a new national positive ageing strategy, which was committed to in the programme for Government; the voluntary groups she has met with on this issue; and if she will make a statement on the matter. [17567/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): Work is under way to develop the new Positive Ageing Strategy. At the moment I am finalising my plans for the public consultation process to inform the Strategy. I expect to seek written submissions in the next week or so as well as to establish a liaison panel of interest organisations. I am arranging to meet with the main voluntary organisations in the coming weeks and my office is already in contact with a number. I will meet The Alzheimer Society of Ireland this week and Caring for Carers next week. Competence Centres are collaborative centres of excellence established and led by industry that are resourced by highly-qualified researchers associated with research institutions who are empowered to undertake market focussed strategic R&D for the benefit of industry. The Competence Centre initiative has been designed jointly between EI and IDA .

228. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she has worked with other Government Departments to develop operational plans clearly setting out objectives relating to older people; if so, the Departments with which she has worked; the progress made; and if she will make a statement on the matter. [17568/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): Ten Government departments and the Central Statistics Office are directly involved in the work to develop the Positive Ageing Strategy. The departments are Arts, Sports and Tourism; Community, Rural and Gaeltacht Affairs; Education and Science; Enterprise, Trade and Employment; Environment, Heritage and Local Government; Finance; Justice, Equality and Law Reform; Social and Family Affairs; Taoiseach; Transport. Work is continuing and I expect to begin the public consultation shortly.

Question No. 229 answered with Question No. 193.

Ambulance Service.

230. **Deputy Beverley Flynn** asked the Minister for Health and Children if she will ascertain from the Health Service Executive the criteria for the allocation of calls to private ambulances for patients who have private medical insurance and are located in HSE facilities; and if she will make a statement on the matter. [17577/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

231. **Deputy Beverley Flynn** asked the Minister for Health and Children if she will ascertain from the Health Service Executive the directions given by the director of the national hospitals office in relation to the allocation of work to private ambulance services for the transport of patients who have private medical insurance; and if she will make a statement on the matter. [17578/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Service Staff.

232. **Deputy Kathleen Lynch** asked the Minister for Health and Children the number of people on maternity leave from the Health Service Executive; the numbers expected to take maternity leave in 2009; if the people on maternity leave will be substituted; and if she will make a statement on the matter. [17588/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Services.

233. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will get an MRI scan and appointment for an ongoing medical condition; and if she will make a statement on the matter. [17591/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Research.

234. **Deputy Brian Hayes** asked the Minister for Health and Children if the action plan for health research will meet its upcoming deadline; and the main conclusions. [17607/09]

Minister for Health and Children (Deputy Mary Harney): The Action Plan for Health Research is currently being prepared to meet the June 2009 deadline specified in Building Ireland's Smart Economy: A Framework for Economic Renewal launched by the Taoiseach last December. It is intended that the draft Action Plan will be submitted to the Cabinet Committee on Science, Technology and Innovation for consideration. As the Action Plan is in the course of preparation it is not possible to state, at the present time, what will be contained in the finished document.

Health Services.

235. **Deputy Pádraic McCormack** asked the Minister for Health and Children the position regarding the provision of an Alzheimer care centre, respite and long-stay and in-home facility for a group (details supplied) at a site which is provided to it on the grounds of Merlin Park, Galway; and if she will make a statement on the matter. [17639/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Cancer Screening Programme.

236. **Deputy Joe McHugh** asked the Minister for Health and Children if she will fund the

provision of a bus service for women in County Donegal to travel to Belfast for BreastCheck programme services; and if she will make a statement on the matter. [17640/09]

Minister for Health and Children (Deputy Mary Harney): It is not intended to fund a bus service to transport women from Donegal to Belfast for breast screening. The National Cancer Screening Service has indicated that the BreastCheck programme will commence in Donegal by September. It is vital to stress that any woman, irrespective of her age or area of residence, who has immediate concerns or symptoms should not wait for an invitation to screening from BreastCheck but should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

237. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason the roll out of BreastCheck in County Donegal will not happen in 2009; when this life saving service will be made available to the women of Donegal; and if she will make a statement on the matter. [17643/09]

242. **Deputy Pat Breen** asked the Minister for Health and Children if she will clarify the position regarding the roll out of BreastCheck to County Clare; if she will report on whether the moratorium on employment in the public service will affect the roll out to Clare; if so, if she will lift this embargo to facilitate the appointment of personnel to ensure the roll out of this service to the women in County Clare; and if she will make a statement on the matter. [17684/09]

256. **Deputy Joe Carey** asked the Minister for Health and Children if she will seek an exemption from the public service recruitment embargo in order to facilitate the roll out of the BreastCheck programme to County Clare in 2009; and if she will make a statement on the matter. [17798/09]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 237, 242 and 256 together.

BreastCheck will be extended as planned to Donegal, Leitrim and Clare. I have been informed by the National Cancer Screening Service (NCSS) that indicative dates for the roll-out are June for County Clare, September to reach County Donegal and October to reach County Leitrim. It is vital to stress that any woman, irrespective of her age or area of residence, who has immediate concerns or symptoms should not wait for an invitation to screening from BreastCheck but should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

Within the past month, the NCSS applied for a derogation to allow the recruitment of radiographers to extend the BreastCheck service to Donegal, Leitrim and Clare. This is in accordance with procedures put in place under the recruitment moratorium. The Screening Service was permitted to proceed with interviews for radiographers while the application to recruit these posts was under consideration. I am very pleased to confirm that recruitment of radiographers in these counties can now proceed immediately. In the wider context, the scope for redeployment of staff from the HSE to the NCSS, and within the NCSS itself, will continue to be explored.

Disability Statistics.

238. **Deputy Seán Barrett** asked the Minister for Health and Children if, in view of the fact that, as per the reply to Parliamentary Question No. 183 of 28 January 2009, it is planned to include a question on the number of persons with a disability in the 2011 census of population

[Deputy Seán Barrett.]

in the event of persons ticking the yes box, it would be appropriate to ask a question to establish the type of disability in order that statistical information can be compiled in areas such as autism and other sensory and physical disabilities; and if she will make a statement on the matter. [17645/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): The Central Statistics Office has confirmed to the Department that it is planned to include a general question on the number of persons with a disability in the 2011 census of population but not to include questions on specific disabilities.

Child Care Services.

239. **Deputy Olwyn Enright** asked the Minister for Health and Children the qualifications necessary for providers to be eligible under the new pre-school programme; her views on the difference between pre-school providers and child minders in this regard; and if she will make a statement on the matter. [17664/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy will be aware I have responsibility for the implementation of the new scheme to provide a free Pre-School year of Early Childhood Care and Education (ECCE) which was announced recently by the Minister for Finance. In addition to the requirements regarding staff ratios, as provided for under the Child Care (Pre-School Services) (No. 2) Regulations 2006, a pre-school year Leader must be qualified to FETAC level 5 or 6, or equivalent thereto. During the initial period following introduction of the scheme, provision will be made to accommodate pre-school year Leaders who do not fully meet this requirement e.g. they have completed the core modules of FETAC level 5 only.

Up to 5,000 pre-school services will be invited shortly to apply to participate in the new scheme. This will include play-school sessional services and full and part-time childcare services notified to the Health Service Executive (HSE), childminders notified to the HSE and services registered with the Irish Montessori Education Board. To ensure that a satisfactory standard of pre-school provision is delivered, a minimum enrolment of 8 children is envisaged. Exceptions will be considered where, for good reason, a service has an enrolment of at least 8 children but only 3 or more are in their pre-school year and the remainder will be eligible for a pre-school year in the following year. In addition, subject to compliance with all other contractual requirements governing the scheme, child minding services with an enrolment of 5 children in their pre-school year, can apply to participate in the scheme.

All pre-school services admitted to the scheme, whether they are child minding or other types of pre-school services, will be subject to the scheme's requirements regarding the holding of a formal qualification in childcare.

Departmental Reports.

240. **Deputy James Reilly** asked the Minister for Health and Children when she will publish the report of the inquiry into the deaths of persons (details supplied) in view of the fact that it has been finished since October 2008 at considerable cost to the taxpayer, and the importance of the report in the context of the lack of social services and the continuing risk to families and children in particular; if she will commit to publishing this report in full; and if she will make a statement on the matter. [17665/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I intend to publish the redacted report of the inquiry into the tragedy which occurred in Monageer in April, 2007 in the coming days. I indicated my intention to publish as much of the Report as is possible following legal determination, and this remains my intention. The legal determination referred to is the result of a detailed process of engagement with the Office of the Attorney General and the provision by that office of legal advice on the subject of publication of the report. In advance of the report's publication, I will not be commenting on its findings out of respect for the families, who will be given time to digest the contents of the report. I will be commenting on the report on the day it is being published.

Child Care Services.

241. **Deputy Richard Bruton** asked the Minister for Health and Children the circumstances in which it is envisaged that a private operator in receipt of the capitation grant would be entitled to levy parents with an additional charge under the free pre-school and early childhood scheme; the elements of cost for rent, rates, insurance, staff and so on; the pupil-teacher ratio which has been used in putting together the capitation payment; and if she will make a statement on the matter. [17672/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy will be aware I have responsibility for the implementation of the new scheme to provide a free Pre-School year of Early Childhood Care and Education (ECCE) which was announced recently by the Minister of Finance. The Pre-School Year in Early Childhood Care and Education (ECCE) is being introduced from January 2010 as a free scheme to benefit children in the key developmental period prior to commencing school. Up to 5,000 pre-school services will be invited shortly to participate in the scheme and it is hoped that the majority of these will choose to do so to maximise the availability of free pre-school year places from the earliest possible date.

Services participating in the scheme will be required to provide the pre-school year without charge. Full and part-time services will offer parents additional services for which charges are payable, in that only 2 hours 15 minutes per day will be free under the scheme. A play-school sessional may offer parents an additional 30 minutes per day for which charges are payable as only 3 hours per day will be free under the scheme. Up to 2 hours per day can be provided as an optional extra where a play-school complies with part-time service requirements. All charges made for additional service provision, including additional activities provided on an optional basis, must be agreed to by parents and appropriate programme based activities must be provided to children not participating in any such additional activity.

Almost 5,000 pre-school services operate at present, including full- and part-time daycare services as well as sessional play-school services. The overheads or operational costs of these services vary and there is also a diverse range of fees charged. Almost 1,000 of the pre-school services are not for profit voluntary services participating in the Community Childcare Subvention Scheme (CCSS), with an average fee charged for sessional play-school of €50 per week. The annual capitation fee of over €2,400 amounts, in the case of a sessional play-school, to €64.50 per week over 38 weeks. For full- and part-time services providing a pre-school year of 2 hours 15 minutes per day, 5 days a week for 50 weeks, the annual capitation fee amounts to €48.50 per week. The capitation fee and its application on a weekly basis are considered reasonable. They also compare very favourably to the capitation fee paid to private and voluntary pre-school services participating in Northern Ireland's Pre-School Programme Expansion Scheme, which amounts to £30 per week.

[Deputy Barry Andrews.]

The Child Care (Pre-School Services) (No. 2) Regulations 2006, provide for a ratio of 1 staff to 8 children in full- or part-time service and a ratio of 1 staff to 10 children in a pre-school sessional service.

Question No. 242 answered with Question No. 237.

Voluntary Sector Funding.

243. **Deputy Paul Kehoe** asked the Minister for Health and Children the amount of funding her Department or the Health Service Executive made available to an organisation (details supplied); if this money has been reduced in 2009; if there are plans to do so; and if she will make a statement on the matter. [17689/09]

244. **Deputy Paul Kehoe** asked the Minister for Health and Children if, with regard to funding from her Department or the Health Service Executive to an organisation (details supplied), this funding has been reduced; if there are plans to do so; if this will impact on the organisation's ability to provide special needs assistants to pre-school children; and if she will make a statement on the matter. [17690/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 243 and 244 together.

As the Deputy's questions relates to service matters I have arranged for the questions to be referred to the Health Service Executive for direct reply.

Hospital Services.

245. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Longford, who had a serious car crash resulting in severe brain injury, should have to wait for urgently needed assessment at the National Rehabilitation Hospital due to a shortage of beds in view of the fact that every day's delay could be detrimental to their care and the best possible outcome which is a cause of anxiety and distress for their family; and if she will make a statement on the matter. [17710/09]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Cancer Screening Programme.

246. **Deputy Charlie O'Connor** asked the Minister for Health and Children the action she proposes to take to support the call by a group (details supplied) for a national bowel cancer screening programme; her views on the success of the Tallaght Hospital project, Dublin; and if she will make a statement on the matter. [17716/09]

Minister for Health and Children (Deputy Mary Harney): The National Cancer Screening Service Board submitted the Expert Report on Colorectal Cancer Screening to me on 3 December 2008. The Health Information and Quality Authority (HIQA) was also commissioned to carry out a Health Technology Assessment (HTA) on colorectal cancer screening. The HTA was submitted to me on 17 April 2009 and this is currently being examined. I am aware of the pilot colorectal screening study led by a consultant in Tallaght Hospital. The results of this study are in keeping with the findings of the HTA report that colorectal screening is effective in detecting colorectal cancer at an early stage.

Health Service Staff.

247. **Deputy John O'Mahony** asked the Minister for Health and Children when the five vacancies for speech and language therapists in County Mayo will be filled; if she will confirm that speech and language therapy and occupational therapy are exempt from the moratorium; and if she will make a statement on the matter. [17717/09]

Minister for Health and Children (Deputy Mary Harney): There has been a growing demand for, and investment in, speech and language therapy services over the last number of years. A particular priority for my Department and the Department of Education and Science in recent years has been the expansion of the supply of therapy graduates. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future. In this regard, since 1997, the number of training places for speech and language therapy has been increased from 25 to 105 which represents an increase of 320%.

Almost 130,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the numbers of doctors, nurses and other healthcare professionals employed in the public health services. The numbers employed in speech and language therapy has also grown significantly, from 282 whole time equivalents employed in December 1997 rising to 759 whole time equivalents employed in March 2009, which represents an increase of 169%. The Government is committed to ensuring continued adequate recruitment of professional staff across a range of community settings to ensure the continued development of community services. Additional funding of €20 million has been provided in 2009 for health and education services for children with special educational needs. This funding will provide a total of 125 additional therapy posts in the HSE targeted at children of school-going age. 90 of these will be in the disability services, including speech and language therapists, occupational therapists and physiotherapists.

My Department recently wrote to the Health Service Executive setting out the overall approved employment control ceiling for 2009. As part of this approval, written confirmation has been provided to the HSE that the general moratorium on recruitment, promotion and the payment of acting up allowances does not apply to specific designated grades. Delegated sanction has been given to the HSE for the creation and filling of frontline posts including speech and language therapy, occupational therapy and physiotherapy posts. The approval indicated that vacancies in existing posts in these grades may continue to be filled. New posts may also be created in these grades, up to a specified limit, provided that the HSE is satisfied in each case that there is no scope to redeploy an equivalent post from the hospital sector to the primary and community care sector.

This moratorium exemption provides for an increase in the number of therapy posts, in line with Government policy, in order to meet the requirements of integrated care delivery and primary care needs particularly in respect of children at risk, the elderly and those with disabilities. The recruitment and retention of these key front line therapy posts, including speech and language therapists, is vital to ensure continued progress in the development of community settings.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. 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. With

[Deputy Mary Harney.]

regard to speech and language therapy posts in County Mayo, as this is a service matter it has been referred to the HSE for direct reply.

248. **Deputy Willie Penrose** asked the Minister for Health and Children if her Department or the Health Service Executive will ensure that the position of full-time dermatologist will be filled immediately following the resignation of the dermatologists from that position (details supplied); and if she will make a statement on the matter. [17734/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Hospitals Building Programme.

249. **Deputy Willie Penrose** asked the Minister for Health and Children the reason commitments and timelines given by her Department and the Health Service Executive are not being adhered to and are constantly extended; if in the context of the commitment to complete phase 2B, stage 2, precise details will be given as to an expected completion date together with the additional facilities that will be provided; and if she will make a statement on the matter. [17735/09]

Minister for Health and Children (Deputy Mary Harney): I understand that the Deputy is referring to the Midland Regional Hospital at Mullingar. The Midland Regional Hospital at Mullingar forms part of the Dublin/Midlands Hospital Group and provides an extensive range of acute services to the population of Dublin/Midlands and in particular the Longford/Westmeath area. Stage 2 of the Phase 2B Capital Development at Mullingar is being considered in the context of the HSE's Capital Plan, the details of which will be available when the plan is approved.

Patient Transport.

250. **Deputy Denis Naughten** asked the Minister for Health and Children, further to Parliamentary Question No. 407 of 8 July 2008, if she will provide the corresponding figure in respect of 2008; and if she will make a statement on the matter. [17736/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Ambulance Service.

251. **Deputy Denis Naughten** asked the Minister for Health and Children the latest available figures for ambulance turnaround times at each acute hospital; and if she will make a statement on the matter. [17737/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Hospital Services.

252. **Deputy Brian Hayes** asked the Minister for Health and Children the reason she is requiring the transfer of breast cancer patients from an actual centre of excellence, albeit non-designated, at Tallaght Hospital, Dublin to other centres (details supplied); and if she will make a statement on the matter. [17742/09]

Minister for Health and Children (Deputy Mary Harney): Under the National Cancer Control Programme (NCCP), there are four managed cancer control networks and eight cancer centres. These centres were designated by the HSE following a recommendation from the Advisory Group set up under the NCCP. 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. It is within this framework that the progressive transfer of cancer diagnostic and surgical services from Tallaght and other non-designated hospitals to the designated centres is taking place. Symptomatic breast disease services are the first to be transferred to the eight centres.

The Health Service Executive (HSE) has designated St. James's Hospital and St. Vincent's University Hospital as the two cancer centres in the Managed Cancer Control Network for the HSE Dublin Mid-Leinster region. The general catchment area for Tallaght Hospital incorporates both St Vincent's University Hospital and St James's Hospital, and the transfer of services from Tallaght will take place in a coordinated way to these two designated centres. The resources to be transferred from Tallaght and the incorporation of these resources into the specialist cancer services at the receiving hospitals will take place in accordance with patient need and choice and in line with where GPs will refer to in the future.

Only initial diagnosis and surgery are transferring from Tallaght. Medical oncology services will continue to be provided at Tallaght to serve the needs of the population in the area. The oncology day ward opened by me in June 2006 will continue to operate. It is important to emphasise that the decision to reorganise services is about achieving optimum outcomes. This is not a value judgement about the work being carried out in Tallaght or any other pre-existing centres, some of which may have had a relatively large workload but nevertheless are not among the designated centres.

253. **Deputy Brian Hayes** asked the Minister for Health and Children her views on a report in the media of 24 April 2009 stating that the eight designated cancer centres would not meet standards of excellence ensuring the best care for patients until the end of 2009 (details supplied); and if she will make a statement on the matter. [17743/09]

262. **Deputy James Reilly** asked the Minister for Health and Children if, further to a newspaper report (details supplied), the Health Information and Quality Authority quality review of the remaining seven cancer centres has been completed; if she has received a copy of these reports; if she has been briefed on the findings of these reports; if these reports will be published; and if she will make a statement on the matter. [17983/09]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 253 and 262 together.

It is important to set the recent media reports referred to by the Deputies in context. The Health Information and Quality Authority (HIQA) initiated a quality review of symptomatic breast cancer services in 2008. The overall objective of the review was to assess the performance of the designated cancer centres against the National Quality Standards for Symptomatic Breast Disease Services and assist in devising an implementation plan for incremental progress to becoming specialist cancer centres by the end of 2009.

The standards have been developed to provide patients with the best possible cancer care. They include standards for functioning specialist breast centres, such as the population size they should serve, the personnel employed and the physical facilities required. They also include standards for waiting times, and standards for the involvement of multi-disciplinary teams and for various diagnostic and treatment procedures. They have been developed with

[Deputy Mary Harney.]

leading clinicians and their implementation is being led by clinicians. It is important to emphasise that as the plan is implemented, it has been, and remains, in the best interests of patients to transfer progressively their specialist care to the eight centres from other hospital settings. This is the advice provided to me and the shared position of all involved — the HSE, its National Cancer Control Programme and its interim Director, Professor Tom Keane and HIQA.

There are a number of phases in the process of meeting the entire range of standards involved. The first was a self-assessment completed and submitted by each individual hospital in Spring, 2008. The second phase involved an independent validation by HIQA, in October 2008, of the Spring self-assessment process. In January 2009, HIQA issued individual interim reports to each of the designated centres. These were based on data from the self-assessments carried out in Spring, 2008 and were not an inspection of the status of the centres in October, 2008. The interim reports were copied to the CEO of the HSE, the Secretary General of my Department and to Professor Keane in January, 2009.

The individual hospitals have prepared implementation plans in conjunction with the NCCP, which are now being implemented and monitored by the NCCP. A further inspection and assessment by HIQA is planned for the end of 2009, and these reports will be published. In relation to Waterford Hospital, the Consultant Surgeon in the Hospital, together with Professor Keane have noted that they are confident that all of the deficiencies identified in the interim assessment have/are being addressed and they expect that the Hospital will be fully compliant with the standards when the next phase of the HIQA assessment occurs at the end of 2009. I have not received details of the un-validated self-assessments carried out by Tallaght or any of the other hospitals that are not designated cancer centres.

The interim reports on the validation assessment against the Standards will assist each designated centre in identifying gaps and on where to focus their priorities for further improvement. For a number of standards, some of the designated centres were unable to provide evidence to demonstrate that they complied with the standard. This does not necessarily mean that they were non-compliant. HIQA reported that there is an urgent need to improve the internal monitoring and performance against the Standards and that this needs to be linked to more consistent, robust and connected governance and management arrangements at local and national levels.

The interim reports provide the centres with details of the standards that are being met and of where gaps exist. Significant progress has been made by all of the designated cancer centres in addressing the gaps in systems and services. There is ongoing liaison also between the NCCP and HIQA about compliance with the standards.

Patient Transport.

254. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the amount of money spent by the Health Service Executive on taxis for transporting patients in County Louth for each year since 2005 to date in 2009; and if she will make a statement on the matter. [17765/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards.

255. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if a person

(details supplied) in County Cavan, whose medical card is due to expire at the end of April 2009, is entitled to a renewal; and if she will make a statement on the matter. [17767/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Question No. 256 answered with Question No. 237.

257. **Deputy Róisín Shortall** asked the Minister for Health and Children the reason quinine sulphate tablets have not been approved for inclusion under the medical card scheme; and her views on extending the scheme to include this course of medication. [17799/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

258. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card will issue in the case of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [17820/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services.

259. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a paediatric and occupational therapist assessment will be undertaken at Tallaght Hospital, Dublin, for a person (details supplied) in County Kildare. [17821/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Departmental Expenditure.

260. **Deputy Lucinda Creighton** asked the Minister for Health and Children the annual expenditure on external legal costs by her Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under her aegis in each of the past five years; and if she will make a statement on the matter. [17843/09]

Minister for Health and Children (Deputy Mary Harney): The information the Deputy is seeking is not readily available. The expenditure on external legal costs by my Department and agencies under the aegis of my Department, other than the HSE, in each of the past five years is being collated and will be forwarded directly to the Deputy as soon as it is available. With regard to expenditure on external legal costs by the HSE this is a matter for the HSE and accordingly I have referred the question to the HSE for its attention.

Hospitals Building Programme.

261. **Deputy Michael D. Higgins** asked the Minister for Health and Children if, in the context of a growing need for Alzheimer care in Galway city and county, including respite, long-stay and in-home provision, and that a group (details supplied) is the only organisation providing the full range of services needed for sufferers from Alzheimer's and their families in the region, and that this same organisation has secured a site, designed a purpose built 22 bed high dependancy unit and secured full planning permission at Merlin Park Galway, she will indicate the position with regard to this issue and the funding of same, in view of the fact that all

[Deputy Michael D. Higgins.]

relevant documentation has been with the Health Service Executive for more than a year; and if she will make a statement on the matter. [17947/09]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Question No. 262 answered with Question No. 253

Health Services.

263. **Deputy Bernard Allen** asked the Minister for Health and Children if she will explain the situation whereby the Health Service Executive is moving patients from a six week period for chiropody services in the north Lee area of Cork to a ten week period due to cutbacks; and if she will examine the situation whereby people in their 70s and 80s are having their service effectively cut in half. [17986/09]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to a service matter it has been referred to the Health Service Executive for direct reply.

264. **Deputy Bernard Allen** asked the Minister for Health and Children if she will examine the case of a person (details supplied) in County Cork. [17987/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Hospital Services.

265. **Deputy Thomas P. Broughan** asked the Minister for Health and Children if she will establish a paediatric unit at Beaumont Hospital, Dublin 9; and if she will make a statement on the matter. [17988/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards.

266. **Deputy Pat Breen** asked the Minister for Health and Children if a medical card will be issued to a person (details supplied) in County Clare on medical grounds; and if she will make a statement on the matter. [17994/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Allowances.

267. **Deputy Edward O'Keeffe** asked the Minister for Health and Children if she will ascertain the reason an allowance payment to a person (details supplied) in County Cork has been reduced. [18003/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

National Treatment Purchase Fund.

268. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will refer a person (details supplied) in County Cork for surgery under the National Treatment Purchase Fund. [18010/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply. The National Treatment Purchase Fund arranges treatment for patients who have been on a surgical waiting list for more than three months. It is open to the person in question or anyone acting on their behalf to contact the Fund directly in relation to their case.

Health Services.

269. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will review the access of out-of-hours general practitioner services to patients’ critical medical histories in view of the sudden death on 14 February 2009 of a person (details supplied). [18018/09]

Minister for Health and Children (Deputy Mary Harney): As the Health Service Executive has operational responsibility for the GP out-of-hours service, it is appropriate for the Executive to provide the information sought by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Medical Cards.

270. **Deputy Thomas Byrne** asked the Minister for Health and Children the status of a medical card application by a person (details supplied) in County Louth. [18032/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Question No. 271 answered with Question No. 193.

Hospital Services.

272. **Deputy Bernard Allen** asked the Minister for Health and Children if she will investigate a situation whereby children attending Cork University Hospital are to be left without a paediatric dietician due to the fact that the current dietician will be going on maternity leave shortly and no provision has been made to replace them, which will cause risk to children who are dependant on this service. [18043/09]

Minister for Health and Children (Deputy Mary Harney): In order to implement savings measures on public service numbers, the Government has decided that, with effect from 27 March 2009 to end 2010, no post in the public sector, however arising, may be filled by recruitment, promotion, or the payment of an allowance for the performance of duties at a higher grade. The decision also applies to temporary appointments on a fixed-term basis and to the renewal of such contracts.

Arrangements have been put in place for the health sector that aim to ensure that key services are maintained as far as possible and there will be flexibility in relation to the filling of key front-line posts for the following grades; Hospital Consultants, Speech and Language Therapist, Occupational Therapist, Physiotherapist, Clinical Psychologist, Behavioural Therapist, Counsellor, Social workers and Emergency Medical Technicians to allow for the continued

[Deputy Mary Harney.]

development of integrated health care, particularly primary and community care, care of the elderly and people with disabilities.

The way in which the Government decision will be applied is a matter for the Health Service Executive. In the particular case raised by the Deputy, I understand that arrangements are being made in Cork University Hospital to draw on the other dietetics resources available in order to continue to provide the necessary services to paediatric diabetes patients.

273. **Deputy Michael McGrath** asked the Minister for Health and Children if she will ensure that a person (details supplied) in County Cork is provided with hospital services for an appropriate period of time following a forthcoming operation. [18045/09]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to the operation of the National Treatment Purchase Fund, my Department has asked the Chief Executive of the Fund to reply directly to the Deputy in relation to the information requested.

274. **Deputy Michael Creed** asked the Minister for Health and Children when a person (details supplied) in County Cork will be called for an orthopaedic surgery appointment; and if she will make a statement on the matter. [18053/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

275. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a person (details supplied) in County Westmeath will be given an appointment with a consultant at Tullamore Hospital, County Offaly; and if this will be expedited. [18058/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services.

276. **Deputy Michael McGrath** asked the Minister for Health and Children the level of funding provided in 2008 and allocated for 2009 to every service provider in the country involved in providing intervention and therapy services; and the amount in each case of the funding that is spent on administrative expenses and on the direct provision of services. [18065/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

277. **Deputy Michael McGrath** asked the Minister for Health and Children her plans to review the provision of intervention services to special needs children by service providers throughout the country. [18066/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Health Service Staff.

278. **Deputy Seán Fleming** asked the Minister for Health and Children the level of nursing support provided by the Health Service Executive to a centre (details supplied) in County

Laois for 2009; if this is agreed with the board of the centre as being adequate for its purposes; the cost to the HSE; and if she will make a statement on the matter. [18077/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Child Care Services.

279. **Deputy Michael McGrath** asked the Minister for Health and Children the position in relation to the early childhood care and education scheme (details supplied). [18080/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy will be aware, I have responsibility for the implementation of the new scheme to provide a free Pre-School year of Early Childhood Care and Education (ECCE) which was announced recently by the Minister of Finance. Services participating in the scheme will be required to provide the pre-school year without charge. Parents who avail of the free pre-school year in a full or part-time service (i.e. 2 hours 15 minutes per day) will generally avail of additional hours in the service for which they will be charged. Parents who avail of the free pre-school year in a playschool sessional service (i.e. 3 hours per day) may be offered an additional 30 minutes per day for which they can be charged. Up to 2 hours per day can be provided as an optional extra where a playschool service complies with part-time service requirements. All charges made for additional service provision, including additional activities or services provided on an optional basis, must be agreed to by parents and appropriate programme-based activities must be provided to children not participating in any such additional activity.

Almost 5,000 pre-school services operate at present, including full- and part-time daycare services as well as sessional playschool services. The overheads or operational costs of these services vary and there is also a diverse range of fees charged. Almost 1,000 of the pre-school services are not-for-profit voluntary services participating in the Community Childcare Subvention Scheme (CCSS), with an average fee charged for sessional playschool of €50 per week. The annual capitation fee of over €2,400 amounts, in the case of a sessional playschool, to €64.50 per week over 38 weeks. For full and part-time services providing a pre-school year of 2 hours 15 minutes per day, 5 days a week for 50 weeks, the annual capitation fee amounts to €48.50 per week. The capitation fee and its application on a weekly basis are considered reasonable. They also compare very favourably to the capitation fee paid to private and voluntary pre-school services participating in Northern Ireland's Pre-School Programme Expansion Scheme, which amounts to £30 per week.

The scheme will normally be required to provide services on a five day per week basis. However, during the initial period of January to August 2010, services which are already accommodating children on a pro rata basis may continue to do so and the capitation grant will be set by reference to the number of children attending per day rather than the total number of children per week. This is a transitional arrangement to allow services to adjust to the requirements of the new scheme.

Question No. 280 answered with Question No. 193.

Hospital Charges.

281. **Deputy Joe Costello** asked the Minister for Health and Children if her attention has been drawn to the fact a person (details supplied) in Dublin 3 has been asked to pay the €100

[Deputy Joe Costello.]

hospital charge by two hospitals; if this is the normal procedure; and if she will make a statement on the matter. [18088/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services.

282. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a person (details supplied) in County Galway will receive an appointment. [18092/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Parliamentary Questions.

283. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 211 of 31 March 2009. [18093/09]

Minister for Health and Children (Deputy Mary Harney): The HSE has advised that a reply has been issued to Parliamentary Question No. 211 of 31 March 2009.

Patient Transport.

284. **Deputy Róisín Shortall** asked the Minister for Health and Children the position with regard to the taxi service for Mater Hospital, Dublin, outpatient appointments; the reason this service has been scaled back; and the alternative measures put in place to assist patients who are unable to access transport, for various reasons, for regular out-patient appointments. [18095/09]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Question No. 285 answered with Question No. 216.

Hospital Accommodation.

286. **Deputy Tom Hayes** asked the Minister for Health and Children when the tender documents for St. Vincent's cystic fibrosis unit, Dublin, will be published; when she expects the work to start and be completed; if she will confirm that the new unit will have 34 inpatient en-suite bedrooms as well as the separate day care centre with ten en-suite cystic fibrosis rooms; and if feedback has been received from construction companies in relation to the feasibility of payment on completion of this project. [18137/09]

Minister for Health and Children (Deputy Mary Harney): The next stage in the development of St. Vincent's Hospital will involve the building of a new ward block to replace existing accommodation. The new facility will include appropriate isolation facilities and accommodation for cystic fibrosis patients as required. Clinical and infrastructural needs at St. Vincent's will determine the configuration of beds across various specialties. There has been no upper limit placed by the hospital or the HSE on the allocation of beds to a particular specialty. My Department has asked the HSE to reply to the Deputy in relation to the specific service issues raised.

Health Services.

287. **Deputy Noel Ahern** asked the Minister for Health and Children the services and facilities currently available for people with severe eating disorders; if she will provide funding for persons (details supplied) in Dublin 11 for intensive therapy in a private facility; and if she will make a statement on the matter. [18146/09]

Minister of State at the Department of Health and Children (Deputy John Moloney): As this is a service matter the question has been referred to the HSE for direct reply.

Child Care Services.

288. **Deputy Willie Penrose** asked the Minister for Health and Children if she will confirm having received correspondence from an organisation (details supplied); her views on whether the inclusion of community facilities is very important in the overall regeneration and integral to the project both in terms of sustainability and design; if she will reconsider the decision to abolish capital grants for the provision of child care facilities; and if she will make a statement on the matter. [18279/09]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy is aware, the National Childcare Investment Programme (NCIP) 2006-2010 is implemented by my Office with the assistance of Pobal, who manage the day to day operation of the programme. As the Deputy may be aware, the finalisation of the latest portfolio of capital grant applications, under the NCIP, was delayed pending the introduction of the recent Supplementary Budget. Following decisions in the budget the capital allocation now available for 2009/2010 will meet existing capital grant commitments but will not be sufficient to allow for the approval of any additional grant applications. It is therefore not possible to approve the grant application for the group referred to by the Deputy at this time. A letter has issued to the group advising them of this outcome.

Taxi Regulation.

289. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport if his attention has been drawn to the income of the Taxi Regulator; if she has informed him of her intentions regarding this money; and if he will make a statement on the matter. [17422/09]

290. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport the number of taxi licences issued for each of the past ten years; the income generated from these licences; the person who received it; and the use to which it was put. [17423/09]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions Nos. 289 and 290 together.

I am aware of the income of the Commission for Taxi Regulation and the use to which it is put. As required under the Taxi Regulation Act 2003, the Commission for Taxi Regulation presents me with audited accounts relating to the discharge of its functions in the previous year, including an annual report in relation to the performance of its functions and its proposed work programme for the following year. The Commission is using its fee income to ensure that all of its objectives under its current strategy statement are met. I am also informed by the Commissioner that the projected diminution of licensing fee income over the coming years will result in the dissipation of the current surplus.

[Deputy Noel Dempsey.]

The number of licences in use between 1999 and 2005 is indicated in the table below. However, as the fees associated with the issue and renewal of such licences were collected by local authorities, such information is not available to my Department.

Year	Number of Active Licences	Change from previous year
1999	13,076	1,827
2000	13,637	561
2001	16,547	2,910
2002	18,252	1,705
2003	19,856	1,604
2004	20,744	888
2005	21,888	1,144

The Commission has provided my Department with the following breakdown of the number of licences in use each year since it commenced issuing licences in 2006. The data for income from licensing is taken from the published accounts of the Commission. The accounts for 2008 are not published as yet.

Year	Number of Active Licences	Change from previous year	Income from Licences
2006	22,580	692	€10.1 million
2007	25,695	3,115	€21.7 million
2008	27,429	1,734	n/a

291. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport the action he has taken in relation to the recommendations contained in the recent Taxi Regulator's report; and if he will make a statement on the matter. [17424/09]

Minister for Transport (Deputy Noel Dempsey): As the Deputy will be aware, the Commission for Taxi Regulation has undertaken a major public consultation exercise on the recent Economic Review of the small public service vehicle sector. The Commission will now prepare a response to the submissions received and will be submitting its conclusions and proposals to the Advisory Council. I will consider the outcome of this process and the views of the Oireachtas Committee on Transport, the official representatives of the taxi industry and consumers and consumer interest groups insofar as they relate to my statutory responsibilities.

292. **Deputy Michael McGrath** asked the Minister for Transport if grants are available for taxi drivers who wish to adapt a vehicle to make it suitable for wheelchair users, as in the case of a person (details supplied). [17463/09]

Minister for Transport (Deputy Noel Dempsey): There are no grants available to taxi drivers who wish to adapt a vehicle to meet the requirements for a wheelchair-accessible vehicle. However, the current fee for obtaining a wheelchair-accessible taxi licence is €125 compared to a normal fee of €6,300.

Public Transport.

293. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport if he has developed

initiatives to improve accessibility for older people in rural and urban areas to public transport; the details of these initiatives and their location; and if he will make a statement on the matter. [17569/09]

Minister for Transport (Deputy Noel Dempsey): My Department's Sectoral Plan under the Disability Act 2005, titled Transport Access for All, contains time-bound targets for the progressive realisation of accessible transport in Ireland. It sets out a series of policy objectives and targets for accessible public transport across all modes — actions to make trains, buses, taxi and hackney services, as well as air and marine transport, accessible to people with mobility, sensory and cognitive impairments and older people. The Plan is based on the principle that through accessibility improvements to the public transport system for people with disabilities, access for all people will be improved. In general, the time scales for the various elements of the Plan provide for completion by 2015.

Among other things, the Plan envisages that by end 2012 all urban bus services will be fully accessible and that by 2015 all vehicles used for stage carriage and rural services will be wheelchair accessible and incorporate facilities to assist older people as well as people with mobility, cognitive and sensory impairments. The 2008 edition of my Department's Sectoral Plan, which is available on the Department's website *www.transport.ie*, outlines the progress which has been made in improving access to public transport for older people and people with disabilities since the first plan was published in 2006

Planning Issues.

294. **Deputy Pat Breen** asked the Minister for Transport if the Irish Aviation Authority document of November 1997 entitled Policy in Advising on Planning Applications and Appeals and in particular paragraph 3.6 thereof, labelled Protected Zones under Runway Approaches, still applies; if so, if such policy is endorsed by his Department; and if he will make a statement on the matter. [17585/09]

Minister for Transport (Deputy Noel Dempsey): The Irish Aviation Authority (IAA) has statutory responsibility for the safety of air navigation under the 1993 Irish Aviation Authority Act. The IAA has informed me that the IAA document of 1997 has been superseded by an IAA Aeronautical Notice (T.02 of 2/9/2004) which places the responsibility for the monitoring of Planning Applications in the vicinity of an airport on the Airport Operator. Paragraph 3.6 of the 1997 document no longer applies. Furthermore, the IAA has advised me that it will object to proposed developments anywhere in the State which may affect the safe navigation of aircraft. Planning issues associated with land use are a matter for the Local Authorities and An Bord Pleanála.

Departmental Expenditure.

295. **Deputy Brian Hayes** asked the Minister for Transport the steps that have been taken to reprioritise capital investment programmes towards more labour-intensive projects, and to provide examples of projects which have been prioritised since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014. [17592/09]

Minister for Transport (Deputy Noel Dempsey): In light of the adjusted capital allocation provided to my Department in the April Supplementary Budget, a review of project and programme priorities has been carried out. Among the matters considered as part of the review was the labour intensity of the projects contained in the Department's capital programme. As a result, my Department's priorities for the coming years include:

[Deputy Noel Dempsey.]

- completion of the major inter-urban roads programme,
- completion of the M50 upgrade project,
- progress on the Atlantic Road Corridor,
- provision of additional capacity on the public transport network through the delivery of key projects such as Metro North and the DART underground programme.

In addition, substantial funding will continue to be provided for the regional and local roads programme.

State Airports.

296. **Deputy Brian Hayes** asked the Minister for Transport the proposed funding plans for Dublin Airport between now and the expiry of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014. [17621/09]

Minister for Transport (Deputy Noel Dempsey): The Framework concerned envisaged investment of some €2 billion over the coming years in Dublin Airport by the Dublin Airport Authority. No Exchequer funding is involved. I understand from the Dublin Airport Authority that the current €1.2 billion capital programme, Transforming Dublin Airport, will be completed before the end of 2010. This work includes the construction of a second Terminal, T2, which will be completed and operational in 2010, Pier D, which opened in October 2007, Area 14, major upgrades to the airfield facilities and utilities and an extension to Terminal 1 which opened in April 2009.

The DAA has decided to reduce its investment plans at Dublin Airport for the 2010-2014 period by about 50% to less than €400 million to take account of the current economic downturn. A number of major projects, including the planned new second runway and additional aircraft parking areas, will be deferred. These projects will be reactivated when appropriate circumstances dictate.

Port Development.

297. **Deputy Brian Hayes** asked the Minister for Transport the position regarding the allocation of the €300 million to €600 million to commercial sea ports here since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014; and the specific projects undertaken. [17622/09]

Minister for Transport (Deputy Noel Dempsey): The expenditure referred to in Building Ireland's Smart Economy relates to the port sub-programme of the NDP 2007 to 2013. This sub-programme estimates that between €300 and €600 million of non-Exchequer expenditure will be invested in commercial seaport infrastructure in the State over the period of the NDP. The vast majority of this expenditure will be incurred by the State-owned commercial port companies from their own resources. There is no Exchequer funding of commercial port infrastructure provided for.

To date capital investment under the sub-programme is broadly in line with projections. The Department's monitoring of the sub-programme shows that some €120 million has been invested to date, with a further €75 million budgeted for 2009. This expenditure relates to numerous relatively small port infrastructure projects around the country. A number of major

port infrastructure projects are at various stages of the planning process at present, but none of these have commenced construction as yet.

Road Network.

298. **Deputy Brian Hayes** asked the Minister for Transport the progress that has been reached on the north-west gateway initiative, as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014, and if it is within the agreed budget. [17630/09]

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 construction, improvement and maintenance of individual national roads including the roads element of the North West Gateway Initiative, is a matter for the National Roads Authority under the Roads Act 1993 in conjunction with the local authorities concerned. My colleague, the Minister for Enterprise, Trade and Employment, has overall responsibility for the North West Gateway Initiative.

Harbours and Piers.

299. **Deputy Fergus O'Dowd** asked the Minister for Transport his views on the Association of County and City Councils' representations in relation to the Harbours (Amendment) Bill 2008; and if he will make a statement on the matter. [17762/09]

Minister for Transport (Deputy Noel Dempsey): I have replied to the representations from the Association of County & City Councils regarding the Harbours (Amendment) Bill 2008, in particular the provisions in the Bill with regard to local authority directors. The Bill recently completed all stages in the Seanad and will shortly commence its passage through the Dáil. The primary purpose of the Bill is to give effect to certain aspects of the Ports Policy Statement. One of its key recommendations was the need to enhance port company performance through reform of the board structure. These recommendations are the basis for the provisions on board structure in the Bill. There will be ample opportunity to debate these proposals and other related matters during the passage of the Bill through the House.

Road Signage.

300. **Deputy Deirdre Clune** asked the Minister for Transport if he will outline, in tabular form, the budget for regional road signage in each local authority area for the years 2008 and 2009; and if he will make a statement on the matter. [17825/09]

Minister for Transport (Deputy Noel Dempsey): The improvement and maintenance of regional and local roads, in its area, is a statutory function of each individual local authority to be funded from its own resources supplemented by State road grants paid by my Department. Details of the 2008 and 2009 grant allocations to each county council under the Regional Roads Signposting Programme are set out in the following table.

County Council	2008 Allocations	2009 Allocations
	€	€
Carlow	250,000	46,500
Cavan	300,000	155,000
Clare	300,000	186,000
Cork	950,000	629,300

[Deputy Noel Dempsey.]

County Council	2008 Allocations	2009 Allocations
	€	€
Donegal	500,000	217,000
Dún Laoghaire-Rathdown	150,000	155,000
Fingal	450,000	434,000
Galway	400,000	124,000
Kerry	0	0
Kildare	300,000	217,000
Kilkenny	200,000	217,000
Laois	250,000	186,000
Leitrim	200,000	155,000
Limerick	250,000	173,600
Longford	250,000	31,000
Louth	150,000	186,000
Mayo	250,000	124,000
Meath	200,000	186,000
Monaghan	200,000	62,000
North Tipperary	250,000	186,000
Offaly	150,000	93,000
Roscommon	250,000	186,000
Sligo	0	6,200
South Dublin	100,000	124,000
South Tipperary	200,000	124,000
Waterford	400,000	217,000
Westmeath	250,000	155,000
Wexford	200,000	186,000
Wicklow	200,000	124,000

Departmental Expenditure.

301. **Deputy Lucinda Creighton** asked the Minister for Transport the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17847/09]

Minister for Transport (Deputy Noel Dempsey): The information requested by the Deputy is being compiled and will be forwarded as soon as possible.

Shipping Industry.

302. **Deputy Andrew Doyle** asked the Minister for Transport the action being taken to co-ordinate action with other Departments on the development of Irish shipping in view of the new EU ruling on the lower tax rate for Irish shipping. [17854/09]

Minister for Transport (Deputy Noel Dempsey): My Department is currently considering the recent EU Commission decision on the amendment to the Maritime Tonnage Tax system that Ireland is planning to implement. As the decision made by the Commission varies from what was sought under the initial Irish application, further dialogue and consultation is required with the various stakeholders to ascertain their views with regard to the practical application of the proposed revision. I expect this consultation process to be completed in the near future.

EU Regulations.

303. **Deputy Thomas P. Broughan** asked the Minister for Transport when the EC regulation 1371/2007 on rail passenger rights which has to be transposed by the end of 2009 will be transposed into Irish law; and if he will make a statement on the matter. [17967/09]

Minister for Transport (Deputy Noel Dempsey): Regulation 1371/2007 comes into force on 3 December 2009 and will be binding from that date. The body to be appointed under Article 30 of Regulation 1371/2007, which will be responsible for the enforcement of the provisions of the Regulation, is under consideration. A statutory instrument may be required to give effect to this designation.

304. **Deputy Thomas P. Broughan** asked the Minister for Transport if he has decided which authority will be responsible for enforcement of EC regulation 1371/2007 when it is transposed; and if he will make a statement on the matter. [17968/09]

Minister for Transport (Deputy Noel Dempsey): Regulation 1371/2007 provides for increased rights for rail passengers. This regulation will come into force on 3 December 2009. The body to be appointed under Article 30 of Regulation 1371/2007, which will be responsible for the enforcement of the provisions of the Regulation, is under consideration.

305. **Deputy Thomas P. Broughan** asked the Minister for Transport his position in relation to the proposal for a regulation of the European Parliament and of the Council on the rights of passengers in bus and coach transport; and if he will make a statement on the matter. [17969/09]

Minister for Transport (Deputy Noel Dempsey): The European Commission has produced a proposal for a Regulation of the European Parliament and of the Council on the rights of passengers in bus and coach transport. The proposal covers the liability of bus and/or coach undertakings, rules on non-discrimination and mandatory assistance for disabled persons and persons with reduced mobility. The proposal also sets out obligations of bus and/or coach undertakings in the event of interrupted travel, as well as appropriate rules governing complaint handling and enforcement.

The first discussions on this proposal commenced in April 2009 at the EU Council Transport Working Group and there will be further discussions over the coming months. In meantime the text of the proposal has been sent to stakeholders for consultation and I am currently awaiting their responses, which will inform our position in relation to the negotiation of this draft Regulation.

306. **Deputy Thomas P. Broughan** asked the Minister for Transport the reason he has not designated an enforcement authority for the new EC regulation on price transparency in air travel, which came into force on 1 November 2008; if he will commit to designating an enforcement authority in the coming months; and if he will make a statement on the matter. [17970/09]

Minister for Transport (Deputy Noel Dempsey): Regulation (EC) No. 1008/2008 of the European Parliament and of the Council on common rules for the operation of air services in the Community came into force on the 1st November 2008. This Regulation is directly applicable in all Member States. On 31 October 2008, I made Statutory Instrument No. 426 of 2008, to give effect to Regulation (EC) No. 1008/2008 and to lay down offences and penalties for non-compliance with Article 23 of the Regulation, relating to pricing transparency.

[Deputy Noel Dempsey.]

As I have indicated in response to previous question on this matter, I have agreed with my colleague the Minister for Enterprise, Trade and Employment that in principle the enforcement of such provisions is more appropriate to the National Consumer Agency (NCA) given its broader remit in the area of consumer protection. Discussions between both Departments and the NCA are underway to progress this.

Public Transport.

307. **Deputy Thomas P. Broughan** asked the Minister for Transport the process and analysis by which the price increases of 10% in bus, rail and Luas prices from 1 January 2009 were arrived at; his views on moving towards setting prices in line with the consumer price index; and if he will make a statement on the matter. [17971/09]

Minister for Transport (Deputy Noel Dempsey): My objective in relation to fares charged by CIE is to secure a good balance between anticipated revenues, the cost environment — cost efficiencies and necessary cost increases — and compensation for loss-making services by way of Exchequer subvention to CIÉ, thereby ensuring the ongoing financial viability of the group. In respect of the 2009 fare increases, the CIÉ group was projecting operating losses of €120 million for 2009 before the fares increase and the achievement of increased efficiencies within the group. These losses are due to declining passenger numbers and projected operating costs increases of approximately 10%. I approved an average 6% increase in Luas fares to reflect rising costs, anticipated revenues, as well as current and future maintenance costs. The setting of fares for public transport needs to take account of factors other than changes in the Consumer Price Index.

Road Network.

308. **Deputy Thomas P. Broughan** asked the Minister for Transport the State investment, capital and current, in the road infrastructure in 2007 and 2008; and if he will make a statement on the matter. [17972/09]

Minister for Transport (Deputy Noel Dempsey): State investment in the road infrastructure in 2007 and 2008 is set out in the following tables:

Regional and Local Road Grant Payments 2007 & 2008

	Capital	Current	Total
	€	€	€
2007	478,606,096	128,918,904	607,525,000
2008	469,822,992	134,391,008	604,214,000

National Roads Investment 2007 & 2008

	Capital	Current	Total
	€	€	€
2007	1,712,706,000*	55,097,000	1,767,803,000
2008	1,599,577,000	58,210,000	1,657,787,000

*Includes carryover of 24.1 million.

Rail Network.

309. **Deputy Thomas P. Broughan** asked the Minister for Transport the State investment, capital and current, in the rail infrastructure in 2007 and 2008; and if he will make a statement on the matter. [17973/09]

Minister for Transport (Deputy Noel Dempsey): The allocations to the Railway Procurement Agency for investment in Luas and Metro projects in 2007 and 2008 were €121.6 million and €212 million respectively. In the case of Iarnród Éireann, the corresponding allocations were €400.6 million and €532.6 million. Some €10.2 million was allocated to the RPA in 2007 for current expenditure and €10.598 million in 2008. Some €189.9 million was allocated to Iarnród Éireann in 2007 for current expenditure while an allocation of €191.2 million was made in 2008. In addition, amounts of €1.5 million and €4.8 million respectively were spent on the Integrated Ticketing Project in 2007 and 2008. This project will be rolled out across all modes of public transport.

Public Transport.

310. **Deputy Thomas P. Broughan** asked the Minister for Transport the State investment, capital and current, in public bus and coach transport in 2007 and 2008; and if he will make a statement on the matter. [17974/09]

Minister for Transport (Deputy Noel Dempsey): Some €105.9 million and €128.3 million in Exchequer capital funding was allocated for investment in public bus and coach transport, including bus priority measures, in 2007 and 2008 respectively. Some €117.8 million and €118.5 million in Exchequer current funding was allocated for public bus and coach transport in 2007 and 2008 respectively. In addition, amounts of €1.5 million and €4.8 million respectively were spent on the Integrated Ticketing Project in 2007 and 2008. This project will be rolled out across all modes of public transport.

State Airports.

311. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of air passenger journeys through Irish airports in 2007 and 2008; and if he will make a statement on the matter. [17975/09]

Minister for Transport (Deputy Noel Dempsey): The information requested by the Deputy, as provided by the airports, is set out in the following tables.

State Airports

Airport	2008	2007
	€ million	€ million
Dublin	23.5	23.3
Shannon	3.1	3.6
Cork	3.3	3.2
Total	29.9	30.1

[Deputy Noel Dempsey.]

Regional Airports

Airport	2008	2007
	€	€
Donegal	64,532	60,388
Galway	266,897	309,302
Kerry	423,291	389,434
Knock	629,000	556,357
Sligo	42,493	44,533
Waterford	120,116	118,771

Travel Trade.

312. **Deputy Thomas P. Broughan** asked the Minister for Transport the position regarding the review of the Travel Trade Act being carried out by his Department; the next steps in the process; and if he will make a statement on the matter. [17977/09]

Minister for Transport (Deputy Noel Dempsey): Statutory responsibility for regulation of the travel trade lies with the Commission for Aviation Regulation. As the existing legislative framework for the regulation of the travel trade has been in existence since 1982, I asked the commission to undertake a comprehensive review of the travel trade legislation. The purpose of the review was to assess the operation of the current regulatory arrangements and to recommend reforms that may be warranted. Following an extensive consultation process, the commission submitted its report to me on 30 December 2008. I have published it on my Department's website, *www.transport.ie*. I am examining the commission's findings and recommendations. I have consulted my colleague, the Tánaiste and Minister for Enterprise, Trade and Employment, on the report's findings in the context of consumer protection policy generally. Consultations are ongoing with a view to identifying ways of reducing the regulatory burden on the travel trade while maintaining appropriate consumer protection.

Public Transport.

313. **Deputy Thomas P. Broughan** asked the Minister for Transport his views on the establishment of consumer representative panels for Dublin Bus, Bus Éireann and Irish Rail; and if he will make a statement on the matter. [17978/09]

Minister for Transport (Deputy Noel Dempsey): It is important that public transport providers consult regularly with their customers, whether through customer panels or otherwise, on their service needs. Iarnród Éireann has informed me that regular meetings are held with a number of consumer representative panels that are in place to represent the interests of rail passengers on their key commuter routes. Dublin Bus and Bus Éireann have informed me that as part of their customer charters, a comprehensive customer feedback process exists. Market research is carried out by both companies. In addition, both companies have specific accessibility consumer panels. Dublin Bus is also setting up a customer consultation process in the coming months as part of the implementation of the recent Deloitte recommendations.

Road Safety.

314. **Deputy Fergus O'Dowd** asked the Minister for Transport if he will provide a detailed response to a previous parliamentary question. [18048/09]

Minister for Transport (Deputy Noel Dempsey): As indicated in the previous reply, the introduction of additional penalty points will take place on a phased basis, as has been the practice up to now. No specific timetable was set for penalty points when provided for in the Road Traffic Acts.

315. **Deputy Noel Ahern** asked the Minister for Transport his views on the practice of newspaper sellers selling newspapers to motorists as they walk up and down at main junctions; if same is illegal; if the main newspaper groups have been requested not to facilitate this practice; his plans to prevent this practice; and if he will make a statement on the matter. [18148/09]

Minister for Transport (Deputy Noel Dempsey): The promotion of public awareness of road safety is a matter for the Road Safety Authority. The enforcement of the Road Traffic Acts or the Roads Act is a matter for the Garda Síochána. Safety in the context of a workplace or work environment comes under the remit of the Health and Safety Authority. I have no role in this regard.

Asylum Support Services.

316. **Deputy Niall Collins** asked the Minister for Justice, Equality and Law Reform the position regarding the State's use of Mount Trenchard in Foynes; if it will continue in its existing use; the future plans and the length of time it will be used; and if he will make a statement on the matter. [17543/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Reception and Integration Agency of my Department, which has responsibility for housing asylum seekers while their claims for asylum status are assessed, is contracted to use Mount Trenchard near Foynes, formerly a boarding school, as a centre for housing asylum seekers. The contract extends to late next year. It is difficult to predict whether the premises concerned will continue to be required by the agency when the current contract expires, as this will depend on the demand for asylum seeker accommodation and the availability of alternative housing facilities at that time.

Discrimination in the Workplace.

317. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the initiatives he has put in place to guard against age-related discrimination in the workplace; and if he will make a statement on the matter. [17566/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Under Irish law, discrimination is prohibited on nine grounds, including that of age, in the field of employment by the Employment Equality Acts 1998 to 2008 and in the access to and supply of goods and services by the Equal Status Acts 2000 to 2008. In our programme for Government, we have committed to guard against age-related discrimination in the workplace. A number of initiatives are addressing these issues under the general direction of the Working Group on Equality Proofing. An equality proofing template has been developed by the Equality Authority and is subject to ongoing review and refinement.

An equality mainstreaming unit has been established in the Equality Authority. It is co-funded under the European Social Fund Human Capital Investment Operational Programme 2007-11. The unit aims to support enterprises and labour market programme providers, such as FÁS and the IVEA, to improve labour market access and participation for people experiencing inequality across the nine grounds covered by the equality legislation, including that of age. In addition, sectoral projects to address age discrimination in the hospitality sector, in employment

[Deputy Dermot Ahern.]

and in service provision were conducted under the “Say No to Ageism” public awareness campaign in 2008, organised by the Equality Authority in partnership with the HSE and the National Council on Ageing and Older People.

Joint Policing Committees.

318. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on amending the legislation governing joint policing committees to allow representatives from the Health Service Executive to become members of the JPCs. [17390/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Joint Policing Committees are provided for in the Garda Síochána Act 2005. Their purpose is to provide a forum where the 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 come together, with the participation of members of the Oireachtas and community and voluntary interests, on matters affecting the area. On 24 September last I launched, with my colleague the Minister for the Environment, Heritage and Local Government, the roll-out of the committees from the initial pilot phase in 29 local authority areas to all 114 local authority areas. The guidelines I issued last September, following consultation with my colleagues, the Ministers for the Environment, Heritage and Local Government and Community, Rural and Gaeltacht Affairs, set out, *inter alia*, the provisions for the membership of the committees. It is not considered necessary to provide for representatives of the Health Service Executive to be members of the committees.

Legal Aid Service.

319. **Deputy James Bannon** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Longford will be provided with free legal aid; and if he will make a statement on the matter. [17392/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that in respect of queries concerning the provision of legal services to any person, the solicitor/client relationship is protected by privilege in accordance with the terms of section 32 of the Civil Legal Aid Act 1995. The Legal Aid Board cannot provide information to third parties about a person who may or may not be a client of the board. All applicants or clients can of course obtain information regarding their own applications or cases from the Legal Aid Board any time they wish to do so.

Community Policing.

320. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [17411/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the location referred to is in the Coolock Garda District. Local Garda management is aware of difficulties being experienced by residents in the area as a result of anti-social behaviour. Two members of the local community policing unit are allocated to the area. The members of the unit regularly meet local residents. The area is subject, under the direction of local Garda management, to regular patrols by uniform and plain clothes personnel, including the community policing and Garda mountain bike units, supplemented as required by the district detective and drugs units, the divisional crime task force and traffic corps personnel. Current policing policy in the area is predicated on the prevention of crime,

including crimes of violence against people and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

Equality Authority.

321. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform if he has received the Deloitte and Touche report on the Equality Authority; when the report reached him; when he will make the report available to Oireachtas Members; and if he will make a statement on the matter. [17443/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The position remains as indicated in my replies to Question No. 118 of 22 April 2009 and Question No. 131 of 25 March 2009. The value for money review of the Equality Authority has not yet concluded. It is expected to be finalised in the near future and a decision on publication of the report will be taken in due course.

Services for People with Disabilities.

322. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the status of the allocation of enhanced disability services funding; if his attention has been drawn to the fact that some organisations have applied for EDS funding through Pobal as early as August 2008 and have not been notified as to the status of their funding application; if he will allocate EDS funding as soon as possible and communicate to the relevant applicants whether they have been successful; and if he will make a statement on the matter. [17462/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): In the light of the ongoing economic difficulties, I will keep the position of Round 3 of the Enhancing Disability Services programme under review as the year progresses.

Road Safety.

323. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the number of speed cameras on national primary, national secondary, regional and country roads; the number of cameras which are operational; if the promised contract for additional speed cameras has been put in place with a private company or companies; and the number of additional speed cameras involved. [17466/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The emphasis of Garda Síochána speed enforcement is on the use of mobile speed cameras. Their capacity in this area has been substantially enhanced recently. In September 2008, the Garda Commissioner and I launched eight new Garda mobile speed detection vehicles. These state-of-the-art vehicles represent a substantial upgrading of the resources available to the Garda to address the problem of speeding on our roads, particularly in collision prone zones. The Garda also has over 400 hand held speed detection devices.

In accordance with EU directives, national public procurement procedures and relevant legislation, the force is engaging in a procurement process for the provision and operation of safety cameras. As a result, a preferred supplier has been selected. Discussions are taking place between my Department, the Departments of Transport and Finance and the Garda Síochána with a view to making every effort to proceed with this project as speedily as possible. Until contract discussions are concluded, it is not possible to indicate the number of cameras that

[Deputy Dermot Ahern.]

will be in operation as a result of the project. I am also informed that there are a number of fixed camera installation posts at various locations in the Dublin area and the Louth and Meath divisions. Three cameras are rotated between these posts.

Proposed Legislation.

324. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 631 of 27 January 2009, the progress made on the drafting of the Legal Costs Bill and the Family Law Bill; and if he will make a statement on the matter. [17473/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Work on the general schemes of a Legal Costs Bill and a Family Law Bill is ongoing in my Department.

Residency Permits.

325. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [17490/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The people concerned, a husband, wife and two children, arrived in the State on 20 January 2005. The husband and wife made separate applications for asylum on 24 January 2005 while the two children were included in their mother's asylum application. The asylum applications were refused following the separate consideration of their cases by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. The wife of the person concerned initiated Judicial Review Proceedings in the High Court, on behalf of her two children, challenging the decision of the Refugee Appeals Tribunal in her case. The High Court refused the Judicial Review Leave Application with the consequence that the earlier decision of the Refugee Appeals Tribunal stood.

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the persons concerned were informed, by separate letters dated 30 March 2009, that the Minister proposed to make Deportation Orders in respect of them and their two children. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons they and their two children should be allowed to remain temporarily in the State. In addition, they were notified of their entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The people concerned have submitted applications for Subsidiary Protection in the State in accordance with these Regulations and these applications are under consideration at present. When the consideration of these applications have been completed, the people concerned will be notified in writing of the outcomes. In the event that the applications for Subsidiary Protection are refused, the case files of the persons concerned, including all representations submitted, will then be considered under Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. When these latter considerations have been completed, the case files of the persons concerned are passed to me for decision.

326. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [17491/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 20 May 2004. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 24 April 2008, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be considered, under Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. When this latter consideration has been completed, the case file is passed to me for decision.

327. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [17492/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I refer the Deputy to the reply given to his Question No. 89 of Thursday, 9 April 2009. The status of the person concerned is as set out in that reply.

328. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency and family reunification in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [17493/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person in question has been advised in writing by my Department to submit visa applications on behalf of their children for consideration to the appropriate Irish Embassy or Consulate. As the Irish Embassy in Pretoria, South Africa processes visa applications for the Democratic Republic of Congo, the visa applications must be made on-line and the relevant documentation submitted there. The postal address for the Irish Embassy in South Africa is: First Floor, Southern Life Plaza, 1059 Schoeman Street (Corner Festival Street), Arcadia 0083, Pretoria. Further contact details for the Irish Embassy in Pretoria may be found at www.embassyireland.org.za. Comprehensive information on making a visa application is available on the Irish Naturalisation and Immigration Service website, www.inis.gov.ie. An application for residency in the State should be made on behalf of the children concerned when they have arrived in the State.

329. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency and family reunification in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [17494/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Immigration Division of my Department that the person in question was granted refugee status and made a family reunification application in respect of his wife in September 2008. This application was forwarded to the Refugee Applications Commissioner for investigation as required under section 18 of the Refugee Act 1996. This investigation is completed and the commissioner has forwarded a report to my Department. This application will be considered by my Department and a decision will issue in due course.

330. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to an application for residency in the case of persons (details supplied) in Dublin 22; and if he will make a statement on the matter. [17495/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned has been granted leave to remain in the State for a three-year period to 17 September 2010. This decision was conveyed to the person concerned by letter dated 17 September 2007. The Deputy's question refers to two separate asylum application reference numbers. The Deputy should note that only the second reference number mentioned refers to the person concerned. My Department has no record of the first reference number mentioned in the Deputy's question.

331. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in the case of persons (details supplied) in County Cork; and if he will make a statement on the matter. [17496/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): There is no application pending in my Department for residency in the case of the people whose details were supplied. If an application for asylum has been made by any of the people concerned, the Deputy will be aware that it is not the practice to comment on asylum applications that are pending.

332. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for residency in the case of persons (details supplied) in County Meath; and if he will make a statement on the matter. [17497/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Immigration Division of my Department that no application for residence has been received to date from the person referred to by the Deputy. However, the person's legal representative indicated in correspondence that his client intended to apply for residence in the State on the basis of his marriage to a French national. A form EU1 was issued to the person in question's legal representative on 3 March 2009.

Citizenship Applications.

333. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for citizenship in the case of a person (details supplied) in County Cavan; and if he will make a statement on the matter. [17498/09]

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 Division of my Department in July 2006. Officials in that section inform me that the application is at an advanced stage of processing and that the file will be submitted to me for a decision in due course. The average processing time from application to decision is now 23 months. More complicated cases can take longer than the current average, while some straightforward cases are being dealt with in less than that amount of time. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that the status of citizenship is not undervalued and is only given to people who genuinely satisfy the necessary qualifying criteria.

Residency Permits.

334. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for residency and family reunification in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [17499/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have been informed by the Irish Naturalisation and Immigration Service that it has been in touch with the person concerned and that a decision has been made in this case.

335. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for residency in the case of persons (details supplied) in County Cork; and if he will make a statement on the matter. [17500/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): These applicants applied for asylum in October and December 2006, respectively. Their applications were refused and deportation orders were made on 12 February 2009 and on 19 February 2009 in respect of them. The applicants instituted Judicial Review proceedings on 28 April 2009 and accordingly, as the matter is *sub judice*, I do not propose to comment further.

336. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for residency and citizenship in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [17501/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned arrived in the State on 22 January 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 9 December 2004, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons he should be allowed to remain temporarily in the State.

Representations have been submitted on behalf of the person concerned. They will be fully considered, under Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement, before the file is passed to

[Deputy Dermot Ahern.]

me for decision. The Deputy should note that as the person concerned has not established a right of legal residency in the State, the issue of an application for citizenship does not arise.

337. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for residency and citizenship in the case of a person (details supplied) in County Clare; and if he will make a statement on the matter. [17502/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I refer the Deputy to the reply given to Question No. 331 on Tuesday, 25 November 2008. The status of the person concerned is as set out in that reply.

338. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in regard to the application for residency in the case a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [17503/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): There is no application pending in my Department for residency in the case of the person whose details were supplied. If an application for asylum has been made by the person concerned, the Deputy will be aware that it is not the practice to comment on asylum applications that are pending.

Asylum Support Services.

339. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he will approve an application for a temporary travel document in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [17504/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Irish Naturalisation and Immigration Service informs me that the person in question was refused refugee status following appeal in June 2004 and is therefore not entitled to be issued with an Irish travel document. The person was granted temporary permission to remain in the State on 23 July 2008 for three years until 24 July 2011. The person sought an Irish temporary travel document in December 2008. They were advised by the Travel Document Unit in writing on 30 December 2008 to seek assistance from their relevant embassy which is the appropriate course of action in such circumstances. As the person in question is an Angolan national, it is advised that they should seek consular assistance from their own national authorities and contact the Embassy of Angola, 22 Dorset Street, London W1U 6QY, England with a view to obtaining their national passport or travel document.

Asylum Applications.

340. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of an application for residency in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [17505/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I refer the Deputy to the written reply to Question No. 191 of Thursday, 25 September 2008. The person concerned applied for asylum on 6 June 2006. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person was informed, by letter dated 28 December 2007, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making

of a Deportation Order or of making representations to the Minister setting out the reasons he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The person submitted an application for Subsidiary Protection in the State in accordance with these regulations. This application is under consideration at present. When consideration of this application has been completed, the person will be notified in writing of the outcome. If the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be considered under Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

Residency Permits.

341. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of an application for residency in the case of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [17506/09]

342. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of an application for residency in the case of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [17507/09]

368. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of the application for residency in the case of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [17813/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 341, 342 and 368 together.

The person concerned applied for asylum on 24 October 2006. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person was informed, by letter dated 10 July 2008, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The person submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person will be notified in writing of the outcome. If the Subsidiary Protection application is refused, the case file of the person, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. When this latter consideration has been completed, the case file is passed to me for decision.

343. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of an application in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [17508/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Irish Naturalisation and Immigration Service that the person concerned was approved for Family Reunification following an application made by his father in December 1997. This person has an up-to-date immigration permission that is due for renewal next July.

Garda Investigations.

344. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he has received a report in relation to ongoing matters between the gardaí and a person (details supplied) in County Kildare with particular reference to hearings in the District, Circuit and the High Court; and if he will make a statement on the matter. [17509/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have been informed by the Garda Síochána that a superintendent has been appointed to inquire into the issues raised by the person concerned. However, it is understood that the person has indicated that he does not wish to meet the superintendent at this time. Civil proceedings are also before the courts. In the circumstances, I am unable to comment further.

Residency Permits.

345. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in the matter of residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [17510/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 3 July 2008. 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 16 April 2009, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

To date, no response has been received in my Department to this letter. The 15 working day period referred to in my Department's letter of 16 April 2009 expires on 11 May 2009. It is open to the person to make representations and/or apply for Subsidiary Protection within that period. In any event, the Deputy may be assured that a final decision on this case will not be made prior to the expiry of the 15 working day period referred to above.

European Arrest Warrant.

346. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the degree to which his attention has been drawn to the details of the hearing at Liverpool Crown Court in June 1995, wherein five years' imprisonment was imposed on a person (details supplied); if a procedure is available whereby the courts in this jurisdiction has been made fully aware of the circumstances; and if he will make a statement on the matter. [17511/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Proceedings under the European Arrest Warrant Act 2003 in relation to the case raised by the Deputy are currently before the courts. As the Deputy will be aware, subject to the Constitution and the law,

the courts are independent in the exercise of their functions. As Minister for Justice, Equality and Law Reform, I have no function in relation to the determination of the proceedings.

Public Order Offences.

347. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [17533/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the area referred to is in the Santry Garda District. Local Garda management is aware of difficulties being experienced by residents in the area as a result of anti-social behaviour and drug related activity. A member of the local Community Policing Unit is allocated to this area, and an active Neighbourhood Watch Scheme is in place.

The area has been designated a public order hot-spot. It is subject, under the direction of local Garda management, to regular patrols by uniform and plain clothes personnel, including the Community Policing Unit and the Garda Mountain Bike Unit, supplemented as required by the District Detective and Drugs Units, the Divisional Crime Task Force and Traffic Corps personnel. Additional resources are deployed at weekends. Current policing policy in the area is predicated on the prevention of crime, including crimes of violence against persons and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

Residency Permits.

348. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform the status of an application for leave to remain in the State by a person (details supplied) in Dublin 6; when a decision will be made; and if he will make a statement on the matter. [17545/09]

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, for an initial period of 12 months, in August 2000, under the arrangements then in place for the parents of Irish citizen children. Renewal of such permission to remain is ordinarily granted by the Garda National Immigration Bureau without recourse to my Department. In this regard, I am informed that the person concerned was, in August 2002, granted permission to remain until May 2004.

The person concerned, having left the State on an unspecified date, returned on foot of a visa in May 2007 and was granted permission to remain on that basis for one month. An application for permission to remain on the basis of parentage of an Irish citizen child was received from the person concerned in November 2007. This application was refused because of the length of time that the person and her Irish born child had been absent from the State and the fact that no scheme existed relating to permission to remain in the State on the basis of parentage of an Irish born child at the time of the application. Representations received from the person in question are currently being considered in the context of section 3 of the Immigration Act 1999. The person concerned will be contacted directly and informed of any decisions made regarding her status in the State in due course.

Departmental Agencies.

349. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform if a bonus was paid to management in the Legal Aid Board; the amount of bonus given per manager; the total amount given; and if he will make a statement on the matter. [17562/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I assume that the Deputy's question relates to the high level scheme of performance-related awards for senior civil servants at Assistant Secretary, Deputy Secretary and equivalent grades and Chief Executives of agencies. The only official in the Legal Aid Board to whom this scheme would apply is the Chief Executive Officer. However, no such payment has been made to him in respect of 2008 and, on 5 February last, the Minister for Finance announced that the Government has decided to abolish these performance awards subject to discussions on the implementation of the decision with the relevant staff association.

350. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the attendance of the Legal Aid Board at a conference in New Zealand; the person who paid for the various travel expenses for this trip; and if he will make a statement on the matter. [17563/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed that the conference in question was the biennial conference of the International Legal Aid Group (ILAG) and it was held in New Zealand just last April. The ILAG was originally established in 1992 to provide a forum where national experts involved in the area of legal aid could exchange views and examine common issues and challenges facing legal aid providers in a number of jurisdictions. Since the mid 1990s, the ILAG has hosted biennial conferences to facilitate these discussions. The Legal Aid Board was represented at this year's conference by its Chairperson and its Chief Executive. The travel expenses of the board's representatives were met from its own resources. I am advised that they were fully in line with Civil Service travel and subsistence norms and I am advised that costs were kept to an absolute minimum.

I understand that the Legal Aid Board has participated in these biennial conferences since the late 1990s and, indeed, hosted the 2005 event in Killarney. The board is of the view that, by allowing it to draw on international experience, the conference makes a positive contribution in terms of informing the board's own thinking on a wide range of important operational and strategic issues. This year's conference covered a wide range of topics of relevance to the Irish experience. Both the Chairperson and Chief Executive were very much involved in the conference by way of chairing or facilitating sessions over the three days of the forum as well as presenting the national report on legal aid in Ireland.

Citizenship Applications.

351. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform if he will expedite the processing of a citizenship application by a person (details supplied); and if he will make a statement on the matter. [17564/09]

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 Division of my Department in August 2006. Applications for certificates of naturalisation are dealt with in chronological order as this is deemed to be the fairest to all applicants. Additional resources were allocated to the Citizenship Division of my Department to enable certain categories of applicant to be dealt with more expeditiously. These include refugees, spouses of Irish citizens and minors.

The average processing time from application to decision is now at 23 months. More complicated cases can at times take more than the current average while an element of straight forward cases are now being dealt with in less than that timescale. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must

be processed in a way which preserves the necessary checks and balances to ensure that the status of citizenship is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

Residency Permits.

352. **Deputy Michael Creed** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Cork will be granted residency; and if he will make a statement on the matter. [17565/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): An application for long-term residency by the person referred to by the Deputy was made on 8 May 2008. Officials in the Long-Term Residency Section of my Department have advised me that applications from August 2007 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

Citizenship Applications.

353. **Deputy Paul Gogarty** asked the Minister for Justice, Equality and Law Reform when a decision on an application for naturalisation in respect of a person (details supplied) in County Dublin will be dealt with by his Department; the reason a previous application was refused; if the waiting time for processing of a subsequent naturalisation application is reduced; and if he will make a statement on the matter. [17575/09]

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 first received in the Citizenship Division of my Department in November 2007. On examination of the application submitted it was determined that the person concerned did not have one year's continuous residency immediately preceding the date of application which is a statutory residency requirement as set out in the Irish Nationality and Citizenship Act 1956, as amended. The person in question was informed of this in a letter issued to him on 1 April, 2008. A new application for a certificate of naturalisation from the person in question was received in the Citizenship Division of my Department in July 2008.

Applications for certificates of naturalisation are dealt with in chronological order as this is deemed to be the fairest to all applicants. The average processing time from application to decision is now at 23 months. More complicated cases can at times take more than the current average while an element of straightforward cases are now being dealt with in less than that timescale. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that the status of citizenship is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

Proposed Legislation.

354. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the steps that have been taken to reduce costs and delays in the legal system since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; and if he will make a statement on the matter. [17596/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Proposals for a Legal Costs Bill continue to be developed in my Department in line with a commitment in the Government's legislative programme. In addition, the Courts Service, in collaboration with the

[Deputy Dermot Ahern.]

Court Rules Committees, has implemented a number of initiatives with the goal of reducing the cost of litigation, including rules to facilitate case progression in family proceedings and rules to provide for the holding of conferences of expert witnesses to narrow down the issues between them thus reducing expert witness fees. This is an area I attach great importance to and keep under constant review.

Business Regulation.

355. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the steps taken to achieve the 25% reduction of administrative burdens placed on business as included in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 in areas (details supplied); and if he will make a statement on the matter. [17598/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to refer the Deputy to my reply to Question 277 of 16 December 2008. Preliminary work already carried out by officials would suggest that my Department has a minimal impact in respect of administrative burdens placed on business and this is particularly the case in those areas referred to by the Deputy.

Citizenship Applications.

356. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform if he will review the case of persons (details supplied) in County Westmeath who seek completion of their naturalisation process. [17642/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Applications for certificates of naturalisation from the persons referred to in the Deputy's Question were received in the Citizenship Division of my Department in August 2007. Officials in that section inform me that both applications are at an advanced stage of processing and the files will be submitted to me for a decision in due course. The average processing time from application to decision is now at 23 months. More complicated cases can at times take more than the current average while an element of straightforward cases are now being dealt with in less than that timescale. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that the status of citizenship is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

Drug Seizures.

357. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the amounts of the illegal drugs heroin, cocaine and cannabis detected in each Garda division for the years 2004, 2005, 2006, 2007 and 2008; and if he will make a statement on the matter. [17658/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): In the time available it has not been possible to compile the detailed statistics requested. I will communicate further with the Deputy when the information sought is to hand.

Public Order Offences.

358. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the plans in place to review anti-social behaviour order legislation; and if he will make a statement on the matter. [17666/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Part 11 of the Criminal Justice Act 2006, which provides for civil proceedings in relation to anti-social behaviour by adults, was commenced on 1 January 2007. Part 13 of the Act, relating to anti-social behaviour by children, was commenced on 1 March, 2007. These provisions set out an incremental procedure for addressing anti-social behaviour by adults and children. These provisions have now been in operation for two years, and I believe that they have made a significant contribution to addressing anti-social behaviour. Nevertheless, I believe that it is appropriate at this stage to review the operation of the legislation to see whether any improvements can be made, and in this regard my Department is in consultation with the Garda authorities.

Legal Aid Service.

359. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Kildare will receive a decision in relation to their legal aid case; and if he will make a statement on the matter. [17683/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that in respect of queries concerning the provision of legal services to any person, the solicitor/client relationship is protected by privilege in accordance with the terms of section 32 of the Civil Legal Aid Act 1995. The Legal Aid Board cannot therefore provide information to third parties regarding a person who may or may not be a client of the board. All applicants or clients can of course obtain information regarding their application or case from the Legal Aid Board any time they wish to do so.

Citizenship Applications.

360. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation will be decided for a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [17687/09]

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 Division of my Department in March 2006. Officials in that section inform me that processing of the application is at an advanced stage and will be submitted to me for a decision in due course. The average processing time from application to decision is now at 23 months. More complicated cases can at times take more than the current average while an element of straightforward cases are now being dealt with in less than that timescale. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that the status of citizenship is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

I am also informed that the address the Deputy has provided differs from the address that my Department holds on file for the person concerned. It is the responsibility of the applicant to keep my Department informed of any change of address in writing.

Garda Training College.

361. **Deputy Michael Lowry** asked the Minister for Justice, Equality and Law Reform the person who in Templemore Garda College, County Tipperary, is in command of domestic and catering staff at the Garda College; and if he will make a statement on the matter. [17726/09]

362. **Deputy Michael Lowry** asked the Minister for Justice, Equality and Law Reform the person who ultimately meets the running cost of the restaurant including staffing and food costs for Templemore Garda College, County Tipperary; and if he will make a statement on the matter. [17727/09]

363. **Deputy Michael Lowry** asked the Minister for Justice, Equality and Law Reform the person on his behalf who negotiated the terms of redundancy offered to a number of domestic and restaurant staff in Templemore Garda College, County Tipperary; if, in view of his Department's involvement, this confirms that these workers are employees of the State, that is, public servants; and if he will make a statement on the matter. [17728/09]

364. **Deputy Michael Lowry** asked the Minister for Justice, Equality and Law Reform his long-term plans for the future of Templemore Garda College, County Tipperary; if the current staffing levels will be maintained in all sections of the college; if he will give an assurance that it will not be downgraded in any manner; and if he will make a statement on the matter. [17729/09]

365. **Deputy Michael Lowry** asked the Minister for Justice, Equality and Law Reform the person who in his Department determines the number of staff required in Templemore Garda College, County Tipperary, both in clerical personnel and canteen and restaurant personnel; and if he will make a statement on the matter. [17730/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 361 to 365, inclusive, together.

I have requested the information sought by the Deputy from the Garda Commissioner and I will write to the Deputy directly when this information is to hand.

Residency Permits.

366. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform if he will take steps to expedite an application for long-term residency by a person (details supplied) in view of the fact that same was submitted some time ago; and if he will make a statement on the matter. [17731/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Officials in the Long-Term Residency Section of my Department inform me that an application for long-term residency was received from the person referred to by the Deputy on 29 May 2007. Processing of this application was completed in March 2009, and a letter advising him of the outcome issued on 19 March 2009.

Asylum Applications.

367. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform when a decision will be made on the application submitted in 2005 by a person (details supplied) in County Cork. [17795/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 15 February 2005. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal. Subsequently, in accordance with section 3 of the Immigration Act, 1999 (as amended), the person concerned was informed, by letter dated 21 November 2006, that the Minister proposed to make a Deportation Order in respect of him. He was given the

options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The person concerned did not submit an application for Subsidiary Protection in the State in accordance with these Regulations nor has he, to date, submitted written representations as to why he should be permitted to remain temporarily in the State. The person concerned initiated Judicial Review Proceedings in the High Court, challenging the decision of the Refugee Appeals Tribunal in his case. The High Court refused the Judicial Review Leave Application with the consequence that the earlier decisions of the Refugee Appeals Tribunal and the Minister stood.

The case file of the person concerned now falls to be considered under section 3(6) of the Immigration Act 1999 (as amended) and section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. When this overall consideration has been completed, the file is passed to me for decision. The Deputy should note that the case of the person concerned could not be further processed while the Judicial Review Proceedings referred to were ongoing. Given that the High Court Judgment was delivered on 18 December 2008, it is not true to say that the residency application of the person concerned has been outstanding since 2005.

Question No. 368 answered with Question No. 341.

369. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the application for leave to remain in the State on humanitarian grounds or residency in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [17814/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 3 April 2006. Her asylum application was refused following consideration of her case by the Office of the Refugee Applications Commissioner. The person concerned was advised of her entitlement to appeal this determination to the Refugee Appeals Tribunal but she did not do so.

Subsequently, in accordance with section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 16 August 2007, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006). Representations were submitted on behalf of the person concerned at that time. No application for Subsidiary Protection has been submitted on behalf of the person concerned.

The case file of the person concerned, including all representations submitted, now falls to be considered under section 3(6) of the Immigration Act 1999 (as amended) and section 5 of the Refugee Act, 1996 (as amended) on the prohibition of refoulement. When this overall consideration has been completed, the case file of the person concerned is passed to me for decision.

Residency Permits.

370. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for residency of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [17815/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): An application for Long-Term Residency from the person referred to in the Deputy's question was received in my Department on 16 May 2008. Officials in the section inform me that processing of this application is ongoing and a decision will issue in the coming months.

Departmental Expenditure.

371. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17844/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that, for the most part, the legal services sought by my Department and its associated bodies are co-ordinated and paid for by the Office of the Attorney General and the Office of the Chief State Solicitor. These services are typically sought in the context of the preparation of legislation, legal advice in respect of policy issues and in the management of litigation including judicial reviews.

In a number of instances, my Department and its associated bodies, in accordance with normal procurement procedures, have sought and paid for legal advice and services additional to those provided for centrally by the Attorney General and the Chief State Solicitor. However, in the time available to reply to this Question, it has not been possible to gather and compile the information sought by the Deputy in respect of these costs.

Prisoner Releases.

372. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) who was repatriated from a prison in England and is serving the remainder of their sentence in the Midlands Prison, Portlaoise has been refused compassionate leave or temporary release; and if he will make a statement on the matter. [17949/09]

373. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the release date for a person (details supplied) who was repatriated from a prison in England and is serving the remainder of their sentence in the Midlands Prison, Portlaoise. [17950/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 372 and 373 together.

I wish to advise the Deputy that the person in question is serving an indeterminate life sentence for murder having been repatriated from the United Kingdom in January, 2007. All prisoners who are serving life sentences are eligible to have their cases reviewed by the Parole Board when they have served seven years in custody. The board, which was set up in 2001, makes recommendations to me as Minister in relation to the management of offenders serving long sentences. Generally speaking life sentenced prisoners are reviewed on a number of occasions over a number of years before any substantial recommendations are made that might result in the prisoner being released into the community to continue to serve their sentences,

subject to strict conditions. In relation to the person the subject of this Parliamentary Question I can advise that the case was reviewed by the Parole Board in 2007. I understand that the case is due to be reviewed again by the board in 2010.

More generally, requests for compassionate leave and/or temporary release are submitted through the Governor of the prison and forwarded to my Department for consideration. Each case is considered on its individual merits and it would not be appropriate to comment on the circumstances surrounding any particular application.

Garda Deployment.

374. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform the number of gardaí serving in specialist units such as immigration, detective branch, public service vehicle and crime scene; and if he will make a statement on the matter. [17989/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I have requested the information sought by the Deputy from the Garda Commissioner and I will write to the Deputy directly when this information is to hand.

Public Order Offences.

375. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [17991/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the location referred to is in the Clontarf Garda Sub-District. Local Garda management is aware of difficulties being experienced by residents in the area as a result of anti-social behaviour and several persons have been arrested as a result of such behaviour.

A member of the local Community Policing Unit is allocated to the area and regularly meets local residents. The area is subject, under the direction of local Garda management, to regular patrols by uniform and plain clothes personnel, including the Community Policing Unit and the Garda Mountain Bike Unit, supplemented as required by the District Detective and Drugs Units, the Divisional Crime Task Force and Traffic Corps personnel. Current policing policy in the area is predicated on the prevention of crime, including crimes of violence against persons and property, the prevention of public order offences and the maintenance of an environment conducive to the improvement of the quality of life of the residents. This strategy is, and will continue to be, central to the delivery of the policing service in this area.

Citizenship Applications.

376. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the position of an application by a person (details supplied) in County Kildare for citizenship; and if he will make a statement on the matter. [17993/09]

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 Division of my Department in August 2006. Officials in that section inform me that documentation was requested from the person concerned on 7 November, 2008. To date, no reply has been received. Further processing of the application will commence once the requested documentation is received. I am also informed that the address the Deputy has provided differs from the address that my Department holds on file for the person concerned. It is the responsibility of the applicant to keep my Department informed of any change of address in writing.

Residency Permits.

377. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform if he will review the case of a person (details supplied) in County Westmeath who has on other occasions availed of temporary travel documents but has now been turned down for such documents even though they are legally here. [18039/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Irish Naturalisation and Immigration Service (INIS) informs me that the person in question was refused refugee status following appeal and notified of this decision in early 2006. This person therefore is not entitled to be issued with an Irish travel document. The person concerned was granted temporary permission to remain in the State on 02/09/2008 for 3 years until 02/09/2011.

The person in question sought an Irish temporary travel document in October 2008 and again in April 2009. On both occasions the person in question was advised in writing by the Travel Document Unit to seek assistance from their relevant embassy which is the appropriate course of action in such circumstances. As the person in question is a Kenyan national it is advised that they should seek consular assistance from their own national authorities and contact the Embassy of the Republic of Kenya, 11 Elgin Road, Ballsbridge, Dublin 4 with a view to obtaining their national passport or travel document.

Departmental Agencies.

378. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the action he is taking to protect documents in the care of the Registry of Deeds in Dublin; and if he will make a statement on the matter. [18083/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed that Registry of Deeds documents have been preserved intact since 1707 in a building shared with the Honourable Society of the Kings Inns. A significant investment was made in upgrading this accommodation during the mid 1990's. A major part of this project involved a review of both the storage facilities for the records retained by the Registry and the level of access to those records by the public. The remedial work undertaken introduced a new system of secure and accessible shelving that was complementary to the building together with the installation of specialised temperature and humidity controls. A further preservation project to provide an additional safeguard to the documents began in 2007 and was completed in 2008. This involved filing the documents in secure archival boxes designed and manufactured to National Archives specifications.

In the case of Original Memorials, which are summaries of original deeds that are permanently retained in the Registry of Deeds, the Deputy might wish to note that these are not made available for public inspection. All Memorials from 1930 to date are available on microfilm and this record is normally used for providing copies. While in rare cases, the original Memorial is made available on request, the inspection is carried out under supervised conditions with a member of Registry of Deeds staff in attendance.

Public access to other records such as the Names Index, Lands Index and Transcript Books, is only available to customers in controlled conditions. Any person wishing to inspect these records must sign in at the reception area and sign out again when they leave the building. Access to the area where these books are stored is controlled by way of swipe cards which must be returned before the customer leaves the building.

I understand that, notwithstanding the improvements to the storage and access to the documents, there is excessive wear and tear on some of the documents in the Registry, especially

the large index books. Much of this damage can be attributed to over-use of the documents by genealogical researchers who are among those that have been pressing for measures to preserve these documents. A possible solution to this problem is to make them available electronically and a firm of independent consultants has already carried out work on the development of such a project.

Their report in 2003 was basically a review of the Registry of Deeds service delivery, encompassing the preservation of its records and access for genealogical research. The consultants developed an e-Service Delivery Strategy which was intended to address day-to-day registration services but also to deal with the preservation of the historical records and to make them available on-line for genealogical searching. In 2006, a further independent evaluation on access to Registry of Deeds documentation and the future use of the Registry of Deeds building was carried out. The report recommended the scanning and indexing of the documents and records and, when this had been completed, to re-locate the documents to a more appropriate location.

The Deputy will appreciate that the implementation of either strategy dealing with the historical records is dependent on funding being made available. An associated issue relates to contingency and business continuity planning, in the event of a loss of the records. All of the current records going back to the 1930's are microfilmed. However, there are no copies of the earlier records which as stated above date from 1707.

Finally, a strategic objective of the Property Registration Authority is to advance the completion of the Land Register by extending Compulsory First Registration, while arresting the growth of unregistered titles. While this is a multi-year objective, its achievement will see the eventual phasing out of the Registry of Deeds from the conveyancing process and would enable the transfer of the documents to the National Archives Office.

Immigration Procedures.

379. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the ports, airports, border crossings which are approved points of entry to the State; the same which have a 24 hour Garda presence; the same which have a 24 hour immigration officer presence; the steps which are being taken to improve technology and screening at each point of entry; and if he will make a statement on the matter. [18091/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The airports listed below have been prescribed by Ministerial order (SI 57 of 2004 Immigration Act 2004 (Approved Ports) Regulations) as approved ports for non-nationals (other than seamen) arriving by sea or air from outside the State pursuant to Section 6(2) and 20 of the Immigration Act 2004: Carrickfinn Airport; Cobh; Connaught Airport; Cork; Cork Airport; Dublin; Dublin Airport; Dun Laoghaire; Farranfore Airport; Galway; Galway Airport; Greencastle; Merville; Rosslare Harbour; Shannon Airport; Sligo Airport; Waterford; Waterford Regional Airport.

The arrival of persons across the border with Northern Ireland is provided for by Section 4(5) of the Immigration Act 2004. No particular crossing point is approved, rather persons who are not visa required or visa required nationals in possession of a valid Irish visa may cross at any place they wish, but must subsequently seek permission to be in the State under section 4(1) of the Immigration Act 2004.

There is a 24-hour presence of Garda Immigration Officers at Dublin, Cork and Shannon Airports; all other ports are resourced so that an Immigration Officer is available for all arrivals from outside the State. Section 4(2) of the Immigration Act 2004 places an obligation on all non nationals arriving in the state by air or sea from outside of the State to present himself or herself to an immigration officer and apply for a permission to enter the State.

[Deputy Dermot Ahern.]

The GNIB, in consultation with my Department, have planned, tested, and rolled out a state of the art computerised registration system (GNIB-IS). The main capabilities and functions of the GNIB-IS are: the registration in the State of all non-EEA nationals who are then issued with a system-generated Registration Smart Card; administering the collection of fees for Immigration Registration Certificates; the administration of the Carriers' Liability system in the State; facilitating the exchange of Immigration data sets between GNIB and the UK thus enabling the identification of Immigration offenders from one jurisdiction attempting to enter the other jurisdiction; provision of a platform to enhance the Intelligence capacity of GNIB; tracking the details of non-nationals who are granted leave to land or conditioned on entry to the country, those persons refused leave to land, as well as details of all deportation orders that have been issued by the Minister for Justice, Equality & Law Reform; and provision of functionality to inquire on external information sources such as Office of the Refugee Applications Commissioner, the Dept. of Foreign Affairs, the Dept. of Enterprise, Trade & Employment and the Dept. of Social & Family Affairs.

The system is accessible at over 100 locations nationwide, including all Immigration Registration offices and all the major ports and airports of entry to the State. The development and deployment of a new integrated electronic fingerprint system, which will be linked into the GNIB-IS, is nearing completion. Deployment continues at Garda stations nationwide and an element of this deployment will include the installation of fingerprint equipment at ports of entry across the State. This equipment will be used to assist immigration officers at Ports in the processing of persons who seek to enter the country, who are refused leave to land or who claim asylum.

Officials in my Department are also in the process of developing an Irish Border Information System. This system will operate by processing passenger data supplied by carriers and matching it against watchlists to detect persons of interest entering or leaving the State. This system will be a significant tool for the Garda Síochána, and indeed the other State agencies involved, in meeting their respective law enforcement mandates.

Drug Seizures.

380. **Deputy Michael D'Arcy** asked the Minister for Justice, Equality and Law Reform the number of times a year confiscated caches of illegal drugs seized by the gardaí are destroyed; the location where the destruction of such material takes place; the public auditor who attends such events; the way the amounts of material so destroyed are recorded; and if he will make a statement on the matter. [18136/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that all drugs classified as controlled in the Schedule of the Misuse of Drugs Act, 1977 / 1984 which are seized by members of An Garda Síochána and other law enforcement authorities in the course of investigations, are destroyed upon the determination of court proceedings. Each operation is documented and all associated records are maintained by the Garda Technical Bureau.

The drugs are destroyed under the supervision of a Detective Inspector from the Garda Technical Bureau following analysis and evidential requirements, and with the written authorisation of a member of An Garda Síochána not below the rank of Inspector from the Garda District where the drugs originated. The Garda Technical Bureau also facilitates the destruction of drug seizures that the Bureau receives from the Customs service. The number of occasions on which drugs are destroyed varies from year to year, as it is dependent on the frequency and quantities of drugs seized and the numbers of such cases disposed of by the Courts. It would

not be appropriate to disclose any further information about the destruction of drugs for security reasons.

Residency Permits.

381. **Deputy Mary O'Rourke** asked the Minister for Justice, Equality and Law Reform if he will review the case of a person (details supplied) in Dublin 15 who has been able to avail of temporary travel documents on several previous occasions but has now been refused this facility. [18139/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Irish Naturalisation and Immigration Service (INIS) informs me that the person in question arrived in the State on 2 October, 1998 and applied for asylum. The person was refused a declaration as a refugee and is not entitled to be issued with an Irish travel document. The person was granted humanitarian leave to remain in the State on 20 July, 2001 until 25 July, 2002. His leave to remain was renewed on 19 August, 2003 until 18 August, 2004 and renewed again on 26 July, 2004 until 25 July, 2007. His last renewal was from October 2007 until 30 September 2010.

The person in question sought an Irish temporary travel document in April 2009. They were advised by the Travel Document Unit in writing on 24th April 2009 to seek assistance from their relevant embassy which is the appropriate course of action in such circumstances. In all cases, INIS must be satisfied that there is no alternative open to an Irish temporary travel document applicant preventing them from procuring their own national passport or travel document before an Irish temporary travel document will issue.

As the person in question is an Albanian national it is advised that they should seek consular assistance from their own national authorities and contact the Embassy of the Republic of Albania, 2nd Floor, 24 Buckingham Gate, London SW1E 6LB, England. with a view to obtaining their national passport or travel document.

Road Safety.

382. **Deputy Noel Ahern** asked the Minister for Justice, Equality and Law Reform his views on the practice of newspaper sellers selling newspapers to motorists as they walk up and down at main junctions; if same is illegal; if the main newspaper groups have been requested not to facilitate this practice; his plans to prevent this practice; and if he will make a statement on the matter. [18147/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Casual Trading Act 1995 makes provision for casual trading, which it defines as including the selling of goods at a place (including a public road) to which the public have access as a right. The legislation is the responsibility of my colleague the Minister for Enterprise, Trade and Employment. Other legislation relevant to the selling of newspapers at junctions includes the Road Traffic Acts and Regulations made under them. This legislation is the responsibility of my colleague the Minister for Transport.

Citizenship Applications.

383. **Deputy Noel Ahern** asked the Minister for Justice, Equality and Law Reform if he will clarify the position in relation to an application for citizenship from a person (details supplied) in Dublin 11; if a previous application will be re-activated and processed; the length of time this should take to finalisation; the status with regard to their permission to remain in the State, with annual renewal in 2007 and 2008; and if their case will be finalised and approved. [18150/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Officials in the Citizenship Division of my Department inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's Question. It is open to the person concerned to lodge an application for a Certificate of Naturalisation with the Citizenship Section of my Department at any time.

The person referred to by the Deputy last had permission to remain in the State until the 6th March 2009 on Stamp 4 conditions (Married to an Irish National). An application was received by the General Immigration section from the person referred to by the Deputy on 14th February 2009. Further documentation was requested to process this application, to date this documentation has not been received by the General Immigration Division. Upon receipt of these documents the application will be processed to the next stage.

Asylum Applications.

384. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected position in relation to the application for leave to remain or stamp four in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [18169/09]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 4 March 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 16 January 2009, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why she should be allowed to remain temporarily in the State. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations, 2006 (S.I. No. 518 of 2006).

The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the Subsidiary Protection application is refused, the case file of the person concerned, including all representations submitted, will then be considered under Section 3 (6) of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) on the prohibition of refoulement. When this latter consideration has been completed, the case file of the person concerned is passed to me for decision.

Infectious Diseases.

385. **Deputy John Perry** asked the Minister for Foreign Affairs if he will support the immediate granting by the World Health Assembly of observer status to Taiwan in view of the outbreak of a new multi-strain swine flu in Mexico and the US and as part of the world wide mobilisation of resources to fight the threatened epidemic, (details supplied); and if he will make a statement on the matter. [17700/09]

387. **Deputy John Perry** asked the Minister for Foreign Affairs if, in view of the fact that the World Health Organisation has said the outbreak of a new multi-strain swine flu in Mexico and the US is a public health emergency of international concern and as part of the world wide mobilisation of resources to fight the threatened epidemic, he will support the immediate granting by the World Health Assembly of observer status to Taiwan. [17699/09]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Questions Nos. 385 and 387 together.

In common with most Member States of the UN, and all EU partners, Ireland adheres to a one-China policy, recognising the government of the People's Republic of China as the sole legitimate government of China. We therefore do not support Taiwanese membership of organisations where statehood is a prerequisite for membership, and take the view that any status granted to Taiwan by the WHO must be compatible with the one-China policy.

However, against the above background, and with our EU partners, Ireland continues to be active in seeking to ensure Taiwan's meaningful participation in the activities of the World Health Organisation (WHO) to the fullest extent possible, so as to ensure that there is no geographical gap in the important work of that organisation. In this context, Ireland supports the Taiwanese application for observer status at the meeting of the World Health Assembly (WHA) on 18-27 May. I understand that the Government of China also accepts Taiwan's participation as an observer. As such, I would not anticipate that there will be any obstacle to the WHA granting observer status to Taiwan on this occasion.

Departmental Committees.

386. **Deputy Brian Hayes** asked the Minister for Foreign Affairs if the consultative mechanism on the economic work of embassies has formed; and the steps it has taken to carry out its mandate. [17616/09]

Minister for Foreign Affairs (Deputy Micheál Martin): Among the Action Points included in the Government's Framework for Economic Renewal, launched by the Taoiseach in December, is the establishment of a consultative mechanism with public and private sector representatives to advise on issues related to the economic work of Embassies. The first consultative meeting, which I chaired, took place on Wednesday 29 April in Iveagh House. I intend to hold a number of similar meetings throughout the year with a varied geographical and thematic focus. The meetings will be informal in nature and will include representatives of the public and private sectors, reflecting the particular topic under discussion and specific interests and expertise.

Work is ongoing in my Department, within the Promoting Ireland Abroad Division (PIAD), to set up and prepare for future meetings. Dates are currently being explored with relevant representatives from the public and private sectors for the next meeting to take place in July. I envisage holding a further number of meetings before the end of the year. The aim of the meetings will be to give me an overview of the State's economic interests in specific markets and a sense of how Embassies can provide optimal support to advance those interests.

Question No. 387 answered with Question No. 385.

Departmental Staff.

388. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the number of personnel working in his Department; the number of ambassadors; the average length of time they have spent in his Department prior to being appointed to the post of ambassador; if any of the current ambassadors have been seconded from other Departments or the private sector; and if he will make a statement on the matter. [17718/09]

Minister for Foreign Affairs (Deputy Micheál Martin): The current authorised number of staff in the Department of Foreign Affairs is 1578. Irish Embassies, Consulates General, and Permanent Representations abroad are headed by members of staff of my Department. At present, there are 73 staff serving as Heads of Mission abroad. These staff are generally officers from the Deputy Secretary, Assistant Secretary, Counsellor and First Secretary grades. It is not

[Deputy Micheál Martin.]

possible, in the time available, to provide detailed information on the length of service of each of those officers prior to their first appointment as Head of Mission. However, I can advise the Deputy that in respect of those officers nominated by the Government to serve as Ambassadors for the first time in 2008 and 2009, the average length of service in my Department was 25 years.

Irish diplomats, including Heads of Mission, are career civil servants employed by the Department of Foreign Affairs. One Head of Mission is currently on secondment from another Government Department. In addition, a number of Heads of Mission have served in other Government Departments prior to transferring to my Department. The practice of successive Governments has been to nominate Ambassadors who are established civil servants in the Department of Foreign Affairs. Accordingly, no Heads of Mission have been seconded from the private sector.

Departmental Expenditure.

389. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17842/09]

Minister for Foreign Affairs (Deputy Micheál Martin): As the Deputy will be aware, Government Departments do not pay for the legal services provided by the Office of the Attorney General and the Chief State Solicitor's Office or for advice from Counsel briefed by them. My Department has a Legal Division, staffed by qualified legal professionals who provide legal advice on a wide range of international legal issues. Having such 'in-house' legal experts reduces the costs which would be incurred if the Department was to engage externally for similar services.

Nevertheless, there are from time to time occasions where a need to engage external legal services arises, where the necessary expertise is not available within my Department, for example in regard to particular procurement matters or advice relating to the lease or purchase of Embassy properties abroad.

I have provided detail below, in tabular form, on the costs for external legal services.

Year	2005	2006	2007	2008	2009 (to date)
	€	€	€	€	€
Cost of External Legal services in Ireland	141,442	163,615	141,835	48,483	34
Cost of External Legal services Overseas	109,951	155,495	157,994	168,959	55,525

Departmental Staff.

390. **Deputy Billy Timmins** asked the Minister for Foreign Affairs the position regarding a matter (details supplied); and if he will make a statement on the matter. [18041/09]

Minister for Foreign Affairs (Deputy Micheál Martin): The Department of Foreign Affairs is committed to the provision of a quality customer service. All staff are made aware at induction and other training sessions of the need to maintain a high standard in dealing with customers, both at Headquarters and in our Embassies and Consulates abroad.

From the general public's perspective, the most familiar aspect of the Department's work is performed by the Passport and Consular Division. All frontline staff are provided with cus-

tomers care training. Specific training is given to Passport Office staff who operate the telephone information service. In addition, the Office has a dedicated customer care team to deal with information requests, complaints or other difficulties that members of the public might have with their passport applications.

Although the Department is committed to providing a high quality customer service, there will be occasions when customers feel dissatisfied with the service they receive. A complaint handling procedure for use by our customers is outlined in our customer charter. Customers who are not satisfied with the outcome of the Department's complaints and appeal procedure have the option of referring the matter to the Ombudsman.

Citizenship Applications.

391. **Deputy Billy Timmins** asked the Minister for Foreign Affairs if he will confirm a matter (details supplied); and if he will make a statement on the matter. [18042/09]

Minister for Foreign Affairs (Deputy Micheál Martin): The processing of applications for citizenship through Foreign Births Registration is an important function of Irish Missions abroad. The majority of applications tend to be lodged with Missions in countries which in the past received large numbers of Irish emigrants. While the vast bulk of applications are lodged in our Missions in the United States, Great Britain and Australia, our Embassy Pretoria also receives significant numbers of applications. In the past, many of these Missions experienced backlogs in the processing of applications of this nature, which in most cases have now been cleared.

Irish citizenship, which confers considerable rights, both in this country and throughout the EU, is highly prized and hence there is a strong obligation on the State to ensure the integrity of the process. Many applications require additional work such as checking the authenticity of certificates and further contact with the applicants to seek additional documentation. Like all our Missions abroad, the Embassy in Pretoria is obliged to work within certain resource constraints. Last year, there was a backlog of seven hundred applications for Foreign Births Registration in the Embassy, Pretoria comprised of applications from residents of South Africa and some from Zimbabwe. By temporarily redeploying resources in the Passport Office in Balbriggan, the backlog in Pretoria has now been reduced to approximately two hundred and fifty outstanding applications for Foreign Births Registration.

As a result, the Embassy is normally in a position to advise customers that the normal processing time for Foreign Births Registration applications is six months. This processing time is expected to be reduced in the coming months. The processing period for replacement Foreign Births Registration Certificates, issued by the Embassy Pretoria is approximately one month. If the Certificate was issued by another Embassy or by Consular section in Dublin, the process of issuing a replacement Certificate in Pretoria can take up to three months. Passport applications are processed by the Embassy in four to six weeks from the time of receiving a completed application. I regret that it has not been possible to deal with the case cited by the Deputy within the turn around target. I have asked the Embassy to ensure that this matter is processed as a matter of urgency.

Departmental Expenditure.

392. **Deputy Brian Hayes** asked the Minister for Arts, Sport and Tourism the amount of the €148 million capital allocation for 2009, intended to develop sporting and cultural infrastructure and enhance the infrastructure aimed at tourists and foreign visitors as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014, that has been spent; and the infrastructure it has been spent on. [17624/09]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): As part of a commitment to investing in critical infrastructure in Building Ireland's Smart Economy, the Arts, Sports and Tourism capital allocation in 2009 will be used to develop sporting and cultural infrastructure and to enhance infrastructure aimed at tourists. This capital allocation refers to that of the Ministerial Vote Group, which comprises the Votes of both the Department and the National Gallery of Ireland (NGI).

The €135 million capital allocation for 2009 for this Ministerial Vote Group, as set out in the Revised Estimates 2009, is being used to continue the capital funding schemes and programmes operated by the Department and the NGI. This investment includes the provision of €56 million for the Sports Capital Programme to ensure existing commitments will be met and that a range of modern, well-equipped and well-managed sports facilities will be brought into use. Work is also ongoing with the relevant local authorities to develop the remaining 14 swimming pools promised as part of the Local Authority Swimming Pool Programme, which has already delivered the completion of 43 pool projects.

Some €19 million has been allocated to further develop cultural infrastructure, primarily through cultural projects at the local level, in addition to capital funding support for the national and other cultural institutions. Furthermore, over €7 million has been allocated to tourism product development in order to enhance visitor attractions throughout the country. Of the €135 million capital allocation in 2009, approximately €41 million was spent as at the end of April.

Sports Capital Programme.

393. **Deputy Michael D'Arcy** asked the Minister for Arts, Sport and Tourism the locations at which, following the reduction of 4% in the budget for grants for sporting bodies and the provision of sports and recreational facilities part funded from the national lottery, the €56 million will be spent; the projects and the way each of the successful projects are adjudicated upon; the qualifying criteria for these projects; the person who decides which projects are successful; and if he will make a statement on the matter. [17659/09]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): Under the Sports Capital Programme, which is administered by my Department and part funded from the proceeds of the National Lottery, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. Since 1998, over €725 million has been allocated to over 7,400 projects across the country. €56 million has been provided in my Department's vote in the 2009 Estimates to cover payments to be made from the C1 subhead, out of which grants are paid for the provision of sports and recreation facilities. This enables money to be paid out to grantees that have been allocated funding under previous rounds of the Programme.

After provisional allocations are announced, grantees must fulfil certain terms and conditions before the payments can be made by my Department. These include standard conditions which are available on the Department's website. As soon as these terms and conditions have been complied with the Department makes payments to the grantees. No decision has been taken on the timing of the next round of the Programme.

London Olympics.

394. **Deputy Joe Carey** asked the Minister for Arts, Sport and Tourism if discussions have taken place with the British authorities with regard to the London Olympics 2012; and if he will make a statement on the matter. [17675/09]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): In November 2008 I met with Lord Coe, Chairman of the London Organising Committee to discuss the opportunities for Ireland in the sports, tourism and cultural areas arising from the London 2012 Olympic and Paralympic Games. There are a number of opportunities which can be pursued and my Department is engaging with the relevant sporting, tourism and cultural agencies (including the Irish Sports Council, Olympic Council of Ireland, Tourism Ireland, Fáilte Ireland, Arts Council, Culture Ireland) on how best to proceed with these, taking account of the current economic conditions.

Departmental Expenditure.

395. **Deputy Lucinda Creighton** asked the Minister for Arts, Sport and Tourism the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17834/09]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): In general, whenever the Department requires legal services, it obtains these from the Office of the Attorney General and/or the Office of the Chief State Solicitor. The associated costs are borne directly by those two Offices. However, on occasion and in exceptional circumstances, the Department, including the National Archives, may obtain legal services from other sources. In each of the past five calendar years, the costs associated with such other legal services are as set out in tabular form below.

Year	2004	2005	2006	2007	2008
Costs	Nil	Nil	€3,031	Nil	€250,802

The expenditure in 2008 relates to legal costs associated with the specialist separate Public Private Partnerships processes on the redevelopment of the National Concert Hall and the new Abbey Theatre. The PPP process on the NCH is very advanced and should conclude inside 12 months. The PPP process for the Abbey, entailing a discrete International Design Competition, is also advancing. Contracts for legal advice in these cases are fixed fee contracts and were procured competitively. In the case of the agencies under the aegis of the Department, the securing of external legal services and the associated costs are a matter for the agencies themselves.

Security of the Elderly.

396. **Deputy Seán Barrett** asked the Minister for Community, Rural and Gaeltacht Affairs if, in view of the vulnerability of older persons and the importance of providing security services to isolated older persons, and the modest funding involved, he will restore the funding for the scheme of community support for older people; and if he will make a statement on the matter. [17405/09]

399. **Deputy Michael Creed** asked the Minister for Community, Rural and Gaeltacht Affairs if he will re-consider his decision to suspend the scheme whereby local community alert organisations were able to install socially monitored alarms by virtue of grant aid from his Department; and if he will make a statement on the matter. [18052/09]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran): I propose to take Questions Nos. 396 and 399 together.

I would refer the Deputies to my reply to questions numbered 68 and 69 on 29th April 2009.

Departmental Expenditure.

397. **Deputy Lucinda Creighton** asked the Minister for Community, Rural and Gaeltacht Affairs the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17836/09]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): It has not been possible within the time available to compile the information sought. I am arranging for this work to be compiled and the material provided directly to the Deputy as a matter of priority.

Water and Sewerage Schemes.

398. **Deputy Michael Creed** asked the Minister for Community, Rural and Gaeltacht Affairs if grants will be available from his Department in 2009 in CLÁR areas for group water schemes; and if he will make a statement on the matter. [18051/09]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): As the Deputy will be aware, water and sewerage schemes under the CLÁR Programme were closed to new applications on 8 August 2008. All applications on hand at that date were processed and funding approved, where appropriate. Against the background of the current economic climate, I am reviewing the overall Programme, having regard to demand, the funding available and the level of outstanding commitments. In this context, I will consider the re-introduction of modified water and sewerage measures when circumstances allow.

Question No. 399 answered with Question No. 396.

Departmental Bodies.

400. **Deputy Ruairí Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of moneys grant aided by Údarás na Gaeltachta to companies (details supplied) from the year that each company was established; if Údarás na Gealtachta has taken an equity stake, as well as given grant aid, in any of these companies; if so, the amount involved in each case; and if he will make a statement on the matter. [18125/09]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I can confirm that Údarás na Gaeltachta has been requested to supply the information relevant to the Deputy's Question. The Deputy will appreciate, however, that the details sought by him, which relate to a large number of companies for the period since their establishment, are extensive and it has not been possible to collate them within the time available. I can assure the Deputy that the information will be forwarded to him as soon as it becomes available.

Security of the Elderly.

401. **Deputy Willie Penrose** asked the Minister for Community, Rural and Gaeltacht Affairs if he will take steps to restore the funding in respect of panic buttons for older people; if, in this context, he will confirm that he has received correspondence from an organisation (details supplied) in County Longford which sets out the position as to the reason this service should be restored; and if he will make a statement on the matter. [18172/09]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran): Correspondence from the group in question was received by my Department and has been responded to. I would also refer the Deputy to my reply to questions numbered 68 and 69 on 29 April 2009 in relation to the Scheme of Community Support for Older People.

Social Welfare Benefits.

402. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if she will increase rent support in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [17521/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Rent supplement is administered on behalf of the department by the community welfare service of the Health Service Executive as part of the supplementary welfare allowance scheme. The Executive has advised that the person concerned is in receipt of rent supplement of €435.38 per month based on household income from jobseekers benefit, maintenance payments and part-time employment. The Executive has advised that the person concerned should contact the community welfare officer if there has been a change in circumstances so that her entitlement to rent supplement can be reviewed.

403. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and awarded jobseeker's allowance. [17416/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The person concerned, who is engaged in casual employment, has been awarded jobseeker's allowance from 5 March 2009, at the maximum weekly rate of €204.30, less means of €48.00 per day in respect of any day worked. Under Social Welfare legislation decisions in relation to claims must be made by Deciding Officers and Appeals Officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Social Welfare Code.

404. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if she will review the means assessment system, which places a notional income on commercial property, in view of the 7 April 2009 budget; her views on reviewing same in view of a person not being able to rent a commercial property due to the economic climate; and if she will make a statement on the matter. [17442/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): In assessing means for social assistance purposes, account is taken of any cash income the person may have, together with the value of capital and property excluding the family home, land farmed by the person or commercial premises used in the course of the business of the claimant. The yearly value of property and capital is assessed on a notional basis. In the case of property, the market value is established and any outstanding mortgages on that property are deducted before assessment. The first €20,000 of combined capital and property is then disregarded (€50,000 in the case of disability allowance and €5,000 in the case of supplementary welfare allowance), and the balance is assessed by reference to a formula.

These arrangements are intended to assess the value of the property itself and apply regardless of whether the property is let or not. Where a claimant is of the view that the value of any given property has decreased due to market conditions, he or she may request a review of their claim. Any changes to the current arrangements would have to be considered in a Budgetary context and in the light of available resources.

405. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if there is redress for an employe who discovers when made redundant that their employer had not been paying contributions over a period of many years; and if she will make a statement on the matter. [17458/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Department's Inspectorate, appointed under Section 250 of the Social Welfare (Consolidation) Act 2005 is responsible, inter alia, for ensuring that employers and self employed people comply with the Act in relation to Pay Related Social Insurance contributions. Employer compliance, in this regard, is monitored through inspections which include detailed examinations of employers' records to ensure that correct PRSI payments are being made in respect of all employees.

Where an employee notifies the Department that his/her employer has not been remitting PRSI on their behalf or where an irregularity in a customer's PRSI record is detected at claim processing stage, the case is referred to a Social Welfare Inspector for investigation. Where PRSI undercharges are confirmed, the Inspector sets out PRSI arrears/underpayment in respect of each employee for each tax year and issues a demand to the employer for payment. Should the employer fail to respond satisfactorily, a statutory demand will issue by registered post and the employer given 14 days to respond. If the employer fails to respond the case is considered for prosecution.

Following confirmation of the employment, either by way of wage inspection or employee statement, the Department's Client Eligibility Services Section is advised to update the employee's PRSI record for the period of employment in question. Where a benefit claim is pending the relevant scheme area is similarly advised. This is to ensure that there is no loss of benefit to an employee caused by their employer's failure to make timely and proper returns on their behalf.

406. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs if she will respond to issues raised in correspondence from a person (details supplied) in County Louth; and if she will make a statement on the matter. [17474/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The supplementary welfare allowance scheme, which includes rent supplement, is administered on behalf of the Department by the community welfare division of the Health Service Executive. The recent Supplementary Budget provided that payments currently being made to existing rent supplement tenants be reduced by 8% with effect from 1 June 2009 in the expectation that landlords will reduce their rents, given the reductions in rent levels in the private rental market as a whole. While tenants may be contractually obliged to pay the rent agreed to in their lease, it is expected that landlords will decrease the rent in recognition of the fact that rents have fallen generally and that there are now a large number of vacant rental properties nationally.

Data published by the CSO show that rents fell by almost 7% between November 2008 and February 2009. A leading property website reports that rents have fallen by around 12% in the last year. A similar trend is apparent in tenancies registered with the Private Residential Tenancies Board. There are currently almost 85,000 people in receipt of rent supplement, an increase of 42% since the end of December 2007. It is essential that state support for tenants does not give rise to inflated rental prices and overcharging by landlords.

Other changes in the Supplementary Budget provide for new maximum rent limits to be prescribed in regulations to take effect from 1 June 2009 to reflect the general reductions in private sector rent levels as well as an increase of €6 in the minimum contribution towards rent and mortgage interest supplement to €24 a week. Existing recipients of rent supplement will be advised by letter in advance of the change being made to their rent payment and this communication can be shown to landlords as evidence of the revised rent supplement in payment in individual cases. Landlords will be advised through advertising in the print media of the general reduction in rent supplement payments. Community Welfare Officers have discretion to provide assistance where exceptional circumstances exist in any individual case e.g. where homelessness might result due to the inability of a person to meet their rent payment.

407. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if she will review the rule whereby people being made redundant have to wait nine weeks before job-seeker's benefit is payable in view of the hardship it may cause at a time when employment opportunities are scarce; and if she will make a statement on the matter. [17481/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): In order to target available resources more effectively, the Social Welfare Act, 1992 introduced a provision whereby a person who received a redundancy payment over €15,240 (£12,000) would be disqualified from receipt of Jobseekers Benefit for up to a maximum of nine weeks, depending on the level of the award. The base disqualification threshold was increased to €19,046.07 (£15,000) from May 1994 and to €50,000 from January 2007. Claimants over 55 years of age are exempt from this 'no fault' disqualification. The period of disqualification applies on a graduated basis by reference to the amount of the redundancy payment, as set out in the tabular statement below. As the table demonstrates, a person must receive a sum in excess of €90,000 in order to attract the maximum nine week disqualification prior to payment. While all such provisions and thresholds are kept under review, any proposal to amend the provisions regarding entitlement following receipt of a redundancy payment could only be considered in a budgetary context and in the light of competing priorities.

Amount of Redundancy Period of Disqualification

€	Weeks
50,000.00 – 55,000	1
55,000.01 – 60,000	2
60,000.01 – 65,000	3
65,000.01 – 70,000	4
70,000.01 – 75,000	5
75,000.01 – 80,000	6
80,000.01 – 85,000	7
85,000.01 – 90,000	8
90,000.01 and over	9

Social Welfare Benefits.

408. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the reason rent support has not been granted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [17513/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Rent supplement is administered on behalf of the department by the community welfare service of the Health Service Executive as part of the supplementary welfare allowance scheme. The purpose of the rent supplement scheme is to provide short-term income support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The Executive has advised that the person concerned first presented to the community welfare officer seeking payment of rent supplement at the end of February 2009 but he has not provided proof of his address to date. The community welfare officer is due to make a home visit shortly to the person concerned to assess entitlement to rent supplement.

409. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if an increase in rent support will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [17516/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Rent supplement is administered on behalf of the department by the community welfare service of the Health Service Executive as part of the supplementary welfare allowance scheme. The Executive has advised that the person concerned is in receipt of rent supplement of €355.83 per month based on household income from one-parent family payment, maintenance payments and part-time employment, assessed at the end of February 2009. The Executive has advised that the person concerned should contact the community welfare officer, if there has been a change in circumstances, in order that her entitlement to rent supplement can be reviewed.

Social Welfare Code.

410. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs her views on paying participants in FÁS community employment schemes and FÁS training allowances through the social welfare system and if an estimate has been made of the administrative time and costs that could be saved; and if she will make a statement on the matter. [17558/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Department of Social and Family Affairs, FÁS and the Department of Enterprise Trade and Employment are working together to encourage as many people as possible who are on welfare to take up the training, education and employment opportunities offered by FÁS and others. The issue of this Department paying allowances has been considered from time to time. However, there are a number of obstacles, for example the tracking of attendance at courses, which do not make it feasible to change the current arrangements. In the meantime, the Department of Social and Family Affairs is trying to ensure that in cases where someone avails of a FÁS programme and afterwards has to return to social welfare, the transition is as seamless as possible. The Department is conscious of the need to effect efficiencies wherever possible and will continue to explore ways of doing so in the context of delivering the best possible service to claimants across all its schemes.

Social Welfare Benefits.

411. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the number of people in receipt of back to work allowance, back to enterprise allowance, back to education allowance, community employment scheme payment, training allowances and other FÁS training payments in lieu of welfare in March 2009; and if she will make a statement on the matter. [17561/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The back to work allowance, back to work enterprise allowance and back to education allowance are schemes administered by the Department of Social and Family Affairs. The numbers in receipt of these payments at the end of March 2009 is set out in tabular format below.

Scheme type	Numbers
Back to Work Allowance	3,129
Back to Work Enterprise Allowance	4,293
Back to Education Allowance	11,611

Community Employment (CE) is an active labour market programme administered by FÁS and designed to provide eligible long term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a temporary, fixed term basis. At the end of March 2009, there were 20,974 people participating in community employment. FÁS offers a range of training courses suited to needs of both jobseekers

looking for employment and employees wishing to improve their skills. Courses which lead to major awards on the National Framework of Qualifications (NFQ) are offered in addition to short courses (typically 2 modules) as well as evening courses, on-line courses and blended learning courses that lead to component certification and/or industry recognised certification. The number of people in FÁS training at the end of March 2009 is not available to this Department.

Social Welfare Code.

412. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs if it is the case that the common travel area agreement has not been renewed and therefore a person is no longer granted credit for time spent living in the Six Counties for the purposes of the habitual residence condition; and if she will make a statement on the matter. [17688/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The habitual residence condition applies to all claimants for certain social welfare payments, regardless of nationality. Any person who makes a claim for jobseeker's allowance, child benefit, one parent family payment, disability allowance, State pension non-contributory, carer's allowance, widow's non-contributory, guardian's non-contributory payment, blind pension or supplementary welfare allowance must be habitually resident in the State. The freedom of movement within the Common Travel Area between Ireland and the United Kingdom is reflected in Section 246 of the Social Welfare Consolidation Act 2005 which provides that "it shall be presumed, until the contrary is shown, that a person is not habitually resident in the State at the date of making the application concerned unless the person has been present in the State or any other part of the Common Travel Area for a continuous period of 2 years ending on that date". There has been no change in this provision since its introduction in 2004.

Decisions concerning habitual residence are subject to five factors which are incorporated into social welfare legislation. The five factors are:

- (a) the length and continuity of residence in the State or in any other particular country;
- (b) the length and purpose of any absence from the State;
- (c) the nature and pattern of the person's employment;
- (d) the person's main centre of interest, and
- (e) the future intentions of the person concerned as they appear from all the circumstances.

Periods of residence in other parts of the Common Travel Area, including Northern Ireland, will be taken into account in considering the first of these factors, especially where it was immediately prior to the person moving to live in Ireland. However the person must also show evidence that their habitual residence, in the light of all the above factors, is currently in this State at the time that their claim for social assistance or child benefit is made.

Social Welfare Fraud.

413. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs the system in place to ensure that persons who have left the country do not continue to receive child benefit or early childhood payments to which they are no longer entitled; and if she will make a statement on the matter. [17705/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The prevention of fraud and abuse of the social welfare system is an integral part of the day-to-day work of the Department. All Child Benefit claims require a minimum level of information and documentation to be provided and verified before being awarded. The amount of information and documentation required varies depending on the customer circumstances, for instance the child's place of birth.

Given the significant changes in the Child Benefit customer base and in the value of Child Benefit payments, the control policy for the child benefit scheme, and consequently the Early Child care Supplement (ECS) scheme, has been reviewed to ensure that controls against fraud and abuse of the schemes continue to be effective and relevant. As a result of this review, enhanced and updated control measures have been devised, which include the automated issue of forms (certificates) to sub-sets of selected groups of customers for completion and return to the Department to confirm that they continue to satisfy the conditions for receipt of Child Benefit/ECS.

In the case of non-Irish national recipients who are resident in Ireland with their children, certification is requested that the children continue to reside here — the proof of such residence can be provided via details of the school or college their child attends or, if the child is not of school-going age, details of the doctor or creche they attend. This information is used to verify that the children are resident in Ireland.

With regard to EU nationals who are working in Ireland but who have qualified children living in another EU state and are entitled to Irish family benefits under EU law, certification by their employer of continuing employment is requested. The certification letters currently issue on a three monthly basis. Where the required certification is not provided within the timescale requested, 21 days, the payment of Child Benefit/ECS is suspended pending further enquiry and ultimately terminated if confirmation of continued entitlement is not forthcoming. Following double-checking of the accuracy of the information that is provided, some cases are also referred to Social Welfare Investigators for follow-up action as necessary.

Social Welfare Code.

414. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs her plans to means test child benefit; and if she will make a statement on the matter. [17740/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): As Deputies will be aware, the rates of child benefit have increased significantly since 2001 having trebled for the first two children and increased by over 185% for the third and subsequent children. Partly as a result of this and partly as a result of an increase in the number of eligible children, overall expenditure on child benefit grew from just under £760,000,000 the equivalent of €965 million in 2001 to nearly €2.5 billion in 2008.

The Government is proud to have been able to direct such substantial increases in financial support to all Irish families in recent years. However, given the scale of the current economic crisis, it is necessary to address all aspects of the public finances so as to avoid excessive borrowing and to ensure that fairness exists in the allocation of resources. It was in that context that the Minister for Finance announced in the Supplementary Budget the Government's intention to either subject child benefit to income tax or means-test it from 2010. The issues arising from which approach to adopt are considerable. I understand that the Commission on Taxation is considering the issues underlying the possible taxation of child benefit. Their deliberations will inform the Government's final decision on how to proceed. The Department has advised the Commission of the practical issues involved in taxation of Child Benefit.

In relation to the alternative approach, means testing the almost 600,000 families in receipt of Child Benefit would be administratively cumbersome and costly. Difficulties would have to be overcome in terms of the appropriate treatment of different types of income, establishing the composition of the household and considering how income is distributed within the household. Careful consideration also needs to be given to the likely consequences of both approaches. For example, any option to tax or means test Child Benefit could result in disincentives to take up employment and lead to a reduction in participation levels as it would raise the amount of wages required to replace the level of welfare previously received. It could also lead to a depression of activity levels where people attempt to stay below the different tax thresholds by reducing hours worked or job sharing. Any possible inconsistency of treatment as between cohabiting and married couples also needs to be considered. In addition, the implications for low income households need to be examined carefully, for example in cases where income from child benefit would bring such households over the thresholds for liability to tax.

The Department, together with the Department of Finance and the Revenue Commissioners, will be giving the matter careful consideration over the coming months in anticipation of the report by the Commission on taxation. Since 1944, Child Benefit has been a key instrument in child income support policy with the main objectives of supporting families in the costs of rearing children and the alleviation of poverty. I assure the House that a decision on how best to proceed will not be taken lightly by the Government.

Social Welfare Benefits.

415. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when rent support will be awarded in the case of persons (details supplied) in County Kildare; and if she will make a statement on the matter. [17816/09]

416. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when supplementary welfare allowance will be awarded, on foot of appeal, in the case of persons (details supplied) in County Kildare; and if she will make a statement on the matter. [17818/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 415 and 416 together.

The Health Service Executive has advised that the entitlement of one of the persons concerned to supplementary welfare allowance and rent supplement is as communicated to the Deputy on 31 March 2009 and 28 April 2009. The payment of these allowances is currently under review by an Appeals Officer of the Executive. The other person concerned has not made a claim to supplementary welfare allowance or rent supplement.

Departmental Expenditure.

417. **Deputy Lucinda Creighton** asked the Minister for Social and Family Affairs the annual expenditure on external legal costs by her Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under her aegis in each of the past five years; and if she will make a statement on the matter. [17845/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The expenditure incurred by the Department on compensation and legal fees combined for 2004 — 2008 is set out in the following table. The elements of the Departmental payments relating solely to legal costs are not recorded separately. These payments are paid on foot of agreed settlements or by reference to a Court decision.

[Deputy Mary Hanafin.]

Department of Social and Family Affairs.

Year	Compensation and Legal Fees/Settlements
	€
2004	507,296
2005	264,780
2006	245,742
2007	391,319
2008	227,092

Costs relating to the prosecutions arising from fraudulent claims made to the Department are borne by the Chief State Solicitors Office. The expenditure incurred by the agencies and bodies under the aegis of the Department is set out in the following table.

Name of Statutory Body	Total Annual Expenditure on External Legal Costs
	€
Family Support Agency	2004: 4,410 2005: 22,300 2006: 91,000 2007: 20,907 2008: 39,217
Social Welfare Tribunal	2004: Nil 2005: Nil 2006: Nil 2007: Nil 2008: Nil
Office of the Pensions Ombudsman	2004: 4,235 2005: 22,436 2006: 7,877 2007: 71,661 2008: Minus 2,572.27**
The Pensions Board	2004: 210,494 2005: 264,400 2006: 281,676 2007: 357,913 2008: 404,794 (Provisional Subject to Audit)
Combat Poverty Agency	2004: 15,684 2005: 20,980 2006: 10,080 2007: 3,214 2008: 20,053
Comhairle (Comhairle combined the functions of the former National Social Services Board with certain functions of the former National Rehabilitation Board)	2004: 21,256 2005: 30,606 2006: 15,926
Citizens Information Board (The Comhairle name was changed to Citizens Information Board in February 2007 under the Citizens Information Act 2007)	2007: 75,043 2008: 20,365

**High Court cases in 2007: — In one appeal that went to hearing in 2007, the Pensions Ombudsman's determination was upheld in part. The second part was not tested, as the appeal fell on the first issue, and costs of the appeal (€26,969.79) were awarded to the Office of the Pensions Ombudsman. The refund to the Office of the Pensions Ombudsman which was eventually made in Feb 2008, exceeded the combined legal costs in 2008 resulting in a saving of €2,572.27.

Social Welfare Benefits.

418. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the legislative provisions under which a person (details supplied) in Dublin 11 was awarded only half rate mortgage interest supplement; if she will examine this case as an example of the dilemma facing certain home-owners who have lost their job and through personal circumstances cannot fund their mortgage; and if she will ensure that the appeal in this case is heard as a priority before further arrears build up. [18040/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The supplementary welfare allowance scheme provides for a supplement to be paid in respect of mortgage interest to any person in the State whose means are insufficient to meet their needs. The scheme is administered by the community welfare division of the Health Service Executive on behalf of the department. The purpose of mortgage interest supplement scheme is to provide short term support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only. Article 12(2) of the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 (S.I. 412 of 2007) provides that the amount of mortgage interest supplement payable in any case shall not exceed such amount as the Executive considers reasonable to meet the residential needs of the claimant.

Where two people enter into a joint mortgage agreement there is an obligation on both parties to meet repayments, as agreed with the financial institution. The fact that one of the joint mortgage holders is not resident in the property and/or does not contribute to the mortgage repayments, does not remove the obligation on that person to meet that part of the loan repayment which is reasonably attributable to him/her. It is not considered appropriate that the Exchequer should provide assistance towards the accumulation of a capital asset on the part of the absent/non contributing party to a mortgage agreement.

Where a person residing in the property becomes the sole mortgage holder, a mortgage interest supplement can be considered in respect of such amount as a community welfare officer considers reasonable to meet the person's accommodation needs up to the full amount of interest payable. Where the person resident in the property continues as a joint mortgage holder, a mortgage interest supplement payment is considered in respect of half of the interest on the mortgage. However, the community welfare officer may take into account the circumstances of each individual case and in particular where a person resident in a property is seeking to become the sole mortgage holder.

The Executive has advised that the person concerned has been awarded mortgage interest supplement in respect of her half of the mortgage. She has appealed against this decision to a HSE Appeals Officer. The Executive will be in direct contact with the person concerned when a decision has been made on her appeal.

Departmental Staff.

419. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the position in regard to the transfer of community welfare office staff from the Health Service Executive to her Department; and the way she can guarantee that the flexibility, ethos and culture of the community welfare service can be maintained if the service is operated directly by her Department. [18062/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Supplementary Welfare Allowance scheme is currently administered by the Community Welfare Service division of the Health Service Executive on behalf of my Department. However, as part of its reform of the

[Deputy Mary Hanafin.]

Health Sector, the Government has decided to transfer this function and associated staff from the HSE to the Department of Social and Family Affairs. A considerable amount of preparatory work has been completed. The necessary legislation has been passed, subject to a Commencement Order, the number and location of posts to transfer has been agreed, agreement has been reached with the HSE in relation to accommodation, finance and other support arrangements and detailed discussions have taken place with the relevant trade unions.

As it was not possible to reach agreement with the unions representing Community Welfare Officers (CWOs) in relation to pay, superannuation and other matters, it has been decided that the issues on which agreement could not be reached should be referred to the national industrial relations institutions to find a resolution. Renewed efforts will now be made through the national industrial relations institutions to find a resolution to these issues.

The powers which allow CWOs exercise flexibility and discretion while administering the scheme are provided for under Social Welfare legislation. This discretion is recognised as a major strength of the scheme. The 2007 and 2008 Social Welfare and Pensions Acts which provided the legislative basis for the transfer of functions did not in any way alter the existing discretionary element of the scheme. When the CWOs transfer to the Department, the existing flexibility in the manner in which the scheme is administered will be retained.

Private Rented Accommodation.

420. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the penalties applying where a landlord declares a certain rent for the purposes of a rent supplement application but seeks a top-up from their tenant. [18063/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The supplementary welfare allowance scheme, which includes rent supplement, is administered on behalf of the department by the community welfare division of the Health Service Executive. The purpose of rent supplement is to provide short-term income support to eligible tenants living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source.

Rent supplement is calculated to ensure that the person, after payment of rent, has an income equal to the basic supplementary welfare allowance rate, less a specified weekly minimum contribution of €18 which recipients are required to pay from their own resources. The minimum contribution will be increased to €24 with effect from 1 June 2009.

Those who have income in addition to the basic supplementary welfare allowance rate may be required to contribute more than the minimum contribution but only after significant income disregards have been allowed in respect of that additional income i.e. disregard the first €75 of such additional income together with 25% of any additional income above €75 is disregarded for means assessment purposes. This ensures that those who have no additional income only pay €18 while those who have additional income may be required to contribute some of that additional income towards their rent.

Where a landlord charges a rent to a tenant in excess of that declared by him/her on the rent supplement application form, the matter should be reported to the relevant community welfare officer who will deal with the individual case. The existing legislative provisions relating to the making of false statements for the purpose of obtaining payments from the Department and the relevant penalties are as set out below.

Section 251(1) of Chapter 4 of Part 9 of the Social Welfare Consolidation Act 2005 states that where a person for the purpose of obtaining or establishing entitlement to payment of any

benefit for himself or herself or for any other person, is guilty of an offence where the person — (i) knowingly makes any statement or representation (whether written or verbal) which is to his or her knowledge false or misleading in any material respect, or knowingly conceals any material fact, or (ii) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he or she knows to be false in a material particular,” Section 257 of the Social Welfare Consolidation Act states that a person who is found guilty of an offence under the Act is liable — (a) on summary conviction, to a fine not exceeding €1,500 or imprisonment for a term not exceeding 6 months, or to both, or (b) on conviction of an indictment, to a fine not exceeding €13,000 or imprisonment for a term not exceeding 3 years, or to both.

Departmental Offices.

421. **Deputy James Reilly** asked the Minister for Social and Family Affairs the position regarding the provision of a social welfare office for Balbriggan where unemployment is in the thousands and where there appears to be still no permanent social welfare office despite there being many commercial premises close to public transport available to lease there; and if she will make a statement on this matter which has been on going for over four months. [18068/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Department has requested the Office of Public Works to seek suitable accommodation for the establishment of a new social welfare local office in Balbriggan as a matter of priority. All available options are being examined in the context of a viable accommodation solution, taking account of the operational needs of the Department, the service needs of the local community and also the need to demonstrate value for money to the taxpayer in the acquisition of property.

Social Welfare Benefits.

422. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when jobseeker’s benefit will be awarded in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [18171/09]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The person concerned claimed jobseekers benefit on 26 January 2009. The Department’s records show that he has insufficient contributions paid and/or credited in the governing contribution year (2007) to qualify for payment. The person concerned has advised that he was employed for all of 2007 and as a result enquiries are under way regarding the insurability of his employment in that year. When the enquiries are complete a decision will be made regarding the correct PRSI contribution applicable. A decision on his entitlement to jobseekers benefit can then be made. In the meantime it is open to the person concerned to apply for jobseekers allowance or for supplementary welfare allowance.

Defence Forces Reserve.

423. **Deputy Kathleen Lynch** asked the Minister for Defence the measures which have been taken to improve the capabilities of the Reserve Defence Force in line with the RDF review implementation plan; his views on the future role of the RDF; if the recruitment and awareness campaign postponed in 2008 will proceed in 2009; and if he will make a statement on the matter. [17476/09]

Minister for Defence (Deputy Willie O’Dea): The Reserve Defence Force Review implementation Plan provides for the phased enhancement of the Reserve over the period from 2004 to end 2009. Significant progress has been made to date in implementing the plan. The Reserve

[Deputy Willie O’Dea.]

has been re-organised along similar lines to the Permanent Defence Force, there has been increased investment in the Reserve with new equipment and clothing and opportunities for improved training. Pilot schemes for the introduction of the Integrated Reserve were conducted in 2007 and 2008 and plans to send members of the Reserve overseas by end 2009 were at an advanced stage.

The Government decision of 8th July 2008 set out a requirement for savings to be achieved across the public sector. In this context, the planned recruitment and awareness campaign for the Reserve Defence Force was postponed. With effect from the 27th March 2009 the Government introduced a moratorium on recruitment to the Public Service and as with the public service generally, the Defence Organisation is required to operate with reduced funding for 2009. In this context all recruitment to the Reserve has been suspended for the present.

The moratorium and reduced budgetary provision have also prevented the recruitment of members of the Reserve to the Permanent Defence Force for the purpose of overseas service and this project has been postponed for the foreseeable future. This is a disappointing development for those members of the Reserve who had volunteered as candidates for overseas service and I would like to thank them for the dedication and interest that they have shown.

While the budgetary provision for the training of members of the Reserve has been reduced, it will be sufficient to allow all current members of the Reserve to undertake paid training this year. Clearly we are facing challenging times and the reduction in funding for 2009 has impacted on the Reserve as it has the broader Defence Organisation. However there are no plans to disband the Reserve Defence Force and I am not considering any proposals in this regard.

As the Reserve Defence Force Review Implementation Plan is reaching its conclusion, options for the future development of the Reserve will be considered. This will be informed by the lessons learned from the implementation process. In addition, the Reserve Defence Force has been selected for review as part of the 2009-2011 phase of the Government’s Value for Money and Policy Review initiative. This review will include an examination of the efficiency and effectiveness of the Reserve. It is anticipated that this review, together with the general budgetary situation, will also assist in informing decisions regarding the future of the Reserve.

424. **Deputy Fergus O’Dowd** asked the Minister for Defence the number of applicants, in the context of the suspension of recruitment to the Reserve Defence Force which has been announced in recent weeks by the Deputy Chief of Staff, operations, to enlist in the reserve as of the date of suspension, by brigade and for the Naval Service Reserve, differentiating between those who have undertaken some element of the medical examination against those who have not been medically tested, in whole or in part. [17754/09]

Minister for Defence (Deputy Willie O’Dea): The detailed information requested by the Deputy is not readily available. The information will be forwarded to the Deputy as soon as possible.

425. **Deputy Fergus O’Dowd** asked the Minister for Defence if, having regard to the suspension of promotions in the Defence Forces, Reserve Defence Force potential officers who have satisfactorily concluded module one and who have commenced module 11 will, subject to passing the necessary examinations, be commissioned in 2009; if privates who have commenced RDF potential NCOs courses will, subject to passing the relevant examinations, be promoted in 2009. [17755/09]

Minister for Defence (Deputy Willie O’Dea): The recent government Decision on savings measures on public service numbers is being implemented in the Defence Forces. In this context all promotion within the Reserve has been suspended for the present. The implications of the Government Decision are currently under consideration by my officials in consultation with the military authorities and the Department of Finance.

While the restriction on recruitment, promotion and payment of allowances for the performance of duties of a higher grade applies to the Defence Forces across the board, questions have arisen in relation to a number of issues and particular cases, including the impact on promotion competitions which had advanced, for example to the final medical stages. Officials from my Department and the military authorities are working together to clarify all the issues arising.

Defence Forces Training.

426. **Deputy Fergus O’Dowd** asked the Minister for Defence the annual tests that Defence Force regulations require members of the Permanent Defence Force to satisfactorily conclude each year and the number, in respect of members of the Permanent Defence Force attached to the Naval Service Reserve and the Reserve Defence Force, at all levels, by rank who did not pass or undertake an element of the relevant tests, by brigade or formation, in 2008. [17756/09]

Minister for Defence (Deputy Willie O’Dea): Members of the Permanent Defence Force (PDF) are required to pass an annual Test of Elementary Training and fire their annual range practice in their assigned weapon. These typically include the Styre, Pistol and General Purpose Machine Gun. Members are also required to pass an annual Fitness Test, with the level of fitness required determined by age. In addition to these Tests, PDF members are also obliged to undergo an annual Medical Examination. The detailed information requested by the Deputy in regard to members of the PDF attached to the Naval Service Reserve and the Reserve Defence Force is not readily available. The information will be forwarded to the Deputy as soon as possible.

Defence Forces Strength.

427. **Deputy Fergus O’Dowd** asked the Minister for Defence the number of members of the Permanent Defence Force by rank who have retired or resigned to date in 2009; and the number of personnel by rank who are currently on pre-discharge leave or have sought to retire early. [17757/09]

Minister for Defence (Deputy Willie O’Dea): The number of members of the Permanent Defence Force by rank who have retired or resigned to date in 2009 and the number of personnel by rank who are currently on pre-discharge leave or have sought to retire early are outlined in the following tables:

Discharges 2009 To Date Officers

Reason	Brig Gen	Col	Lt Col	Comdt	Capt	2/Lt	Total
Voluntary Retirement		2	3	1	4	1	11
Retirement On Age Grounds	1	2	3	5			11
Deceased				1			1
Total	1	4	6	7	4	1	23

[Deputy Willie O’Dea.]

Enlisted Personnel

Reason	Sgt Maj	Bqms	CS	Cqms	Sgt	Cpl	Pte 3*	Pte 2*	Recruit	Total
Discharge By Purchase Of A Recruit									6	6
Discharge By Purchase At His Own Request On Compassionate Grounds							9	3		12
Below Defence Forces Medical Standards					1	3	3			7
Expiry Of P.D.F Service							3			3
On Pension After 21 Yrs Service	1	2	2	3	8	2	12			30
On Termination Of Engagement		1	3	5	7	1	4			21
Deceased					3		1			4
Total	1	3	5	8	19	6	33	3	6	84

Personnel Currently On Pre-Discharge Leave

Rank	Count
Cs	5
Cqms	6
Sgt	11
Cpl	12
Pte*	12
Total	46

Officers Who Have Applied To Retire Early

Rank	Count
Col	2
Comdt	1
Total	3

Defence Forces Reserve.

428. **Deputy Fergus O’Dowd** asked the Minister for Defence the terms of reference of the value for money exercise recently announced for the Reserve Defence Force; the methodology being employed; the person who will undertake the exercise; if the Reserve Defence Force Representative Association will be formally involved; when the report is to be concluded; the expected timeframe within which the recommendations will be implemented; and the other value for money exercises being conducted with respect to the Defence Forces. [17758/09]

Minister for Defence (Deputy Willie O’Dea): The Government’s Value for Money and Policy Review Initiative is overseen by the Value for Money and Policy Review Central Steering

Committee. Government Department's are required to submit review topics for inclusion in a rolling programme of Value for Money Reviews. The Department of Defence reviews approved by Government for inclusion in the 2009-2011 round of Value for Money and Policy Reviews are: A Value for Money Review of the Reserve Defence Force. A Value for Money Review of the Training of General Service Recruits.

Value for Money Reviews are conducted in line with guidelines issued by the Department of Finance. Generic terms of reference for such reviews are outlined in these guidelines. Value for Money Reviews within the Department of Defence are overseen by a Steering Committee and for the 2009-2011 round of Reviews, the Government has decided that an independent chairman will be appointed for each Steering Committee. A Chairman will be drawn from a panel, which has been established for this purpose. The Steering Committee will also comprise of senior managers from the Department of Defence and the Defence Forces and will include representation from the Department of Finance. Representative Associations have not been formally involved in any of the Value for Money Reviews undertaken in Defence.

The Review is now being initiated and when formed, the Steering Committee will draft terms of reference in consultation with the Department of Finance. The methodology will be developed once the terms of reference are approved. The date of publication of the Review will be determined when the project plan and work schedule are completed. The timeframe for implementation of recommendations arising from the Review will be as outlined in the Review, when complete.

Other Value for Money Reviews undertaken: An Expenditure Review of Maintenance of Aircraft in the Air Corps was published in 2006. A Value for Money Review of Clothing Procurement in the Defence Forces was published in 2007. A Value for Money Review of Naval Service Vessel Maintenance was completed in March 2009. A Value for Money Review of Military Training Lands is ongoing.

429. **Deputy Fergus O'Dowd** asked the Minister for Defence the number of members of the Permanent Defence Force or Naval Service as at end March 2009 assigned to the Reserve, by rank, indicating those who are assigned on a full-time basis and those who are serving with the Reserve on another basis; the number, in respect of those who are assigned to the Reserve on a non full-time basis who are in receipt of allowance for such assignments; and if, in respect of personnel assigned to the Reserve, the number serving is in excess of the establishment. [17759/09]

Minister for Defence (Deputy Willie O'Dea): As a result of the re-organisation of the Reserve Defence Force (RDF) in 2005 the establishment of the Cadre staff was reduced to figures of 298 in the Army Reserve and 22 in the Naval Service Reserve. The strength of the RDF comprises three elements: Personnel who retained their pre-2005 appointments following the re-organisation. Personnel who held appointments pre-2005, but whose appointments were not continued. These personnel continue to serve in the RDF Cadre, but are designated as Serving Without Appointment (SWA). Personnel who, for a variety of reasons, are on long-term attachment to the RDF Cadre units. These personnel do not hold either current, or pre-2005 appointments. There are 369 personnel in the first two categories above. A breakdown of these, by rank is provided in Table 1. In addition 64 members are on long-term attachment. Table 2 provides a breakdown, by rank of these.

All members of the Permanent Defence Force or Naval Service who are assigned to the Reserve are assigned on a full time basis. The personnel listed in Table 1 are in receipt of allowances and the personnel on Table 2 are not.

[Deputy Willie O’Dea.]

Table 1: Cadre Strength March 2009

	LT Col	Comdt	Capt	LT	2 LT	Total Officers	CS	CQMS	SGT	CPL	Total NCOS	PTES	Grand Total
1 S BDE	2	5	7			14	1	26	30	9	66	3	83
1 S BDE S.W.A ¹						0	1	1	2	11	15	25	40
2 E BDE	1	5				6	1	30	28	7	66	12	84
2 E BDE S.W.A						0				1	1	8	9
4 W BDE	2	8	3			13	1	33	29	8	71	3	87
4 W BDE S.W.A						0				14	14	28	42
RDFTA ²	1					1	1	1	1		3		4
RDFTA S.W.A						0					0		0
NSR		2		2		4	4		4	3	11	3	18
NSR S.W.A						0				2	2		2
TOTAL Cadre	6	20	10	2	0	38	8	90	92	27	217	21	276
Total SWA	0	0	0	0	0	0	1	1	2	28	32	61	93

¹S.W.A.: Serving without appointment.²TA: Training Authority.

Table 2: Attachments Cadre Strength — March 2009

	LT Col	Comdt	Capt	LT	2 LT	Total Officers	CS	CQMS	SGT	CPL	Total NCOS	PTES	Grand Total
1 S BDE			2			2		1	7	7	15	20	37
2 E BDE		2	7	1		10			1		1	1	12
4 W BDE						0				2	2	9	11
RDF TA*		1				1					0		1
NS RDF						0				1	1	2	3
TOTAL	0	3	9	1	0	13	0	1	8	10	19	32	64

*Training Authority.

430. **Deputy Fergus O’Dowd** asked the Minister for Defence the reason, in respect of two eastern brigade Reserve and the written instruction issued on 30 March 2009, with the exception of career courses, guidance has been issued indicating that seven days training only will be made available with no guidance issued on the implications for payment of gratuity. [17760/09]

Minister for Defence (Deputy Willie O’Dea): The eligibility criteria for the payment of a gratuity annually to members of the Reserve Defence Forces have not changed for 2009. The Defence Organisation, as with the public service generally, is required to operate with reduced funding and in this context the current provision for training of members of the Reserve has been reduced by €1.64m for 2009.

As there are finite resources available for paid training, all current members of the Reserve must be afforded the opportunity to undertake training as outlined in the Reserve Defence Force Review Implementation Plan, to the greatest extent possible. The allocation for 2009 will provide for a minimum of 7 days paid training for each reservist within the current strength. The military authorities have decided to suspend integrated training this year while the options for developing the concept are re-considered.

Significant changes to the gratuities paid to members of the Reserve who undertake specified training were introduced in 2008. The previous “flat rate” gratuity was increased to provide for differing levels of specified voluntary training and paid training. These improved rates and the

conditions for award of gratuities were sanctioned by the Department of Finance. The Reserve Defence Force Representative Association was consulted by my Department and the changes had their broad agreement and support.

The terms and conditions for the payment of a gratuity have not changed for 2009. In addition to the phased increase in gratuities linked to specified training levels, both paid and voluntary, there is a requirement for members to have a minimum of one year service prior to being eligible for receipt of a gratuity.

Departmental Expenditure.

431. **Deputy Lucinda Creighton** asked the Minister for Defence the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17837/09]

Minister for Defence (Deputy Willie O’Dea): The main requirement for legal services in my Department is in the context of administrative law litigation, usually in the form of judicial review and personal injury proceedings. The Chief State Solicitor’s Office is responsible for the costs of the State’s legal teams in cases that it manages on behalf of my Department. External legal costs incurred by the State Claims Agency arising from the defence of any claims managed by the Agency for my Department are refunded to the Agency by my Department. In addition the Department may pay plaintiffs’s legal costs as part of awards/settlements. Details of the foregoing costs are being compiled and I will write to the Deputy with the information as soon as possible.

Other than the cost of legal services arising from litigation, my Department and agencies under its remit may from time to time have certain projects that are more suitable to assignment to a dedicated legal team on a one off basis. I have set out in the following table the annual expenditure on external legal costs of this nature.

Department

Year	External legal costs
	€
2004	33,564.71
2005	18,931.22
2006	4,270.91
2007	34,890.57
2008	85,352.55

Civil Defence Board

Year	External legal costs
	€
2004	6,398
2005	Nil
2006	Nil
2007	Nil
2008	Nil

Departmental Staff.

432. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of civil servants by rank or grade in his Department who are availing of work sharing and flexi-time arrangements as a percentage of the total number in each rank or grade in his Department; and if he will make a statement on the matter. [17956/09]

Minister for Defence (Deputy Willie O’Dea): The information requested by the Deputy is outlined in the following table:

Grade	Flexi time	Work sharing
	%	%
Secretary General	N/A	0
Assistant Secretary	N/A	0
Principal	N/A	31
Assistant Principal	57	8
Higher Executive Officer/Administrative Officer	100	18
Executive Officers	100	24
Staff Officer	100	28
Clerical Officer	100	20

Decentralisation Programme.

433. **Deputy Jimmy Deenihan** asked the Minister for Defence the position regarding the decentralisation of elements of his Department to the Curragh, County Kildare; and if he will make a statement on the matter. [17957/09]

Minister for Defence (Deputy Willie O’Dea): The Government decision on decentralisation provides for the transfer of Defence Forces Headquarters (DFHQ) to the Curragh. The procurement of a new building for DFHQ in the Curragh is being handled by the Office of Public Works (OPW). A state owned site in the Curragh has been chosen for the building and planning approval has been obtained. The OPW have requested “Expressions of Interest” from contractors and these are currently being evaluated with a view to drawing up a tender list. It is not possible to give a timescale for the project at this stage until tenders have been invited.

Ombudsman for the Defence Forces.

434. **Deputy Jimmy Deenihan** asked the Minister for Defence if the quality of accommodation has been improved for the office of the Ombudsman for the Defence Forces; and if he will make a statement on the matter. [17958/09]

Minister for Defence (Deputy Willie O’Dea): The Office of the Ombudsman for the Defence Forces was established under the Ombudsman (Defence Forces) Act 2004. On the 19th September 2005, Ms. Paulyne Marrinan-Quinn SC was appointed by the President, upon the recommendation of the Government, as the first Ombudsman for the Defence Forces. Her term of office was extended for a further three years from 19th September 2008. The Office of the Ombudsman is currently located in Hatch Street, Dublin 2. While the provision of accommodation for the Ombudsman is primarily a matter for the OPW, I am anxious to ensure that her office is provided with adequate and appropriate facilities.

The Ombudsman has sought alternative accommodation and I have supported her request to the Office of Public Works. I am advised that the OPW identified potentially suitable prem-

ises that were then inspected by officials from the Ombudsman's office. The Ombudsman has advised me that this particular premises was found not to meet the requirements of the Ombudsman's office and that she had advised the OPW accordingly. I have since written to the OPW, again supporting the Ombudsman's request and the OPW have advised that they are continuing to review properties that may become available in their Dublin property portfolio in order to meet the needs of the Ombudsman. In the interim, I understand that the OPW are discussing with the Ombudsman the necessary works in relation to Health & Safety issues at the existing offices in Hatch Street.

Departmental Staff.

435. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of claims submitted by PDFORRA and RACO respectively under the Defence Forces conciliation and arbitration scheme since 1 January 2008; the number of these claims which have resulted in reports recording agreement; the number which have resulted in reports recording disagreement; the number remaining unresolved; and if he will make a statement on the matter. [17959/09]

Minister for Defence (Deputy Willie O'Dea): A large number of claims are received from the Representative Associations on an ongoing basis under the Conciliation and Arbitration Scheme. These claims are dealt with at Conciliation Council or subcommittee of Council and/or in the normal course of the day to day administration of the C & A Scheme.

Since January 2008 approximately forty claims have been submitted through the Conciliation Council by both PDFORRA and RACO. In addition a number of smaller type claims were submitted and dealt with at various sub committees set up under the Conciliation Council. The majority of claims have been finalised but a small number remain outstanding. Some of these are awaiting signature of Agreed/Disagreed Reports and others are awaiting hearing at facilitation or adjudication. Since 2008 a total of thirty eight Reports of Council have been signed with PDFORRA and RACO, twenty two of which have recorded agreement and sixteen disagreement. Some of these Reports would relate to claims submitted prior to 2008.

I am satisfied that the Conciliation and Arbitration Scheme provides the mechanism for addressing issues which come within the associations' remit and scope. This scheme provides a range of fora to the associations, from formal Council and subcommittee meetings to less formal meetings and contacts as well as the facility to refer issues to facilitation, adjudication or arbitration where appropriate.

436. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of claims and proposals involving RACO and PDFORRA, respectively, that have been referred to a third party in each of the years from 1999 to 2009, inclusive; and if he will make a statement on the matter. [17960/09]

Minister for Defence (Deputy Willie O'Dea): The information sought by the Deputy is not readily available and I am satisfied that to extract this information would take an excessive amount of work and time. I can assure the Deputy however that the Conciliation and Arbitration Scheme provides the mechanism for addressing issues, which come within the associations' remit. This scheme provides a range of fora to the associations, from formal Council and subcommittee meetings to less formal meetings and contacts as well as the facility to refer issues to facilitation, adjudication or arbitration.

437. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of civil servants by grade or rank in the conciliation and arbitration branch, the executive branch and the finance branch of his Department, respectively, on 1 September 1991, 1 September 1995, 1

[Deputy Jimmy Deenihan.]

September 2000, 1 September 2005 and 1 April 2009, respectively; and if he will make a statement on the matter. [17961/09]

Minister for Defence (Deputy Willie O’Dea): I have set out in the tables below the information requested for the years 2000, 2005 and 2009. Similar figures for earlier years are not readily available due to changes in the organisation and branch structure of the Department. The Deputy might like to be aware that overall staff numbers in my Department have fallen from 420 in 1991 to 380 in 2009.

Conciliation and Arbitration Branch

Years	P.O.	A.P.	H.E.O.	E.O.	S.O.	C.O.	Totals
2000	1	2	3.0	3.000	Nil	2.5	11.500
2005	1	2	3.0	3.000	Nil	2.0	11.000
2009	1	2	3.1	2.731	Nil	2.5	11.331

Executive Branch

Years	P.O.	A.P.	H.E.O.	E.O.	S.O.	C.O.	Totals
2000	1	2	1	2	1	1	8
2005	1	2	3	2	1	2	11
2009	1	2	2	2	1	2	10

Finance Branch

Years	P.O.	Professional Accountant	A.P.	H.E.O.	E.O.	S.O.	C.O.	Totals
2000	1	1	3	11.0	11.50	19.0	90.5	137.0
2005	1	1	4	14.0	15.50	16.5	84.5	136.5
2009	1	1	4	10.8	16.15	17.3	85.8	136.5

438. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of civil servants by grade or rank in his Department who have received formal training and education, respectively, in defence policy planning or analysis; the nature of that training or education; the system in place within his Department to ensure that his officials receive such education and training; and if he will make a statement on the matter. [17962/09]

Minister for Defence (Deputy Willie O’Dea): I have set out in the table below details of relevant formal training and education courses undertaken by staff of my Department. My Department has a strong commitment to the training and development of staff. It has consistently met the Government target of devoting 4% of payroll to training. The Department holds the Excellence through People accreditation from FÁS and the Training & Development Section is ISO accredited.

As part of the Performance Management and Development System (PMDS), a personal training and development plan is developed on an annual basis for every member of staff. Progress with individual training plans is reviewed formally twice a year as part of the PMDS process. For a number of years now, there has been an increased focus on the development of

the policy formulation and evaluation roles of the civil service staff of the Department and on securing value for money in defence expenditure. A major milestone in that regard was the 2000 White Paper on Defence. The strategic objectives and programmes to achieve the mission of the Defence organisation have been set out in successive strategy statements, most recently in the joint civil/military Statement of Strategy 2008 — 2010. I can assure the Deputy that I have complete confidence in the skills and capacity of the officials in my Department to advise me on all aspects of defence policy.

Training/Education Programme	Numbers	Grade
Masters in Policy Analysis	3	Principal Officer (PO), Assistant Principal (APO)
Higher Diploma in Policy Analysis	2	APO
Policy Analysis Skills	2	APO, Higher Executive Officer (HEO)
Masters in Public Management	1	APO
ESDP (Brussels) — Orientation	6	PO, APO, HEO
ESDP (Brussels) — Higher Level	2	Assistant Secretary, PO
European Security Policy (3 month prog. in Geneva)	1	HEO
ESDP Defence Workshop	9	All grades
Legal Briefings and Workshops	70	All grades
Regulatory Impact Analysis	3	PO
Legislative Process	14	All grades
Strategic Emergency Planning	3	PO, APO, HEO
Leadership Challenge Programme	2	Assistant Secretary

Defence Forces Reserve.

439. **Deputy Richard Bruton** asked the Minister for Defence the impact of the embargo on employment on the Reserve Defence Forces; if his attention has been drawn to the fact that people who have long-standing applications have been caught up in the restrictions; the cost savings he foresees; and if they could be made up by making summer camp unpaid or in other ways that would not suspend this voluntary service. [18012/09]

Minister for Defence (Deputy Willie O’Dea): The Government introduced a moratorium on recruitment to the Public Service with effect from 27th March 2009 and, as with the public service generally, the Defence Organisation, is required to operate with reduced funding for 2009. In this context all recruitment to the Reserve Defence Force has been suspended for the present. I am aware that this will be disappointing to many individuals who have applied for enlistment in the Reserve.

Membership of the Reserve already requires a significant voluntary commitment of unpaid training. In addition members of the Reserve undertake paid training. While the current budgetary provision for training of members of the Reserve has been reduced, it will be sufficient to provide for paid training for the existing members of the Reserve this year. As there are finite resources available for paid training, increases in numbers to the Reserve would reduce the levels of paid training for the existing members of the Reserve.

I appreciate that certain individuals wishing to join the Reserve are willing to forego paid training. However, I have to ensure that members of the Reserve are afforded the opportunity to undertake training as outlined in the Reserve Defence Force Review Implementation Plan, to the greatest extent possible given the budgetary constraints. Recruiting additional members

[Deputy Willie O'Dea.]

to the Reserve at this time would not be in the best interest of the Reserve Defence Force in general.

Naval Service Vessels.

440. **Deputy Jimmy Deenihan** asked the Minister for Defence if he will publish the contents of the survey he commissioned into the salvaging of the *Asgard II*; if he has received enquiries from interested parties to raise the vessel; and if he will make a statement on the matter. [18114/09]

Minister for Defence (Deputy Willie O'Dea): There were two underwater video surveys commissioned on Asgard II following her sinking on 11 September 2008. The initial survey, which was carried out between 26 and 29 September, revealed that the vessel was lying upright in some 80m of water and appeared to be largely intact. Other than some visible damage to one of the hull planks, the video survey did not reveal anything about the extent of damage to the vessel. The second survey commenced on 28 January 2009 but it was not possible to complete the survey due to adverse weather conditions. However, a sonar image of the vessel was obtained which appeared to show it to be still in an upright position. I understand that there has been a number of queries from parties who claim to be interested in salvaging Asgard II. However, no firmly funded proposals have been received.

Questions Nos. 441 and 442 answered with Question No. 87.

Military Archives.

443. **Deputy Jimmy Deenihan** asked the Minister for Defence if suitable accommodation will be provided for military archives; and if he will make a statement on the matter. [18117/09]

Minister for Defence (Deputy Willie O'Dea): The Military Archives, located in Cathal Brugha Barracks, Rathmines, Dublin 6, is the place of deposit for the records of the Department of Defence, the Defence Forces and the Army Pensions Board under the terms of Section 14 of the National Archives Act 1986. Military archives are held there and, because of storage space constraints, in other locations. A Military Pensions Archive project, covering the 1916 Rising and the War of Independence, is underway. The purpose of the project is to make the records for this period available to the public and to historians in good time for the 100th anniversary of the 1916 Rising in 2016. The requirement for a more suitable home for the Military Archives has been recognised for some time and has been the subject of significant research. The long-term accommodation for the Military Archives will be reviewed in the context of the Military Pensions Archive project.

Defence Forces Reserve.

444. **Deputy Jimmy Deenihan** asked the Minister for Defence the position regarding members of the Reserve Defence Forces who wish to serve abroad; if he expects that such personnel will be able to serve abroad during 2009; and if he will make a statement on the matter. [18118/09]

Minister for Defence (Deputy Willie O'Dea): The plan to deploy members of the Reserve Defence Force on overseas peace support operations has been postponed for the foreseeable future. The Government has introduced a moratorium on recruitment to the Public Service with effect from 27th March 2009. This moratorium prevents the planned recruitment of members of the Reserve to the Permanent Defence Force for the purpose of overseas service. In addition,

reductions in the Defence payroll budget have limited the scope for payment of additional personnel. For these reasons the planned deployment cannot now proceed.

The pilot project to send a small number of Reservists overseas by end 2009 was at an advanced stage and this is a disappointing development for all concerned. I would specifically like to thank those members of the Reserve who have participated in integrated training and volunteered themselves as candidates for overseas service, for the interest and commitment they have shown. I will ensure that this project is re-visited as soon as circumstances permit.

445. **Deputy Jimmy Deenihan** asked the Minister for Defence the progress made in regard to the commitment given in the programme for Government to fully execute the Reserve Defence Forces implementation plan by the 2009 target; and if he will make a statement on the matter. [18119/09]

Minister for Defence (Deputy Willie O’Dea): The Reserve Defence Force Review implementation Plan provides for the phased enhancement of the Reserve over the period from 2004 to end 2009. Significant progress has been made to date in implementing the plan. The Reserve has been re-organised along similar lines to the Permanent Defence Force, there has been increased investment in the Reserve with new equipment and clothing and opportunities for improved training. Pilot schemes for the introduction of the Integrated Reserve were conducted in 2007 and 2008 and plans to send members of the Reserve overseas by end 2009 were at an advanced stage.

As the Deputies will be aware, the Government has introduced a moratorium on recruitment to the Public Service with effect from 27th March 2009 and as with the public service generally, the Defence Organisation is required to operate with reduced funding for 2009. In this context all recruitment to the Reserve has been suspended for the present.

The moratorium and reduced budgetary provision have also prevented the recruitment of members of the Reserve to the Permanent Defence Force for the purpose of overseas service and this project has been postponed for the foreseeable future. This is a disappointing development for those members of the Reserve who had volunteered as candidates for overseas service and I would like to thank them for the dedication and interest that they have shown. While the budgetary provision for the training of members of the Reserve has been reduced, it will be sufficient to allow all current members of the Reserve to undertake paid training this year.

Child Care Services.

446. **Deputy Jimmy Deenihan** asked the Minister for Defence the progress made on providing a workplace child care facility at the Curragh Camp, County Kildare; and if he will make a statement on the matter. [18120/09]

Minister for Defence (Deputy Willie O’Dea): I have just received, from the Defence Forces Partnership Steering Group, a Report which analyses the need and viability of a workplace child care facility in the Curragh Camp for members of the Defence Forces and the Department of Defence. As I have not yet had an opportunity to consider the Report I am not in a position to comment further at this stage.

Question No. 447 answered with Question No. 82.

Overseas Missions.

448. **Deputy Bernard J. Durkan** asked the Minister for Defence the recent discussions he

[Deputy Bernard J. Durkan.]

has had in the context of European defence and security issues; and if he will make a statement on the matter. [18160/09]

450. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which he has had discussions with his EU and UN colleagues in the context of future overseas deployments of the Defence Forces; and if he will make a statement on the matter. [18162/09]

Minister for Defence (Deputy Willie O’Dea): I propose to take Questions 448 and 450 together.

I regularly meet with my EU colleagues in the context of the European Security and Defence Policy. Two (2) meetings of EU Defence Ministers are held during each six (6) monthly EU Presidency. These meetings present the opportunity to engage in discussions with my Defence colleagues from the other member States of the Union on issues of mutual concern. Discussions at these meetings cover a wide range of European Security and Defence issues, including current operations, cooperation with other international organisations, including the United Nations and NATO in relation to peace support operations, and the development of EU military and civilian capabilities for crisis management operations. The next meeting I am due to attend at EU level will be the General Affairs and External Relations Council (GAERC) meeting in Brussels on 18th May 2009.

I am also kept abreast of issues arising within UN from reports on meetings attended by officials from my Department and Military Representatives, especially in relation current and possible future overseas deployments of members of the Defence Forces on UN mandated missions.

Defence Forces Equipment.

449. **Deputy Bernard J. Durkan** asked the Minister for Defence if he is satisfied that adequate and modern safety equipment is available to all members of the Defence Forces in accordance with current or future best practice; and if he will make a statement on the matter. [18161/09]

452. **Deputy Bernard J. Durkan** asked the Minister for Defence if all modern training technology and equipment is available to the Army, Navy and Air Corps individually in the context of participation in overseas deployments under the aegis of the EU and UN; and if he will make a statement on the matter. [18164/09]

454. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which technology and equipment for the Air Corps has been upgraded in line with modern military requirements with a view to benefiting to the maximum possible extent from service overseas with the EU and UN; and if he will make a statement on the matter. [18166/09]

455. **Deputy Bernard J. Durkan** asked the Minister for Defence if he is satisfied that all modern technology and equipment for training and for general use is currently being made available to the Defence Forces in the context of overseas deployment or regular use; and if he will make a statement on the matter. [18167/09]

Minister for Defence (Deputy Willie O’Dea): I propose to take Questions Number 449, 452, 454 and 455 together.

As Minister for Defence, the health and safety of Defence Forces personnel and the provision of adequate training and equipment are of utmost importance to me. The Defence Forces complies with the Safety, Health and Welfare at Work Act, 2005 and the Safety, Health and

Welfare at Work (General Application) Regulations 2007. All safety equipment is monitored and inspected regularly in accordance with regulations. Safety equipment is replaced as required and all new procurements comply with Irish and European standards. Safety equipment is available to all members of the Defence Forces who are identified as requiring this equipment. In addition to internal monitoring, the State Claims Agency conducts annual audits to OHSAS 18001: 2007 standard, on all Formation Headquarters and twelve randomly selected Units throughout the Defence Forces annually. This audit includes the inspection and availability of modern safety equipment and to date the Defence Forces has complied with the requirements of the State Claims Agency.

In terms of the other equipment types procured for use by the Defence Forces, contract documentation submitted by suppliers must include independent certification of compliance with any Irish, UK or other international standards claimed for the products, materials or services being supplied. Modern technology and equipment for training is made available to the Defence Forces at home and on overseas deployment. Examples are as follows:

- The Close Reconnaissance Vehicle. This vehicle has an integrated autonomous vehicle mounted system for remote operation of medium machine guns and automatic grenade launchers. The system is designed to ensure optimal personnel safety and operational capabilities.
- Climate controlled containers were procured to provide appropriate and safe workshops, weapon and equipment stores and also specialised storage containers for overseas deployments, including Chad.
- Integrated Protected Load Carrying System including body armour, helmets, rucksacks and battle vests.
- Nuclear, Biological and Chemical (NBC) protective suits.

The Defence Forces is heavily involved in interoperability training and technical developments in coordination with similar UN and EU partners. For example, the Defence Forces took part in Exercise Illuminated Summer in Autumn 2008, as part of the main interoperability exercise, during Ireland's membership of the Nordic Battlegroup 2008. This involved training with Swedish, Finnish, Norwegian and Estonian partners. Irish troops have formed part of joint units on UN and EU Peace Support Operations (PSO) with Swedish partners in Liberia, Kosovo and CHAD. In addition the Defence Force partakes regularly in joint operations and training exercises in theatre on PSO missions.

As regards the Air Corps, a full fleet modernisation programme has been completed in the recent years, which has replaced the three older type of helicopters with two modern types, namely the EC135 and AW139. Both helicopter types are capable of being equipped with air ambulance equipment and stretchers with which they support the Service Level Agreement between the Department of Defence and the HSE. The AW139, the larger of the two types, can also be equipped with an alternative casualty evacuation kit which can transport four injured persons as well as a medical crew. These equipments allow the most up-to-date service to be offered to Irish troops.

These helicopters are equipped with rescue hoists also, so casualty extraction from remote areas with no landing areas can also be effected safely and efficiently. This hoist equipment is also state of the art and represents the leading edge of technology in this field. I am satisfied that each of the services, Army, Air Corps and Naval Service are fully equipped to meet the roles assigned to them by Government. In this regard, as the Deputy will be aware neither

[Deputy Willie O’Dea.]

Naval Service nor Air Corps assets are deployed on overseas missions and as such the question of the suitability or otherwise of the assets for EU or UN deployments does not arise.

Question No. 450 answered with Question No. 448.

National Emergency Plan.

451. **Deputy Bernard J. Durkan** asked the Minister for Defence the full extent to which the Army, Navy and Air Corps are involved in the national emergency plan; the Government Department or sector which has overall responsibility in such issues; and if he will make a statement on the matter. [18163/09]

Minister for Defence (Deputy Willie O’Dea): Emergency planning in this country is developed on the ‘lead department’ principle. This means that each department is responsible for planning for emergencies that fall within its area of responsibility. National emergency plans are in place for a number of specific emergency scenarios such as a nuclear incident or an influenza pandemic. The Government Task Force for Emergency Planning supports coordination of emergency planning across departments and key agencies. The Task Force, which I chair, meets on a regular basis and there have been 60 meetings since it was established in 2001. It provides a forum for sharing information and keeping emergency planning high on the agenda of all government departments.

The Framework for Major Emergency Management is the document that sets out a structure enabling the Principal Response Agencies (An Garda Síochána, the Health Service Executive and Local Authorities) to prepare for, and make a coordinated response to, major emergencies resulting from events such as fires, transport accidents, hazardous substance incidents and severe weather. The involvement of the Defence Forces in responding to emergencies arises from requests for assistance from An Garda Síochána (aid to the civil power) or from other agencies of the State (aid to the civil authority). The role of the Defence Forces in these situations would depend on the nature of the incident and the assistance requested.

The Department of Defence and the Defence Forces are represented on a number of National emergency committees/groups including:

- Government Task Force on Emergency Planning; Interdepartmental Working Group on Emergency Planning;
- National Steering Group on Major Emergency Management; Interdepartmental Committee on Public Health Emergency Planning;
- Emergency Response Committee on Nuclear Accidents.

The Major Emergency Plans which have been developed by local and regional authorities identify the procedures for requesting assistance from the Defence Forces. The provision of Defence Forces’ support is dependent on the exigencies of demands, and within available resources, having regard to both current and contingent Defence Forces operational commitments at the time. Nevertheless, every effort continues to be made by the Department and the Defence Forces to respond as swiftly and efficiently as prevailing circumstances permit.

The negotiation of prior agreed arrangements through Memorandums of Understanding (MOUs) and Service Level Agreements (SLAs) between the Department of Defence, the Defence Forces and relevant Government Departments continues to facilitate a planned and

efficient response in emergency situations. SLAs have been agreed with a range of Departments in this regard and discussions are ongoing with other Government Departments and agencies regarding the developments of further SLAs.

Question No. 452 answered with Question No. 449.

Defence Forces Training.

453. **Deputy Bernard J. Durkan** asked the Minister for Defence the degree to which it has been found possible to allow the Naval Service train with other UN and EU forces in the context of likely future peacekeeping operations or missions; and if he will make a statement on the matter. [18165/09]

Minister for Defence (Deputy Willie O’Dea): Naval Service training plans are structured to provide the capabilities needed to execute the roles assigned to them under the White Paper on Defence. Priority is given to operational tasks in Ireland. However, the Naval Service also keeps abreast of developments at international level by regular attendance at training courses and seminars at home and abroad. This enables them to adjust their training schedules if necessary in order to maintain required standards. As a matter of standing policy, Naval Service assets are not deployed on overseas peace support operations and there are no plans to develop such capacity at this time. However, Naval Service personnel do serve in staff appointments in Peace Support Operations overseas and have done so for many years. In the context of these deployments, Naval Service personnel receive ongoing training to enable them to participate fully in UN, EU and other missions overseas.

Questions Nos. 454 and 455 answered with Question No. 449.

456. **Deputy Bernard J. Durkan** asked the Minister for Defence the degree to which it has been found possible for members of the Defence Forces expected to be deployed on overseas duties under the aegis of the EU or UN to avail of training and technology available to their respective colleagues; and if he will make a statement on the matter. [18168/09]

Minister for Defence (Deputy Willie O’Dea): The Defence Forces receive ongoing training to enable them to participate fully in UN, EU and other missions overseas. Troops selected for overseas service undergo a rigorous programme of training, designed to help them carry out their peacekeeping mission and to provide for their protection. Pre-deployment training is provided to members of the Permanent Defence Force and is updated on an ongoing basis in the light of any changes in the threat assessment or mission requirements.

The Defence Forces are also involved in interoperability training and technical developments in co-ordination with similar UN and EU partners. For example the Defence Forces took part in Exercise Illuminated Summer in Autumn 2008, as part of the main interoperability exercise, during Ireland’s membership of the Nordic Battlegroup 2008. I am satisfied that Defence Forces personnel serving overseas receive, and will continue to receive, the necessary training to enable them to carry out their duties in a professional manner.

Question No. 457 answered with Question No. 74.

Decentralisation Programme.

458. **Deputy Jimmy Deenihan** asked the Minister for Defence the expenditure to date on decentralisation projects by his Department and agencies and organisations under his responsi-

[Deputy Jimmy Deenihan.]

bility, in the period from the announcement of the plan for decentralisation announced on 3 December 2003, to date in 2009; and if he will make a statement on the matter. [18268/09]

459. **Deputy Jimmy Deenihan** asked the Minister for Defence the number of staff moved to date in decentralisation projects by his Department and agencies and organisations under his responsibility, in the period from the announcement of the Government's plan for decentralisation on 3 December 2003, to date in 2009; and if he will make a statement on the matter. [18269/09]

460. **Deputy Jimmy Deenihan** asked the Minister for Defence the costs anticipated in the physical move of the headquarters of his Department to its new decentralised headquarters; the expenditure to date on the designing, erection and equipping of the new departmental headquarters; and if he will make a statement on the matter. [18270/09]

461. **Deputy Jimmy Deenihan** asked the Minister for Defence the average cost to date for the movement of staff and other ancillary costs under the Government's programme for decentralisation, in his Department and ancillary agencies and organisations under his responsibility. [18271/09]

Minister for Defence (Deputy Willie O'Dea): I propose to take Questions Nos. 458 to 461, inclusive, together.

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 staff to be relocated to Newbridge is approximately 200 civil servants together with 56 military personnel. 413 military personnel will decentralise to the new DFHQ building in the Curragh. In relation to costs for the Newbridge project, site acquisition, building construction and fit-out costs are borne on the Vote of the Office of the Public Works (OPW). I understand that the total estimated cost of the project is approximately €30 million.

Costs for the DFHQ building are also borne on the Vote of the OPW. A state owned site in the Curragh has been chosen for the new building and the procurement process for construction of the building is being handled by the OPW. I understand that "Expressions of Interest" from contractors have been received by OPW and these are currently being evaluated with a view to drawing up a tender list. It is not possible to give a timescale or cost for the project until tenders have been invited. While close to 90% of clerical/administrative staff are now in place in preparation for the move to Newbridge, no staff have been moved to date. The building is under construction and is expected to be ready for occupation by December 2009. No DFHQ staff have been decentralized to date.

Army Barracks.

462. **Deputy Jimmy Deenihan** asked the Minister for Defence the cost per soldier of the moves associated with the closure of a number of Army barracks and property to date, since the announcement of the closure plans in budget 2009, including payments made to soldiers and families of soldiers related to their relocation; and if he will make a statement on the matter. [18272/09]

463. **Deputy Jimmy Deenihan** asked the Minister for Defence the costs incurred in the Army barracks closed to date in 2009 with a breakdown of the cost per barracks and per heading, including evacuation, moving, maintenance, travel, security and all other costs; and if he will make a statement on the matter. [18273/09]

Minister for Defence (Deputy Willie O’Dea): I propose to take Questions Nos. 462 and 463 together.

The cost arising from the barracks closures over 15 months, including the initial renovation works, is estimated at €3.2 million, against annual recurring savings of approximately €2.7 million. Most of the costs at the level of the individual soldier are once off or short-term costs arising from payment of Change of Station Allowance and the provision of transport on a temporary basis. Actual expenditure on Change of Station can only be determined once all claims have been received and processed. While a number of claims have been received to date, it is expected that there may be other personnel, who might have an entitlement, but have not yet submitted a claim. As a result, the detailed cost per soldier is not yet available.

The evacuation and movement of personnel and equipment from the closed barracks to the new locations was completed using Defence Force transport assets and, as such, no substantive additional costs were incurred in the move. The costs incurred in the army barracks closed to date in 2009 at Monaghan, Longford, Rockhill and Lifford is as follows: maintenance/repairs etc. €21,238, utilities €13,812, travel expenses for officials from my Department in connection with these closures €3,880 and provision of security €7,123. I’m sure Deputies will understand the need to secure the properties and maintain them in reasonably good order so as they do not fall into disrepair, are subject to vandalism or become eyesores in the towns in which they are located. The maintenance of the properties will also be important in ensuring my Department secures a reasonable price for the properties when they are disposed of.

In the medium term, based on current estimates, the total cost to the Department of closing the proposed barracks (including initial costs, allowances, transport, immediate works and capital works) should amount to approximately €5.9 million while total receipts/savings, including receipts from the disposal of the relevant properties, should amount to around €29.5 million, a net gain of €23.6 million. The above figures do not take account of the qualitative benefits accruing to the Defence Forces from improvements in collective training, savings on administration and management of the barracks closed or the costs of currently transporting troops from the closed barracks for training etc.

Question No. 464 answered with Question No. 76.

Regional Development.

465. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government if the strategic corridor frameworks for the Atlantic gateway cities as set out in Building Ireland’s Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 have been completed; the conclusions reached; and if he will make a statement on the matter. [17629/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The 2002 National Spatial Strategy recommended the development of an Atlantic Gateways corridor, linking the gateway cities of Galway, Limerick/Shannon, Cork and Waterford, to create an inter-connected network of co-operating and complementary cities which would help to secure more balanced regional development across the western and southern parts of the

[Deputy John Gormley.]

island of Ireland, and complement the economic and demographic growth being experienced in the Greater Dublin Area and along the eastern part of the island between Dublin and Belfast.

The Atlantic Gateways Initiative Report was published in September 2006, with recommended actions and timescales, outlining how the four gateway cities could collaboratively create a critical mass for future economic development and the benefits that would accrue to the cities, their wider regions and the State as a whole.

On foot of this report extensive analysis has been undertaken by the relevant local and regional authorities involved, with the support of my Department and in consultation with key stakeholders, to prepare Atlantic Gateway Corridor Frameworks for each of the four corridors: Cork to Limerick; Waterford to Cork; Galway to Limerick and Limerick to Waterford. The Corridor Frameworks will outline how the four cities and their intervening regions can develop in a strategic and collaborative way, and will identify key actions and policies to foster greater synergies and address long-term strategic issues.

The four Corridor Frameworks will be finalised and published in the second half of 2009 by the local and regional authorities involved and the key recommendations incorporated into the relevant statutory plans. My Department will publish a high-level Atlantic Gateways Corridor Framework Summary, which will identify common principles and recommendations emerging from the individual Frameworks.

Departmental Staff.

466. **Deputy Joe Carey** asked the Minister for the Environment, Heritage and Local Government if he will facilitate the employment of life guards on beaches here by granting an exemption to the recruitment embargo for local authorities. [17686/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following a submission from my Department, the Minister for Finance has sanctioned the hiring of temporary and seasonal positions of life-guards that are necessary to ensure that beaches can be opened, especially to help domestic tourism. A circular letter to that effect issued to all local authorities on 1 May 2009.

Housing Grants.

467. **Deputy Billy Timmins** asked the Minister for the Environment, Heritage and Local Government the position in relation to grants in respect of improvements for the elderly in view of the fact that funding has not been available from Wicklow County Council for some time; if funding will be made available; and if he will make a statement on the matter. [18362/09]

468. **Deputy Billy Timmins** asked the Minister for the Environment, Heritage and Local Government the position in relation to disabled persons housing grants in view of the fact that funding has not been available from Wicklow County Council for some time; if funding will be made available; and if he will make a statement on the matter. [18363/09]

473. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government if he will make funding available in 2009 to local authorities for grant schemes (details supplied). [17477/09]

491. **Deputy Simon Coveney** asked the Minister for the Environment, Heritage and Local Government when funding for the disability extension scheme will be made available to Cork City Council; and if he will make a statement on the matter. [17766/09]

495. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government when, following the publication of the Revised Estimates for the Public Service, funding will be available to Cork City and County Councils to support the housing adaptation grant for older people and people with a disability; and if he will make a statement on the matter. [18015/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I propose to take Questions Nos. 467, 468, 473, 491 and 495 together.

Earlier today, I announced allocations totalling €79.562 million to local authorities under the revised suite of grants to adapt housing for the needs of older people and people with a disability. The allocations are in respect of the new Housing Adaptation Grants for Older People and People with a Disability, the Mobility Aids Grant Scheme and the old Disabled Persons and Essential Repairs grant schemes. Details of the allocations, incorporating the Exchequer contribution and the co-funding provided by local authorities, are set out in the following table:

Local Authority	Total 2009 Allocation
	€
<i>County Councils</i>	
Carlow	1,357,500
Cavan	1,312,500
Clare	1,490,000
Cork (North)	2,235,000
Cork (South)	2,900,000
Cork (West)	1,150,000
Donegal	4,820,000
Dun Laoghaire/Rathdown	2,160,000
Fingal	1,795,000
Galway	2,074,000
Kerry	2,950,000
Kildare	1,870,000
Kilkenny	930,000
Laois	1,910,000
Leitrim	1,790,000
Limerick	1,640,000
Longford	727,500
Louth	2,067,500
Mayo	2,775,834
Meath	1,000,000
Monaghan	2,177,500
North Tipperary	1,790,000
Offaly	1,465,000
Roscommon	1,910,000
Sligo	560,000
South Dublin	4,545,000

[Deputy Michael Finneran.]

Local Authority	Total 2009 Allocation
	€
South Tipperary	1,530,000
Waterford	1,707,500
Westmeath	1,660,000
Wexford	2,325,000
Wicklow	1,230,000
<i>City Councils</i>	
Cork	2,112,500
Dublin	14,400,000
Galway	1,270,000
Limerick	940,000
Waterford	512,500
<i>Borough Councils</i>	
Sligo	472,750
Total	79,562,584

Water and Sewerage Schemes.

469. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government if he will grant permission to a local authority (details supplied) to borrow funds to carry out capital works and to enable it to draw down funds approved by his Department for water and sewerage schemes; and if he will make a statement on the matter. [18408/09]

499. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government if he has received a request from a local authority (details supplied) to sanction borrowings to enable it to draw down capital funds allocated for water and sewerage schemes in 2009; and if he will make a statement on the matter. [18054/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 469 and 499 together.

My Department recently approved loan borrowings of €17.7 million by the local authority concerned in respect of completed water services schemes and outstanding balances on previously approved loans. Other borrowing requirements for water services schemes will be considered in the context of the next tranche of local authority loan approvals which are expected to be made in the next few weeks.

Architectural Heritage.

470. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the breakdown, by county, of the funding which is being made available by his Department in 2009 for the upkeep of protected structures; and if he will make a statement on the matter. [17394/09]

501. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the reason for the delay in issuing funding under the conservation grant scheme to Roscommon County Council; and if he will make a statement on the matter. [18057/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 470 and 501 together.

Allocations for the various programmes and schemes under the 2009 built heritage capital programme could not be finalised pending publication of the Revised Estimates for the Public Service 2009. Allocations for the various programmes and schemes, including the Conservation Grants Scheme for protected structures, are currently being finalised and will be announced shortly.

471. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the measures he has put in place to protect unlisted structures contained in the draft Inventory of Architectural Heritage since assuming his position; and if he will make a statement on the matter. [17395/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Statutory protection of the architectural heritage of their area is primarily a matter for each planning authority under Part IV of the Planning and Development Act 2000. The Act also enables me, as Minister, to make recommendations to a planning authority concerning the inclusion of specific structures in the authority's Record of Protected Structures, and a planning authority must have regard to any such recommendations. My recommendations are based on the National Inventory of Architectural Heritage (NIAH) surveys. I have issued recommendations for the inclusion of specific structures in their Record of Protected Structures to 8 planning authorities since I have taken office and there are currently a further 8 NIAH surveys underway.

National Monuments.

472. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No. 478 of 10 February 2009, the discussions since that date with the local authority and landowners; and if he will make a statement on the matter. [17428/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The national monument site at Rathcrogran, Co. Roscommon, is managed by the Office of Public Works and local consultation and other management issues are matters for OPW. However, I understand that OPW has now completed the priority works required to secure the property. I also understand that OPW has invited statements of interest for sheep grazing which is the preferred option for grass management at the site. Access issues, including parking, will be addressed by OPW in consultation with Roscommon County Council.

Question No. 473 answered with Question No. 467.

Proposed Legislation.

474. **Deputy Jimmy Deenihan** asked the Minister for the Environment, Heritage and Local Government when he will bring forward legislation to implement the €200 charge on non-principal private residences; and if he will make a statement on the matter. [17485/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I intend to introduce the legislation necessary to give effect to the €200 charge on non-principal private residences in the near future.

Housing Aid for the Elderly.

475. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if he will respond to a query from a person (details supplied). [17535/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): My Department's involvement with the new Housing Adaptation Grant Schemes for Older People and People with a Disability relates primarily to the recoupment of a proportion of local authority expenditure on the payment of individual grants. These schemes, introduced in November 2007, are funded by 80% recoupment available from my Department together with a 20% contribution from the resources of the local authority. In the case of the old Disabled Persons' and Essential Repairs Grant schemes, these are funded by 67% recoupment available from my Department together with a 33% contribution from the resources of the local authority. The detailed administration of the schemes, including the assessment and approval of individual applications, is the responsibility of the relevant local authority.

Waste Management.

476. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government the contact he has had with An Bord Pleanála outlining his policy regarding waste management and in particular incineration; when such contact was made; and if he will make a statement on the matter. [17550/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I have not had any contact with An Bord Pleanála in relation to Government policy regarding waste management, including in respect of incineration. However, earlier this year An Bord Pleanála referred a planning application by Indaver Ireland for a proposed waste to energy facility for hazardous and non-hazardous waste at Ringaskiddy, Co. Cork to my Department, in its role as a prescribed heritage body under the Planning and Development Acts. A submission setting out the views of the Heritage and Planning Division of the Department in respect of archaeological heritage and nature conservation issues relevant to the project in question was forwarded to An Bord Pleanála on 30 January 2009.

Housing Aid for the Elderly.

477. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his plans to facilitate the building of retirement villages and introduce purpose-built neighbourhoods for older people in existing communities; and if he will make a statement on the matter. [17571/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Housing policy and support, as set out in the Government's housing policy statement, Delivering Homes, Sustaining Communities, is designed to reflect the needs of our growing and diverse population and to target supports at the particular needs of people in different phases of their life. 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 older people. 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.

Apart from the provision of retirement-type accommodation by the private sector, the specific accommodation needs of older people can be directly met through a wide range of available supports including grant schemes which allow people to remain in their own homes, and the provision of specific accommodation through local authority housing and voluntary and cooperative housing. In the context of Delivering Homes, Sustaining Communities, my Department continues to keep the matter of financial contribution schemes, whereby private housing is part-exchanged for social rented accommodation appropriate for older people, under review.

The provision of accommodation by approved voluntary and co-operative housing bodies is an integral part of the Department's overall response to delivering on housing need for older people. Under the Capital Assistance Scheme, funding of up to 100% of the approved cost is available for the provision of permanent accommodation for groups with special housing needs, including the elderly and returning emigrants who qualify under the Safe Home programme. Approved housing bodies which provide sheltered housing under the scheme normally provide on-site support for the tenants where necessary. However, where a higher level of support is needed, this may be done with assistance from the Health Service Executive (HSE). The HSE introduced a scheme of dedicated funding for sheltered housing in 2006 with funding of €0.5m in 2006 and 2007. This was increased to €1.1m in 2008. It is a matter for the HSE to agree the level of funding for 2009.

In line with the commitments set out in the Government's housing policy statement and the partnership agreement, Towards 2016, a cross-departmental team on sheltered housing, chaired by my Department, has been established to develop and oversee policy in this area and to agree, as a priority, local structures and protocols for integrated management and delivery of housing and related care services. The work of this group will ultimately feed into the new National Positive Ageing Strategy, outlined in the Programme for Government.

Water and Sewerage Schemes.

478. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of a scheme (details supplied); and if he will make a statement on the matter. [17581/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Clonlara Sewerage Scheme is included for funding under the Serviced Land Initiative in my Department's Water Services Investment Programme 2007 — 2009. My Department approved Clare County Council's revised Preliminary Report for the scheme in 2007. Last month, my Department, following a review of the Serviced Land Initiative in light of developments in the economy at large, and in the housing market in particular during 2008, and having regard to the oversupply of housing in some areas, informed all local authorities that all existing approvals under the initiative, for which contracts have not been signed or letters of intent have issued, were being withdrawn.

I understand that, in this case, no letter of intent has issued and that a contract has not been signed. However, authorities were also informed that where a water services authority is of the opinion that the continuation of an approved scheme for which contracts have not been signed is necessary for the proper development of the area, it is open to the authority to make a case to my Department, by the 29 May 2009, for the scheme to progress. My Department will consider any case, which Clare County Council may make in respect of this scheme within the specified time limit, as quickly as possible.

Social and Affordable Housing.

479. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of an application (details supplied); and if he will make a statement on the matter. [17582/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Clare County Council has recently submitted a project plan for a social housing scheme at Clonlara, Co. Clare, which is currently being considered by my Department. The progress of this project will ultimately depend on available resources under the Social Housing Investment Programme and the priority accorded to particular projects by Clare County Council within their housing programme.

480. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of an application (details supplied); and if he will make a statement on the matter. [17583/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): In response to a call for proposals under the new “Towards Carbon Neutral” programme, Clare County Council submitted a proposal for a housing project at Tradaree Court. The objective of the new programme is further to advance knowledge and experience of the design and construction of high performing energy efficient social housing by piloting a number of developments and by monitoring their performance in use. An assessment of all proposals received is currently underway and Clare County Council will be informed of the outcome of this process, insofar as the Tradaree Court project is concerned, in due course.

481. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government if funding for a project (details supplied) will be made available; and if he will make a statement on the matter. [17584/09]

486. **Deputy Joe Carey** asked the Minister for the Environment, Heritage and Local Government the position with regard to funding for the rejuvenation of an estate (details supplied) in County Clare; and if he will make a statement on the matter. [17668/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I propose to take Questions Nos. 481 and 486 together.

My Department has informed Kilrush Town Council that it is favourably disposed towards advancing the proposed project at John Paul Estate under the Remedial Works Programme 2009-2011. Information requested from the Council by my Department concerning design, costing and phasing of the project has recently been received and a number of issues arising are currently the subject of discussion with the Council. Funding has been made available to Kilrush Town Council from the Social Housing Investment Programme to advance the project this year.

Departmental Expenditure.

482. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the steps that have been taken to reprioritise capital investment programmes towards more labour intensive projects and to provide examples of projects which have been

prioritised since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014. [17594/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

Works funded under my Department's capital programmes, amounting to some €1.8 billion, are generally labour intensive. Such works include construction in respect of housing and water services, remedial works, provision of extensions and improvement works as well as capital investments involving heritage protection and improvements to national parks. My Department's special provision of €20 million in 2009 to fund the delivery of energy efficiency improvements in vacant local authority houses and apartments is particularly labour intensive.

Water and Sewerage Schemes.

483. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the amount of the €560 million that has been invested in water services in 2009 as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; and if he will make a statement on the matter. [17623/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 202 of 29 April 2009. The capital provision for water services infrastructure in 2009 is €500 million — a reduction of €60 million on the €560 million envisaged in the 2009 Estimates for Public Services and Summary Public Capital Programme published in October 2008. The provision represents an increase of 1% on last year's outturn and reflects the Government's ongoing commitment to the sector and to achieving the strategic goal of developing a first-class infrastructure that will improve quality of life, increase the competitiveness of Irish business and support employment as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Revival.

It is anticipated that the resources available in 2009 will allow up to 50 major schemes to commence this year many of which will directly support economic development in gateways and hubs under the National Spatial Strategy. Investment under the Water Services Programme this year will also support over 4,000 jobs in the construction sector as well as many additional jobs in manufacturing and in the operation and maintenance of new infrastructure post completion.

National Spatial Strategy.

484. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government if the analysis of sectoral programmes for the national spatial strategy has been completed; and the conclusions that have been drawn. [17628/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

The National Development Plan 2007-2013 (NDP) includes cross-cutting objectives for balanced regional development and endorses the National Spatial Strategy as a key policy instrument for achieving this. Annual monitoring of NDP expenditure on capital programmes, undertaken by the Department of Finance, includes specific analysis on the extent and effectiveness of the Plan's horizontal policy objectives, including alignment of sectoral programmes with the NSS principles and priorities.

The 2008 Framework for Sustainable Economic Renewal: Building Ireland's Smart Economy indicated that an analysis of National Spatial Strategy (NSS) implementation and an assessment of the extent to which sectoral programmes are aligned with the NSS were to be undertaken.

[Deputy John Gormley.]

My Department is currently finalising a NSS Review and Outlook Report which takes stock of NSS achievements to date and outlines remaining challenges and actions to enable spatial planning and NSS principles to contribute to national economic renewal and enhanced competitiveness, through for example better alignment and prioritisation of sectoral infrastructure investment, especially in the Gateway cities which act as economic drivers for their wider regions, and promotion of more sustainable patterns of development through more effective, evidence-based planning policies at regional and local levels. This report will be supplemented by the Department's analysis of strategic developing areas in NSS Gateways and Hubs which will be completed shortly.

Water and Sewerage Schemes.

485. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government when it is expected that the Gweedore sewerage scheme in County Donegal will progress to tender stage; and if he will make a statement on the matter. [17660/09]

505. **Deputy Dinny McGinley** asked the Minister for the Environment, Heritage and Local Government if an application has been submitted by Donegal County Council for the provision of a sewerage scheme in Gweedore, County Donegal; when the application was made; if it is being processed at the moment; the stage the project has reached; when it is expected that approval will be given in order that work can commence; and if he will make a statement on the matter. [18138/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 485 and 505 together.

The Gweedore Sewerage Scheme is included for funding in my Department's Water Services Investment Programme 2007 –2009. My Department is currently awaiting additional information from Donegal County Council in order to complete its examination of the most recent Design Review Report received from the Council in January 2009.

Question No. 486 answered with Question No. 481.

Decentralisation Programme.

487. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if he will respond to a query (details supplied); and if he will make a statement on the matter. [17671/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Government announcement on 14 October 2008 confirmed that the decentralisation of my Department's Headquarters to Wexford (270 posts) will proceed as planned. However, the transfer of posts to the three other locations in the South East — Waterford (225 posts), New Ross (125 posts) and Kilkenny (62 posts) — is being deferred pending the outcome of a review in 2011. My Department's Headquarter offices in Wexford are expected to be completed by mid year with the transfer of staff taking place on a phased basis immediately thereafter.

Natural Heritage Areas.

488. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No. 497 of 21 October 2008, the position

regarding the proposed designation in view of the economic situation; and if he will make a statement on the matter. [17708/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Natural Heritage Areas (NHAs) are formally designated by Statutory Instrument under the Wildlife (Amendment) Act 2000. Proposed NHAs (pNHAs) have yet to be legally designated and as such are not protected under the Wildlife Acts. However, they may be afforded some protection under the Planning and Development Acts where their ecological value is recognised in the Development Plan of the relevant planning authority. Several hundred sites are currently proposed for designation as NHAs countrywide. These sites include a very diverse range of habitats, animals and plants and I have no plans to remove the proposed designation of these sites as NHAs.

Local Authority Staff.

489. **Deputy Olwyn Enright** asked the Minister for the Environment, Heritage and Local Government if he will exempt fire services recruitment from the moratorium issued by his Department to local authorities in view of the importance of this emergency service; and if he will make a statement on the matter. [17723/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under the terms of the Government's decision on implementation of savings in public service numbers no public service post, however arising, may be filled by recruitment, promotion, or payment of an allowance for the performance of duties at a higher grade. This decision is effective from 31 March 2009 and stands until the end of 2010. My Department has, accordingly, written to all local authorities requesting their compliance. However, in recognition of the priority attaching to the maintenance of key frontline services, my Department is consulting with the Department of Finance in regard to the management of relevant staffing needs. The needs of local authority fire services are being considered in this context.

National Monuments.

490. **Deputy Olwyn Enright** asked the Minister for the Environment, Heritage and Local Government the timescale for the publication of a draft management plan pertaining to the Clonmacnoise, County Offaly, world heritage site application; the timescale and plans for public display and consultation; and if he will make a statement on the matter. [17724/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The draft Management Plan and draft nomination documentation in relation to the proposed nomination of Clonmacnoise for inscription on the World Heritage List will be made available for public consultation shortly. I envisage a three month period for the provision of submissions. Consultation with all relevant stakeholders and interested parties is an integral part of the World Heritage nomination process and this consultation will be undertaken prior to any formal nomination of Clonmacnoise being made to UNESCO.

Question No. 491 answered with Question No. 467.

Water and Sewerage Schemes.

492. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the status with regard to the proposed new sewerage scheme at Summercove,

[Deputy Joanna Tuffy.]

Kinsale, County Cork; when he expects work to commence; and if he will make a statement on the matter. [17768/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 140 of 1 April 2009. The position is unchanged.

493. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if he has had discussions with the water services investment programme team regarding the Dunmanway regional water supply scheme, County Cork; the progress of discussions to date; when he expects the project to commence; and if he will make a statement on the matter. [17769/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 211 of 19 February 2009. The position is unchanged.

Departmental Expenditure.

494. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17840/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The legal costs incurred by my Department are set out a table. These do not include the costs of the Planning Tribunal. Legal costs incurred by Agencies under the aegis of the Department are a matter for the Agencies themselves and my Department does not collect such information.

Year	Amount
	€
2008	1,766,838
2007	690,631
2006	2,024,389
2005	1,427,968
2004	161,180

Question No. 495 answered with Question No. 467.

Housing Grants.

496. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government the level of funding he has provided to support the disabled persons grant scheme in 2007, 2008 and 2009; and if he will make a statement on the matter. [18016/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Information on local authority activity under the former Disabled Persons Grant Scheme in 2007 is published in my Department's Annual Housing Statistics Bulletin for that year, copies of which are available in the Oireachtas Library and on my Department's website, www.environ.ie. Details of the overall expenditure by local authorities

in 2008 under the new Housing Adaptation Grant Scheme for People with a Disability and the old Disabled Persons Grant schemes, are set out in the following table.

Local Authority	Total Expenditure
	€
Carlow County Council	1,112,826.75
Cavan County Council	1,320,516.00
Clare County Council	2,250,996.25
Cork County Council	2,086,980.50
Cork County Council (North)	1,439,451.75
Cork County Council (West)	792,058.00
Donegal County Council	2,173,462.00
Dún Laoghaire/Rathdown Co Council	2,078,033.50
Fingal County Council	1,332,622.75
Galway County Council	1,483,897.50
Kerry County Council	2,249,496.25
Kildare County Council	1,762,235.75
Kilkenny County Council	609,054.00
Laois County Council	1,754,297.00
Leitrim County Council	1,028,835.25
Limerick County Council	1,217,576.50
Longford County Council	792,227.00
Louth County Council	2,611,137.75
Mayo County Council	1,246,293.25
Meath County Council	3,482,572.50
Monaghan County Council	1,566,756.75
North Tipperary County Council	1,623,179.50
Offaly County Council	1,447,114.50
Roscommon County Council	1,277,146.00
Sligo County Council	402,829.00
South Dublin County Council	3,244,132.25
South Tipperary County Council	1,523,985.50
Waterford County Council	1,384,140.50
Westmeath County Council	1,410,608.25
Wexford County Council	1,499,781.75
Wicklow County Council	1,607,580.25
Cork City Council	1,852,984.50
Dublin City Council	12,064,812.00
Galway City Council	1,143,873.75
Limerick City Council	992,873.75
Waterford City Council	355,740.50
Sligo Borough Council	267,208.00
Total	66,489,317.00

I refer to the reply to Questions Nos. 473, 491, 495, 467 and 468 on today's Order Paper, giving details of the 2009 allocations to local authorities under the revised suite of grants to adapt housing for the needs of older people and people with a disability. It will be a matter for local authorities to decide how their overall allocation will be apportioned between the various grant schemes, having regard to local circumstances.

Dublin Docklands Development Authority.

497. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if he has received confirmation of the independent valuation of the Irish Glass Bottle site in Poolbeg, Dublin, as indicated in Parliamentary Question No. 205 of 18 February 2009; and if he will make a statement on the matter. [18022/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I understand from the Dublin Docklands Development Authority that the Irish Glass Bottle site is being revalued for the purpose of preparing the annual report and accounts of Becbay Ltd., the joint venture company that purchased the site. I have received no information with regard to its current valuation. The Authority's annual report and accounts for 2008 will be submitted to me before 30 June 2009, and copies will be laid before both Houses of the Oireachtas.

Water and Sewerage Schemes.

498. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the reason funding has been withdrawn and when funding will be made available in respect of a sewerage system (details supplied); and if he will make a statement on the matter. [18025/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Taghmon Sewerage Scheme is included for funding under the Serviced Land Initiative measure of my Department's Water Services Investment Programme 2007-2009. My Department approved Wexford County Council's design proposals for the scheme, together with the Castlebridge and Piercestown Sewerage Schemes and the expansion in treatment capacity of the Wexford Town wastewater treatment plant, as a single project, late last year.

Last month, my Department, following a review of the Serviced Land Initiative in light of developments in the economy at large, and in the housing market in particular during 2008, and having regard to the oversupply of housing in some areas, informed all local authorities that all existing approvals under the Initiative, for which contracts have not been signed or letters of intent have issued, were being withdrawn.

I understand that Wexford County Council has yet to seek tenders for the above project. However, authorities were also informed that where a water services authority is of the opinion that the continuation of an approved scheme for which contracts have not been signed is necessary for the proper development of the area, it is open to the authority to make a case to the Department, by 29 May 2009, for the scheme to progress. My Department will consider any case that Wexford County Council may make within the specified time limit, in respect of this project, as quickly as possible.

Question No. 499 answered with Question No. 469.

Social and Affordable Housing.

500. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government if he will provide full details of the scheme whereby local authorities can lend directly to persons who are purchasing an affordable home from that authority. [18055/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Housing loans are provided by local authorities for those who wish to build or purchase their own home, including affordable housing purchasers, but cannot access finance from private institutions. To ensure effective targeting of resources to support households most in need, income limits are applied, distinguishing between single and dual income households. A maximum loan limit is also applied and local authorities, in assessing

loan applications, take account of the household's ability to finance the loan based on their net household income.

I recently introduced new regulations to underpin local authority lending. The Housing (Local Authority Loans) Regulations 2009 replace the previous regulations, providing for a new loan limit of €220,000 and a maximum income of €75,000 in the case of joint applicants and €50,000 for single applicants. The Regulations also provide for the introduction of a formal credit policy to ensure prudence and consistency of approach for all local authority mortgage lending.

Question No. 501 answered with Question No. 470.

Private Rented Accommodation.

502. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government the penalties applying when a landlord declares a certain rent to the Private Residential Tenancies Board but seeks a top-up from his or her tenant. [18064/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): The Residential Tenancies Act 2004 provides, inter alia, that the tenant of a dwelling shall pay to the landlord, or his or her authorised agent, the rent provided for under the tenancy. The Act also provides that the rent may not be reviewed more frequently than once in each period of twelve months, unless a substantial change in the nature of the accommodation has occurred in the interim, and that the rent shall be no greater than the market rent for that tenancy.

If non-compliance with the provisions of the Act relating to rent and rent reviews leads to a dispute between landlord and tenant either or both of the parties to the tenancy may refer the matter to the Private Residential Tenancies Board (PRTB) for resolution. The PRTB, as an independent statutory body, will adjudicate each dispute on its own facts and merits, and may grant redress and give specific direction as appropriate on foot of a determination.

Local Authority Archives.

503. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the action he is taking to protect documents currently in the care of the local authority archives throughout the country; and if he will make a statement on the matter. [18084/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Local authorities are required by Section 80 of the Local Government Act 2001 to make proper arrangements for the management, custody, care and conservation of their records and archives and to provide public access to their archives. In order to support and encourage local authorities, my Department established a subsidy scheme whereby local authorities may recoup 50% of the salary of an archivist employed by them, for up to 2 years, subject to certain conditions. They may also qualify for short term assistance in respect of leasing accommodation for the purposes of processing archives. A number of projects funded by my Department under the Library Capital Programme have included specific funding for the construction of dedicated archive facilities.

Local Authority Housing.

504. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government if an application for funding has being made by a local authority (details supplied); if matching funding have to be provided to ensure that the project is developed; and if he will make a statement on the matter. [18094/09]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): An application for post tender approval for this project, costing an estimated €1.018 million, was received in my Department on 5 January 2009. The application will be further considered on receipt of outstanding documentation requested from Kildare County Council on 21 January.

Question No. 505 answered with Question No. 485.

Planning Issues.

506. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government if there will be a recommendation from his Department to amend the retail planning guidelines to enable pharmacies to locate in town centres; and if he will make a statement on the matter. [13402/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The 2001 Guidelines for Planning Authorities on Retail Planning, as amended in 2005, contain no specific recommendations in relation to the location of pharmacies in town centres. The Guidelines recommend that planning authorities should prepare, as part of their development plans, town centre strategies which set out the vision and positive actions which will allow town centres achieve their full potential.

The Guidelines also recognise the significant social and economic role of local shops encompassing both food-stores and important non-food outlets such as pharmacies and recommend that, where a planning authority can substantiate clearly the local importance of such shops in defined local centres, they should safeguard them in development plans, through appropriate land-use zoning. My Department intends to undertake a focused review of the Retail Planning Guidelines later this year. The new draft Guidelines will issue for public consultation before their finalisation.

EU Directives.

507. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to remove regulatory burdens associated with the nitrates directive; and if he will make a statement on the matter. [10025/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The European Communities (Good Agricultural Practice for Protection of Waters) Regulations ('the Nitrates Regulations') implement the Nitrates Directive in Ireland and were first introduced in 2005 to protect waters from pollution from agricultural sources. Primary responsibility for the implementation of the Regulations has rested with the local authorities since 2005.

The most recent revisions to the Regulations concern provisions in relation to farmyard management and enforcement, and give legal effect to a derogation under the Nitrates Directive granted to Ireland by the European Commission. The revised Regulations were made in March 2009 following a consultation process conducted by my Department and the Department of Agriculture, Fisheries and Food. Discussions are currently taking place between both Departments to ensure that the necessary inspection and related functions under the Regulations are carried out in the most efficient and effective manner.

Radon Gas Levels.

508. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to provide information on radon levels; and if he will make a statement on the matter. [4495/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Radon is a naturally occurring radioactive gas found in variable amounts in rocks and soil. When it surfaces in the open air, it is quickly diluted. However, where it enters an enclosed space, such as an ordinary building, it can, under certain circumstances accumulate to reach unacceptably high concentration levels. Radon is a known carcinogen and contributes to the incidence of lung cancer. This risk is especially significant for smokers. Long term exposure to high radon levels presents a direct risk to human health.

The Government's approach to radon is to concentrate efforts on increasing public awareness of the risks posed by radon in the home. This is similar to the approach adopted in the majority of EU member states. The Government, largely through the Radiological Protection Institute of Ireland (RPII), has committed significant resources to assessing the extent of the radon problem throughout the country and to increasing public awareness of the health risks associated with prolonged exposure to high radon concentrations.

Householders, particularly those in known high radon areas, have been strongly encouraged by the RPII to have their homes tested for radon and to undertake remediation works where necessary. The RPII has carried out targeted information campaigns in high radon areas and in some instances, where particularly high radon levels have been found, has written directly to householders in these areas. Since the completion of the National Radon Survey in 1999, the RPII has completed radon measurements in an additional 22,000 homes.

My Department will continue to work closely with the RPII, local authorities and other interested agencies to raise public awareness and to promote testing and remediation works. In particular, the RPII is working directly with the HSE (on radon in homes) and the HSA (on radon in workplaces) and over the next few months a programme will be rolled out which will be aimed specifically at encouraging local authorities to measure radon in social housing and in the workplaces for which they are responsible. This multi-agency approach to dealing with radon is in line with international best practice, as recommended by the World Health Organisation's International Radon Project, which is co-funded by the Irish Government.

Departmental Staff.

509. **Deputy Mary O'Rourke** asked the Minister for the Environment, Heritage and Local Government if the employment of the seasonal guides and other seasonal employment at Clonmacnoise, County Offaly and other historic sites open to the public can go ahead in view of the public service embargo. [18461/09]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following the embargo on public service recruitment, as announced on 27 March 2009, my Department sought Department of Finance sanction to employ seasonal staff to allow national parks and nature reserves to open and to provide visitor services. I welcome the fact that, as an exceptional measure, sanction has recently been conveyed to my Department to recruit a restricted number of temporary staff for the Summer season.

Departmental Reports.

510. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources if there are details at present on the knowledge society strategy as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014. [17617/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): In keeping with the commitment in "Building Ireland's Smart Economy" — A Framework for Sustainable Economic Renewal", a Knowledge Society Strategy report will be published this

[Deputy Eamon Ryan.]

summer following completion of stakeholder consultations. This report will focus on enabling technologies to advance Ireland as a smart economy. A comprehensive and wider ranging Knowledge Society Strategy will be published in 2010 following further stakeholder and whole of Government consultations.

Alternative Energy Projects.

511. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources his plan to switch 10% of road vehicles here to being fully electrically powered by 2020 as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014, in view of the fact that there is no infrastructure in place such as recharge points and the first mass produced electric car is yet to be rolled out. [17619/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Together with the Minister for Transport, I announced plans last year for the large scale deployment of electric vehicles in Ireland. The target of 10% of all vehicles to be powered by electricity by 2020 will represent up to 250,000 cars on Irish roads over the next 12 years. A number of initiatives to advance the strategy have already been put in place.

The Minister for Finance has provided a new tax incentive for businesses to purchase electric vehicles in the 2009 Finance Act. This enables businesses to write off 100% of the cost of purchase against tax under the Accelerated Capital Allowance Scheme. Sustainable Energy Ireland (SEI) is also developing a €1 million project on alternative transport technologies including electric vehicles. An inter-Departmental agency taskforce has been established to progress the framework for deployment of electric vehicles in Ireland. The taskforce is being chaired by my Department. The Departments of Transport, Finance, the Environment, Heritage and Local Government and Enterprise, Trade and Employment along with SEI, ESB, the IDA and Enterprise Ireland are all represented on the taskforce.

The taskforce is assessing the options and timeframe for creating the necessary infrastructure for the national roll-out of electric vehicles. The Government is sending out the message that Ireland is open for business in this area and we will also take account of global developments as the technologies mature. The taskforce will report its initial findings and advise on next steps shortly. Three subgroups have been set up under the taskforce; a Transport/Infrastructure Group, a Fiscal Group, and an Enterprise Group. The reports of these groups will feed into the main report being prepared by the taskforce. All issues relating to employment opportunities, the costs involved in providing car charging infrastructure and associated issues will be addressed in the report.

The recently signed Memorandum of Understanding with Renault-Nissan has ensured that Ireland will be one of the first countries in the world to be supplied with both Renault and Nissan electric cars. This will be a major opportunity for Ireland both in terms of our targets and more generally in relation to the economic impact of electric car development. Under the Memorandum of Understanding ESB Networks will be able to avail of a range of information on developments in electric vehicles, enabling more detailed and precise planning around infrastructure, support mechanisms and the potential benefits accruing. The Memorandum of Understanding does not convey exclusive rights in relation to the provision of electric cars. Ireland is open for business to all manufacturers in relation to electric vehicles and I look forward to building relationships with all global players in the sector.

My Department will work with the ESB Networks, SEI, the Commission for Energy Regulation and all key players to determine how the necessary infrastructure to deliver on our ambitions for electric vehicles will be put in place and how best to fund this infrastructure.

Digital Hub.

512. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the measures, as set in policy by the publication Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014 that have been taken to develop areas (details supplied); and if he will make a statement on the matter. [17627/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): In accordance with the policy set out in the publication "Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal", the roll out of the National Digital Research Centre (NDRC) and the development of the Digital Hub are continuing with the support of my Department.

The mission of the NDRC is to create market capital in the form of increased follow-on investment and job creation in the digital sector, by developing and commercialising market viable digital media technologies and content through collaborative translational research between academic and industry partners. The NDRC signed contracts for the development of 7 digital research projects with collaborative research partners late in 2008, and contracts to develop a further 7 digital media projects were signed recently. The NDRC has been allocated €5m in Exchequer funding by my Department in 2009 to continue its development.

The Digital Hub is a cluster of digital content and technology enterprises that is recognised as a centre of excellence for knowledge, innovation and creativity in its field. It currently houses 101 companies with approximately 850 full time employees. Additionally, through its educational and social functions, over 3,300 people participated in Community/Learning programmes in the Hub during 2008. The Digital Hub will receive €1.783m in Exchequer funding in 2009 to continue its programme of enterprise development and social/educational outreach.

Telecommunications Services.

513. **Deputy Fergus O'Dowd** asked the Minister for Communications, Energy and Natural Resources the position in respect of the metropolitan area networks of high capacity fibre optic cable; the name of each MANs town; the cost of the MANs for that town; the length in kilometres of the network per town; the number of customers in each town; the grant per customer in each town; the number of customers who have opted out; the estimated ongoing maintenance costs per town; the cost to date for the MANs project; and if he will make a statement on the matter. [17749/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Under Phase I of the Metropolitan Area Networks (MANs) Programme twenty-seven MANs have been constructed. All twenty-seven are operational and open for business. The construction of an additional 59 MANs covering 65 towns has been completed under Phase II of the Programme and the construction of the final Phase II MAN is expected to be completed in early 2010.

The MANs were constructed in partnership with the local and regional authorities and were co-financed from the European Regional Development Fund. The cost of the Phase I MANs Programme was approximately €85 million. The cost of the Phase II MANs Programme to date excluding associated programme management costs is approximately €87 million. The appendix herewith details completed Phase I and Phase II networks, the length of the network per town and the overall cost per region. The MANs were constructed on a regional basis therefore the cost associated with the construction of the network are not broken down by town.

Service providers are deemed as "customers" of the MANs. In other words, a service provider, as a customer of a MAN, uses the MAN to offer services on to the service provider's own customers. 34 service providers are currently offering services on the Phase I MANs and

[Deputy Eamon Ryan.]

4 service providers are currently offering services on the Phase II MAN. Service providers use the MANs to compete for voice and data services over a range of platforms including:

- Unbundled local loop;
- Mobile wireless;
- Fixed wireless;
- Cable;
- Partial private circuits; and
- Directly connected fibre.

Information relating to the use of the MANs by service providers, including the numbers of customers served by each service provider, the number of customers who have opted out and ongoing maintenance costs, is commercially sensitive and a matter for the Management Services Entity and each service provider.

Phase I: Metropolitan Area Networks

Region	Town	Length Km	Cost per Region
			€m
Cork	Cork	61.2	12.12
Donegal	Letterkenny	28.8	3.44
Galway	Galway	62.1	9.90
Gaoth Dobhair	Gaoth Dobhair	3.4	0.53
Leitrim	Carrick-on-Shannon	11.46	2.88
Leitrim	Manorhamilton	5.86	
Limerick	Limerick	58.04	6.86
Mayo	Ballina	20.9	4.48
Mayo	Kiltimagh	3.5	
Midlands	Athlone	21.7	11.99
Midlands	Mullingar	20.2	
Midlands	Portlaoise	17.8	
Midlands	Roscommon	14.0	
Midlands	Tullamore	16.1	
North East	Carrickmacross	5.18	12.14
North East	Cavan	13.52	
North East	Drogheda	18.17	
North East	Dundalk	16.78	
North East	Kingscourt	4.72	
North East	Monaghan	17.45	
Sligo	Sligo	21.88	3.69
South East	Clonmel	21.73	16.6
South East	Carlow	15.35	
South East	Dungarvan	9.33	
South East	Kilkenny	17.15	
South East	Waterford	23.06	
South East	Wexford	39.05	
11 Regions	27 Towns/MANs		84.63

Phase II: Metropolitan Area Networks

Region	MAN	Length Km	Cost to date by region
			€m
Cork	Bantry	5.18	16.5
Cork	Blarney	9.19	
Cork	Carrigaline/Passage West/Ringaskiddy	39.98	
Cork	Charleville	6.41	
Cork	Dunmanway	3.76	
Cork	Fermoy	8.72	
Cork	Kanturk	3.71	
Cork	Midleton	7.62	
Cork	Mitchelstown	4.82	
Cork	Skibbereen	3.38	
Cork	Youghal	6.69	
Donegal	Ballybofey / Stranorlar	9.57	9.98
Donegal	Ballyshannon	8.31	
Donegal	Buncrana	10.47	
Donegal	Bundoran	11.68	
Donegal	Carndonagh	4.23	
Donegal	Donegal Town	14.34	
Fingal	Donabate / Portrane	7.3	3.72
Fingal	Lusk	7.3	
Fingal	Skerries	5.15	
Galway	Athenry	5.62	8.03
Galway	Ballinasloe	12.66	
Galway	Clifden	2.38	
Galway	Gort	4.49	
Galway	Loughrea	10.35	
Kerry	Killarney	10.06	5.78
Kerry	Castleisland	15.84	
Kerry	Tralee	15.09	
Kerry	Listowel	3.62	
Longford	Longford	13.62	2.33
Mayo	Ballinarobe	7.4	3.24
Mayo	Knock Airport	8.5	
Mayo	Claremorris	4.1	
Meath	Dunboyne / Clonee	8.90	8.88
Meath	Dunshaughlin	5.90	
Meath	Kells	8.02	
Meath	Navan	18.74	
Meath	Trim	13.79	
Midlands	Edenderry	9.10	1.61
North East	Ardee	7.71	6.48
North East	Bailieborough	4.46	
North East	Castleblaney	7.22	
North East	Clones	4.11	

[Deputy Eamon Ryan.]

Region	MAN	Length Km	Cost to date by region
			€m
North East	Cootehill	5.65	
Shannon	Abbeyfeale	4.30	10.79
Shannon	Banagher	4.40	
Shannon	Birr	8.40	
Shannon	Kilrush	5.30	
Shannon	Nenagh	10.80	
Shannon	Newcastlewest	5.50	
Shannon	Roscrea	8.60	
Shannon	Templemore	4.70	
South East	Cahir	6.89	7.41
South East	Cashel	8.65	
South East	Carrick-on-Suir	6.79	
South East	Tipperary	4.75	
South East	Thomastown	8.56	
Wicklow	Blessington	5.20	2.15
Wicklow	Kilcoole/Newtownmountkennedy	8.20	
Wicklow			
13 Regions	59 MANs/ 65 Towns		86.90

Carbon Storage.

514. **Deputy Seán Barrett** asked the Minister for Communications, Energy and Natural Resources if, in view of the fact that work has commenced on a project to assess the carbon storage potential in the vicinity of Moneypoint power station, County Clare, and the requirement to construct a 3D model of the subsurface there, new funding will be made available to complete the additional investigations required; and if he will make a statement on the matter. [17404/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The project is a joint one between the Geological Survey of Ireland (GSI) of my Department and the Environmental Protection Agency (EPA). It is comprised of two parts. The first is the creation of a 3D model of the subsurface. This is being undertaken by consultants funded by the EPA. The second part consists of drilling investigations. This is being undertaken by GSI using existing resources. This will provide an indication of the suitability, or otherwise, of certain rock types to act as geological reservoirs for carbon dioxide. Further development of the concept will depend on the outcome of the work now being undertaken.

Alternative Energy Projects.

515. **Deputy Phil Hogan** asked the Minister for Communications, Energy and Natural Resources if he will introduce a standard for renewable energy products in view of the fact that grant assistance is available; and if he will make a statement on the matter. [17406/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): All equipment installed with grant support under the Greener Homes Scheme must meet minimum quality and performance standards. Sustainable Energy Ireland's Renewable Energy Information Office maintains a list of renewable equipment and its suppliers. Only equipment on

this list will be eligible for a grant under the Scheme. To be eligible for inclusion on the list, the equipment must: Meet established European Quality Standards; Meet minimum Efficiency Standards; Provide evidence of testing and certification by an accredited test centre in Europe; Have installers' manuals in English; Have minimum warranties.

Telecommunications Services.

516. **Deputy Beverley Flynn** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the technical difficulties residents of the village of Cong, County Mayo, are experiencing in obtaining broadband; and if he will resolve the matter. [17579/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Broadband service providers operate in a fully liberalised market, regulated, where appropriate, by the independent Commission for Communications Regulation, ComReg. Technical difficulties associated with the provision of broadband service are matters for the relevant service providers. The following list, from my Department's website, www.broadband.gov.ie details the availability of broadband services in the Cong area, including six DSL and fourteen satellite service providers. The website also gives comparative details of prices and service levels, and can be used to check if an individual telephone line can carry DSL broadband.

Platform	Service Provider	Website	Phone
DSL	BT	http://www.btireland.ie	1800 923 923
	Digiweb DSL	http://dsl.digiweb.ie	1800 28 58 28
	Eircom DSL	http://www.eircom.ie	1901
	Imagine Broadband	http://www.imagine.ie	1890 92 92 92
	Irish Broadband	http://www.irishbroadband.com	1890 56 44 56
	Perlico	http://www.perlico.com	1890 25 21 48
Satellite	Applied Solutions	http://www.ADSLnow.ie	1890 924 854
	Avonline	Http://www.avonlinebroadband.co.uk	0044 800 073 1102
	Broadband Wherever	http://www.broadbandwherever.net	0044 800 068 3358
	Cross Country Broadband Limited	http://www.crosscountrybroadband.com	053 92 55428
	Digiweb Satellite	http://www.broadband.digiweb.ie	042 939 3300
	e3 Broadband	http://www.e3broadband.ie	1850 303333
	Ehotspot	http://www.ehotspot.ie	0044 1262 409109
	Eircom Satellite	http://www.eircom.ie	1901
	Fastnet Broadband Satellite	http://www.fastnetbroadband.com	01 2303746
	Media Satellite Ireland Limited	http://www.mediasat.ie	1850 202 144
	National Broadband Limited	http://www.nbb.ie	045 982130
	Orbitlink	http://www.orbitlink.ie	01 8601995
	Pure Telecom Satellite	http://www.puretelecom.ie	01 2895555
	Satellite Broadband Ireland	http://www.satellitebroadbandireland.ie	044 9372514

Alternative Energy Projects.

517. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the steps that have been achieved to increase the focus on the opportunities arising out of research in renewable energy and environmental technologies, including the commercialisation of ocean energy since the publication of Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014; and if he will make a statement on the matter. [17609/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The multi annual Ocean Energy Package, which I launched last year, involves a number of initiatives to harness Ireland's ocean energy resources to contribute to Ireland's renewable energy targets and to develop the considerable potential for inward investment and enterprise activity in support of sustainable economic renewal. The establishment of the Ocean Energy Development Unit based in Sustainable Energy Ireland has been completed. The creation of a state-of-the-art National Ocean Energy facility at University College Cork is underway; the development of a grid-connected wave energy test site off the west coast is progressing; the Ocean Energy Prototype Fund has commenced; and the introduction of a new feed-in-tariff under the REFIT scheme for wave and tidal technologies of €220 per Megawatt Hour has been announced.

Telecommunications Services.

518. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the number of schools that have been furnished with 100 Mbps broadband capability; the number that will receive 100 Mbps broadband in 2009; and if he will make a statement on the matter. [17615/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The 100Mbps to post-primary schools project will involve an initial demonstration project in 2009 to guide its wider roll out. The finer details of the demonstration project are expected to be finalised shortly and the relevant procurement processes will commence thereafter.

Energy Resources.

519. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the specific energy efficient equipment that is eligible for companies to buy that is covered by the accelerated capital allowances scheme as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009-2014. [17618/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The scheme of Accelerated Capital Allowances for Energy Efficient Equipment (ACA scheme) was introduced in section 46 of the Finance Act 2008. This provision allowed companies to claim the full cost of qualifying equipment against their Corporation Tax liabilities in the year of purchase of the equipment. Normally such costs would be claimed over a period of eight years. This tax incentive, together with the information on energy efficient products provided under the scheme, is intended to encourage businesses to look to the full life-cycle cost of equipment, particularly the cost of energy used, rather than simply the initial capital outlay.

The ACA scheme initially covered five classes of technology. These were lighting, lighting controls, motors, variable speed drives and building energy management systems. These five technologies were recommended by Sustainable Energy Ireland (SEI) as having the potential to deliver the most energy savings to business. SEI developed energy efficiency criteria for each of these classes of technology and the specific products satisfying these criteria are listed in the Taxes Consolidation Act 1997 (Accelerated Capital Allowances for Energy Efficient Equipment) Order 2008 (S.I. 399 of 2009) and on SEI's dedicated ACA database and website at www.sei.ie/aca.

Section 37 of the Finance (No. 2) Act 2008 significantly expanded the range technologies covered by the scheme. Four broad technology groups were added. These are Information and Communications Technology, Heating and Electricity Provision, Process, Heating, Ventilation & Air Conditioning, and Electric & Alternative Fuel Vehicles. The complete list of

technologies, which are now covered by the ACA scheme, is set out in the following table. SEI has since developed energy efficiency criteria for 24 classes of technology within the additional groups. Manufacturers and distributors of products which fall within these classes of technology have been invited to apply for inclusion in a further Order that I will make in the summer. Those products will then be listed on SEI's database and businesses will be able to include the cost of their purchase of such equipment in their Corporation Tax returns for this year.

Technologies covered by the ACA scheme

ACA Equipment Category	Technology
Building Energy Management Systems (BEMS)	Building Energy Management Systems (BEMS)
Lighting	Lighting Lighting Controls
Motors and Drives	Motors Variable Speed Drives (VSDs)
Information and Communications Technology (ICT)	Enterprise Servers Enterprise Storage Equipment Precise Cooling Heat Rejection Centralised Direct Current Power Distribution Power Management Uninterruptible Power Supply
Heating and Electricity Provision	Co-generation Wind Turbines Hot water Generation Localised Steam Generators Stationary Fuel Cell Power Systems Photovoltaic Systems Boiler Controls Condensate Recovery Systems Steam Systems
Process and Heating, Ventilation and Air-conditioning (HVAC) Control Systems	HVAC Zone Control HVAC Heat Recovery Pumps Hydraulic Power Recovery Turbine Blowers Fans
Electric and Alternative Fuel Vehicles	Electric Vehicles and Associated Charging Equipment Alternative Energy Vehicle Conversions

Telecommunications Services.

520. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources when the country will have full access to broadband in all areas; and if he will make a statement on the matter. [17625/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The widespread provision of broadband services continues to be a priority for the Government. In that regard my Department has undertaken a variety of initiatives to improve broadband coverage. These initiatives have helped to facilitate the development of the market to the point where over 62% of Irish households now have a broadband connection. Additionally, ComReg's quarterly report for Q4 2008, shows a trend of customers moving to higher speeds. 60% of those households have a connection in the speed category of 2mbps — 10mbps. Furthermore, at the end of Q1 2008, 83% of Irish SMEs had a broadband connection. Most of those SMEs, 68%, according to ComReg's report for Q4 2008, have a connection in the speed category of 2mbps — 10mbps.

There are still some parts of the country where the private sector cannot justify the commercial provision of broadband services. Accordingly, my Department has undertaken to implement the National Broadband Scheme (NBS) and has entered into a contract with "3", a Hutchison Whampoa company, for the delivery of the NBS. 3 will be required to provide services to all residences and businesses that are within the NBS area and who seek a service. Services will be available in the coming weeks in certain areas. The entire NBS area will be served by September 2010.

521. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the steps that have been taken to allow telecom operators access to fibre optic ducting in existing and new State projects. [17626/09]

526. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources if he will publish a map of all fibre optic networks throughout the country; and if he will make a statement on the matter. [18085/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I propose to take Questions Nos. 521 and 526 together.

In July 2008 I published a consultation paper on Next Generation Broadband. One of the proposals in this paper is to establish a one-stop-shop to provide electronic communications service providers with flexible and open access to existing and future State ducting infrastructure to facilitate the provision of backhaul. The proposal for a one-stop-shop received a largely positive response in the consultation process. My officials have conducted work on identifying the supply of relevant State-owned infrastructure and are working with the relevant State agencies, mainly in the energy and transport sectors to examine how best their assets can be accessed and utilised.

A number of issues have been identified including commercial and legal issues, and operational issues such as ensuring safety when accessing infrastructure assets. My Department and the agencies are committed to working out how best such issues, which are complex, can be addressed and ensuring that the interests of the agencies and the telecommunications industry are balanced. Good progress is being made in this regard.

Telecoms operators and service providers are the potential customers of a one-stop-shop and my Department is now engaging with them on how best to progress the one-stop-shop initiative. The provision of information to them on the location of relevant State infrastructure will be an important element of this process. It is the intention to publish a map of the State-owned infrastructure available from the one-stop-shop in the near future as part of this process. Meanwhile, details of Metropolitan Area Networks (MANs) including maps, are available on my Department's website www.dcenr.ie. The publication of details of private sector fibre networks is a matter for the network owners.

522. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if a company (details supplied) has obtained and retained a statutory licence and inherited all associated rights, normally restricted to the State, to enter citizens' private property. [17800/09]

523. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if a company (details supplied) has the same statutory rights as it did when it was a public company; the way the State proposes to compensate individual property owners if the company exercises those rights contrary to the constitutional protections of property. [17826/09]

524. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if the State will compensate private individuals when a company (details supplied) have accessed land without permission of their owners. [17827/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I propose to take Questions Nos. 522 to 524, inclusive, together.

The telecommunications industry in Ireland is fully liberalised. All electronic communications service providers, including eircom, are subject to an EU regulatory framework for electronic communications and services. The former monopoly privilege that was enjoyed by eircom prior to liberalisation no longer applies. Telecoms operators and service providers, including eircom, are authorised and regulated by ComReg, Ireland's independent regulator, in accordance with these EU laws. The issue of compensation for access to land is a matter between landowners and the telecoms companies.

Departmental Expenditure.

525. **Deputy Lucinda Creighton** asked the Minister for Communications, Energy and Natural Resources the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17835/09]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The identification of records prior to January 2007 cannot be facilitated without undue commitment of staff resources and administrative cost. However, if the Deputy has a question in relation to a specific item I will make appropriate enquiries. The table below contains details of legal costs incurred by my Department from January 2007 to date. Any such expenditure by the bodies under the aegis of the Department is a day to day operational matter for those bodies.

Year	Cost
	€
2007	702,065.00
2008	2,157,807.94
2009 to date	209,709.53

Question No. 526 answered with Question No. 521.

Grant Payments.

527. **Deputy Edward O'Keeffe** asked the Minister for Agriculture, Fisheries and Food when a grant will be awarded to a person (details supplied) in County Cork. [17371/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person concerned had 125 animals removed as reactors under the Brucellosis Depopulation scheme on 22 September 2000. There are two rates of Depopulation grant available under the scheme: the Standard Rate and the Standard Rate Plus. In order to qualify for the Standard Rate Plus category of compensation, it is necessary for a herdowner to have voluntarily post-movement blood tested within 30 days all eligible animals bought in since the last herd test but in any event during the 6 month period prior to the Brucellosis breakdown. The reason for this condition is that compensation under the Brucellosis Eradication Scheme is structured to benefit those herdowners whose farming practices contribute to herd health protection.

In this case, since two bought in eligible animals were not post movement tested during the relevant period, the person in question did not qualify for the higher Standard Rate Plus. Accordingly, he was correctly paid at the Standard Rate category of compensation in respect of the animals removed under the depopulation agreement.

528. **Deputy Noel J. Coonan** asked the Minister for Agriculture, Fisheries and Food when payment for a forestry payment will issue to a person (details supplied) in County Tipperary; the breakdown of the amount to be awarded; and if he will make a statement on the matter. [17379/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The process to pay the annual forestry premium is already underway and the payment will issue to this applicant very shortly. The amount that will be paid to the applicant is €19,636.52.

Departmental Schemes.

529. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food his plans to restore the young farmers installation aid and farm retirement scheme; and if he will make a statement on the matter. [17389/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Young Farmers' Installation Scheme and the Early Retirement Scheme were suspended for new applications on 14 October, 2008 due to budgetary constraints. I indicated at the time that I would monitor all schemes and services throughout 2009 and would review the position thoroughly in the context of the preparations of the 2010 Estimates for my Department.

Rural Environment Protection Scheme.

530. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food if he will extend the deadline for farmers whose existing REP scheme three plans expire during 2009 from 15 May onwards, due to the extraordinary level of activity relating to REP scheme three in 2004; and if he will make a statement on the matter. [17486/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The arrangements for REPS 4 are derived from Commission Regulations that reflect the Commission's objective of integrating and harmonising the operation of the various farm payment schemes including the Single Payment Scheme, REPS and the Disadvantaged Areas Scheme. For REPS 4, this means that applications to join the Scheme must be submitted by 15 May each year. Any application to join REPS 4 submitted after May 15 cannot be considered for payment in the same calendar year.

Farm Waste Management.

531. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food when

a person (details supplied) in County Monaghan can expect to be awarded their farm waste management grant; and if he will make a statement on the matter. [17536/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The arrangements for payment of grants under the Farm Waste Management Scheme on a phased basis have been confirmed with 40 per cent being paid this year as claims are approved. A further 40 per cent will be paid in early January 2010 and the remaining 20 per cent in January 2011. I have also announced that a special ex-gratia payment not exceeding 3.5 per cent of the value of the deferred amount will be made to farmers whose Farm Waste Management grants have been partially deferred. This payment will be made in January 2011 along with the final instalment. My Department is currently processing the application concerned and a decision will be made as soon as possible.

Grant Payments.

532. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application by a person (details supplied) in County Cork. [17541/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person concerned is an applicant under the Young Farmers’ Installation Scheme. His application for payment is currently being examined and a decision will be made in regard to the application as soon as possible.

533. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [17662/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named has been paid €240.00 for three animals under the 2008 Suckler Welfare Scheme. Of the remaining two animals, one is under query: it is expected the query will be resolved shortly and payment will then issue. The other animal will not qualify for payment, as both cow and calf were sold at a mart on 21 April 2008.

534. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food when forestry premium payments will be awarded. [17670/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The process to pay the annual forestry premium is already under way and the payment will issue to applicants very shortly.

535. **Deputy Dan Neville** asked the Minister for Agriculture, Fisheries and Food if he will make a statement regarding a person (details supplied) in County Limerick. [17696/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Single Payment Scheme application from the person named above has been fully processed and payment issued on 28 April 2009

536. **Deputy Noel J. Coonan** asked the Minister for Agriculture, Fisheries and Food when a forestry payment will issue to a person (details supplied) in County Tipperary; if he will provide a breakdown of the amount to be paid; and if he will make a statement on the matter. [17706/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The process to pay the annual forestry premium is already underway and the payment will issue to this applicant very shortly. The amounts that will be paid to the applicant are €11,201.03 and €1,117.16

537. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food, further to Parliamentary Question No. 550 of 21 October 2008, the position regarding the recovery of funds; and if he will make a statement on the matter. [17707/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department has written to the Company seeking recovery of the amount involved.

538. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food when a forestry premium will be granted to a person (details supplied) in County Kilkenny. [17829/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The process to pay the annual forestry premium is already underway and the payment will issue to this applicant very shortly.

539. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food when a forestry premium will be granted to a person (details supplied) in County Carlow. [17830/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The process to pay the annual forestry premium is already under way and the payment will issue to this applicant very shortly.

Departmental Expenditure.

540. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Fisheries and Food the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17833/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): It is not possible to compile the information requested by the Deputy within the short timeframe available. My Department will write to the Deputy within the next two weeks detailing the information requested, save for the annual expenditure on external legal costs by each of the agencies under my aegis, as the incurrence of such costs is a matter for each agency.

Grant Payments.

541. **Deputy Billy Timmins** asked the Minister for Agriculture, Fisheries and Food the position in relation to a forestry premium for a person (details supplied) in County Wicklow; if this will be granted as a matter of urgency; and if he will make a statement on the matter. [17857/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The process to pay the annual forestry premium is already under way and the payment will issue to this applicant very shortly.

542. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will be granted their farm waste management grant. [17951/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The arrangements for payment of grants under the Farm Waste Management Scheme on a phased basis have been confirmed with 40 per cent being paid this year as claims are approved. A further 40 per cent will be paid in early January 2010 and the remaining 20 per cent in January 2011. I have also announced that a special ex-gratia payment not exceeding 3.5 per cent of the value of the deferred amount will be made to farmers whose Farm Waste Management grants have been partially deferred. This payment will be made in January 2011 along with the final instalment. My Department is currently processing the application concerned and a decision will be made as soon as possible.

543. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will be granted their REP scheme three payment. [17952/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment will issue to the person named within the next 10 days.

Sheep Census.

544. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food the number of sheep that were registered in the sheep census carried out in December 2008; the number of breeding ewes here which has been ascertained in the said census; and if he will make a statement on the matter. [17964/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Census returns received by my Department indicate that at December 2008 Ireland had in the order of 3.1 million sheep (3,090,466) including almost 80,000 breeding rams. These figures are based on the returns received from 94% of the 37,248 sheep flock-keepers that were on this Department's database at that time. While the census does not record breeding ewes as such, it is estimated that approximately 75% of the National flock were in this category.

Common Agricultural Policy.

545. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food when he will allocate the additional moneys to lowland sheep farmers, which has arisen from a surplus on the CAP budget, and which other countries have already allocated to their sheep farmers in order to ensure their continued viability; and if he will make a statement on the matter. [17966/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Under the final agreement on the Health Check of the CAP, Ireland will have access to additional funds of the order of €25 million annually from unspent CAP funds from 2010. In accordance with the requirements of the regulation these funds can be used to address specific economic disadvantages affecting farmers in the dairy, beef and veal, sheep and goat and rice sectors. My main priority in allocating these funds is to ensure that they are used in the most efficient and effective manner for the development of Irish agriculture.

Having consulted widely with all stakeholders I am currently carefully examining all proposals received including those for the sheep sector and I hope to make an announcement in relation to the use of these funds in the coming weeks once the Commission has adopted its detailed rules. As regards the sheep sector you will be aware that I have already announced that unused funds available in 2009 from the Single Farm Payment National Reserve will be

[Deputy Brendan Smith.]

paid to hill sheep farmers as a once off payment in 2009 only in the form of an Uplands Sheep Payment. This payment will benefit approximately 14,000 hill sheep farmers.

Grant Payments.

546. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food when REPS 4 payment will be made available to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [18002/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): A letter detailing the reason for rejecting the plan was issued to the person name on 25 March 2009; no reply has been received to date.

547. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of a grant will be issued to a person (details supplied) in County Cork. [18004/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment issued to the person named on 3 April 2009.

548. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of a grant will be issued to a person (details supplied) in County Cork. [18005/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The arrangements for payment of grants under the Farm Waste Management Scheme on a phased basis have been confirmed with 40 per cent being paid this year as claims are approved. A further 40 per cent will be paid in early January 2010 and the remaining 20 per cent in January 2011. I have also announced that a special ex-gratia payment not exceeding 3.5 per cent of the value of the deferred amount will be made to farmers whose Farm Waste Management grants have been partially deferred. This payment will be made in January 2011 along with the final instalment. Payment of the first instalment of 40 per cent was made to the person concerned on 10 March 2009.

549. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of a grant will be issued to a person (details supplied) in County Cork. [18006/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment issued to the person named on 17 April 2009.

550. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of a grant will be issued to a person (details supplied) in County Cork. [18007/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment issued to the person named on 28 April 2009.

551. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of a grant will be issued to a person (details supplied) in County Cork. [18008/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment issued to the person named on 9 April 2009.

552. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of a grant will be issued to a person (details supplied) in County Cork. [18009/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment issued to the person named on 9 April 2009.

553. **Deputy Michael Noonan** asked the Minister for Agriculture, Fisheries and Food when payment of grants under the farm waste management scheme and the farm improvement scheme will be made to a person (details supplied) in County Limerick; and if he will make a statement on the matter. [18026/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): As far as the application for grant-aid by the person concerned under the Farm Waste Management Scheme is concerned, the arrangements for payment of grants under this Scheme on a phased basis have been confirmed with 40 per cent being paid this year as claims are approved. A further 40 per cent will be paid in early January 2010 and the remaining 20 per cent in January 2011. I have also announced that a special ex-gratia payment not exceeding 3.5 per cent of the value of the deferred amount will be made to farmers whose Farm Waste Management grants have been partially deferred. This payment will be made in January 2011 along with the final instalment. My Department is currently processing the application concerned and a decision will be made shortly. My Department is also processing the application for grant-aid under the Farm Improvement Scheme and a decision will be made as soon as possible.

Fishing Licences.

554. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food his views on allowing those applying for a fishing licence to pay for their annual licence in monthly instalments in view of the economic downturn; and if he will make a statement on the matter. [18037/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Under the Fisheries (Amendment) Act 2003, the functions of sea-fishing boat licensing were transferred from the Minister to the Licensing Authority for Sea-Fishing Boats, which operates on an independent basis subject to criteria set out in that Act and Ministerial Policy Directives. All applications for sea-fishing boat licences are considered by the Licensing Authority. The head of the Licensing Authority is the Registrar General of Fishing Boats who is a senior official in the Department. The Registrar General has advised me that there are no charges or fees for the issue or renewal of a sea fishing boat licence.

Aquaculture Licensing.

555. **Deputy Ruairí Quinn** asked the Minister for Agriculture, Fisheries and Food if his attention has been drawn to the fact that an unlicensed experimental cod farming site is being operated in Bertraghboy Bay, County Galway and that contrary to scientific advice given to his Department, it is being operated in close proximity to a salmon farm; and if he will make a statement on the matter. [18123/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): In January 2005 my Department granted a trial licence under the Fisheries (Amendment) Act, 1997 for a period of 3 years to Comhlucht Bradan Chonamara Teo for the cultivation of cod. That Company was already the holder of aquaculture licences for the cultivation of salmon on a number of sites in Bertraghboy Bay. The trial licence was granted on the basis that salmon farming should be suspended at each site when they were stocked with cod.

On the expiry of the trial licence my Department contacted the licensee who indicated that the Company was in the process of applying for a full licence for the cultivation of cod. Such

[Deputy Brendan Smith.]

an application has not however been received to date. My Department became aware in October 2008 that one of the licensed sites was being restocked with salmon. This is in accordance with the original licences granted for that purpose and which are still extant. However, my Department learned subsequently that some of the sites within Bertraghboy Bay continued to hold cod, although not on the same site that contained salmon.

My Department has held detailed discussions with the Marine Institute and Bord Iascaigh Mhara on the licensing issue and also the importance of the cod trial in the context of aquaculture development and diversification. My Department is currently considering a report submitted by the Marine Institute on the cod trial with a view to achieving an outcome that is fully in keeping with the licensing system.

556. **Deputy Ruairí Quinn** asked the Minister for Agriculture, Fisheries and Food his plans to establish a licensing and regulatory system for aquaculture consistent with the realisation of his ambition to expand production in this sector on a sustainable basis; and if he will make a statement on the matter. [18124/09]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Aquaculture licensing is governed by the terms and conditions of the Fisheries (Amendment) Act, 1997, as amended and Regulations made thereunder, including, in particular, the Aquaculture (Licence Application) Regulations 1998, S.I. No. 236 of 1998. Other Regulations made under the European Communities Act 1972, as amended, also govern other aspects of aquaculture.

The 1997 Act obliges the Minister to determine any application for a licence by either deciding to grant the licence or a variation of the licence, or deciding to refuse to grant the licence. Licences may be granted for a period not exceeding 20 years. In practice licences are generally granted for a period of 10 years. The 1997 Act makes provision for renewal, review, revocation or amendment of licences. The licensing process involves consultation with a range of scientific and technical advisers as well as various statutory consultees and a period of public consultation. Decisions on applications are published and are open to appeal to the independent Aquaculture Licences Appeals Board (ALAB).

The aquaculture licensing system is currently under examination within my Department having regard to the recommendations contained in the Report of the Seafood Industry Strategy Review Group — “Strategy for a Restructured, Sustainable and Profitable Irish Seafood Industry 2007-2013”. This examination is focusing, *inter alia*, on the needs of industry as well as the requirements of national and EU legislation.

Teachers’ Remuneration.

557. **Deputy Seán Barrett** asked the Minister for Education and Science the reason part-time teachers working in vocational education committee adult education courses who work on a non-guaranteed term contract and variable hourly paid basis with no pension scheme or rights and no holiday have had the pensions levy deducted from their salary; and if he will make a statement on the matter. [17644/09]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Vocational Education Committees (VECs) employ full-time and part-time staff basis to deliver various adult education courses and programmes. As the employer, it is the VECs which are responsible for the terms and conditions and other pay related issues of the staff they employ. Under Section 2 of the Financial Emergency Measures in the Public Interest Act 2009 a person is liable to pay the pensions-related deduction if he or she is a public servant on or after the 1

March 2009 and is a member of a public service pension scheme, is entitled to a benefit under the scheme or receives a payment in lieu of membership of such a scheme.

Special Educational Needs.

558. **Deputy Phil Hogan** asked the Minister for Education and Science if he will intervene with the Health Service Executive to ensure the provision of a special needs assistant in school for a child (details supplied) in County Kilkenny. [18023/09]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special needs. The NCSE operates within my Department’s criteria in allocating such support. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on *www.ncse.ie*. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

Schools Refurbishment.

559. **Deputy Phil Hogan** asked the Minister for Education and Science when finance will be made available to allow an extension to a school (details supplied) in County Kilkenny to proceed; and if he will make a statement on the matter. [17386/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension and refurbishment project. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.1 rating. 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.

560. **Deputy Denis Naughten** asked the Minister for Education and Science, further to Parliamentary Question No. 1703 of 24 September 2008, when the school will be advised of the outcome of its application for an emergency works grant; and if he will make a statement on the matter. [17410/09]

Minister for Education and Science (Deputy Batt O’Keeffe): As I indicated in my reply to Dáil Question No. 704 answered on 22nd April last, the application from the school in question is being re-examined in the context of the funding available in 2009. The school authorities will be advised of the outcome as quickly as possible.

Schools Building Projects.

561. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a new school building application by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17430/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for a new school building. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.2 rating.

[Deputy Batt O’Keeffe.]

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.

562. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a new primary school building application by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17431/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for a new school building. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.2 rating. 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.

563. **Deputy Denis Naughten** asked the Minister for Education and Science the status of an extension at a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17432/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.4 rating. 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.

564. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a school building application by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17433/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.4 rating. 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.

565. **Deputy Denis Naughten** asked the Minister for Education and Science the status within the primary building unit of an application by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17434/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.4 rating. 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.

566. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a building extension at a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17435/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 3.1 rating. 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.

567. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a school building extension by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17436/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 3.1 rating. 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.

568. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a school building application by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17437/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.2 rating. 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.

569. **Deputy Denis Naughten** asked the Minister for Education and Science the status of a school building extension by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17438/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 3.2 rating. 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.

570. **Deputy Denis Naughten** asked the Minister for Education and Science the status within his Department’s building unit of a school building extension by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17439/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.5 rating. 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.

571. **Deputy Denis Naughten** asked the Minister for Education and Science the status within his Department’s building unit of a school building extension by a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17440/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 4.1 rating. 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.

Departmental Expenditure.

572. **Deputy Deirdre Clune** asked the Minister for Education and Science the amount his Department has contributed to the discover science and engineering programme for each year since its establishment; the way budgetary cutbacks have been implemented in 2009; the effects of these cutbacks; and if he will make a statement on the matter. [17451/09]

Minister for Education and Science (Deputy Batt O’Keeffe): Discover Science & Engineering (DSE), was established in October 2003 with the aim of raising general awareness of the Physical Sciences and engineering among students, teachers and members of the public. This programme brought together and developed many existing awareness strategies in a unified

strategy. Its overall objectives are to increase the numbers of students studying the physical sciences, promote a positive attitude to careers in science, engineering and technology and to foster a greater understanding of science and its value to Irish society. The DSE is managed by Forfás on behalf of the Office of Science & Technology at the Department of Enterprise Trade & Employment and is funded by that Department.

Current Discover Science and Engineering initiatives include activities under Science Week, science on TV and in other media, websites, and a range of initiatives designed to engage students with science, engineering and technology. These include Discover Sensors at junior cycle, Transition Year “ProjectBlogger.ie” and a national campaign to promote careers in science, technology and engineering, working in partnership with a range of stakeholders in industry and education.

Discover Primary Science is a key project run by the DSE programme that aims to develop creativity in children and show them how important science is to every day life. The project provides teacher training through a training of trainers initiative, visiting speakers to schools and an activity pack which provides a range of fun activities in support of the revised Primary School Science curriculum. At second level, the Discover Sensors project is providing structured training and resources to support science teachers in the teaching of the junior science curriculum. There is also a network of Discovery Centre which schools can visit. The DSE is working closely with the primary and second level support services which provide professional development for teachers, as well as the National Centre for Technology in Education (NCTE), the National Council for Curriculum and Assessment (NCCA) to complement and supplement the investment of my Department in science education.

School Curriculum.

573. **Deputy Deirdre Clune** asked the Minister for Education and Science the action he is taking to encourage greater awareness of science and technology among the public and students; and if he will make a statement on the matter. [17453/09]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department is fully committed to strengthening the quality of science teaching and learning, promoting increased scientific literacy and encouraging more students, both girls and boys, to choose science subjects. Progress in these areas is a vitally important part of our national strategy to support competitiveness and employment.

Significant progress is being made in regard to curricular reform and inservice support for science at both primary and post-primary levels. Science was introduced as a key component in the revised Primary School Curriculum in 1999 and it has been implemented in all schools since September 2003. A revised syllabus in Junior Certificate Science was introduced in 2003, supporting by an investment of €16m in resources and facilities, and it was examined for the first time in June 2006. I believe that this syllabus, with its hands-on investigative approach and its new emphasis on scientific process skills, will be instrumental in encouraging more students to continue their study of science in senior cycle. Advice from the National Council for Curriculum and Assessment in regard to reform of science at senior cycle is expected shortly.

The book, *Irish Innovators in Science and Technology*, produced with the assistance of Enterprise Ireland and the Royal Irish Academy was distributed to all Post-Primary Schools. The *Irish Scientist* is distributed every year. 20 copies of a CD-rom called *Up2u*, produced for the National Skills Awareness Campaign on behalf of the Expert Group on Future Skills Needs and Forfás, were sent to each Post-Primary School, providing information and assistance to help students make choices about subjects, colleges and careers in the areas of science, technology and engineering. Both my Department and the Discover Science programme continue to engage with school guidance counsellors on the importance of science, technology and engin-

[Deputy Batt O’Keeffe.]

engineering careers, and Discover Science operates a comprehensive range of initiatives to promote the attractiveness of careers in this area. In addition, Discover Science and Engineering provides an extensive programme of activities designed to promote the take up of science and engineering, and to promote innovative approaches to science teaching.

The National Centre for Technology in Education has been established to provide advice and support to schools on the integration of ICT into teaching and learning. The centre provides professional development programmes for teachers in ICT in collaboration with other agencies and teacher support services, a virtual learning environment, advice on ICT and e-learning planning. The Centre also co-ordinates the implementation of the schools broadband programme, and maintains an educational website portal — Scoilnet- which provides access to thousands of teacher reviewed resources. Nationwide seminars on e-learning for schools are being implemented at present. My Department is currently evaluating tenders for the next round of the Schools Broadband Programme, and the range of services available to schools is being expanded.

Major reform in Mathematics at junior and senior cycle has also begun under the Project Maths Initiative. The objective is to teach Mathematics in a way which promotes real understanding, where students can appreciate the relevance of what they are learning and its application to everyday life, and how mathematics can be used to solve problems. In addition, Technology as a new subject in senior cycle was introduced in 2007, allied with a revised syllabus in Design and Graphic Communications. These subjects provide for a significant emphasis on student project work and on design, communication, ICT, CAD and practical skills and were accompanied by an investment of €15.5m in equipment for schools.

All Third Level Institutions regularly review their courses and these reviews usually include an industry representative. Most computing departments have advisory boards which include industry representation. In the computing industry where technology changes at a rapid rate there has to be a balance as to when new technological approaches get introduced into formal courses, soon enough to meet growing demand but not too soon to replace demand for existing technologies. The critical academic approach is to teach the fundamentals correctly and then the new technologies can be learned as they develop.

The Government is committed to implementing the Strategy for Science Technology and Innovation to significantly increase the research capacity, quality and output of the Irish higher education research system. The strategy has a particular focus on raising the quality of teaching and learning activities in the institutions. The overall strategy is overseen by an inter-Departmental Committee which reports to a Cabinet Committee on Science Technology and Innovation. This work is informed by high level inputs from industry and the industrial development agencies.

Departmental Staff.

574. **Deputy Deirdre Clune** asked the Minister for Education and Science the number of staff in his Department, including their grades and responsibilities, charged with promoting science and technology; and if he will make a statement on the matter. [17455/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The Department of Education and Science is responsible for provision, funding, policy and quality assurance of first and second level schools across the totality of the school curriculum, and for the provision of further and higher education across a wide spectrum of disciplines. My Department’s Inspectorate, Qualifications Curriculum and Assessment Policy Unit, Teacher Education Section, Higher Education sections, and Schools ICT Policy Unit, together with the Planning and Building Unit all have a role in progressing the national agenda regarding science and technology in their

respective spheres, in addition to other aspects of the curriculum. It is not feasible therefore to isolate staff numbers and grades whose role is uniquely the promotion of science and technology. However the key co-ordination points are the Principal Officers in the Qualifications Curriculum and Assessment Policy Unit and the Higher Education sections of the Department.

Schools Recognition.

575. **Deputy Brendan Kenneally** asked the Minister for Education and Science when a school (details supplied) in County Donegal will receive permanent recognition in view of the fact that the appropriate numbers for such recognition have been achieved; and if he will make a statement on the matter. [17465/09]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department has received an application for permanent recognition from the school to which the Deputy refers. The application is currently being considered and a decision will be conveyed to the school authority in due course.

Schools Refurbishment.

576. **Deputy Noel J. Coonan** asked the Minister for Education and Science the position in respect of a refurbishment project at a school (details supplied) in County Tipperary; when the project will move to the next stage; the reason for the delay in the project; and if he will make a statement on the matter. [17470/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for a new school building. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.4 rating. 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 Accommodation.

577. **Deputy Noel J. Coonan** asked the Minister for Education and Science the position regarding the provision of a new classroom at a school (details supplied) in County Tipperary; the reason grant aid for the project has been withdrawn; if his attention has been drawn to the consequences of such a withdrawal on the lives of numerous children; when the project will move to the next stage; and if he will make a statement on the matter. [17471/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The authority from the school referred to by the Deputy submitted an application for additional accommodation to my Department. If successful, the school proposed using the grant aid to provide a permanent classroom. Following an assessment of the information supplied by the school authority in its application, the school authority was advised that the application was refused on the basis that the General Purpose room in the school represented spare capacity within the school. The school authority recently appealed this decision, clarifying that the GP room was already in use for learning support. On that basis, the appeal was upheld and the application for additional accommodation was approved. A letter to this effect recently issued to the school authority.

Special Educational Needs.

578. **Deputy Jack Wall** asked the Minister for Education and Science his views in respect of

[Deputy Jack Wall.]

a submission (details supplied); the mechanism available to the parents of the child to address the recommendations made in the child's confidential psychological report; if there is funding available from the grants schemes within his Department or from another State agency to address the concerns raised; and if he will make a statement on the matter. [17482/09]

Minister for Education and Science (Deputy Batt O'Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special needs. The NCSE operates within my Department's criteria in allocating such support. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

Schools Building Projects.

579. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position with regard to the provision of a second level gaelscoil in Maynooth, County Kildare, or general area; and if he will make a statement on the matter. [17488/09]

Minister for Education and Science (Deputy Batt O'Keeffe): My Department gave careful consideration to an application for a second level all-Irish school for the North Kildare area. It decided that the application was premature and should not be granted. In arriving at this conclusion, account was taken of the establishment of Coláiste Cois Life, Lucan, under the aegis of Co. Dublin VEC to serve the needs of the west Dublin /north Kildare area, including Maynooth.

A multi-million euro building project has been completed to provide Coláiste Cois Life with permanent accommodation to cater for a long term projected enrolment of 600 pupils. It has a current enrolment of 331 pupils. Transport arrangements to this school will continue to be available, as necessary, subject to the usual conditions for pupils from the North Kildare area. The Department has agreed to keep the situation under review.

Higher Education Grants.

580. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when a higher education grant will be approved in the name of a person (details supplied) in County Kildare who has stamp four status and applied for citizenship; and if he will make a statement on the matter. [17489/09]

Minister for Education and Science (Deputy Batt O'Keeffe): The decision on eligibility for a higher education grant is a matter for the relevant local authority 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. Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority 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.

Special Educational Needs.

581. **Deputy Denis Naughten** asked the Minister for Education and Science his plans to fulfil

the programme for Government commitment to ensure early intervention for preschool children with special educational needs; and if he will make a statement on the matter. [17526/09]

Minister for Education and Science (Deputy Batt O’Keeffe): As part of the recent budget, the Deputy will be aware that the Government has taken the decision to introduce a year of free preschool for all children with effect from January 2010. This is a highly significant step in the development of Ireland’s early childhood care and education policy. The Government has, by announcing this decision, demonstrated our commitment to our children’s social and educational development. It is a key building block in the realisation of our plan for a smart economy. The provision of a year’s free preschool to all children will promote equality of opportunity at the most important developmental stage of children’s lives. Regardless of income or ability to pay, all children will be entitled to avail of this preschool placement.

Meanwhile, my Department is also providing supports to preschool children with specific disabilities. 36 early intervention classes for children with autism have now been sanctioned around the country. The National Council for Special Education will continue to establish more classes as required. The classes operate at a PTR of 6:1 with a minimum of two special needs assistants. A grant for home tuition may be provided for children with autism who are unable to access an early intervention school place.

My Department also operates a visiting teacher service for deaf or hard of hearing children and children with visual impairments. Visiting teachers aim to be a support to both the parents/guardian and the child. The support service can begin shortly following the birth of the child and follow through to third-level education where appropriate.

582. **Deputy Richard Bruton** asked the Minister for Education and Science the position regarding his plans to develop second level education opportunities for children in the autistic spectrum on the northside of Dublin; and the facilities available in a school (details supplied) in Dublin 3. [17538/09]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENO) for allocating resource teachers and special needs assistants to schools to support students with autism. The SENOs will also consider applications from schools to establish special classes for students with autism. All schools have the names and contact details of their local SENOs. Parents may also contact their local SENOs directly to discuss their child’s special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

Vocational Education Committees.

583. **Deputy Brian Hayes** asked the Minister for Education and Science the entire spending on vocational educational committee education here; the number of teachers and non-teachers employed in the VEC system in each of the 33 separate VECs; and if he will make a statement on the matter. [17546/09]

Minister for Education and Science (Deputy Batt O’Keeffe): There are 33 Vocational Education Committees (VECs) established under, and governed according to the Vocational Education Acts, 1930 to 2001. Each VEC is a statutory body with its own corporate status. Financial allocations are made to the VECs as part of a block grant. VECs are given a high level of autonomy in the management and appropriation of their budgets and each VEC is allowed to distribute its allocations in line with its priorities and perceptions of need. The total allocation

[Deputy Batt O’Keeffe.]

for the VEC sector in 2009 amounts to €951.677m. This is comprised of €769.989m for pay and €181.688m for non-pay.

The total grant to the Vocational Education Committees for 2008 amounted to some €933.3m. The VEC expenditure grant is divided into pay and non-pay, and represents the maximum amount that a VEC may spend under these headings. It is not open to a VEC to transfer funds between the pay and non-pay headings. The term “pay” covers the cost of sanctioned posts directly on the VEC’s payroll at authorised rates of pay, broken down into instruction pay (teachers), administration pay (clerical and administrative staff) and maintenance pay (caretakers and cleaners). Both teaching and non-teaching staff allocations are approved on a VEC basis and it is a matter for each VEC to distribute the staffing allocations concerned within their scheme. Total pay expenditure amounted to some €756.625m in 2008. Teachers’ salaries account for approximately 83% of pay costs.

The term “non-pay” covers all items other than pay and grants for committed items that are provided for separately. The non-pay allocation to each VEC is determined having regard to the VEC’s estimate of expenditure and receipts, the level of VEC receipts indicated being achieved, pupil enrolment variation, various programmes being run by the committee and the amount available for distribution. To afford flexibility, a block allocation is made under this heading, giving each VEC a high level of autonomy in its management. A separate subhead is mainly used to meet the non-pay costs of vocational training programmes, including PLC, Youthreach and Senior Traveller programmes for early school leavers, the Vocational Training Opportunities Scheme (VTOS) for unemployed adults and the BTEI part time option. Total non-pay expenditure amounted to approximately €176.67m in 2008.

As of January 2009 approximately 9,069 whole time equivalent (wte) teaching posts and 709 SNA (wte) posts are allocated to VEC schools. A breakdown of the allocation of teaching and SNA posts in each VEC is attached for the Deputy’s information. The information sought by the Deputy in relation to non-teaching and ancillary staff is not readily available. I have asked my officials to compile this information and to forward it to the Deputy as soon as it is available.

Teaching and SNA Post Allocations (WTEs) by VEC (January 2009)

Name of VEC	WTE Teaching Post Allocation (WTEs)	SNA Allocation (WTEs)
City of Cork	390.56	7.16
City of Dublin	1,008.21	48.07
City of Limerick	174.38	3.00
City of Waterford	102.15	6.73
Dún Laoghaire	165.35	0.00
City of Galway	149.91	5.22
Carlow	166.82	7.50
Cavan	211.38	5.50
Clare	192.92	33.62
Cork	854.22	101.91
Donegal	385.6	53.17
Dublin	922.81	74.77
Galway	235.24	15.22
Kerry	238.86	19.95
Kildare	354.7	29.89
Kilkenny	205.32	16.72
Laois	160.06	7.94

Name of VEC	WTE Teaching Post Allocation (WTEs)	SNA Allocation (WTEs)
Leitrim	92.38	10.00
Limerick	348.11	24.19
Longford	90.53	6.50
Louth	268.9	14.58
Mayo	187.64	11.75
Meath	334.96	39.99
Monaghan	199.59	11.82
Offaly	155.15	5.83
Roscommon	89.79	4.00
Sligo	113.98	12.00
Tipperary SR	208.03	38.67
Tipperary NR	194.46	23.65
Waterford	105.00	12.80
Westmeath	141.56	12.50
Wexford	230.83	24.75
Wicklow	389.98	19.35
Total	9,069.38	708.75

Departmental Expenditure.

584. **Deputy Brian Hayes** asked the Minister for Education and Science the amount that has been spent by his Department on architectural fees for school building projects over the past five years; and if he will make a statement on the matter. [17547/09]

585. **Deputy Brian Hayes** asked the Minister for Education and Science the amount that has been spent on architects' fees in respect of the major school building projects sanctioned by his Department in the past five years; the number that has actually been built or started to be built; and if he will make a statement on the matter. [17548/09]

586. **Deputy Brian Hayes** asked the Minister for Education and Science the amount that has been spent on architects' fees by his Department on individual projects which have still not been built; and if he will make a statement on the matter. [17549/09]

Minister for Education and Science (Deputy Batt O'Keeffe): I propose to answer Questions Nos. 584 to 586, inclusive, together.

The information requested by the Deputy on design team fees relates to almost 700 projects which have moved through architectural planning over the past five years and which are either currently progressing through architectural planning, are currently in construction or have completed construction in that time. Given the number of projects involved it would require an inordinate amount of staff time and resources to assemble the requested information. However, if the Deputy wishes to clarify the situation in respect of individual cases then I would be happy to provide him with the information.

Special Educational Needs.

587. **Deputy David Stanton** asked the Minister for Education and Science if there has been a review of educational provision for people affected with all types of autistic spectrum disorders including Asperger syndrome at pre-school, primary, secondary and third level; when this took place; the findings of same; and if he will make a statement on the matter. [17551/09]

Minister for Education and Science (Deputy Batt O’Keeffe): There have been many reports and reviews conducted worldwide on educational provision for children and young adults with autism. In its October 2001 report, the Task Force on Autism made many recommendations concerning broad educational provision for children on the autistic spectrum from pre-school through to third level. These recommendations provided a basis for the development of educational services and supports for children with autism including the establishment of a range of options for children with autism spectrum disorders, training for teachers in autism-specific approaches and interventions and early educational intervention. In responding to the recommendations, my Department has given priority to implementing the core legislative and structural measures required to underpin service development and delivery.

The Task Force on Autism in Northern Ireland published in April 2002 consulted widely with professionals, reviewed a wide range of literature on autism and invited experts on autism to address the group. It found preference for no single approach but concludes that single methods by themselves may not address effectively the triad of impairments associated with ASD. It concluded that the interventions should be child-centred rather than method-centred and should address the observed and unique needs of the child and any variation in these which occurs over time and across settings and situations.

My Department’s Inspectorate carried out an Evaluation of Educational Provision for Children with Autistic Spectrum Disorders (ASD) which was published in 2006. The report describes an evaluation of the education that is provided for children with ASD in a variety of settings nationwide. The elements of good practice identified during the evaluation process and in the literature review form the basis for the report’s recommendations.

This report makes a number of recommendations including: — all children with ASDs be provided with a broad and relevant curriculum that addresses the triad of impairments, accommodates the special educational needs of the child, attends to developmental and adaptive needs, addresses the management of behaviour and provides curricular experiences that are concerned with the holistic development of each child; — those involved in implementing learning and teaching programmes for children with ASDs should have a recognised teaching qualification.

My Department continues to keep relevant international research under review.

School Staffing.

588. **Deputy Damien English** asked the Minister for Education and Science if, in relation to the employment of teachers, he will clarify the reported position whereby job sharing will no longer be offered to teachers in schools that are above quota; his views on whether the savings to his Department’s budget will be greater than the costs associated with social welfare payments arising out of this situation; and if he will make a statement on the matter. [17554/09]

589. **Deputy Damien English** asked the Minister for Education and Science if there is additional cost to his Department in having a teaching post filled on a job sharing basis compared to filling the position on a full-time basis; and if he will make a statement on the matter. [17555/09]

590. **Deputy Damien English** asked the Minister for Education and Science the number of teachers currently employed on a job sharing basis who will not have their contracts renewed when posts no longer qualify for job sharing; and if he will make a statement on the matter. [17556/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 588 to 590, inclusive, together.

Applications for teachers who wish to job share are made to their employer who is normally the Board of Management of the School in which they work or the Vocational Educational Committee. The decision to approve job-sharing applications is a matter for the authorities of the employing school and there are no additional costs involved. As the applications for job sharing are dealt with by the school authorities the number of teachers involved is not readily available in my Department. In the case of schools that have over-quota teachers, vacancies do not arise as a result of teachers approved for job-sharing. This position is no different from that pertaining in previous years.

In these schools that have over-quota teachers, applications for job-sharing may be considered by the authorities of the schools concerned in the normal way. Because the school is over its allocation of teachers my Department will not give automatic replacements. It is, of course, open to the school authority to apply to my Department for additional teaching hours by way of curricular concessions to cover part or all of the hours in respect of an approved job-sharer teacher. Each such application is considered on its merits.

EU Directives.

591. **Deputy Leo Varadkar** asked the Minister for Education and Science if he has studied the European equal treatment directive and the implications it may have for enrolment policies and recruitment policies in schools with a religious patron; if he has briefed the Department of Justice, Equality and Law Reform on the matter or if he will do so; and if he will make a statement on the matter. [17559/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The EU Commission proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation in the supply of and access to goods and services, social benefits including social security and healthcare, social advantages and education has been examined by officials of my Department in relation to its’ possible impact on the education sector in Ireland.

I understand that preliminary discussions only have been held on this measure at Council and accordingly it is not yet possible to determine what a final draft will contain. The Department of Justice, Equality and Law Reform has been briefed by officials of my Department on aspects of the draft Directive which may have an impact on existing Irish national legislation. The initial view of the Department of Justice, Equality and Law Reform is that the proposal will not require any change to the provisions of the Equal Status Acts governing access to education and recruitment of teachers.

Adult Education.

592. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if he has set up a training programme on computer literacy for persons over 50 years of age; and if not, when such a programme will be established. [17570/09]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): The teaching of computer literacy to those over 50 years of age is delivered through a number of current initiatives. Information and Communications Technology (ICT) courses feature prominently under the Back to Education Initiative (BTEI). Older people are specifically prioritised within BTEI, as one of a number of target groups. In 2008, 12.5% of BTEI participants were aged between 55 and 64 years of age, with a further 7% aged over 65 years of age.

Adult Literacy classes include literacy tuition through the use of computers and in 2007, over 13% of adult literacy participants were over 55 years of age. Under the Community Education Programme, older people also participate in computer classes, language classes and hobby type

[Deputy Seán Haughey.]

courses, funded mainly through the provision of tutor hours. My Department also provides funding to Age Action Ireland for a project entitled University of the Third Age (U3A). This is part of an international movement to support active ageing through the development of self-help learning circles for older people who are no longer working full time. The learning activities include computer training for older people.

Special Educational Needs.

593. **Deputy Jack Wall** asked the Minister for Education and Science the reason funding has been taken from a special needs school (details supplied) in County Kildare; if research was carried out to determine the effects of such a reduction of funding; if so, the person by whom it was carried out; if an alternative means is to be determined to overcome this financial shortfall; and if he will make a statement on the matter. [17589/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I wish to advise the Deputy that my Department has not withdrawn funding from the centre in question. The centre continues to be funded in line with my Department’s policy for such centres. The level of funding may change from year to year depending on a number of issues including the rate of staff turnover, experience of the staff and training courses to be funded.

Education Programmes.

594. **Deputy Brian Hayes** asked the Minister for Education and Science the steps taken since the publication of Building Ireland’s Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014 to prioritise flexible learning initiatives targeted at up-skilling the workforce; and the initiatives that will be funded. [17612/09]

Minister for Education and Science (Deputy Batt O’Keeffe): A range of flexible learning initiatives aimed at up-skilling people who are unemployed were announced as part of the Supplementary Budget in April. These include:

- 1,500 new places to enable unemployed people to pursue a third level certificate of degree programme on a part-time basis. Arrangements for the operation of the programme are being developed with a view to implementation from September 2009.
- 280 places on a range of newly developed accelerated Level 6 Certificate programmes in the institutes of technology. Under this initiative unemployed persons were offered the opportunity to complete the first year of a standard two year programme in an accelerated manner so that they can move to the second year of the programme in September 2009. There is no charge to participants.
- Over 900 places on a range of newly developed part-time transition programmes. These programmes have been developed to assist unemployed people who may be some time out of the formal education system. Courses are free of charge to participants. It is hoped that a significant number of participants on these courses will be encouraged to apply on a direct entry basis for a range of third level certificate and degree programmes commencing in September 2009.

The scope to further develop these initiatives and to identify other appropriate responses which the third level sector can make to support the up-skilling of unemployed people is being examined by a Higher Education Labour Market Response Group, which will report to the Minister by the end of June 2009. In addition, my Department continues to provide funding under the Strategic Innovation Fund to a range of programmes which are developing flexible learning methods to enable lifelong learning and work based learning.

School Curriculum.

595. **Deputy Brian Hayes** asked the Minister for Education and Science the position regarding the prioritisation of mathematics through the discover science and engineering programme as set out in Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal 2009 to 2014; and if he will make a statement on the matter. [17613/09]

Minister for Education and Science (Deputy Batt O'Keeffe): Major reform in Mathematics at junior and senior cycle has begun under the Project Maths Initiative. The objective is to teach Mathematics in a way which promotes real understanding, where students can appreciate the relevance of what they are learning and its application to everyday life, and how mathematics can be used to solve problems. In addition, Technology as a new subject in senior cycle was introduced in 2007, allied with a revised syllabus in Design and Graphic Communications. These subjects provide for a significant emphasis on student project work and on design, communication, ICT, CAD and practical skills and were accompanied by an investment of €15.5m in equipment for schools. It is intended that Project Maths will be an important priority in relation to the overall call on resources in the education sector. Teachers will be fully supported to implement the reforms in Mathematics in second level schools.

The Project Maths initiative is designed to encourage better understanding of Maths, to reinforce the practical relevance of maths to everyday life, and to ensure better continuity between primary and second level, and junior and senior cycle. The initiative started in 2008 and is being piloted in 24 schools. The curriculum changes will be phased in over three years and mainstreaming will begin in 2010/11 in all schools, prefaced by a national programme of professional development for teachers beginning in 2009/10 which will continue to at least 2013. Phase 3 will have begun in all schools in 2012, and will be fully implemented in all class groups by 2015.

Project Maths will be supported by intensive investment in professional development for teachers. A Maths Support Team has been appointed and is currently supporting the project schools, as well as preparing for mainstream in-service development which will start in September 2009, followed by mainstream implementation starting in Sept 2010. The provision of the Support Team on the scale necessary for mainstream implementation has been prioritised within the overall number of posts available in the education sector. Some €3m has been provided for the programme in 2009 alone, and investment in professional development for teachers will continue in a rolling programme of reform.

It has been agreed that the remit of the Discover Science and Engineering programme will be extended to include mathematics, and my Department will work closely with the initiative and other interests in the roll out of Project Maths.

Institutes of Technology.

596. **Deputy Charles Flanagan** asked the Minister for Education and Science, further to Parliamentary Question No. 404 of 20 May 2008 and No. 216 of 20 February 2009, the amount of money discharged by Athlone Institute of Technology in dealing with the complaints of bullying and harassment at the institute since the year 2000; if he will confirm the sum broken down by year in respect of complaints; if he will further confirm the accuracy or otherwise of a freedom of information request lodged by a person (details supplied); and if he will make a statement on the matter. [17637/09]

Minister for Education and Science (Deputy Batt O'Keeffe): The Institutes of Technology are autonomous statutory bodies. Under the terms of the relevant legislation, the governance and day-to-day management of the institutions, including procedures for dealing with allegations of bullying and harassment, are matters for which the Governing Bodies and the man-

[Deputy Batt O’Keeffe.]

agement of the relevant institutions are responsible. As employers all of the institutes of technology have in place formal procedures for dealing with allegations of bullying and harassment which provide for investigation of such matters by a third party. Any staff member who is not satisfied with the outcome of an investigation has a right of appeal to a Rights Commissioner. The Employment Equality Acts and Health and Safety legislation place specific obligations on employers in relation to protection from harassment and promoting the health and safety of their workers, who have rights and are entitled to due process.

Investigations into allegations of bullying and harassment, by their nature, can sometimes be lengthy and costly because due process is required.

Costs incurred by the institutions in addressing complaints of bullying and harassment are met from within the institutions’ budgets and are not notified to my Department. Accordingly the information sought by the Deputy is not available in my Department. My Department has no record of having received a Freedom of Information Request from the person referred to by the Deputy. Institutes of Technology are also subject to the Freedom of Information legislation and all requests for Information received by institutions are required to be dealt with in accordance with the provisions of that legislation.

Schools Building Projects.

597. **Deputy Thomas Byrne** asked the Minister for Education and Science the plans to develop a new school (details supplied) in County Louth; and when he expects construction to commence. [17646/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I am pleased to inform the Deputy that the project at the school to which he refers was included in my recent announcement of 43 projects to proceed to tender and construction in 2009. In April the Board of Management and their design team met with officials from my School Building Unit in Tullamore to discuss Stage 2b of the project (Detailed design stage). At that meeting, my officials pointed out some revisions to the plans which must be addressed before the stage can be approved. The Board of Management and their design team are currently working on making the necessary revisions and are expected to shortly revert to my Department with the revised submission.

598. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied). [17661/09]

Minister for Education and Science (Deputy Batt O’Keeffe): In relation to item 1, the problem being experienced with the telephone connection for the school referred to by the Deputy, the Architect for the project is currently in discussion with the various bodies and it is envisaged that the problem will be resolved in the near future. With regard to Item 2, the land adjacent to the new school, this land has been levelled and seeded as agreed with the school authority and my Department has no plans to do any further work on this land at present.

Education Centres.

599. **Deputy Brian Hayes** asked the Minister for Education and Science the funding provided by him to each of the 21 education centres here for the years 2007 and 2008; the proposed amount for 2009; and if he will make a statement on the matter. [17678/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The data that the Deputy requested is available in the following table. The funding listed is for the main budget of each

of the centres as well as for local/summer courses for teachers. The budgets for 2009 are currently being finalised and are not yet available.

Education Centre	2007	2008	Local course budget 2007	Local course budget 2008
	€	€	€	€
<i>Full Time</i>				
Athlone	131,500	170,758	36,047	33,135.88
Blackrock	240,009	198,000	56,780	68,104.34
Ck on Shannon	150,034	154,250	43,760	47,459.41
Clare	93,005	93,000	50,950	51,888.55
Cork	237,200	221,575	75,000	69,889.94
Donegal	240,317	230,892	64,890	39,663.16
Drumcondra	182,955	186,370	54,936	27,715.00
Dublin West	266,386	238,981	63,124	66,408.20
Galway	172,670	178,924	59,070	49,651.28
Kildare	138,000	156,237	52,800	35,008.54
Kilkenny	165,662	157,000	38,920	47,141.90
Laois	167,562	153,800	33,070	38,066.33
Limerick	529,005	156,400	52,890	61,100.00
Mayo	141,736	160,300	40,381	59,461.00
Monaghan	140,000	154,925	41,500	46,682.39
Navan	147,500	174,600	47,697	61,063.30
Sligo	130,000	142,233	41,642	45,654.31
Tralee	178,279	161,750	48,000	56,437.54
Waterford	143,500	166,500	40,960	49,545.24
West Cork	175,263	186,650	49,100	67,406.90
Wexford	148,000	166,750	51,850	39,686.76
	3,918,583	3,609,895	1,043,367	1,061,169.97

600. **Deputy Brian Hayes** asked the Minister for Education and Science the person who has responsibility for organising the terms of employment, pay and conditions of all of the members of staff of the various education centres here; and if he will make a statement on the matter. [17679/09]

601. **Deputy Brian Hayes** asked the Minister for Education and Science the number of staff employed in an administrative and management capacity in each of the 21 education centres in each of the past three years; and if he will make a statement on the matter. [17680/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 600 and 601 together.

All Education Support Centres are bodies corporate with perpetual succession and have a management committee to manage the business and staff of the centre.

Apart from the 21 Directors who are secondees all other staff are non public servants. Their employment, pay and conditions is managed by the management committee. Apart from the 21 Directors the average number employed in the 21 centres for each of the last three years is 162. The responsibility for the numbers employed lies with the management committee.

602. **Deputy Brian Hayes** asked the Minister for Education and Science when an internal audit unit from his Department last analysed any or all of the 21 education centres here; and if he will make a statement on the matter. [17681/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The Internal Audit Unit of my Department is authorised by its Charter to carry out a comprehensive programme of audits in all areas of the Department and in certain bodies/organisations under its aegis including Education Centres. The audit of Education Centres is an integral part of the annual audit work programme which is approved by the Audit Committee and the Accounting Officer. Eighteen of the twenty one fulltime Education Centres have already been subject to audit, the most recent of which was completed in May 2008. Of the remaining three centres to be audited, in the current cycle of audits, one is included in the agreed annual work programme for 2009 and the other two will be considered in the context of future programmes.

Departmental Programmes.

603. **Deputy Brian Hayes** asked the Minister for Education and Science the number, in respect of the SLSF scheme for primary education and the PPDS scheme for post-primary education, of teachers out of the classroom seconded to both of these programmes; the amount of money spent on each of these programmes over the past three years on respect of travel and subsistence; and if he will make a statement on the matter. [17692/09]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy is aware the Primary Professional Development Service (PPDS) is an amalgamation of the Primary Curriculum Support Programme (PCSP) and the School Development Planning Service (SDPS). This amalgamation took place in September 2008. For the purpose of comparing figures, the numbers for both the PCSP and SDPS are shown in the following table for the years 2006/2007 and 2007/2008.

The reduction in expenditure at primary level since 2006 is reflective of the fact that the PCSP completed their intensive phase of support for the implementation of the revised primary curriculum in 2006. The Second Level Support Service (SLSS) provides support to teachers and school at post-primary level. The figures for travel and subsistence for both primary and post-primary do not relate to team expenses only. They also include travel and subsistence for teacher participants on in service. The figures also include travel and subsistence expenses for local facilitators at post primary level.

The increased secondment numbers for the SLSS in 2007 and 2008 reflect the fact that in 2007 priority areas were identified for additional secondees to meet system needs. A number of other services at post primary level had completed their intensive phase of support and were then integrated into SLSS with reduced teams in 2008.

	2006	2007	2008
	€	€	€
PPDS			1,231,889
PCSP	2,648,223	2,074,489	
SDPS	337,515	438,313	296,779
SLSS	678,308	1,086,381	1,057,971
Total	3,664,046	3,599,183	2,586,639

Departmental Expenditure.

604. **Deputy Brian Hayes** asked the Minister for Education and Science the cost of running

the Higher Education Authority in each year over the past three years; and if he will make a statement on the matter. [17693/09]

615. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the Higher Education Authority; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the HEA; and if he will make a statement on the matter. [17802/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take questions 604 and 615 together.

The information requested is set out in the following document.

Higher Education Authority

Grade	Salary Band	Number of Staff
	€	
Assistant Secretary	158,644	1.0
Principal Officer (H)	97,611 – 120,385	0.8
Principal Officer	90,703 – 112,193	7.4
Assistant Principal (H)	76,506 – 95,667	3.0
Assistant Principal	69,659 – 86,865	12.6
HEO (H)	50,712 – 62,725	1.0
HEO	49,007 – 62,210	16.2
EO	32,179 – 51,054	17.4
CO (H)	25,532 – 40,418	1.0
CO	24,395 – 39,560	6.8
Cleaner	20,643 – 25,560	1.6
Director IRCSET	115,457	1.0
HEA Chairman	82,737	0.6
Total No. of Staff		70.4
Estimated Cost of Payroll (2009)	5,193,000	

Year	2006	2007	2008
Running Costs	€7,702,000	€8,412,000	€8,608,000

Notes: The staffing numbers and running costs above also include for the National Office for Equity to Access to Higher Education, Irish Research Council for the Humanities and Social Sciences (IRCHSS) and the Irish Research Council for Science, Engineering and Technology (IRCSET). The latter two bodies operate under separate councils but all staff are employed by the HEA, which also provides other administrative supports.

Staff numbers provided are whole-time equivalents. Figures include both permanent and temporary/contract staff. Payroll figures include some pension payments. A number of staff are funded by the EU.

(h) denotes higher scale.

Departmental Agencies.

605. **Deputy Brian Hayes** asked the Minister for Education and Science the number, in respect of his announcement in budget 2009 to merge HETAC, FETAC and the NQAI and his decision to establish the implementation advisory group advising him of this objective, of occasions that this group has met since its establishment; when he expects the merger to occur;

[Deputy Brian Hayes.]

the potential savings to the State and the potential savings to his Department in view of this merger; and if he will make a statement on the matter. [17695/09]

Minister for Education and Science (Deputy Batt O’Keeffe): In addition to the announcement of the amalgamation of the National Qualifications Authority of Ireland (NQAI), the Higher Education and Training Awards Council (HETAC) and the Further Education and Training Awards Council (FETAC), the Budget statement also signalled that the new organisation would take responsibility for the external quality assurance review of the universities, a function which is currently performed by the Irish Universities Quality Board (IUQB) and the Higher Education Authority (HEA). The budget announcement also refers to the possibility of including some of the related functions of the National University of Ireland (NUI) in the new organisation.

The Implementation Advisory Group (IAG), formed to advise my Department on the implementation of the amalgamation, comprises representatives of the NQAI, HETAC, FETAC, the HEA, the IUQB and the Irish Universities Association. The IAG has met on four occasions to date. My Department has had separate discussions with NUI.

A consultation paper has been prepared, with the assistance of the IAG, covering the functions and shape of the new organisation and key legislative considerations. A period of public consultation is planned, which is due to start shortly and will conclude in June. My Department has also started work on the legislation necessary for the amalgamation. The target completion date for the legislative process is Autumn 2010, with the new statutory organisation to be established in Winter 2010.

Savings will arise from efficiencies achieved through economies of scale, the removal of parallel structures and streamlined and shared corporate services. Annual savings arising from the amalgamation are estimated to be in the region of €1million, although it should be noted that it is likely that once-off up-front costs arising from the process will be incurred.

School Staffing.

606. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if his attention has been drawn to a school (details supplied) in County Donegal which is seeking an appointment under the developing schools criteria in view of the overcrowding problem there and the safety issue which exists with regard to the size of its classroom. [17697/09]

Minister for Education and Science (Deputy Batt O’Keeffe): Within the terms of the staffing arrangements for primary schools there is provision for additional posts, referred to as developing school posts, to be assigned to schools on the basis of projected enrolments for the next school year. Under these arrangements, a developing school post may be sanctioned provisionally where the projected enrolment at 30th September of the school year in question equals or exceeds a specified figure. If the specified figure is not achieved on 30th September, sanction for the post is withdrawn. I understand that the school referred to by the Deputy has made an application for a developing school post. My Department will make contact with the Board of Management in this regard.

It is open to the Board of Management to submit an appeal under certain criteria to an independent Appeal Board which was established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria and application dates for appeal are contained in the staffing schedule. The criteria are also available in Circular 0024/2007 (Appeal Board for Mainstream Staffing in Primary Schools) which is available on my Depart-

ment's website. The Appeal Board operates independently of the Department and its decision is final.

Special Educational Needs.

607. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if he has reviewed the appeal made by a school (details supplied) in County Wicklow with regard to the abolition of the school's special needs class. [17698/09]

Minister for Education and Science (Deputy Batt O'Keeffe): The correspondence submitted by the school in support of its appeal is currently being considered by my Department. This process is well advanced and it is expected that a decision will be conveyed to the school shortly.

608. **Deputy Mary Upton** asked the Minister for Education and Science if a child (details supplied) in Dublin 10 will be provided with a laptop computer to enable the child to benefit fully from the education system; and if he will make a statement on the matter. [17702/09]

Minister for Education and Science (Deputy Batt O'Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENO) for allocating resource teachers and special needs assistants to schools to support children with special needs. SENOs also make recommendations to my Department where assistive technology is required. My Department has no record of receiving a recommendation for a laptop for the child in question.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied by the Deputy to be forwarded to the NCSE for their attention and direct reply.

Adult Education.

609. **Deputy James Bannon** asked the Minister for Education and Science the reason senior Traveller training centres are facing phasing out over a period of ten to 15 years with the trainees integrated into other adult education programmes; if his attention has been drawn to the gap which such closures will leave in the provision of specific focused education for Travellers, which is already suffering from the effects of the new policy of limiting enrolment to trainees over the age of 18 years; and if he will make a statement on the matter. [17712/09]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): In 2006, my Department published a Report and Recommendations for a Traveller Education Strategy. The Strategy recommended that Senior Traveller Training Centres (STTCs) be reviewed and their future role clarified. The Strategy also recommended that people under 18 years of age should not be enrolled in STTCs.

Subsequently, my Department published a Value for Money (VFM) Review of the Youthreach and STTC programme in 2008. The VFM Review recommended that STTCs be phased out as a segregated provision over 10 — 15 years and merged into mainstream further education. In addition, it recommended that STTCs should cater for adults over 18 years of age. The full suite of mainstream further and adult education programmes, such as the Vocational Training Opportunity Scheme (VTOS), the Back to Education Initiative (BTEI), Adult Literacy and Community Education, is available to all learners, including Travellers. Travellers are already accessing mainstream further and adult education provision, especially in areas where there is

[Deputy Seán Haughey.]

no STTC. Travellers under 18 years of age should be in mainstream post-primary schools or, if they leave school early, they may apply to participate in the Youthreach programme.

As part of Budget 2009, it was announced that the provision in STTCs would be reduced by 100 places to 984 places from September 2009 as part of a prioritised approach to expenditure. VECs were notified of their revised allocations of places on 1 May 2009.

Special Educational Needs.

610. **Deputy James Bannon** asked the Minister for Education and Science if a child (details supplied) in County Westmeath who suffers from autism will continue to have the necessary and beneficial help of a full-time special needs assistant and three hours resource teaching per week; and if he will make a statement on the matter. [17713/09]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special needs. The NCSE operates within my Department’s criteria in allocating such support. Applications for SNAs may be considered by the NCSE where a pupil has a significant medical need for such assistance and where there are identified care needs arising from a diagnosed disability. A pupil’s level of care may diminish over time as the child matures. Pupils may move to a different school or on to post-primary school. In such situations, the NCSE will review and adjust the SNA support required in the school. This may mean that some pupils who had previously been supported by a full time SNA may have their needs met through the shared support of an SNA or perhaps they may have no need for SNA support.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on www.ncse.ie. I have arranged for the information provided by the Deputy to be forwarded to the NCSE for their direct reply.

School Accommodation.

611. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if he will list, on a county basis, the amount per school that has been spent on prefabs over the past five years. [17721/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The information requested by the Deputy is not readily available and would take an inordinate amount of time to compile. However, I can confirm that the amount spent on renting temporary accommodation including — but not limited to — prefabricated accommodation for each of the years 2004 to 2008 is as follows:

- 2008: €53m;
- 2007: €35.5m;
- 2006: €24.5m;
- 2005: €15.7m;
- 2004: €11.3m.

It should be noted that temporary accommodation is not limited to prefabs and can also involve the rental of high quality buildings.

Following an analysis of costs by my Department, it is now the policy to purchase rather than rent temporary accommodation where the need is likely to last for more than three years. This will reduce the incidence of long- term rental of prefabricated classrooms. Separately, my Department has already commenced a review of this area and has engaged a firm of Chartered Quantity Surveyors to develop new procedures and systems for the provision of temporary accommodation with a view to achieving best value for money. This firm of specialists has already commenced and will work in close co-operation with the Planning and Building Unit of my Department.

The review will involve new contractual terms to incorporate buy-out and relocation options to cater for individual local circumstances. The review will also involve an assessment of all existing rental contracts between schools and suppliers with a view to identifying action to reduce overall rental costs for the Department. The Deputies will appreciate that there is a substantial amount of work involved in this approach. However, I have asked my Department to give this work priority and it is envisaged that it will be completed before the end of this year. In the meantime, where the Department has given approval to a school to rent temporary accommodation, the school authorities must seek competitive quotes from suppliers. This will allow schools to take advantage of the best value available in the current market.

School Staffing.

612. **Deputy Denis Naughten** asked the Minister for Education and Science if he will approve an additional Traveller resource teacher for a school (details supplied) in County Roscommon; and if he will make a statement on the matter. [17741/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that an application for a resource teacher for travellers in the school referred to by the Deputy has been received in my Department. The application will be considered and the school authority will be advised of the outcome as soon as this process has been completed.

Schools Building Projects.

613. **Deputy Fergus O’Dowd** asked the Minister for Education and Science his proposals for the development of existing and new post-primary schools in the new constituency of Louth; and if he will make a statement on the matter. [17763/09]

614. **Deputy Fergus O’Dowd** asked the Minister for Education and Science his proposals for the development of existing and new primary schools in the new constituency of Louth; and if he will make a statement on the matter. [17764/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 613 and 614 together.

Forward Planning Section of my Department is in the process of identifying the areas where significant additional accommodation will be required at primary and post-primary level for future school years. 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. Primary and post-primary accommodation requirements in the Louth area, and any subsequent issues which may arise, will be considered in this regard.

Question No. 615 answered with Question No. 604.

Departmental Agencies.

616. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the State Examinations Commission; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the SEC; the amount of money granted to the SEC to conduct its operations in 2009; and if he will make a statement on the matter.
[17803/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The information requested by the Deputy in relation to the State Examinations Commission is set out on the following table.

State Examinations Commission

No. of staff	Grade	No. at Grade	Salary scale	Salary band Pre 1995	Salary Band Post 1995	Cost of Payroll 2009	2009 Allocation
174	Chief Executive Officer	1	Assistant Secretary	€131,748 – €150,712	€138,683 – €158,644	€12,051,260	€59,471,000
	Director of Operation	1	Principal Officer 1	€92,730 – €114,366	€97,617 – 120,382		
	Principal Officer	2		€86,168 – €106,582	€90,702 – €112,191		
	Assistant Principal	7		€66,179 – €82,320	€69,659 – €86,865		
	Higher Executive Officer	16		€72,681 – €90,884 (h)	€76,510 – €95,665(h)		
	Executive Officer	32		€46,558 – €59,097	€49,007 – €62,210		
	Staff Officer	13		€49,379 – €61,082 (h)	€51,980 – €64,296 (h)		
	Clerical Officer	51		€30,566 – €48,504	€32,179 – €51,054		
	Service Officer	9		€30,566 – €50,410 (h)	€32,179 – €53,067 (h)		
	Security Officer	3		€34,941 – €46,655	€36,779 – €49,104		
	Cleaner	6		€23,174 – €39,558	€24,397 – €39,558		
	Head of Examinations & Assessment Division	1	Deputy Chief Inspector	€24,255 – €37,584 (h)	€25,532 – €40,417 (h)		
	Asst Head of Examinations & Assessment Division	3		€419.73 – €559.03	€438.41 – €589.03		
	Senior Examinations Assessment Managers	16		€420.98 – €517.87	€439.75 – €545.12		
	Examinations Assessment Managers	15		€400.80 – €465.34	€418.57 – €489.84		
				€100,774 – €123,337	€106,076 – €129,831		
				€96,538 – €111,912	€101,619 – €117,801		
				€84,271 – €99,056	€88,709 – €104,265		
				€57,550 – €90,772	€60,583 – €95,549		

(h) higher scale.

[Deputy Batt O’Keeffe.]

617. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the Grangegorman Development Agency; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the agency; the amount of money granted to the agency to conduct its operations in 2009; and if he will make a statement on the matter. [17804/09]

619. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the Grangegorman Development Agency; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the agency; the amount of money granted to the agency to conduct its operations in 2009; and if he will make a statement on the matter. [17806/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 617 and 619 together.

The Grangegorman Development Agency currently has 6 staff consisting of 3 staff members directly employed and 3 staff seconded to the Agency. Details of numbers, grades and salaries bands are detailed in the following document. The cost of the Payroll bill for the Agency for year ended 31st December 2008 was €503,270.00 including Employer PRSI. €1.488m has been provided in the 2009 Revised Estimates to cover the current expenditure costs of the Agency. Any capital expenditure costs of the Agency would be met from the capital allocation for 3rd Level Institution which is in excess of €199m in 2009.

Since its establishment the Agency has been working on the preparation of a Strategic Plan and Budget for the proposed development of the Grangegorman site. The Strategic Plan is required in order to inform the Government of the options and the associated costs of moving the Dublin Institute of Technology (DIT) campus to the Grangegorman site as well as making on site provision for the relevant Health facilities. The Agency have submitted a draft Strategic Plan and funding strategy to my Department for approval. Once these proposals have been fully examined I intend presenting them to Government for consideration.

Grangegorman Development Agency

Grade	Number of Staff at this Grade	Salary Band of this Grade
Chief Executive	1	€158,919
Principal Officer	1	€90,702 – €112,191
Higher Executive Officer	2	€49,007 – €62,210
Senior Staff Officer	1	€47,675 – €58,682
Assistant Staff Officer	1	€29,825 – €45,556

618. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the International Education Board Ireland; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the board; the amount of money granted to the board to conduct its operations in 2009; and if he will make a statement on the matter. [17805/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The overall objective of the International Education Board Ireland is to facilitate and support the development of Ireland as an international education centre. IEBI has four staff members, two working full-time and two working part-time. The Chief Executive Officer is on the Trinity College Dublin Senior

Administrative 2, Level 6 grade. The salary band for this grade is €89,411 to €119,534. The Director of Programmes is on the TCD Administrative 1, Level 6 grade. The salary band for this grade is €55,785 to €95,149. This position is currently filled on a part-time basis, and the salary is reduced on a pro rata basis. The Accounts Administrator and the Communications and Information Manager are both on the TCD Senior Executive Officer 1, Level 5 grade. The salary band for this grade is €45,677 to €54,660. The position of Accounts Administrator is currently filled on a part-time basis, and the salary is reduced on a pro rata basis. The IEBI's allocation for 2009 from the Department of Education and Science is €400,000, of which the pay allocation is €146,000. The IEBI also receives fees from higher education institutions in respect of specific services which it carries out.

Question No. 619 answered with Question No. 617.

620. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the National Centre for Guidance in Education; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the centre; the amount of money granted to the centre to conduct its operations in 2009; and if he will make a statement on the matter. [17807/09]

Minister for Education and Science (Deputy Batt O'Keeffe): The information requested by the Deputy in relation to the National Council for Guidance in Education is set out on the following table.

National Council for Guidance in Education

No. of staff	Grade	No. at grade	Salary scale	Salary band Pre 1995	Salary Band Post 1995	Cost of Payroll 2009	2009 Allocation
7	Director	1	DIT Lecturer scale plus allowance of €5,079	—	€57,143 – €90,346	€486,837	€783,000
	Guidance Programme Co-ordinator	2 (1 acting)	AP standard scale	€66,179 – €82,520	€69,659 – €86,865		
	Administrative Assistant	1	Staff Officer	€34,941 – €46,655	€36,779 – €49,104		
	Research/Information Officer	1	Staff Officer	€34,941 – €46,655	€36,779 – €49,104		
	Guidance Officer	2	Administrative Officer standard scale	€33,372 – €59,097	€35,132 – €62,210		

621. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the National Qualifications Authority of Ireland; the number of staff at each grade; the salary bands of each grade; the cost of the payroll bill at the authority; the amount of money granted to the authority to conduct its operations in 2009; and if he will make a statement on the matter. [17808/09]

622. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the Higher Education and Training Awards Council; the number of staff at each grade; the salary bands of each grade; the cost of the pay roll bill at the council; the amount of money granted to the council to conduct its operations in 2009; and if he will make a statement on the matter. [17809/09]

623. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of staff employed by the Further Education and Training Awards Council; the number of staff at each grade; the salary bands of each grade the cost of the pay roll bill at the council; the amount of money granted to the council to conduct its operations in 2009; and if he will make a statement on the matter. [17810/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 621 to 623, inclusive, together.

The information requested by the Deputy is set out in the following table.

Grade Salary Band	Number of Staff			
	NQAI	HETAC	FETAC	Total
Chief Executive (equivalent to Asst Sec [Modified PRSI]) €131,748 – €150,712		1		1
Chief Executive (equivalent to Asst Sec [Full PRSI]) €138,683 – €158,644	1		1	2
Director (equivalent to Senior Lecturer III) €88,349 – €113,633	2	2	2	6
Development Officer (equivalent to Senior Lecturer II) €82,119 – €105,578	2	5	8	15
Assistant Principal [Modified PRSI] €66,179 – €82,520	1			1
Assistant Principal [Full PRSI] €69,659 – €86,865	4	1	5	10
Grade VII €50,014 – €65,587	2	2	2	6
Grade VI €47,675 – €58,682		4	3	7
Grade V €42,663 – €51,616	3	6	7	16
Grade IV €29,285 – €45,556	4	4	10	18
Grade III €24,408 – €39,556	6	7	13	26
General Operative €29,023 – €30,420		1		1
Assistant Lecturer €42,125 – €52,689		1		1
Total Staff	25	34	51	110
Estimated Payroll Bill 2009 (€)	1,225,687	2,500,000	3,470,000	7,195,687
Grant in 2009				14,242,000

Notes: Staff numbers provided are not WTE figures. Figures include both permanent and temporary/contract staff and staff seconded to other agencies. Payroll figures include pensions payments. A number of staff are funded by the EU. All grants are paid to the NQAI who are responsible for agreeing budgets with and making payments to the other agencies.

Schools Building Projects.

624. **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 of the process it is at; when work on site will commence; and if he will make a statement on the matter. [17823/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The school to which the Deputies refer was included in my announcement on 12 February of 43 major building projects to proceed to tender and construction during 2009. Representatives from the board of management and the design team of the school attended a briefing in my Department’s offices in Tullamore on 26 March at which they were appraised of the next steps necessary to progress the project to tender and construction. The Stage 2(a) submission was approved by my Department in March 2009. The Design Team are currently working on a Stage 2(b) submission. To assist in this my Department has recently approved the appointment of a consultant planner to assist the design team in responding to issues raised by the local authority.

625. **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 of the process it is at; when work on site will commence; and if he will make a statement on the matter. [17824/09]

Minister for Education and Science (Deputy Batt O’Keeffe): An extension/refurbishment project is at the early stages of architectural planning with an agreed projected enrolment of 500 pupils. The project has a Band Rating of 2.1 under the published prioritisation criteria for large scale building projects. Officials from my Department met with the school authorities and the design team in March of this year to discuss options for the progression of the project. A further submission from the school’s design team is awaited. Further progression of the building project in question will continue to 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.

Departmental Expenditure.

626. **Deputy Lucinda Creighton** asked the Minister for Education and Science the annual expenditure on external legal costs by his Department in each of the past five years; the annual expenditure on external legal costs by each of the agencies under his aegis in each of the past five years; and if he will make a statement on the matter. [17838/09]

Minister for Education and Science (Deputy Batt O’Keeffe): It is not possible to compile the information requested within the time available. A reply will issue to the Deputy at the earliest opportunity. My Department incurs legal costs not just for the Department but also in respect of litigation which relates to Primary and Post-Primary Schools, Community and Comprehensive Schools, Special Educational Needs, school non-attendance, school transport, employment law matters, (including salaries and pensions), litigation arising from industrial relations actions and/or appeals to the Courts from decisions of the Equality Tribunal, contractual disputes and a diverse range of matters which are not solely within the remit of my Department.

School Transport.

627. **Deputy John Deasy** asked the Minister for Education and Science if his attention has been drawn to the hardship that proposed increases in school transport charges will have on

rural families whose distance from the schools makes this system the only available means of transport; and if he will make a statement on the matter. [17848/09]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): I wish to advise the Deputy that the charge increases effective from the commencement of the 2009/10 school year apply to about 55,000 eligible post primary children and children availing of concessionary transport. Charges will continue to be waived in the case of eligible post-primary children where the family is in possession of a valid medical card. Eligible children attending primary schools and children with special needs or about 54,000 children will still travel free.

In order to minimise the impact of the new charges, a maximum family payment of €650 and parents will be offered the option to spread the charges due over two payments payable in July and December. The new charges from parents will still only represent about 7% of the overall allocation for school transport in 2009.

Schools Building Projects.

628. **Deputy Dinny McGinley** asked the Minister for Education and Science if an application for a permanent extension has been received from a school (details supplied) in County Donegal; the position regarding the application; and if he will make a statement on the matter. [17855/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2 rating. 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.

629. **Deputy Niall Blaney** asked the Minister for Education and Science if a bus route will be extended approximately one mile to accommodate a person (details supplied) in County Donegal; and if he will make a statement on the matter. [17979/09]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): The School Transport Section of my Department, has requested Bus Éireann which operates the school transport scheme, to examine the background to the case referred to by the Deputy, in the details supplied and to liaise directly with the Deputy and the family concerned.

Schools Building Projects.

630. **Deputy Olwyn Enright** asked the Minister for Education and Science, further to Parliamentary Question No. 486 of 16 December 2008, if a school (details supplied) in County Offaly has been included on his Department’s list of large scale projects, to progress to the next stage; the position regarding this school project; and if he will make a statement on the matter. [17980/09]

Minister for Education and Science (Deputy Batt O’Keeffe): Schedules of accommodation have been accepted by County Offaly VEC for the proposed building project at the school to

[Deputy Batt O’Keeffe.]

which the Deputy refers. As the Deputy will be aware, in February, I announced details of 43 major building projects to proceed to tender and construction and 25 high priority projects to commence architectural planning. The project to which the Deputy refers was not included in this announcement. Therefore, it is unlikely that it will be progressed in 2009.

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 my Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

Third Level Education.

631. **Deputy Deirdre Clune** asked the Minister for Education and Science if he has encouraged third level institutions to specialise in specific areas in science; his strategy in promoting greater expertise in science research; and if he will make a statement on the matter. [18013/09]

632. **Deputy Deirdre Clune** asked the Minister for Education and Science the procedures in place to encourage greater linkages between third level institutions and business in the areas of science and engineering research and development; and if he will make a statement on the matter. [18014/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 631 and 632 together.

The Strategy for Science, Technology and Innovation (SSTI) constitutes one of the principal pillars of the National Development Plan 2007-2013, and is the Government’s blueprint for developing Ireland’s research and innovation capacity. The SSTI provides for a range of programmes of support across a number of Government Departments and aims to improve the scale and quality of research carried out in Ireland in the higher education, public and enterprise sectors. My Department is supporting a number of programmes under the SSTI, including the Programme for Research in Third-Level Institutions (PRTLTI) and the award schemes of the Irish Research Council for Science, Engineering and Technology and the Irish Research Council for the Humanities and Social Sciences.

The PRTLTI, which was launched in 1998, has allocated to date some €865 million to strengthening national research capabilities in our higher education institutions. While the PRTLTI funds institutional projects under all disciplines, the Programme strongly encourages concentration in areas of strategic expertise, combined with collaboration between institutions in areas of mutual strength. Of the total funding, over €710 million have been allocated to projects in the health, science, engineering and technology areas. To date, the PRTLTI has funded the establishment of:

- 30 centres;
- 99,000m² research facilities;
- 5,800 researcher spaces.

The PRTLTI has both directly and indirectly led to the establishment of significant partnerships between third level research in Ireland and industry, demonstrated by the fact that over 40 industry collaborations were established under the third cycle of the PRTLTI alone. Among the many examples of industry partnerships is the collaboration established in Trinity College

Dublin in 2007, between the Institute of Neuroscience and pharmaceutical company GlaxoSmithKline, that will see €14.6 million invested in research and development toward the discovery of new therapies for Alzheimer's disease.

I launched a fifth cycle of funding under the PRTL I in January this year. This funding will be focused at proposals that involve collaboration both within the third level sector and with industry, and there will be a particular emphasis on the long-term commercialisation capabilities of proposals. Proposals are also being sought from institutions in the area of structured PhD education. These programmes will provide generic and transferable skills training to PhD students and will ensure that graduates are equipped with the appropriate skills for employment in both academia and enterprise.

The Irish Research Council for Science, Engineering and Technology has established significant links with the enterprise sector through its Enterprise Partnership Scheme. This scheme, which is funded in collaboration with an industry partner, offers researchers the opportunity to work closely with a relevant industry partner while completing postgraduate or postdoctoral research as well as providing exposure to a commercially orientated research environment.

Weight of Schoolbags.

633. **Deputy Deirdre Clune** asked the Minister for Education and Science his views on introducing an e-book initiative at primary and second level to reduce the cost and weight of school books; and if he will make a statement on the matter. [18030/09]

Minister for Education and Science (Deputy Batt O'Keeffe): Apart from a small number of prescribed texts at second level (mainly in the case of language subjects) school textbooks are not approved or prescribed by my Department at first or second level. Decisions on which books to use are taken at school level. The publication and sale of school books are in the hands of independent commercial enterprises and it is not open to me to compel publishing companies to produce texts in a particular format. The Report of a Working Group to examine potential problems caused by the weight of schoolbags, which was presented in July, 1998, acknowledged that many of the solutions belong at local school level.

One of the main recommendations of the report related to the need to heighten the awareness of the potential health hazards posed by excessively heavy schoolbags and in this regard, my Department initiated an awareness-raising campaign by disseminating the report, with an accompanying circular, to all primary and post-primary schools.

A further circular was issued in 2005, again highlighting the potential health hazard of heavy schoolbags and outlining a range of measures that could be adopted at school level in order to alleviate the problem. Ultimately it is a matter for each individual school to choose those measures that would be most suited to its individual needs and that fit with how the school organises teaching and learning. The Report of the Working Group makes various recommendations in this regard, such as optimum use of storage facilities, developing pupil organisation skills and timetabling.

My Department is aware that positive action has been taken by many schools on these issues. Actions taken consist of a range of measures including the provision of lockers and in the case of second level schools the arrangement of the timetable into double class periods, active liaison with parents and the co-ordination of homework by subject teachers. A copy of the report of the Working Group on the Weight of School Bags and all current circulars in relation to this issue are available on my Department's website at www.education.ie.

Special Educational Needs.

634. **Deputy Billy Timmins** asked the Minister for Education and Science the position of a person (details supplied) in County Wicklow; if in view of the circumstances and the urgency of the necessary intervention at this stage the additional help will be sanctioned as a matter of urgency; and if he will make a statement on the matter. [18049/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The General Allocation Model (GAM) was introduced in mainstream primary schools in September 2005. Based on each primary school’s enrolment, the GAM provided schools with additional learning support/resource teacher support to enable them to cater for children with high incidence special needs including dyslexia. The school referred to by the Deputy has one full time teaching post together with twenty two and half hours resource teaching support per week to cater for the special educational needs of the pupils enrolled.

It is a matter for the school authorities to determine how these hours are utilised to support eligible pupils with high incidence special education and learning support needs. Research shows that some pupils with learning needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource/learning support teachers to work with pupils in the classroom rather than taking them away to a separate room, as the pupils then have to catch up on work done by the rest of the class in their absence. My Department issued a comprehensive circular, SP ED 02/05 to schools which provides guidelines and advice on the manner in which they should use the resources that have been allocated to them to best effect.

The National Council for Special Education (NCSE) is responsible for the provision of a range of educational services at local and national level for students with special educational needs. In particular, its network of over 80 Special Education Needs Organisers (SENOs) coordinates special needs education provision at local level and arranges for the delivery of special educational services. They act as single points of contact for parents of students with special educational needs. The NCSE operates within my Department’s criteria in allocating educational support.

Funding may be provided by my Department to schools for the purchase of specialised equipment such as computers to assist children with special educational needs, including children with dyslexia, with their education once relevant professionals recommend the equipment. Schools can apply to their SENO directly for this support. All schools have the names and contact details of their local Special Educational Needs Organisers (SENOs). Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on www.ncse.ie.

School Discipline.

635. **Deputy Seán Fleming** asked the Minister for Education and Science the reporting arrangements that apply in second level schools to the National Education Welfare Board or otherwise in respect of the number of students suspended and the number of days to which the suspensions relate in the most recent year for which information is available; if the information is available on a school by school basis; if it is available for schools that are run by county VECs; if he will supply the statistics available; if no statistics are available his plans to obtain such information which is important information from an educational point of view; and if he will make a statement on the matter. [18076/09]

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 statutory 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 Board also has responsibility to conduct research into underlying causes for poor attendance and disseminating results of such research to assist schools in developing codes of behaviour and attendance strategies.

Since the commencement of the Act, schools are required to record and monitor attendances and to report absences to the Educational Welfare Officer (EWO), in particular circumstances such as where a child is absent for 20 days or more, where a child is expelled or suspended for six days or more cumulatively and where the school has concerns about the educational welfare of a child. This obligation exists to protect children's educational welfare. Research shows that poor school attendance is linked to early school leaving and poorer life chances for children. Each year all primary and post primary schools in Ireland receive guidance from the National Educational Welfare Board on the governing legislation (Education (Welfare) Act, 2000) as well as guidance on reporting of student absences and expulsions. Schools, including VECs, are required to submit four Student Absence Reports at intervals during the school year and one Annual Attendance Report at the end of the academic year.

In relation to the four Student Absence Reports, schools submit returns on students with serious attendance issues who have been identified during the current academic year, including those that have been suspended for six days or more cumulatively. Under the legislation schools are also required to submit an Annual Attendance Report to the NEWB. The Annual Attendance Report is submitted by each school when they close for the summer and gives overall absence information for the entire school population for that school year. This report is also available to parents. As part of this report, schools are asked to give the total number of students who were suspended during the school year. In terms of suspension data schools are asked to report the number of students suspended during the school year therefore the data refers to instances of suspension rather than the total number of days lost through suspension.

The most recent data available is contained in the National Educational Welfare Board's (NEWB) report entitled, *Analysis of School Attendance Data in Primary and Post-Primary Schools, 2003/4 to 2005/06*, published in December 2008. The report shows a large increase in the number of schools responding to the NEWB's Annual School Attendance Report and provides valuable national baseline data which will inform future planning and policy development. This report shows that the number of incidents of suspensions reported at national level in post-primary schools for 2005/06 is around 5% and when applied to the total population of 332,407 students this equates to over 16,000 students. Information relating to suspensions on a school by school basis is not published because of concerns for the formulation of league tables.

Analysis of attendance data in respect of the 2006/07 and 2007/08 school years will be carried out by the Educational Research Centre (ERC) on behalf of the NEWB. I am informed by the Board that this data has been submitted to the ERC for analysis. The *Analysis of School Attendance Data in Primary and Post-Primary Schools, 2003/4 to 2005/06* is available on the NEWB website, www.newb.ie, and I will arrange to forward a copy to the Deputy.

English Language Supports.

636. **Deputy Denis Naughten** asked the Minister for Education and Science the number of migrant children in receipt of language support in each of the past five school years at primary level, including 2008-09; the corresponding number of whole-time equivalent language posts;

[Deputy Denis Naughten.]

the annual cost; the school enrolment in each year; the projections under each category for 2009-10; and if he will make a statement on the matter. [18086/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The number of full-time teaching posts allocated to primary schools in respect of teaching English language support is currently of the order of 1,570 at a cost of approximately €97 million per annum. The corresponding figures for the past 4 years were:

- 1,519 in 2007/08 at a cost of approximately €94 million;
- 1,068 in 2006/07 at a cost of approximately €64 million;
- 563 in 2005/06 at a cost of approximately €33 million;
- 405 in 2004/05 at a cost of approximately €22 million.

Additional supports are provided for children in schools who do not meet the qualifying criteria for the appointment of full-time teachers in the form of grant aids for the employment of part-time English language support teachers. 443 schools have benefited from this type of financial support in the current school year at a total additional cost of just over €3 million.

The information requested by the Deputy in relation to the number of newcomer pupils in receipt of English language support in each of the past five school years is not readily available within my Department and would involve an inordinate amount of administrative time to compile. However it is estimated that in the region of 28,000 children in first and second level schools benefited from English language support in the 2007/2008 school year.

In light of the Budget 2009 decision my Department has now published a circular for schools which sets out how the new arrangements will operate for the allocation of language support teachers from September 2009. The circular sets out a structured and transparent approach for the operation of the alleviation measures that were announced in the budget for schools that have a significant concentration of newcomer pupils. The alleviation measures mean that these schools can qualify for up to 4 language support posts with the possibility of additional posts also being approved through the independent staffing appeals mechanism.

Schools can now apply to my Department in the normal way for language support posts. These posts are approved on a provisional basis initially and will be confirmed in September 2009 following receipt from the schools of actual enrolments of pupils requiring language support. It is estimated that notwithstanding the budget measures there will be over 1,400 language support teaching posts in our primary and post-primary schools in September 2009 and up to about 500 other teachers in part-time posts. By any standards this is a very significant resource and the challenge will be to ensure that it is used to maximum effect.

637. **Deputy Denis Naughten** asked the Minister for Education and Science the number of migrant children in receipt of language support in each of the past five school years at post primary level, including 2008-09; the corresponding number of whole time equivalent language posts; the annual cost; the school enrolment in each year; the projections under each category for 2009-10; and if he will make a statement on the matter. [18087/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The number of whole-time equivalent posts (wtes) allocated to post-primary schools in respect of teaching English language support is currently 560 at a cost of approximately €35 million per annum. The corresponding figure for the past 4 years was — 480 wtes in 2007/08 at a cost of approx. €29 million,

- 288 wtes in 2006/07 at a cost of approx. €17 million,
- 263 wtes in 2005/06 at a cost of approx. €15 million and
- 206 wtes in 2004/05 at a cost of approx. €11 million.

The information requested by the Deputy in relation to the number of migrant pupils in receipt of Language support in each of the past five school years at post-primary level is not readily available within my Department and would involve an inordinate amount of administrative time to compile. However it is estimated that in the region of 28,000 children in first and second level schools benefited from English language support in the 2007/2008 school year.

In light of the Budget 2009 decision my Department has now published a circular for schools which sets out how the new arrangements will operate for the allocation of language support teachers from September 2009. The circular sets out a structured and transparent approach for the operation of the alleviation measures that were announced in the budget for schools that have a significant concentration of newcomer pupils. The alleviation measures mean that these schools can qualify for up to 4 language support posts with the possibility of additional post(s) also being approved through the independent staffing appeals mechanism.

Schools can now apply to my Department in the normal way for language support posts. These posts are approved on a provisional basis initially and will be confirmed in September 2009 following receipt from the schools of actual enrolments of pupils requiring language support. It is estimated that notwithstanding the budget measures there will be over 1,400 language support teaching posts in our primary and post-primary schools in September 2009 and up to about 500 other teachers in part-time posts. By any standards this is a very significant resource and the challenge will be to ensure that it is used to maximum effect.

Schools Building Projects.

638. **Deputy Willie Penrose** asked the Minister for Education and Science if tender documents have been received by his Department in respect of the construction of a new school at Loughegar, Mullingar, County Westmeath; if so, if such tenders have been assessed; when construction of the said school will commence; and if he will make a statement on the matter. [18128/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I am pleased to inform the Deputy that the project at the school to which he refers was included in my recent announcement of 43 projects to proceed to tender and construction in 2009. Since then, the school authorities and their design team attended a briefing session with my Department officials at which they were informed of the next steps necessary to bring this project to tender and construction.

My Department is currently awaiting receipt of the Stage 2b submission from the Design Team. Stage 2b, which includes the detailed design and bill of quantities for the project is the precursor to tender stage. My Department will inform the school authorities of further progress once the stage 2b submission has been received. In the meantime, to facilitate the smooth progression of this project to tender and construction, the pre-qualification notice necessary to short-list suitably qualified contractors has been placed on the Government’s e-tenders website.

Special Educational Needs.

639. **Deputy Noel Ahern** asked the Minister for Education and Science if he will clarify the position regarding the review of the special needs assistant system taking place; when the

[Deputy Noel Ahern.]

findings are due to be announced; if the criteria for allocation of special needs assistant were fully met for a person (details supplied) in Dublin 9; if they are outside the review taking place; and if they will retain their resource teaching hours. [18149/09]

Minister for Education and Science (Deputy Batt O’Keeffe): The National Council for Special Education (NCSE) is currently reviewing Special Needs Assistant (SNA) allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. There has been no change in these criteria and the current review will be carried out by reference to those criteria. A separate Value for Money and Policy Analysis review of the SNA scheme is currently underway and is expected to be completed by the end of 2009. A final report will be laid before the Houses of the Oireachtas.

The NCSE is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and SNAs to schools to support children with special educational needs. The NCSE operates within my Department’s criteria in relation to the allocation of such posts. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied by the Deputy to be forwarded to the NCSE for its direct reply.

School Staffing.

640. **Deputy Ruairí Quinn** asked the Minister for Education and Science the breakdown of the initial allocation of teachers in community schools, comprehensive schools and voluntary secondary schools to each voluntary education committee for the 2009-10 academic year; if he will provide the same information for the 2008-09 academic year; and if he will make a statement on the matter. [18152/09]

641. **Deputy Ruairí Quinn** asked the Minister for Education and Science the pupil enrolment numbers for each community school, comprehensive school, voluntary secondary school and vocational education committee area school upon which the 2009-10 initial teacher allocations are based; if he will provide the same information for the 2008-09 academic year; and if he will make a statement on the matter. [18153/09]

642. **Deputy Ruairí Quinn** asked the Minister for Education and Science the final allocations of teachers in community schools, comprehensive schools and voluntary education committee schools for the 2009-10 academic year; if he will provide the same information for the 2008-09 year; and if he will make a statement on the matter. [18154/09]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 640 to 642, inclusive, together.

I am committed to providing information in relation to the allocation of teachers to schools as a new feature on my Department’s website. The process has begun with the provision earlier this year of initial information on the allocation of mainstream classroom teachers to primary schools under the revised schedule for 2009/10. Information on the teacher allocations to second level schools, whether enrolment related or otherwise, is currently being compiled into a format for publication on my Department’s website in the coming weeks. My intention is that, just as is the case with the information provided in relation to primary schools, this information will identify the changed position for second level schools and VECs arising from the October budget decisions. I believe that the information when compiled will provide the information sought by the Deputy in the particular questions that he has raised for answer today.