



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

Thursday, 9 July 2009.

Requests to move Adjournment of Dáil under Standing Order 32 ... ..	1
Order of Business ... ..	2
Message from Seanad ... ..	17
Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Bill 2009 [ <i>Seanad</i> ]:	
Second Stage ... ..	17
Committee Stage and Remaining Stages ... ..	39
Health (Miscellaneous Provisions) Bill 2009: From the Seanad ... ..	47
Local Government (Charges) Bill 2009 [ <i>Seanad</i> ]: Second Stage ... ..	54
Ceisteanna—Questions	
Minister for Transport	
Priority Questions ... ..	66
Other Questions ... ..	73
Adjournment Debate Matters ... ..	85
Local Government (Charges) Bill 2009 [ <i>Seanad</i> ]:	
Second Stage ( <i>resumed</i> ) ... ..	85
Committee and Remaining Stages ... ..	104
Criminal Justice (Amendment) Bill 2009: Committee Stage ( <i>resumed</i> ) ... ..	122
Adjournment Debate	
Health Services ... ..	132
Community Employment Schemes ... ..	140
Message from Seanad ... ..	142
Questions: Written Answers ... ..	143

# DÁIL ÉIREANN

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## DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

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### TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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*Déardaoin, 9 Iúil 2009.*

*Thursday, 9 July 2009.*

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

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*Paidir.*

*Prayer.*

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#### **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 Finian McGrath:** I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the urgent need to support the residents of Donnycarney, Dublin 5, Elm Mount Avenue, Richmond Road, Fairview, Collins Park and Clontarf who have suffered recently with huge flooding; and call on the Minister for Finance and the OPW to provide support and funding to Dublin City Council on this urgent matter.

**Deputy Seymour Crawford:** I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the need to debate the decision by the Government and the HSE to remove the acute medical services from Monaghan General Hospital to Cavan. There are serious implications not only for the people of Monaghan but for County Cavan, where the present hospital cannot cope with its own patients and has already closed down the Pathways special unit for rehabilitation. On the last occasion Monaghan General Hospital was off call many lives were lost and if this proposal is implemented lives will be in danger and it will become the mould for all other general hospitals across the land.

**Deputy Caoimhghín Ó Caoláin:** I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the urgent need for the Taoiseach and the Minister for Health and Children to intervene directly to prevent the planned removal on 22 July of all acute services from Monaghan General Hospital, including all emergency and inpatient medical services, with potentially devastating consequences for the safety and health care of all those who depend on the hospital, as well as very serious knock-on effects for Cavan General Hospital which will have to cope with some thousands of additional inpatient admissions per year without the provision of a single additional inpatient bed.

**Deputy James Bannon:** I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the findings of a report published yesterday which highlights the problems of unbalanced regional development, which sees major deficits in road and rail projects, regional airports and broadband services in several regions, including the midlands, which are impacting adversely on production, delivery and travel times and negatively affecting competitiveness.

Can the Minister for Agriculture, Fisheries and Food comment on his proposal to abolish REPS 4, which has farmers up in arms around the country?

**Deputies:** Hear, hear.

**An Ceann Comhairle:** Tar éis breithnithe a dhéanamh ar na nitheardaithe, níl siad in ord faoi Bhuan Ordú 32. Having considered the matters raised, I do not consider them to be in order under Standing Order 32.

### **Order of Business.**

**The Tánaiste:** The Order of Business is No. a1, Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Bill 2009 [Seanad] — Second and Subsequent Stages; No. b1, Health (Miscellaneous Provisions) Bill 2009 — Amendments from the Seanad; No. 1, Local Government (Charges) Bill 2009 [Seanad] — Second and Subsequent Stages; No. 23, Criminal Justice (Amendment) Bill 2009 — Committee and Remaining Stages (resumed).

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 4.45 p.m. today and business shall be interrupted not later than 9 p.m.; the Second and Subsequent Stages of No. a1 shall be taken today and the following arrangements shall apply: the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion at 1.30 p.m. today; the proceedings on the Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 2 p.m. today by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Finance; the proceedings on No. b1 shall, if not previously concluded, be brought to a conclusion after 30 minutes and any amendments from the Seanad not disposed of shall be decided by one question which shall be put from the Chair, and which shall, in relation to amendments to the Seanad amendments, include only those set down or accepted by the Minister for Health and Children; the Second and Subsequent Stages of No. 1 shall be taken today and the following arrangements shall apply: the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion at 6.30 p.m. today; the proceedings on the Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 8 p.m. tonight by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for the Environment, Heritage and Local Government; the Dáil shall sit tomorrow at

10.30 a.m. and shall adjourn not later than 9 p.m.; and the business to be transacted shall be announced on the Order of Business in accordance with Standing Order 26 on that day.

**An Ceann Comhairle:** There are five proposals to put to the House. Is the proposal that the Dáil shall sit later than 4.45 p.m. today agreed to?

**Deputy Eamon Gilmore:** The Labour Party will not agree to any proposal relating to today's business until we have an assurance from the Tánaiste that the report from the McCarthy group will be published and until she is in a position to tell us when it will be published. The weekend before last, almost every newspaper carried the story that the McCarthy report would be available to Government last week. I assume those stories were on the basis of briefings from Government but the Government has now contrived not to receive the McCarthy report until the Taoiseach is no longer in a position to answer questions on it in the House.

Within hours of the Taoiseach taking his last Leaders' Questions before the summer recess the Government conveniently received the McCarthy report. We need to know whether it will be published and, if so, when. I heard Deputy Mary O'Rourke on the radio this morning and I feel I speak for the majority of Members of the House when I say the report should be published.

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

**Deputy Enda Kenny:** I agree with Deputy Gilmore and was going to raise this matter at the end of the Order of Business in connection with item No. 5.

**Deputy Billy Kelleher:** He got in ahead of Deputy Kenny again.

**Deputy Pádraic McCormack:** Deputy Kenny is in the slipstream.

**Deputy Enda Kenny:** In any event, this epitomises what is wrong with this Government; it dithers over every issue. The problem the Tánaiste and Government face is whether to publish the report. Publish it and be damned. If the Government did not want to publish the report, it should have asked Mr. McCarthy not to supply it until the end of September.

**Deputy Timmy Dooley:** That is what the Opposition would do.

**Deputy Paul Kehoe:** That is not what the Deputy said when Deputy Pat Breen took the flight to England.

**Deputy Billy Timmins:** Deputy Dooley missed the flight.

**Deputy Bernard J. Durkan:** The Government has had plenty of practice.

**Deputy Enda Kenny:** There is now no option but to publish it. Deputy Dooley is entitled to his opinion. There are secret deals with Deputies Finian McGrath, Michael Lowry and Jackie Healy-Rae that will not be published either.

**Deputy Finian McGrath:** Do not look at me, Deputy Kenny.

**Deputy Enda Kenny:** I am not sure whether Deputy O'Rourke, who is not here, will get a copy from her nephew to read over the weekend. I believe the Tánaiste should publish this as soon as it is given to the Minister for Finance because the public has a right to know. If she continues to hold on to it until after the Lisbon referendum, matters will be made worse for

[Deputy Enda Kenny.]

the Government. It should be published now so every Member of the House and everyone in the country can have a chance to read it. We should come back here next week to discuss the implications of Mr. McCarthy's report.

**Deputy Bernard J. Durkan:** We should sit next week.

**Deputy Noel Dempsey:** Deputy Durkan should be careful; he might get what he is asking for.

**Deputy Caoimhghín Ó Caoláin:** I join the other Opposition voices calling on the Government to circulate the McCarthy report by an *bord snip nua* to Members of this House; indeed, I suggested this some weeks ago. We should have the opportunity to debate properly the contents of the report. Some alternatives may not be under consideration but we have a collective responsibility to face up to these challenges. This matter is not the preserve of the Government; the Opposition has a contribution to make to the resolution of these problems. One thing is certain: we must face the fact that this McCarthy cup will not be overflowing with good news. I urge that the details of this report be circulated and that we be given the opportunity to address them properly. If necessary, we should have the chance to address the report in the coming week. Surely it is within the gift of the Government to agree to this.

**The Tánaiste:** It is important to make one or two points. The report has been received by the Minister for Finance and its purpose is to inform the Government in the context of the Estimates process. It is appropriate and equally important to say that the public should be made aware of the choices that must be made and the context in which this will be done. However, as a former member of the Cabinet, the Leader of the Opposition knows there is a process to be followed.

**Deputy Enda Kenny:** Leak the nice bits.

**The Tánaiste:** First, the Minister for Finance gets the report and then the Cabinet sees it. The Cabinet members consider the report and final decisions are made afterwards. The process will be adhered to and a final decision will be made by the Cabinet on when, how and where the report will be published in due course.

**Deputy Richard Bruton:** Is the Tánaiste deferring this until September?

Question, "That the Dáil shall sit later than 4.45 p.m. today," put and declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with No. a1, relating to Second and Remaining Stages of the Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Bill 2009, agreed to?

**Deputy Enda Kenny:** This is a touchy subject. I have made my point on the principle of guillotines but I want to be clear that because this item refers to Members of this House I will not call a vote. I do not want my intention to be misconstrued.

**Deputy Emmet Stagg:** In this case we are applying the guillotine unnecessarily. The time allowed before the guillotine falls is longer than necessary as there is agreement on the proposals before us. I would say that in many cases they are welcome. There is absolutely no need to use a guillotine as the debate will be long finished before its time comes. The purpose of the guillotine is to set aside Standing Orders in case of an emergency — this is not an emer-

gency. This is standard, routine legislation on which there is agreement so there is no need for the guillotine.

**The Tánaiste:** If the business is finished we will move on to the next piece of legislation.

**Deputy Emmet Stagg:** We know that but sufficient time is not given to most Bills.

**The Tánaiste:** The guillotine is a method by which business can be finished.

**An Ceann Comhairle:** Is No. 2 agreed? Agreed. Is the proposal for dealing with No. b1, relating to amendments from the Seanad to the Health (Miscellaneous Provisions) Bill 2008, agreed to?

**Deputy Caoimhghín Ó Caoláin:** It is not agreed. The Sinn Féin Deputies will not agree to the ordering of any business today relating to health. The very idea is galling as the Government yesterday presided over the final announcement of the closure of acute medical services at Monaghan General Hospital.

**An Ceann Comhairle:** The Deputy is out of order and may not raise a constituency matter on the Order of Business under any circumstances.

**Deputy Caoimhghín Ó Caoláin:** This is not out of order. I am giving the reasons I will not agree to No. b1. The Ceann Comhairle would give any other Member the opportunity to speak and I can tell him that it will not be long before the same situation occurs in his own constituency.

**Deputy Seymour Crawford:** This is a national issue and it is a scandal. What is being done to Monaghan General Hospital is an absolute scandal and must be addressed.

**Deputy Caoimhghín Ó Caoláin:** The Government must wake up to what it is presiding over; it is an absolute disgrace.

Question put: "That the proposal for dealing with No. b1 be agreed to."

The Dáil divided: Tá, 70; Níl, 68.

Tá

Ahern, Dermot.  
Ahern, Michael.  
Ahern, Noel.  
Andrews, Barry.  
Andrews, Chris.  
Ardagh, Seán.  
Aylward, Bobby.  
Blaney, Niall.  
Brady, Áine.  
Brady, Cyprian.  
Brady, Johnny.  
Browne, John.  
Byrne, Thomas.  
Carey, Pat.  
Collins, Niall.  
Conlon, Margaret.  
Connick, Seán.  
Coughlan, Mary.  
Cregan, John.  
Cuffe, Ciarán.  
Cullen, Martin.

Curran, John.  
Dempsey, Noel.  
Devins, Jimmy.  
Dooley, Timmy.  
Fahey, Frank.  
Finneran, Michael.  
Fitzpatrick, Michael.  
Flynn, Beverley.  
Gogarty, Paul.  
Gormley, John.  
Grealish, Noel.  
Haughey, Seán.  
Healy-Rae, Jackie.  
Hoctor, Máire.  
Kelleher, Billy.  
Kelly, Peter.  
Kenneally, Brendan.  
Kennedy, Michael.  
Killeen, Tony.  
Kirk, Seamus.  
Kitt, Michael P.

Tá—*continued*

Kitt, Tom.  
 Lenihan, Brian.  
 McEllistram, Thomas.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McGuinness, John.  
 Mansergh, Martin.  
 Martin, Micheál.  
 Moloney, John.  
 Mulcahy, Michael.  
 Nolan, M. J.  
 Ó Fearghaíl, Seán.  
 O'Connor, Charlie.  
 O'Dea, Willie.

O'Flynn, Noel.  
 O'Hanlon, Rory.  
 O'Keefe, Edward.  
 O'Rourke, Mary.  
 O'Sullivan, Christy.  
 Power, Seán.  
 Ryan, Eamon.  
 Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.  
 Woods, Michael.

## Níl

Bannon, James.  
 Barrett, Seán.  
 Behan, Joe.  
 Breen, Pat.  
 Broughan, Thomas P.  
 Bruton, Richard.  
 Burke, Ulick.  
 Burton, Joan.  
 Byrne, Catherine.  
 Carey, Joe.  
 Connaughton, Paul.  
 Coonan, Noel J.  
 Costello, Joe.  
 Crawford, Seymour.  
 Creed, Michael.  
 Creighton, Lucinda.  
 D'Arcy, Michael.  
 Deenihan, Jimmy.  
 Durkan, Bernard J.  
 English, Damien.  
 Enright, Olwyn.  
 Feighan, Frank.  
 Ferris, Martin.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Gilmore, Eamon.  
 Hayes, Brian.  
 Higgins, Michael D.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Kehoe, Paul.  
 Kenny, Enda.  
 Lee, George.  
 Lynch, Ciarán.

Lynch, Kathleen.  
 McCormack, Pádraic.  
 McEntee, Shane.  
 McGrath, Finian.  
 McHugh, Joe.  
 McManus, Liz.  
 Mitchell, Olivia.  
 Morgan, Arthur.  
 Naughten, Denis.  
 Neville, Dan.  
 Ó Caoláin, Caoimhghín.  
 Ó Snodaigh, Aengus.  
 O'Donnell, Kieran.  
 O'Dowd, Fergus.  
 O'Keefe, Jim.  
 O'Mahony, John.  
 O'Shea, Brian.  
 O'Sullivan, Jan.  
 O'Sullivan, Maureen.  
 Penrose, Willie.  
 Perry, John.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Reilly, James.  
 Ring, Michael.  
 Shatter, Alan.  
 Sheehan, P. J.  
 Sherlock, Seán.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Upton, Mary.  
 Wall, Jack.

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

Question declared carried.

**Deputy Enda Kenny:** I cannot support the guillotine on the Local Government (Charges) Bill. This Bill appears, by fact rather than intent, to focus on the elderly. It looks as if the Minister for the Environment, Heritage and Local Government was not fully awake when it was discussed at Cabinet because I do not see any amendments from him clarifying a range of specific circumstances in which elderly people find themselves as a consequence of it. That is why I oppose the guillotine.



**Deputy Ciarán Lynch:** The Minister's intends to bring forward the Local Government (Charges) Bill despite the debacle on its introduction in the Seanad with legislation by "Live-line", on Joe Duffy's radio show, dealing with caravans and mobile homes and other matters. The Bill is full of anomalies and needs further clarity. Why is a guillotine being put on the Bill when it is bereft of clear thinking? It is going from Second Stage to Report and Final Stages in a couple of hours. The Labour Party will oppose the guillotine.

**Deputy Caoimhghín Ó Caoláin:** Sinn Féin will also oppose the guillotine on the Local Government (Charges) Bill 2009.

**Deputy Johnny Brady:** What is new?

**Deputy Michael Creed:** The disadvantaged areas: REPS 4.

**Deputy Caoimhghín Ó Caoláin:** What is partly new is that we have just seen a vote of 70:68 and regrettably three of the Cavan-Monaghan Members voted against the interests of hospital care in our constituency.

**An Ceann Comhairle:** The Deputy can raise that matter on the Adjournment.

**Deputy Caoimhghín Ó Caoláin:** The Ceann Comhairle cut me off on the last occasion when we were discussing the Health (Miscellaneous Provisions) Bill. If the provision of acute medical services at Monaghan General Hospital did not come under that particular topic then why not?

**An Ceann Comhairle:** I am not going to deal with a constituency matter on the Order of Business. The Deputy should raise that on the Adjournment this evening if he wishes and he is welcome to do that.

**Deputy Caoimhghín Ó Caoláin:** The Ceann Comhairle has a very jaundiced view of Deputies raising hospital services in this Chamber.

*(Interruptions).*

Question put: "That the proposal for dealing with No. 1 be agreed to."

The Dáil divided: Tá, 69; Níl, 66.

Tá

Ahern, Dermot.  
 Ahern, Michael.  
 Ahern, Noel.  
 Andrews, Barry.  
 Andrews, Chris.  
 Ardagh, Seán.  
 Aylward, Bobby.  
 Blaney, Niall.  
 Brady, Áine.  
 Brady, Cyprian.  
 Brady, Johnny.  
 Browne, John.  
 Byrne, Thomas.  
 Carey, Pat.  
 Collins, Niall.  
 Conlon, Margaret.  
 Connick, Seán.  
 Coughlan, Mary.  
 Cregan, John.  
 Cuffe, Ciarán.  
 Cullen, Martin.

Curran, John.  
 Dempsey, Noel.  
 Devins, Jimmy.  
 Dooley, Timmy.  
 Fahey, Frank.  
 Finneran, Michael.  
 Fitzpatrick, Michael.  
 Flynn, Beverley.  
 Gogarty, Paul.  
 Gormley, John.  
 Grealish, Noel.  
 Haughey, Seán.  
 Healy-Rae, Jackie.  
 Hoctor, Máire.  
 Kelleher, Billy.  
 Kelly, Peter.  
 Kenneally, Brendan.  
 Kennedy, Michael.  
 Killeen, Tony.  
 Kirk, Seamus.  
 Kitt, Michael P.



Tá—*continued*

Kitt, Tom.  
 Lenihan, Brian.  
 McEllistram, Thomas.  
 McGrath, Mattie.  
 McGrath, Michael.  
 McGuinness, John.  
 Mansergh, Martin.  
 Moloney, John.  
 Mulcahy, Michael.  
 Nolan, M.J.  
 Ó Fearghaíl, Seán.  
 O'Connor, Charlie.  
 O'Dea, Willie.  
 O'Flynn, Noel.

O'Hanlon, Rory.  
 O'Keeffe, Edward.  
 O'Rourke, Mary.  
 O'Sullivan, Christy.  
 Power, Seán.  
 Ryan, Eamon.  
 Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.  
 Woods, Michael.

## Níl

Bannon, James.  
 Barrett, Seán.  
 Behan, Joe.  
 Breen, Pat.  
 Broughan, Thomas P.  
 Bruton, Richard.  
 Burke, Ulick.  
 Burton, Joan.  
 Byrne, Catherine.  
 Carey, Joe.  
 Coonan, Noel J.  
 Costello, Joe.  
 Crawford, Seymour.  
 Creed, Michael.  
 Creighton, Lucinda.  
 D'Arcy, Michael.  
 Deenihan, Jimmy.  
 Durkan, Bernard J.  
 English, Damien.  
 Enright, Olwyn.  
 Feighan, Frank.  
 Ferris, Martin.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Gilmore, Eamon.  
 Hayes, Brian.  
 Higgins, Michael D.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Kehoe, Paul.  
 Kenny, Enda.  
 Lee, George.  
 Lynch, Ciarán.

Lynch, Kathleen.  
 McCormack, Pádraic.  
 McEntee, Shane.  
 McGrath, Finian.  
 McHugh, Joe.  
 McManus, Liz.  
 Mitchell, Olivia.  
 Morgan, Arthur.  
 Naughten, Denis.  
 Ó Caoláin, Caoimhghín.  
 Ó Snodaigh, Aengus.  
 O'Donnell, Kieran.  
 O'Dowd, Fergus.  
 O'Keeffe, Jim.  
 O'Mahony, John.  
 O'Shea, Brian.  
 O'Sullivan, Jan.  
 O'Sullivan, Maureen.  
 Penrose, Willie.  
 Perry, John.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Reilly, James.  
 Ring, Michael.  
 Shatter, Alan.  
 Sheehan, P.J..  
 Sherlock, Seán.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Upton, Mary.  
 Wall, Jack.

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

Question declared carried.

**An Ceann Comhairle:** Is the proposal that the Dáil will sit tomorrow agreed to? Agreed.

**Deputy Enda Kenny:** I wish to raise a number of matters on the Order of Business. Will the Tánaiste offer a little more clarity in respect of the McCarthy report? I am aware of the process and that the Minister for Finance received the report yesterday. I am sorry for missing Deputy O'Rourke but I did not see her so far around on the seats.

**Deputy Mary O'Rourke:** I love being on the back benches.

**Deputy Enda Kenny:** I know that. Will there be a review of this report's publication, as the Government must publish it in everybody's interest? The use of the guillotine by the Government in the final four weeks of this session in 2009 occurred in 86% of cases or 18 of 21 Bills. In four of those Bills there were clear constitutional implications. Those are the Criminal Justice (Amendment) Bill, the Defamation Bill, the Twenty-Eighth Amendment of the Constitution (Treaty of Lisbon) Bill and the Criminal Justice (Surveillance) Bill.

The consequences of using the guillotine to the extent the Government has means that elected representatives do not get the opportunity to scrutinise legislation in the way they should and the Dáil does not fully perform its constitutional role of enacting legislation. Most important, the presumption of constitutionality is threatened in the development of legislation in these circumstances. It behoves the Government to look again at the requirements for guillotines, which should only be used in truly exceptional circumstances.

Is there any Bill on the A list that will be taken tomorrow of which we do not have notice? On 22 April the Government Chief Whip announced the legislative programme for the summer session, indicating that the Government intended to publish 26 Bills in that session. Of those, 17 Bills have been published and nine have not. I am not clear from the Government Whip's office as to whether there is an intention to take one of those Bills tomorrow, namely the employment agency regulation Bill, which has not yet been published. If not, I assume the nine unpublished Bills will go on the list for the autumn session. I hope there will be clarity from the Tánaiste on when the House will be expected to return to deal with NAMA.

I have received correspondence from the editors of *The Irish Times* and the *Irish Independent*, major national newspapers, and they make a point on the importance of having a team of journalists in Leinster House with ready access to the politicians and public representatives.

**Deputy Pat Rabbitte:** It is absolutely essential.

**An Ceann Comhairle:** We cannot really deal with this on the Order of Business.

**Deputy Enda Kenny:** They make the point that there is an attempt to move the journalists away from Leinster House because of construction work which is taking place.

**Deputy Billy Kelleher:** There is always Doheny and Nesbitts.

**An Ceann Comhairle:** That matter is being dealt with.

**Deputy Enda Kenny:** The Tánaiste has long had interaction with journalists from newspapers and other sources.

**Deputy Noel Dempsey:** It is a health and safety issue.

**An Ceann Comhairle:** We cannot deal with that now. It is being dealt with by the authorities of the House and is not in order now.

**Deputy Enda Kenny:** The Ceann Comhairle is in charge of the Houses of the Oireachtas Commission, which deals with the running of the Houses of the Oireachtas and perhaps I should direct it to you.

**An Ceann Comhairle:** No, you should not. I merely intervene on the Order of Business to ensure Standing Orders are implemented.

**Deputy Enda Kenny:** I understand that.

**An Ceann Comhairle:** The issue raised by the Deputy is being dealt with by the authorities of the House. The Tánaiste can deal with the legislative aspects of the matter.

**Deputy Bernard J. Durkan:** As it was long ago.

**Deputy Paul Kehoe:** Is it a touchy subject?

**Deputy Enda Kenny:** Both editors make the point very strongly that although there are structural works to be completed upstairs, it is important from the media and journalistic perspective that they have a facility in Leinster House.

**An Ceann Comhairle:** We must return to the Order of Business.

**Deputy Enda Kenny:** I have always supported that, irrespective of what attitude they take towards the people who sit down here.

**Deputy Noel Dempsey:** They have to move because of the construction.

**An Ceann Comhairle:** I call on the Tánaiste.

**Deputy Enda Kenny:** Will the Ceann Comhairle, in his capacity as the esteemed chairman of the Houses of the Oireachtas Commission—

**An Ceann Comhairle:** As I have said, the authorities of the House are dealing with the matter.

**Deputy Enda Kenny:** Plámás will get me nowhere, will it not?

**Deputy Noel Dempsey:** Does the Deputy want them to fall in on us?

**An Ceann Comhairle:** I call on the Tánaiste.

**Deputy Enda Kenny:** I respectfully suggest that the Ceann Comhairle might read this correspondence from both editors of major newspapers and see if anything can be done.

**Deputy Noel Dempsey:** I am sure they will send it to him.

**The Tánaiste:** There is no need for further clarity. The Leader of the Opposition is requesting a date or timeframe but I am not in a position to give that. I indicated the process by which this matter would be dealt with.

**Deputy Alan Shatter:** Another process.

**The Tánaiste:** On the issue of the guillotine, it is a matter by which order is given to the legislative process. In many circumstances it is not necessary but I remind the Leader of the Opposition that his Government acted similarly in 1996.

**Deputy Phil Hogan:** We are going back a long time now.

**Deputy Alan Shatter:** The Tánaiste may as well tell us what happened in 1886.

**Deputy Enda Kenny:** That was in the last century.

**The Tánaiste:** The Communications (Retention of Data) Bill was published today and as a consequence there are six remaining pieces of legislation, a number of which fall within my own remit. They are progressing and I hope to have them published this month. There are one or two other pieces of legislation with which some unforeseen complications have arisen but it is expected that these will be published shortly.

**Deputy Enda Kenny:** Will it be in the next fortnight?

**Deputy Eamon Gilmore:** I wish to question the Tánaiste further on “process”. She told us there is a process for the McCarthy report. I interpret from what she has said and the Taoiseach’s comments yesterday that it will not be published at all.

**The Tánaiste:** No.

**Deputy Eamon Gilmore:** That is what I understand.

**The Tánaiste:** That is a misinterpretation.

**Deputy Eamon Gilmore:** I am glad to hear that; it is news. If indeed it is to be published, when will it be published?

**Deputy Noel Dempsey:** The issue will be considered.

**Deputy Eamon Gilmore:** If the Cabinet is considering it next week, can we take it that it will be published following the Cabinet consideration. Will the Tánaiste clarify that?

Continuing on the subject of process, when will the NAMA legislation be published? I agree with Deputy Kenny on the undesirability, to put it mildly, of the continued use of the guillotine in respect of all the legislation being forced through the House. The forcing of legislation through the House without the kind of scrutiny it deserves, particularly in the criminal justice area, is likely to result in bad law. Too much processed food is bad for one’s health. Similarly, too much processed legislation is bad for the health of our democracy.

I welcome the Ceann Comhairle’s statement to the effect that the matter raised by the editors of newspapers and television news programmes is being dealt with. I had understood that the arrangement whereby some of the members of the press corps were moved to an office in Molesworth Street was to facilitate the refurbishment of some offices in this building. It had also been my impression that these individuals would return here. It is important the members of the press should be around the House in order that Members might interact with and keep an eye on them.

**The Tánaiste:** There are approximately 137 members of the press accredited to the House. We will, therefore, need many more eyes and certainly more chairs.

In the event that there may be a misinterpretation or a misapprehension of what I said or did not say, it has not been decided whether the McCarthy report is to be published. It is appropriate that the Minister for Finance should have the opportunity to brief his colleagues in Cabinet who do not have access to the report. Once that has happened——

**Deputy Pat Rabbitte:** That is not what——

**Deputy Alan Shatter:** Will it also be kept secret from the Minister for Finance’s colleagues in Cabinet for weeks?

**The Tánaiste:** ——the Government will come to a decision.

**Deputy Alan Shatter:** They will probably read about it in the *Sunday Independent*.

**The Tánaiste:** It is clearly not the intention to keep from the public serious problems relating to the economy.

**Deputy Alan Shatter:** In a mature democracy, the report would be published and publicly debated. Members of the public should not be treated like children.

**Deputy Noel Dempsey:** In a mature democracy, the Government would be allowed to consider the report in the first instance.

**Deputy Alan Shatter:** The report should be published. If this were any other European democracy, it would be published and made available for public debate.

*(Interruptions).*

**Deputy Noel Dempsey:** In a mature democracy, the Government considers matters in the first instance. The report will be published but not before the Government has dealt with it.

**The Tánaiste:** The public must be kept apprised of the difficult choices that must be made.

**Deputy Alan Shatter:** This is not the old Soviet Union.

**An Ceann Comhairle:** Deputy Shatter will force me to censor him if he does not obey the Chair.

**Deputy Alan Shatter:** Sir, the Government forgets that this is a parliamentary democracy.

**An Ceann Comhairle:** I accept that it is a parliamentary democracy.

**Deputy Alan Shatter:** The report should be published.

**The Tánaiste:** As the Taoiseach indicated, the legislation relating to NAMA will be published this month.

**Deputy Alan Shatter:** This is a parliamentary democracy and the report should be published.

**An Ceann Comhairle:** It is a parliamentary democracy and that is why I am trying to allow the Tánaiste to answer the question that was put to her. That is the objective of the exercise.

**Deputy Alan Shatter:** If a report is compiled at taxpayers' expense, then members of the public are entitled to know what it contains. As Members of Parliament, we are entitled to consider and debate the report in public.

**An Ceann Comhairle:** Deputy Shatter will be obliged to leave the House if he continues in the same vein. Does the Tánaiste wish to continue with her reply?

**The Tánaiste:** I have already answered the two questions I was asked.

**Deputy Alan Shatter:** It is outrageous the way the Government conducts its business. It has been in power for 12 years and it has no respect for either the Members of this Parliament or the public.

**Deputy Seán Barrett:** Hear, hear.

**Deputy Noel Dempsey:** Deputy Shatter is ignoring the Chair.

**An Ceann Comhairle:** I call Deputy Crawford.

**A Deputy:** Deputy O'Rourke wants the report to be published.

**Deputy Seymour Crawford:** Yesterday I tried to obtain an indication from the Taoiseach—

**Deputy Alan Shatter:** The fact that Deputy O'Rourke wants the report to be published is big news. Apparently, the rest of us are irrelevant. The Government should publish the report and let it be debated during the summer months in order that mature and reflective decisions might be made.

**Deputy Noel Dempsey:** Deputy Shatter is doing his best to make himself irrelevant.

**Deputy Seán Barrett:** The Minister for Transport will be irrelevant in the near future. So I would not worry if I were him.

**An Ceann Comhairle:** I must inform Deputy Shatter that Deputy Crawford has been called on the Order of Business. Perhaps Deputy Shatter might give his party colleague the opportunity to make his contribution.

**Deputy Seymour Crawford:** Yesterday I tried to obtain an indication from the Taoiseach with regard to whether he would make time available for a debate on agriculture, particularly as the situation relating to it is extremely serious. As it happened, REPS 4 was abandoned yesterday.

**An Ceann Comhairle:** We cannot discuss that matter now.

**Deputy Seymour Crawford:** When will the animal health and welfare Bill be published? The welfare of farmers, never mind that of animals, is extremely important. The legislation to which I refer should be debated at the earliest possible opportunity following the summer recess.

In light of the fact that a large proportion of those in my constituency will no longer be able to access the health services to which they are entitled, when will the eligibility for health and personal social services Bill be introduced in order that we might engage in a full debate on whether people are entitled to any care whatsoever in this State?

**The Tánaiste:** The animal health and welfare Bill relates to the health of animals, not that of farmers.

**Deputy Seymour Crawford:** Farmers' health is important too.

**The Tánaiste:** The animal health and welfare Bill is not yet ready for publication. As the Deputy is aware, the legislation in question will impose significant requirements on members of the farming community. That is why careful consideration is being given to it before we finalise a date for publication. Record numbers of people, some 62,000 — 17,000 of them since May — are on REPS.

It is expected that proposals relating to the eligibility for health and personal social services Bill will be brought before the Government later in the year.

**Deputy Bernard J. Durkan:** Will the Tánaiste indicate what is likely to happen in respect of the pharmacy (No. 2) Bill? The Taoiseach kindly wrote to me and stated that we would be briefed on this matter in the near future. Is it intended to reintroduce the legislation and if so, will it deal with the current impasse involving pharmacists and the Minister for Health and Children?



[Deputy Bernard J. Durkan.]

In light of the liberal use of the guillotine in recent times, one would have thought it would have been necessary to introduce, as a matter of urgency, the legislation in respect of the collection and exchange of information relating to the endangerment, sexual exploitation and sexual abuse or risk thereof of children. It would be appropriate to bring forward this legislation in view of recent events. Will the Tánaiste indicate the degree of urgency that will be applied in respect of introducing the relevant Bill?

**The Tánaiste:** As indicated previously, the provisions of the Pharmacy Act 2007 have not yet been implemented in full. It has not, therefore, been decided whether it would be appropriate to introduce a second item of legislation. The legislation relating to soft information is currently being drafted by the relevant Minister.

**Deputy P. J. Sheehan:** When will the proposed forestry Bill be introduced? It is over six years since that legislation was promised and it is still hiding in the forest.

**Deputy Bernard J. Durkan:** One cannot see the wood for the trees.

**The Tánaiste:** I would hate to lose Deputy P. J. Sheehan in the forest. The heads of the legislation were approved in March. I will ask the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Killeen, to revert to the Deputy in respect of a time-frame for the Bill's publication.

**Deputy P. J. Sheehan:** It is about time the Bill should be published, particularly as it has been hiding in the forest for six years.

**The Tánaiste:** I had almost drafted the legislation before I left the relevant Department.

**Deputy Noel Dempsey:** We were waiting for Deputy P. J. Sheehan to return from the forest.

**Deputy P. J. Sheehan:** The Minister for Transport was not too kind to me the other evening.

**Deputy Noel Dempsey:** The Deputy was not too kind to me either.

**Deputy Charles Flanagan:** With regard to the Criminal Justice (Amendment) Bill and the serious abuse of Dáil procedures by the Government in using the guillotine, I wish to indicate that Fine Gael supports the legislation but there are major issues regarding the detail which must be debated in the House. The latter will not happen, however, particularly in light of the time allocated in respect of the Bill. Will the Tánaiste consider deferring Report Stage of the Bill until the autumn in order to allow for public debate and a period of due consideration?

The Bill has far-reaching implications. Fine Gael supports it but is anxious that it should be a workable statute. I am aware that at least one Cabinet Minister shares my view in this regard. I ask the Tánaiste to consult the Government Chief Whip in order to ensure that we get this matter right.

The Tánaiste is on record as stating that the Bill must be passed as a matter of urgency. However, when enacted, it will not be capable of being used during the summer because there are no court sittings in August and September.

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

**Deputy Charles Flanagan:** If Report Stage were deferred, this would give Members the opportunity to reflect on and give due consideration to the legislation during the summer months. We could then, as is our duty, return to the House in the autumn and pass it. At least



one Cabinet Minister is in favour of my proposal in this regard. I ask that due consideration be given to that proposal during the remainder of today and tomorrow. If we were to proceed as I suggest, it would have the effect of reducing the impact of the guillotine on the other important items of legislation the House is due to process either today or tomorrow.

**Deputy Pat Rabbitte:** We have only reached section 5 of the Bill on Committee Stage. Two or three aspects of the legislation are extremely controversial. An expectation has been built up that some 300 gangsters and thugs will be locked up by the weekend if the Bill is passed. As Deputy Charlie Flanagan stated, that will not be the case. Committee Stage of the Bill is being taken in the House. If the Tánaiste would agree to refer the Bill to the Select Committee on Justice, Equality, Defence and Women's Rights, the issues relating to it could be teased out over the summer months and it could be brought back before the House when it meets in mid-September. Nothing will be lost in the interim. It is wrong to give people the impression that the gangsters to whom I refer will be locked up in the next week or ten days.

**Deputy Arthur Morgan:** A Cheann Comhairle, on the same point——

**Deputy Pat Rabbitte:** I beg Deputy Morgan's pardon. I also am aware that a delegation of lawyers met a Cabinet Minister yesterday who assured them that he takes a similar view, namely, that it should be a case of *festina lente* in this regard and that the House should have time to tease through the more difficult aspects of the Bill.

**An Ceann Comhairle:** I call Deputy Morgan. I will only take brief comments on this matter because we must move on.

**Deputy Arthur Morgan:** There is genuine and deep public concern regarding the content of this Bill. Rather than being a case of backing down, it would be courageous of the Government to agree to give more time through the summer, as the two previous speakers have suggested, to consider this Bill. Were Members to be brought back a few days earlier in September or whenever to conclude its passage, so be it. However, I would appreciate it were the Government to give consideration to providing more time to this Bill.

**An Ceann Comhairle:** Briefly, Deputy Shatter, to be followed by Deputy Durkan.

**Deputy Alan Shatter:** I support what has been said and wish to draw another issue to the Government's attention. If the Government truly believes this legislation to be urgent, is it aware that if the Bill goes through in its current form, it is inevitable that its coming into full force will be delayed for an extended time for one of two reasons? The first possibility is that it will be referred by the President under Article 26 of the Constitution for consideration by the Supreme Court because of grave concerns regarding the constitutionality of certain aspects of the Bill. Does the Government intend or wish that there be such referral? Second, in the absence of such referral it is absolutely inevitable that the very first prosecution taken under this legislation will result in a constitutional challenge that could block use of this legislation for 18 months to two years, while the constitutional issues are being dealt with in the High Court and Supreme Court. Moreover, it is possible that it could even find its way before the European Court of Human Rights.

The Government should recognise that Members have a duty to scrutinise legislation to ensure it is constitutionally viable and appropriate. In the circumstances, this House should be allowed to do its duty and to process properly this legislation in a manner whereby the individual sections are fully teased out and constitutional issues that are of serious nature are addressed, so as to ensure the legislation is fully effective and the gangs that all Members wish

[Deputy Alan Shatter.]

to see put behind jail doors are properly and fully prosecuted in a manner that is not open to constitutional challenge.

**Deputy Bernard J. Durkan:** I raised this issue yesterday morning because 100 legal professionals wrote to *The Irish Times* expressing their concern about the possible constitutionality issue to the effect that Ireland might be shamed in the international arena as a result of the passage of the legislation, were it to be passed as presently constituted. My concern is similar to that of other speakers. The purpose of this exercise is to put seasoned, hardened and organised criminals behind bars and to protect society. I again ask the Tánaiste whether any effort has been made since yesterday, and in view of the points raised by other speakers, to be assured that from a constitutional perspective, the proposed legislation is fair, well tested and will stand any contest anywhere. If this fails, the worst possible outcome then will be that those hardened criminals who have been terrorising people in recent years will be given a type of approval.

**An Ceann Comhairle:** We must move on. The Tánaiste, to respond. However, I presume the difficulty is that the order has been made.

**The Tánaiste:** The position is that following the death of Shane Geoghegan, everyone in this House was revulsed by what happened and all Members were asked to do whatever was necessary to deal with such issues. Members were *ad idem* on this matter in the House. While I acknowledge this legislation is extremely tough, very tough items of legislation have been introduced to the House over the years. It is inappropriate for any Member to comment on the role of the President. As an independent officer, it is her prerogative to decide what she must do, one way or the other. It would be most inappropriate to refer to it at all in this House in the context of this legislation.

A total of 12.5 hours has been provided for the discussion. If other legislative items on the Order Paper today are completed much earlier, that would give even more time for consideration by the House.

**Deputy Charles Flanagan:** The Tánaiste completely misses the point.

**An Ceann Comhairle:** All I can say to Deputy Charles Flanagan at this point is that the question of whether there is to be a guillotine in respect of this legislation will in any event arise on the Order of Business tomorrow. There will be an Order of Business tomorrow and the Deputy will have the opportunity to raise the matter again. I call Deputy O'Shea.

**Deputy Brian O'Shea:** I refer to two defence bills for which the heads have been agreed and the text is in preparation, namely, the Curragh of Kildare Bill and the defence (amendment) Bill. What progress has been made with regard to the preparation of the texts and when will the Bills be published?

**The Tánaiste:** Early next year.

**Deputy Richard Bruton:** While I do not wish to reopen the issue of the McCarthy report, which has been adequately aired, will a new approach be adopted this year to the presentation of the Estimates? As the Tánaiste is aware, the present position is that there is no scrutiny whatsoever of the Government's plans in respect of the choices on public spending. When the Estimates are presented, the House receives no information about what will be achieved and it is not until six months later that Members receive any information about what is to be achieved by the spending Estimates. If there is to be some real and substantive engagement in this time of crisis on the choices that must be made, will there be a change in the Estimates

procedure in order that the various committees of the House will get advance notice of the options on the table regarding their respective areas of expenditure? There then could be a reasoned debate about which choices ought to be made. There is no point in going into the form of Punch and Judy dialogue of the deaf in which the Government engages, whereby it suggests Members should come up with choices without revealing anything of its own intentions or the implications of different choices. The House deserves both the publication of a McCarthy report and a realistic process for engagement on the choices open to Members. Will there be change in this regard or will there be a reversion to the same old crazy and archaic system of deciding Estimates?

**An Ceann Comhairle:** Deputy Bruton, the Tánaiste cannot change that on the Order of Business. All she can do is answer in respect of the publication of the report in the context of it being laid before the Houses of the Oireachtas.

**Deputy Richard Bruton:** She can answer in respect of the Government's intentions.

**An Ceann Comhairle:** If the Tánaiste can be of help, that is fine but I do not believe she can.

**The Tánaiste:** The Deputy is more than able to articulate this point and discuss the matter with the Minister for Finance. However, as yet there has been no decision to change the process.

**An Ceann Comhairle:** I call Deputy Reilly.

**Deputy Richard Bruton:** The Tánaiste should take the views of the rest of the House seriously when she goes to Cabinet to discuss this process, be it today, tomorrow or next week. Members seek a serious engagement and not the crazy activity that takes place at present.

**An Ceann Comhairle:** The Deputy has made his point. I call Deputy Reilly.

**Deputy James Reilly:** Is legislation planned to address the issue of medical indemnity insurance in Ireland, given that more than 50% of claims now are consumed by legal fees and settlements?

**An Ceann Comhairle:** Is such legislation promised?

**The Tánaiste:** I am unsure and will revert to the Deputy.

#### **Message from Seanad.**

**An Ceann Comhairle:** Seanad Éireann has passed the Criminal Justice (Miscellaneous Provisions) Bill 2009, without amendment.

#### **Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Bill 2009**

*[Seanad]:* **Second Stage.**

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

When introducing my supplementary budget, I stated that fairness must be the cornerstone of all our efforts to achieve economic renewal. In that context, it was decided that those in these Houses and in the Government must examine their own costs and make their contribution to the savings that must be achieved in this time of unprecedented economic difficulty. The measures in this Bill, along with what Members already have done, show they are willing to play their part in efforts to bring about national recovery. I acknowledge that, in advance

[Deputy Brian Lenihan.]

of the legislation, many Members made voluntary contributions in respect of their pension arrangements to assist the national finances. This is as it should be, given the sacrifices that have already been made by many across the economy, especially by those who have lost their jobs.

Last October, members of the Government and Ministers of State took a reduction of 10% in their salaries. This cut, along with the pension levy, amounts to a 20% cut in ministerial salaries. The number of Ministers of State has been cut from 20 to 15. Some Members of the Oireachtas also took a voluntary pay reduction and some have also voluntarily forgone their entitlement to their ministerial pensions.

I am acutely aware that the measures in the recent supplementary budget have imposed a burden on people. The Government was guided by the principle that the burden had to be spread fairly, with those who could afford to contributing in accordance with their means. It was, therefore, incumbent on us in these Houses to play our part and, accordingly, the budget provided for changes in Members' remuneration. These measures included a 10% reduction in all expenses other than mileage rates, where a 25% reduction has already taken place and a provision whereby Oireachtas Members will no longer receive long service payments or increments. The arrangement whereby former Ministers are paid ministerial pensions while they are still Members of the Oireachtas will be discontinued.

This Bill provides the necessary statutory basis for the changes announced for long-service increments. Since the budget announcement in this regard, 45 Oireachtas Members have forgone increments that fell due. The budget date was taken as the date for the effective suspension of these increments and they ceased at that point.

The Bill also provides for the abolition of the current arrangement whereby former Ministers are paid ministerial pension while they are still Members of the Oireachtas or the European Parliament. I will be proposing an amendment to the Bill on Committee Stage that will enable me to provide for regulations for a composite expense allowance for Deputies and Senators, in lieu of existing allowances, as proposed by the Houses of the Oireachtas Commission. This is an enabling provision and I am of the view that Members need to consider these proposed changes further before any effect is given to it by regulation. In the interim the existing system of allowances will remain in place and I will be bringing forward the necessary regulations to reduce the majority of the Oireachtas expense allowances by 10%. A 25% reduction in travel rates has already been implemented. I will elaborate on this on Committee Stage.

While these measures are intended to effect savings on public expenditure, their financial impact will not be significant although they are a real contribution by Members as individuals and a signal that Members of both Houses are willing to give a lead in a time of great economic difficulty.

Section 1 defines "Act of 1938" as the Ministerial and Parliamentary Offices Act 1938. Section 2 provides that long-service increments will not be paid to Members who would normally have qualified for a long-service increment on or after 13 May 2009. So far, 45 Members have been affected by this provision. It also provides that long-service increments will not be paid to any Member of the Houses of the Oireachtas after the next general election.

Section 3 addresses pensions to former holders of ministerial and other offices. It concerns pensions awarded to officeholders under the old officeholders pensions scheme, those who qualified for such pensions before 13 January 1993 when the new officeholders pension scheme was introduced and who did not opt to join the new scheme. Officeholders are taoisigh, Ministers and Ministers of State. The section provides that between the passing of this Act and the next general election officeholder pensions paid to sitting Members of the Houses of the Oireachtas will be reduced by 25% and the pensions will cease to be paid to such Members

after the next general election. In the case of Members of the European Parliament, the reduction will apply until the next European Parliament elections. Pensions will cease to be paid after that date for sitting Members.

Section 4 concerns pensions awarded to officeholders under the new officeholders pension scheme to persons who have three years or more of qualifying service. New scheme Members are those who first qualified for an officeholder's pension after 13 January 1993, when the new scheme came into effect. It also includes persons who had already qualified under the old scheme but who opted into the new scheme. These pensions are not paid until the person concerned reaches the age of 50 and the pension is reduced to a half while the former officeholder is sitting in either House of the Oireachtas or the European Parliament. The only exception is for former taoisigh, in which case, under the new scheme at present the pension is not reduced.

The section provides that between the passing of this Act and the next general election officeholder pensions paid to sitting Members of the Houses of the Oireachtas will be reduced by 25%. This provision is given effect by reducing the pensions by 62.5% rather than 50%. It also provides for a reduction of 25% in the pension paid to former taoisigh who are Members of the Houses of the Oireachtas or the European Parliament. At present, such a pension is not reduced.

The section also provides that the pensions will cease to be paid to such Members after the next general election. In the case of Members of the European Parliament, the reduction in the pension will apply until the next elections for the European Parliament and then the officeholder pensions will cease to be paid after that date.

Section 4 also provides for some technical amendments to the legislation by the renumbering existing provisions. Section 5 deals with ministerial, secretarial, minister of State and other officeholder pensions awarded under the new scheme to persons who have more than two but less than three years qualifying service. The qualifying period for officeholders' pensions was reduced from three years to two in 2001. The provisions of section 5 are essentially the same as those in section 4 of the Bill. It provides that the officeholder pensions will cease to be paid to former Ministers who are sitting Members after the next relevant election. In the meantime, the pensions paid to such sitting Members will be reduced by 25%.

It is a matter of considerable public debate but the Attorney General advised the Government on the drafting of this legislation and the maximum possible reduction that can be effected on those with existing pensions. Section 6 of the Bill concerns the Short Title and collective citation. When it comes to politicians' pay, it is next to impossible to please. It has ever been thus and Ireland is not unique in this regard. By these measures, Members of the Oireachtas and the Government show our readiness to play our part in the national effort to restore this economy to health. I am sure other groups in the State will show similar readiness.

**An Ceann Comhairle:** Before calling Deputy Bruton, I remind the Minister for Finance that the Ceann Comhairle and the Leas-Cheann Comhairle also took a 10% reduction voluntarily.

**Deputy Richard Bruton:** There is no doubt about the desirability of dealing with pay levels and allowances in the Oireachtas and having a system that is seen as fair is important. Fine Gael advocated that pensions payable to serving Members of the Oireachtas should be entirely abolished. I received a letter from the Minister indicating that he had received legal advice to say that this could not be done but no such advice was furnished. I then heard that the Minister had decided to cut the pensions by 25% but no legal advice was furnished on why he could cut them by 25% but not 100%. There is considerable confusion about the legal restraint on the Government implementing these changes. The legal advice indicates that a general election



[Deputy Richard Bruton.]

provides a threshold at which one can change because people knowingly enter a new contract. That is understandable but I am not clear how legal advice would suggest that 25% is allowable but 100% is not.

Some Members will be adversely affected by this and will look ruefully at how someone who served as a Minister can take up well-paid positions outside the House and continue to enjoy a pension, while those who continue in the House cannot do so. I understand how people see this as unfair but there is a sense of fairness in that one is continuing in the same profession.

The question arises of whether the Minister will apply similar rules throughout the public service. There must be clarity that one cannot draw a pension as a former teacher and continue teaching. There must be a level playing pitch. There is not much point in a system where people in the Oireachtas are paid on a basis that is seen to be fair and objective but not having rules that are consistently applied.

An issue of the pensionability of the long-service increment cut is raised, which the Minister does not appear to have dealt with in his address to the House. It would seem that an individual who retires at the next election will have his or her final salary based on a long-service increment but someone who runs in the next election and retires at the end of the following term will have his or her final pension based on a lower base. The issue raised relates to what is the final salary. There ought to be a level playing pitch for all Members of the Oireachtas and the Minister should not create fish of one and flesh of another.

While I am on this subject, I will ask about the reduction in ministerial pay, which is somewhat akin to the reduction in the long-service increment. Will the pension treatment of Ministers who have given up pay be on the same basis? There is no point in Ministers being able to have their pensions based on the full 100% pay which they did not take for a period while long-term pensionability for Deputies is on a base that is not similarly calculated. The Minister needs to ensure that treatment is equitable for various Members.

This brings me to another subject that I believe is a source of irritation for quite a number of Deputies who are members of parties. Some Deputies who are Independent Members receive what is described as a party leader's allowance, but unlike the party leader's allowance it is not vouched. There is no return of accounts to show that the allowance was used for purposes legitimately related to parliamentary activities. If we are dealing with anomalies, the situation whereby some Independent Deputies have €41,000 available to them each year, which can be built up and used for all types of advertising or election activities, again raises the issue of a level playing pitch. I recognise that Independent Deputies are entitled to access research support and legitimate matters related to their parliamentary duties. However, if we are to have such a system, in a new spirit of realism such moneys should be based on the presentation to an authority, presumably the Standards in Public Office Commission, SIPO, of the legitimate use to which that money has been put.

With regard to the regulatory powers which the Minister proposes to take to himself on Committee Stage, in principle there is no problem with this reform and most people will welcome it. I am not clear on whether he will implement in regulation decisions taken by the Oireachtas commission or whether he proposes to institute a system of allowances that he intends to implement. I have not seen the text of his amendment. It is in circulation but I have not seen it.

**Deputy Brian Lenihan:** It is enabling in character.

**Deputy Richard Bruton:** Is it enabling to the Minister or to the commission?

**Deputy Arthur Morgan:** The Minister.

**Deputy Brian Lenihan:** The structure of the legislation is that the Minister does it.

**Deputy Richard Bruton:** Yes, but is it——

**Deputy Brian Lenihan:** It simply enables the Minister to do something else that he or she cannot do——

**Deputy Richard Bruton:** I am not clear on whether it is on the recommendation of the commission or a power that the Minister has which he can exercise independently of the commission.

**Deputy Brian Lenihan:** The commission made a proposal which cannot easily be facilitated in the current statutory framework so I am amending the statutory framework to enable me to consider the commission proposal.

**Deputy Richard Bruton:** That is fair enough.

The other issue that is raised is the Minister's proposal to have a benchmarking process for higher paid people in the public service. I presume that Members of the Oireachtas are included in that process. The Minister has not really clarified in his presentation how that procedure is intended to operate. There was quite a degree of debate about the issue of how individuals would be benchmarked, particularly those in the high earnings brackets. On the previous occasion when there was a review of the remuneration of higher paid individuals in the public service, there was a rather strange system where an arbitrary assumption was made that the value of a public service pension to higher paid people was 15% when quite plainly the value to higher paid people is a great deal more than 15%. Some people estimate that the value of pensionability to senior people in the public service and Ministers would be in the order of 40%.

Recommendations were then made on what were supposed to be benchmarks of pay that ended up with our Ministers and Taoiseach being award pay levels that were several times higher than those in other jurisdictions, including in vastly larger and more complex states. We need to understand what is the benchmark generally with regard to higher paid people in the public service. How is it intended to create comparators? Who will make the key decisions on what are the relevant comparators? There is a legitimate belief that higher paid people in the public service, including ourselves, have enjoyed increases that were out of line with what occurred in the private sector.

The most recent review of higher remuneration — which the Government was going to implement only that the public outcry was so great — was not based on any serious benchmarking exercise against people with comparable responsibilities. We need to have an objective test for benchmarking exercises. I am interested to hear how the Minister intends that process to proceed generally with regard to people in the public service, particularly having regard to pensionability at a time when private sector pensions are under such stress, how will that be factored in and what are valid comparators in an exercise such as this.

I welcome the Bill as a first step. As I stated, as far as Fine Gael is concerned it has not gone far enough but I understand there are legal reasons for that not being possible and I look forward to hearing them. I am surprised that we have not heard them at this stage as I understood the Government also felt the Bill would go much further. It appears it proceeded along a route either without adequate legal advice at the time of the first decision or the legal advice changed at some point.



[Deputy Richard Bruton.]

The one element we may live to question is whether removing increments from the salary structure of Deputies is a good thing. I understand that in the current situation it is an obvious target but increments seem to be a feature of pay systems. Fine Gael has taken the view that increments should be frozen throughout the public sector and not only for Deputies, but that is as a crisis measure and not as a long-term policy position. I am interested to hear the Minister's view on what he sees as the status of increments generally and why they are good in some walks of life but not in the political one. I say this not to oppose this in any way but to ensure we distinguish between what we might do in an emergency and what we might see as a long-term sensible structure for people who choose a career in politics. I do not want to use up much more of the time because it would be useful to have more than half an hour on the amendments. I welcome the Bill.

**Deputy Joan Burton:** The Labour Party welcomes this Bill. In our submissions before the budget we called for clear reductions, particularly in the situation where former Ministers receive pensions while still Members of the Dáil. It is a pity the Minister had neither the political guts nor the capacity to introduce the reforms he promised with such grand rhetorical flourishes on budget day. On that day, he proposed that Members of the Oireachtas and Government would show leadership in a time of deep, national economic crisis by offering an appropriate level of sacrifice in respect of pay reductions, as was appropriate, particularly when they were asking many poorly paid people or people on poor pensions to take sacrifices. It is regrettable for the reputation of the Dáil that the Minister had not got political clearance from his party to bring in the reforms he so grandiloquently mentioned in his Budget Statement to a packed Chamber.

The Minister is aware that I and Deputy Gilmore contacted him on the matter of ministerial pensions. We did so some time ago and made arrangements to offer our ministerial pensions to the Government and that offer was accepted.

With regard to the new arrangements being made, the public is not generally aware that people who served in Government before 1993 got a full ministerial pension on exiting Government, no matter what age they were or no matter whether they left the Dáil or remained in it. They got a full ministerial pension from the day they ceased to hold ministerial office, provided they had sufficient service. It seems odd therefore that in the arrangements of this Bill the Minister has not yet been able to do away with that anomaly. When the Labour Party and Fianna Fáil were in Government after 1993, the arrangement thereafter — to which the Minister referred and which was much more sensible — was that the people who had the required service received a pension from the age of 55. They received the pension whether they were serving in the Dáil or not.

A sensible move was also made at that time to put in place transitional arrangements for people who lost their seats who would suffer a sudden severe loss of income. That was properly recognised and a sensible arrangement was made. Therefore, I find it odd that in this legislation the Minister does not switch everyone to the arrangement that was agreed by both the outgoing Government and the incoming Fianna Fáil-Labour Government at the time, namely, that persons who were entitled to a ministerial pension received it from the age of 55. I understand that the arrangement provided for in this Bill is that persons serving under the old system — probably six or seven current Members, including senior Fianna Fáil Members and a former Taoiseach — will, until the next Dáil get 75% of their pension. That is quite a high level, whereas others will——

**Deputy Brian Lenihan:** A former Taoiseach is in a different category under the 1993 arrangement.

**Deputy Joan Burton:** Why is that? A former Taoiseach has a State car and some State protection.

**Deputy Brian Lenihan:** A former Taoiseach is in a different category by law.

**Deputy Joan Burton:** All right. Why did the Minister not move to make a uniform arrangement? Also, why did the Minister not return to the qualifying age of 55? It is essential to have transitional arrangements. I know from experience that losing a seat is a traumatic event. Many Members nowadays are full-time politicians, although there are Members who have businesses and other commitments and other sources of income. However, many Members do not. The transitional arrangements are generous and last for a period from 18 months to two years. Why, therefore, does the Minister not return to the qualifying age of 55 for pensions. What was the thinking behind the move to age 50?

**Deputy Brian Lenihan:** I did not make the move to age 50. That move was made in 2001.

**Deputy Joan Burton:** I suggest that if the arrangements are being reformed now, the arrangements entered into by the Fianna Fáil-Labour Government in 1992 were sensible and fair. The Rainbow Government did not change those arrangements, but the Minister has said they were changed in 2001. I suggest they were simple, fair arrangements. Taking up the business of politics is risky and people can lose their seat at an election and have difficulty re-establishing themselves in another career. It is only right that should be acknowledged.

The Minister spoke about a 10% salary sacrifice by Ministers. Was that in respect of all their income as Deputies or was it just in respect of the ministerial allowance?

**Deputy Brian Lenihan:** It was in respect of the aggregate income.

**An Leas-Cheann Comhairle:** I might add that it applied to other office holders also.

**Deputy Joan Burton:** I am aware the Leas-Cheann Comhairle and the Ceann Comhairle made that sacrifice. I and Deputy Gilmore offered our ministerial pensions to the Minister also and he accepted. The point is that in a time of such national difficulty this sense of leadership is required in the Oireachtas.

The issue of the salaries paid to other top people arose during and after the budget and the Minister promised a review process. The Labour Party stated in its pre-budget submission, and I agree, that there is no reason anybody paid out of the public purse should be paid more than €200,000, all included, expenses and everything else. The country cannot afford the level of salary being paid to the upper echelons, such as Secretary Generals and heads of various Government bodies. Neither can it afford some of the extraordinary salaries paid to people working in commercial semi-State bodies, not excluding RTE.

How can people benchmark such salaries with what is appropriate in times of such economic stringency and difficulty, where women are threatened with child benefit cuts and old aged pensioners have had their entitlement to a medical card altered? People will inevitably benchmark against the salaries of people who hold attractive, important and responsible jobs in the senior echelons of the public service. Therefore, the Minister should say whether he is of a mind to see members of Government formally reduce their salaries. As a consequence, people in the upper echelons of the public service, such as Secretaries General, also make an appropriate salary sacrifice that brings us down to a level of affordability that makes sense by com-

[Deputy Joan Burton.]

parison to what we know to be top salaries in other countries. I still do not understand why the Minister, Deputy Mary Harney, put consultants' basic salaries at about the €250,000 mark. I am not convinced that this country can afford that level of salary at this time.

With regard to the expenses regime as set out in the Minister's amendment, the Labour Party will accept the proposal, which I understand was put forward by the Houses of the Oireachtas Commission. Speaking as a former accountant, I believe it lacks one thing, which I pointed out to the Minister before. One way to reduce expenses is not only to set out a regime of expenses but to cap them. For example, with regard to mileage and other Deputies' expenses, Deputy Richard Bruton's annual claim for expenses is always in the modest range, as are the expenses attributed to the Minister, Deputy Brian Lenihan. Why not just set a cap on the total amount? Some expenses, for example, mileage, are at such a high level that Members must run up and down from one end of the country to the other — this applies in particular to some Members of the other House. I know some people live in very remote places and travel is expensive but, with the wider availability of public transport and the availability of good quality cars, it must be possible to work out, in conjunction with professional advice, what is a realistic charge for somebody's reckonable travel between Dublin and, for example, Cork, Galway or Kerry.

We should cap these expenses. The variation is very significant and, inevitably, when the media publicise Deputies' expenses, as is right and proper, the ones picked are always those at the absolute top end of the range, whereas the majority of Members of the House, and probably of the Seanad also, have relatively modest expenses. Some of the expenses claims, in mileage alone, are double the average industrial wage. This is what causes a difficulty in the public perception of what Members do in the Houses but it could be addressed. Expenses could be capped and I am sure a formula could be found where they reach a maximum at, for example, €25,000 or €35,000, depending on the distance one lives from Dublin. I have suggested this to the Minister previously because it would put a stop to the extraordinary figures that are quoted at times, but which probably only apply to a relatively small percentage of Members of both Houses.

Was the position of former taoisigh the subject of separate negotiation? The Minister might enlighten us again given that the transitional arrangements for former taoisigh are generous. Certain establishments are provided to them, such as Garda cars and drivers, which are not provided in other jurisdictions except for a period after holding office. Following that period, if a former Head of Government is attending a state function, he or she is supplied with appropriate transport. This is another area where, given the straitened times, savings could be made and it would not be to the discomfort of or cause danger to the former taoisigh. I wonder whether the arrangements arise from a more generous time when money was more freely available.

When the Minister has completed the comparative review of the salaries of top public servants, does he expect to publish it? We must remember that the salaries of such top officials influence the salaries of others such as bankers, whom the State is bailing out. We need to get a grip and insist that modesty or a slight retrenchment is the order of the day. When an *bord snip nua* presents its report, if the rumours are to be believed, it will be suggesting all sorts of reductions for people on very modest incomes. The Dáil must recognise this point.

The Labour Party welcomes this legislation. We would have preferred to see it taken in the same week as the Finance Bill because that would have given leadership. However, it is better late than never, although I would prefer if it was immediately implementable. There have been a variety of different legal opinions as to what was possible. If it is possible to cut the ministerial pension by 25%, why did the Minister not pick 35% or 55%? Was this on the basis of advice

from the Attorney General? It might have been more appropriate to have sought a higher level of contribution.

It should be stated, as the Minister did, that of course all Members of the Dáil and Seanad are properly subject to the pension levy and are contributing all of the other extra taxes and levies, which is perhaps difficult for some people who have made commitments in line with their previous salary levels. Nonetheless, as some of those salary, pension and emolument levels were exceptionally high, there is a case for reducing them. The Minister might explain his thinking and the advice he received.

**Deputy Arthur Morgan:** I welcome the opportunity to make a contribution on the Bill. Under its terms, ministerial pensions paid to serving Deputies, Senators and MEPs will be cut by 25% and will then be abolished completely after the next general election. For the rest of this Dáil term, instead of getting 50% as a pension, serving Members will get 37.5% — the poor things, we should really feel sorry for them. Does the Government want to give them a pat on the back? Should those people standing for hours in queues for social welfare congratulate these public representatives?

My issue with this Bill is why the pension is not being scrapped entirely. So what if there is a legal challenge? The Minister should face them down and take them on. As was said earlier by Deputy Bruton, while we have not seen the legal opinion the Minister received, it seems dubious. It would seem that those Members of the Oireachtas who are in receipt of the pension are coining it in anticipation of its complete abolition following the next general election. These pensions are, I suppose, a nice little earner so why would they want to give it up? I must qualify that comment by——

**Deputy Brian Lenihan:** Quite a number on all sides have given them up.

**Deputy Arthur Morgan:** I want to acknowledge that there is legal provision for the pension and, therefore, those Deputies who are getting it are legally entitled to do so — I have no qualms about that whatsoever. I also highly commend those who have handed it back. However, those others who have not yet handed it back have a brass neck, in my view.

It is totally ironic that we are here, in the last week of this term, deliberating on a Bill aimed at cutting a meagre 25% from these ministerial pensions — this applies to Deputies and Senators who are already on very good salaries — when many workers nationwide have lost their pensions completely. It is ironic that the Government congratulates itself on its selflessness — if that is the correct word — to cut 25% off the pension when people who have paid pension contributions all their working lives find their pension benefits have dwindled. It is also ironic that workers of pension age, the most vulnerable time of life, may not be able to claim for pension funds while Members are able to claim Ministerial pensions while drawing a significant salary.

I hope the Minister will indicate if he believes the Bill represents leading by example. How can some elected representatives prioritise the recapitalisation of banks but do nothing as thousands of working people may end their lives in poverty despite having paid money to pension funds all their lives? This is not leading by example. Retaining any portion of a ministerial pension until the next general election is ludicrous. Whatever excuse these Members had to milk the cash cow while the Celtic tiger was roaring is long since gone. It is disgusting to latch onto these pensions at the height of a severe recession while 87,400 people have signed on the live register since January.

I hope some provision will be made to deal with the issue of teachers' pensions, a related matter. Although I accept that significant numbers have given up the right recently, many

[Deputy Arthur Morgan.]

Members claim the teachers' pension while working here. It is obscene because in many cases they are obstructing the career paths of young teachers and preventing them from achieving their potential and from getting a full time job in the relevant school.

We have heard for some time of the commission's proposal to streamline the expenses issue, which is welcome. For whatever reason there is always a blast of publicity every January or early February when the Freedom of Information Act is used to find out Members' expenses. I have no qualms about the publication of this information at any stage but the Minister's proposal will probably streamline the process and I trust it will be more cost effective for the taxpayer. I look forward to the remainder of the debate on the Bill.

**Deputy Kieran O'Donnell:** I wish to share time with Deputy Shatter.

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

**Deputy Kieran O'Donnell:** It is very important there is consistency with any Bill. Upon examination of the Bill it seems the pension of a former Taoiseach will be reduced to 75% whereas that of a former Minister will be only 37.5%, half of the former figure. There should be consistency and the same reduction should apply to any Member regardless of the office held in the past. A former Taoiseach is in a different position and there is an inconsistency in this regard.

**Deputy Brian Lenihan:** The inconsistency was in place before this legislation.

**Deputy Kieran O'Donnell:** The perception of the public is that the inconsistency should not be there.

There should also be consistency for the higher paid in the public sector. Fine Gael proposed that full pension entitlement should be abolished for sitting Members but the Government has sought otherwise and plans to introduce a reduction of 25%. Will the Minister explain the legal basis for this? What legislation has determined this position? The key point is the Government is required to show consistency in terms of reductions for pension holders regardless of the office held. We await the amendments on Committee Stage from the Minister to see how the legislation will come into effect.

**Deputy Alan Shatter:** I am very conscious that making any public comment is like walking on glass in dealing with this legislation, whether from the Minister or any other Member. I have followed the debate from my office this morning and noted the careful contributions of all Deputies who have spoken thus far. Let us be honest about this matter. One reason people are careful about the way in which they address these issues is the public perception that Members are overpaid. This is a most unfair public perception given the hours Members devote to the work they carry out. For fear of opprobrium from the public and especially from members of the print media, Members lack the courage to defend their work and the hours they spend carrying it out.

My view is simple. The country is confronted by a major economic crisis. It behoves every Member to do his or her duty with regard to the salaries or allowances received and to ensure in so far as other sectors within the economy are experiencing reductions, that we reduce our remuneration in a manner that is appropriate and that takes account of the parlous state of the public finances. On a personal level I make no complaint about any impact of the imposition of the pension levy or any reductions that will result from the proposed legislation on myself or other colleagues in the House. It is important to consider what is taking place in a construc-



tive and fair manner and to tease out the legislation in the same manner in which we would tease out legislation applicable outside the House.

An understanding of the motives of the Minister in introducing the legislation is important. There are elements of cowardice in the manner in which this is being dealt. I trust the Minister will not interpret this as a personal charge against him and it is not so intended. However, it is a charge that could be levelled against the Government, a political charge based on two or three aspects of the legislation and what I interpret as the politics of it.

I have listened with great interest to the remarks on ministerial pensions and constitutional issues. It is easy for me to comment on these issues because I am not the happy recipient of a ministerial pension and I need not make a declaration of interest. However, it is unfathomable that the Minister's legislation seeks to reduce the ministerial pensions of sitting Deputies by 25% on the basis of some advice on constitutional issues which suggests he cannot interfere with them at all. This is a complete shibboleth and a total nonsense. Either there is a constitutional reason not to interfere with pensions, period, and the 25% reduction or any reduction of the Taoiseach's pension is unconstitutional, or one can interfere with the pensions and there is no constitutional issue.

There is clear evidence of political cowardice because it seems there are those in receipt of ministerial pensions who have no difficulty in terminating receipt of those pensions on the Opposition side of the House. Some have done so already and I understand some have indicated they would do so if the multiple members of Fianna Fáil sitting on the benches opposite were willing to voluntarily set aside their ministerial pensions for the lifetime of this Dáil. There is political cowardice because the Taoiseach and the Minister for Finance have not told the Fianna Fáil Members on the backbenches who are former Ministers that former Ministers have an obligation to set an example for the rest of the country and this is the political decision they are being asked to accept.

That would have allowed the Minister to leave aside the niceties of legislation or constitutional issues and he would not have had to introduce this Bill at all because there would have been a consistent voluntary agreement. If the Minister had introduced a measure which either reduced to a greater extent the ministerial pensions of sitting Deputies who are not currently Ministers, or if he had terminated them entirely with perhaps a lead-in period to allow people adjust, which Members would have launched a constitutional action? Are there former Fianna Fáil Ministers sitting quietly on the benches supporting the Government who have indicated they would withdraw support or launch a constitutional action if their pensions are abolished? I do not believe there is a single Member of the House who would do this. It would create a very interesting political predicament for members of Government if, for example, Deputy Woods — I am not suggesting he would do so — or Deputy O'Rourke, who has given up her ministerial pension in fairness to her, launched a constitutional challenge. I do not believe this will happen as this is where the political cowardice lies. People outside this House find it incomprehensible that former Ministers who are still Members of this House in receipt of a Dáil salary are also in receipt of a pension as former Ministers.

I wish to raise a matter which I find quite odd in the legislation and if I am incorrect I know the Minister will correct me. Deputy Bruton has already made some comment on the issue of increments. In this context I declare an interest as someone who has been a Member of the House for 23 years, and together with many other Deputies I am at the higher end of the incremental scale. If I run in the next election with the knowledge that my increments are to be taken away from me, that is a voluntary decision I will make. If I am committed to public service and I wish to continue to be a Member of this House — which at this time I would wish to be, although I would like to be a Member with Fine Gael in Government and the

[Deputy Alan Shatter.]

procedures of the House reformed — increments will not remotely influence my decision to run in the next election.

There is one aspect which is extremely odd. I wonder what legal advice the Minister has received in the realm of constitutional law and legitimate expectation. It seems there is built into this legislation a direct incentive which in my view is also an ageist provision which is designed to discourage Members of this House who have long service, who have been here for 21 years or longer, or who are perhaps hitting the ages of 60 or 70, from running again. My perspective and understanding of the legislation is that if I as a Deputy — I have no intention of doing this, just in case the Minister or any of my constituency colleagues might think I have — decided to retire at the next election I would have a pension at a particular level. Of course in Dublin South we are committed to re-electing three Fine Gael TDs in the next election and I am looking forward to achieving this. If, however, I ran in the next election and were unfortunate enough not to be re-elected, I would be financially better off pension-wise than should I run in the next election, be re-elected and then six months' later if there is another election, I lost my seat. There is a whole series of Deputies on the Fianna Fáil backbenches——

**Deputy Brian Lenihan:** That could be a likely contingency if the Deputy were to get into Government.

**Deputy Alan Shatter:** ——with long service who may not realise that should they be fortunate enough — there will not be that many of them — to be——

**Deputy Brian Lenihan:** I will deal with that in my reply.

**Deputy Alan Shatter:** ——re-elected in the next election and, if there is an election in close proximity thereafter, lose their seats, their pensions for ever more will be substantially reduced until the day they die and so will the pensions of any widow or widower who survives them. I do not believe anyone in the public or private sector would agree to that type of provision. I am not making a complaint for myself as fortuitously I have income from other sources. However, other Members of this House do not have incomes from other sources and in respect of whom this provision will have a very substantial impact. We should not have within our legislation a provision designed to discourage people from standing for democratic election in the future. That is entirely wrong.

**Deputy Lucinda Creighton:** I feel somewhat like Deputy Michael Ring giving way to Deputy George Lee for his maiden speech to the House but it is always a pleasure to follow Deputy Shatter.

**Deputy Alan Shatter:** It is wonderful to be still described as a maiden.

**Deputy Lucinda Creighton:** This is an important Bill in the context of the current economic crisis. There is a demand and an expectation for leadership from both Government and Opposition and from all elected public representatives. They will be expected to lead the charge in efforts to bring the public finances under control and to take the pain and a hit in what are very difficult times. This is particularly relevant in the context of what has been happening in the private sector for the past year where people are not discussing taking cuts of 10% or 25% in their pay because the situation is much more serious in that sector. We are all aware from our constituency work that people are losing their jobs.

There is an air of unreality connected to certain elements of the trade unions and particularly to certain elements of the public sector. We must show leadership as elected representatives.



The challenge for the Minister in the coming months will be the figure of €20 billion which is the cost of running the public services and which is not sustainable. We all have to take our hit and share the pain. Public spending has to be dramatically reduced and we have to play our part in this cut.

The wider debate about politicians' salaries and expenses has to come with a health warning. A media campaign has been driven by sensationalism and populism in this regard. Politicians are probably the easiest targets for the media. There seems to be a constant stream of freedom of information questions on a monthly basis to the Houses of the Oireachtas Commission. The same figures are published repeatedly and yet they manage to make headlines every time. I would recommend to the Minister and to the Houses of the Oireachtas Commission that these figures should be published as a matter of course. We should not allow these figures to become front page headlines. We should be transparent with our information and show the public our expenses, what we are claiming and the reasons for the claims. I have no problem in doing so and I make a point of publishing that information in my constituency.

I welcomed the Minister's announcement that ministerial pensions would be scrapped for serving TDs. In my view, however, we need to go further. No Member of the Oireachtas should be in receipt of a public pension, whether he or she is a teacher or from any other profession. It is well known by everyone that we are paid very handsomely as Members of the Oireachtas. We should take a strong stance on the issue of pensions.

I am aware of the legal advice from the Attorney General with regard to the constitutionality of abolishing the pensions. I concur with the point made by Deputy Shatter. I do not see the consistency in allowing for a 25% reduction and yet saying a reduction of 100% would be considered unconstitutional or open to a constitutional challenge. I am not convinced by the argument, although the Minister will have a view. We should be serious about this issue and about restoring public confidence in the work of the Houses of the Oireachtas. Most Members work hard and work long hours, weekends and holidays. The perception is that we take off for three months in the summer. We all know that is fallacious but we must stand up and be counted in that regard. We must show leadership by leading from the front but we also must challenge many of the myths that surround the media reporting and the coverage of the work we do here and the way we are remunerated for that work.

We should be in a position to carry out the work we must do in our constituencies and we should not be constrained in that. Not so long ago politicians here were very badly paid and it was difficult for people who did not have a wealthy background and the resources to be elected to this House or Seanad Éireann. It is extremely important that financial obstacles do not create barriers for people entering elected politics.

We cannot allow politics to become the preserve of the rich. There are many people in the media who would love to go back to the days when politics was a part-time hobby for some very wealthy people. That would not be fair to society, would lead to this House becoming much less representative of ordinary society and reduce people's choices in terms of having a wide spectrum of people before them on the ballot paper with a realistic prospect of getting elected to this House.

I do not want politics to become the preserve of the rich and in that regard I welcome the Minister's initiative. I am aware it has not been finalised yet but I welcome his initiative in trying to sort out the quagmire that is the expenses here in this House and in Seanad Éireann. I wish him well with that task. It is not an easy one but we must have transparency and accountability in the expenses system, and we must be in a position also to run our political operations in our constituencies. There is a fine line in that regard and it will be a balancing act but the way to achieve it is probably through the proposal for a parliamentary allowance

[Deputy Lucinda Creighton.]

that Deputies and Senators can use to carry out their constituency work. That is probably the fairest and most transparent way to go about it, and it should be published. That is my last appeal to the Minister. He should publish it and make it available on the Internet to whoever wants to check it out, but please do not allow the system to continue with journalists who seem to have not much else to do other than submitting freedom of information requests and then sensationalising the whole process. We should be transparent about it.

**Deputy Seán Power:** I listened attentively to the contributions made and, in general, I believe Members support what we are doing. I listened in particular to the point Deputy Shatter made on the pensions, which I suppose is a shortcoming, but in the current climate we are living in there are very few Members in the House who would complain in that regard.

In recent times our pay and expenses have come under major scrutiny from the press and much of what was written was misinformed in many respects but as Deputy Creighton said, it is important that we have a system that is transparent and accountable. We saw the recent goings on across the water where a different system is in place but one that has done politics a great deal of damage. It is important we do not allow that type of system develop here.

What is being proposed appears to have support from all parties. When it comes to issues like pay and expenses it is important that there is one voice on it. Whether one is a member of Fianna Fáil, Fine Gael, Labour or Sinn Féin, we would all agree it is important that the pay that goes with the job must be attractive enough to encourage people to come into the House and work here. We must ensure we attract a good cross-section of people, whether they are from the business sector or elsewhere, and that the 166 people elected here are representative of the country. That could be tradespeople, people in business, teaching or sport but it is important that they are from many fields.

I am aware many Members have come under a great deal of pressure recently and almost felt it necessary to offer a reduction in their salary, expenses, pension or whatever because someone in the constituency or from another party was doing that. I am glad we are dealing with the issue in a more mature way here in the House today.

The downturn in the economy has placed enormous pressures on people. Many of those fortunate enough to be in employment will have taken reductions in their take-home pay, be it a reduction in their salary, levies that have been introduced or other taxes. There are very few people in a better position financially today than they were 12 months ago.

Those of us who are Members of this House are in an honoured position. Very few people get the opportunity to represent their people. While being elected here is a great honour, it also brings with it great responsibilities and on the area of pay in particular it was important that we should show leadership.

I compliment the Taoiseach and the Government on the initiative they took in the budget of 14 October when Ministers decided to take a reduction in their salary, and the further moves that have been made since. They have provided leadership and shown the people that we are not just asking the rest of the public to make sacrifices unless we are prepared to make them ourselves. The reduction in the numbers of Ministers of State was a further indication of the change we were prepared to make and that we were not asking the public to take something we were not prepared to take ourselves.

The measures we have introduced in recent months have meant a significant reduction in the take-home salary of all Members in the House. It is fitting that should be so but we must strike a balance while ensuring that the salary is attractive enough to attract good people into the House, and that will always be the way.

I welcome the move and acknowledge the mature way it has been approached by all parties. The cross-party approach is the best way to deal with what is a delicate issue. I compliment everyone involved and wish the Minister well in his efforts.

**Deputy Leo Varadkar:** I welcome the principle of the Bill but want to make a few comments on it, and it is important they are made at this stage.

As all Members will be aware, the public is taking a great deal of pain in terms of pension levies and pay cuts in the private sector, pension levies in the public sector and tax increases imposed by the Government, and there will be further tax increases imposed in future budgets, perhaps not income tax increases but there will be other tax increases. On that basis it is important that politicians set an example and not only take reductions but take reductions greater than those being imposed on people who are not Members of this House.

I am critical of the way the Government has handled this issue in general. In reality there have been significant reductions in pay and expenses. There has been the voluntary surrender by the Ministers and by many Members of this House. The number of junior Ministers has been cut by 25%; expenses have been cut by 10%; and the paid committee positions have been abolished. This could have been done in a more effective way. It appears to the public that these changes were dragged out of the Government, forced on it by the media and made under duress. That is the real failure. Had the Government announced this full package of measures last November, before the other cuts were introduced, politicians and the Government would have much more credibility.

**Deputy Brian Lenihan:** I can tell the Deputy this is the hardest curve of all to get ahead of.

**Deputy Leo Varadkar:** I appreciate that. That is fair comment. The public and the media do not believe or understand the level of cutbacks and reductions which have been imposed on Members of the House. It is right that the cuts were made but they should have been made up-front and in a big package. Announcements were made in the emergency budget but there was a perception that they were not implemented. In fact, some of them have not been implemented yet. I do not know why that is but I assume they will be implemented shortly.

The Minister has made the right decision with regard to long service increments. Nevertheless, there is a certain unfairness in the fact that Members with many years service will receive the same pay level as others. In all areas of the public and private sectors people who have a degree of service are paid more. There is an unfairness in someone who has been in the House 20 years longer than me being paid the same as me. That is not entirely fair. However, having abolished long service increments, I hope the Minister will consider doing something similar across the board. If Deputies are no longer entitled to receive long service increments, I do not understand why Secretaries General, deputy Secretaries General and principal officers should receive them. Perhaps the Minister might explain why a different rule will be applied to other public servants who earn the same as us or more. I accept that long service increments are being abolished but why only for Oireachtas Members?

The Attorney General's advice regarding the 25% reduction in pensions has not been published. I accept that it is not standard practice to publish the advice of the Attorney General. However, a suspicious mind may think suspiciously. I wonder if the reduction is 25% and not 50% because a 50% reduction would leave certain Members, particularly of Government parties, better off if the Dáil were to collapse. Take the example of a Deputy who earns more than €100,000, has a long service increment of €10,000 and a half ministerial pension of €30,000. He or she would receive a pension of €70,000 while his or her basic salary, minus the pension levy, is not much more than that. If the Minister had reduced pensions for sitting Members by 50%, would a number of his own backbenchers have decided they would be better off if the

[Deputy Leo Varadkar.]

Dáil were to fall sooner rather than later and would have found an issue of principle on which to vote against the Government. Is that why the reduction is 25% and not 50%?

**Deputy Brian Lenihan:** I have had no such intimations from any Government Deputy.

**Deputy Leo Varadkar:** The Minister should look at my figures. There is no financial advantage in the Dáil collapsing if the pension is reduced by 25%. If it were 50%, a number of former Ministers on the Government back benches who are quite critical of the Government — I can think of two, in particular — would have been better off were the Dáil to collapse. This will not now be the case as the reduction will be only 25% and the abolition of the long service increment will be delayed until the next Dáil.

**Deputy Brian Lenihan:** I am very supportive of former officeholders.

**Deputy Leo Varadkar:** The former officeholders are not very supportive of the current officeholders.

**Deputy Brian Lenihan:** The ones with pensions are.

**Deputy Leo Varadkar:** My point regarding the payment of long service increments to public servants who are paid more than Deputies also applies to the dual payment of public sector pensions. Deputies and Senators are not the only people on the Government payroll who also receive a pension. Many people in well paid positions at the head of State agencies and boards have retired from the Army, the Garda and other areas and are in receipt of both a substantial public service pension and a substantial public service salary. If Deputies in the next Dáil are no longer able to benefit from that arrangement, should the same arrangement not apply across the board? I accept the need for this measure. Politicians must show example and impose greater cuts on ourselves than on others. However, the Oireachtas costs are 0.2% of the entire budget and these changes mean nothing if they are not followed through across the public service. The measures being introduced by the Minister should be imposed across the board on those who earn salaries equivalent to that of a Senator or higher. That seems to me to be fair and I would be interested to hear the Minister's comments in this regard.

**Deputy Seán Barrett:** It is very interesting to listen to people with different views.

There are two types of public representatives. One is full-time and works on a full-time basis and at nothing else. The other works part-time. The Minister is endeavouring to pay both the same salary. A Deputy who goes to the Law Library or who has a medical practice is paid as though he were a full-time politician. Are farmers full-time politicians? If one is trying to attract people into politics to act on a full-time basis one must take into account the role of a public representative. In the Oireachtas there is a variety of people, some of whom are full-time. As one coming to the end of my political career, I think this is a retrograde step to introduce harsh measures while failing to distinguish between a full-time and part-time public representative.

I listened to Deputy Varadkar. Other people in this House are getting public service pensions, which they will continue to receive. Should farmers cease to be entitled to EU grants because they are public representatives? Should doctors who are public representatives not receive payment for GMS patients?

I was a Whip when Members were on the verge of bankruptcy after three general elections. We fought for a situation which would not allow for the possibility of people taking back-handers for doing their job. We established a system of paying Oireachtas Members a proper salary linked to a certain public service grade so that a Deputy received an increase if the

equivalent public service grade received one. If the public servant has to pay a levy the Deputy pays a levy. That is how it is and that it how is should be left.

With regard to the long service increment, there is no profession in the world which pays someone who has been doing a job for 30 years the same as someone who joined two years ago. What will happen to existing pensioners who had a long service increment and receive 50% of a Deputy's salary. Will they be docked €3,000? A Deputy whose salary, with a ten year long service increment, is €106,000 would be entitled to a pension of €53,000. If the long service increment is removed will the pension be correspondingly reduced to €53,000? The Minister is nodding his head but this does not make sense. Will the pension be 50% of a previous salary or not? The legislation makes no provision for situations such as this.

**Deputy Brian Lenihan:** That is dealt with in the pension section.

**Deputy Seán Barrett:** The Minister's family has been a long time in politics. There are many widows who served as unpaid secretaries to their husbands, long before there were secretaries in this House. They answered telephone calls late into the night and acted as secretaries at home and got no income. Is a widow on a maximum pension of €25,000 well paid? Are we serious about attracting people into giving their lives to full-time politics or will we revert to the days of part-time politicians? The latter will occur.

I am in receipt of a ministerial salary. If the legislation says I do not have it, then I do not have it, but let us be frank and honest about why it was introduced. Many people, although not necessarily Fianna Fáil Members, served as Front Bench spokespersons in the House for many years, including myself. A Front Bench spokesperson does not get any extra pay. The original idea was that a Minister who went into opposition would, more than likely, be a Front Bench spokesperson and should get an income to supplement his or her salary. Ministerial pensions derived from this idea, but there is still no extra remuneration for a Front Bench spokesperson whose job is to produce policy, review legislation, travel the country and meet various groups. Spokespersons get the same salaries as backbenchers. This matter has never been considered fully because we have never had the guts to hold a proper debate. We run away because the media starts writing.

In 1993, we decided that serving Members would get only 50% of their ministerial pensions if they became Ministers after 1993. This fact has never been made clear in the media. Other speakers referred to the constitutionality of abolishing pensions. It is my understanding that, once one has paid for something and worked under certain conditions, removing anything is difficult. It is not being made clear that people contributed towards their ministerial pensions. It is not the fault of the Deputies or the Minister that the contribution level may not be sufficient, but a deduction was made for the pension on certain conditions. For this reason, the 1993 changes were implemented in respect of new Ministers who entered into their positions on the clear understanding of these conditions of employment, namely, a 50% pension, despite a similar deduction being made.

Let us be clear about the facts. It is time for an overall review of the role of the public representative, be he or she full-time or part-time. For example, is a Front Bench spokesperson in a senior and responsible position to get the same salary as someone who has been elected for only one month? I accept that whatever must be, must be, but let us consider the future, what type of people will be attracted into politics and whether they will hold full-time positions.

Let us also remember that politics is like no other job or profession, as there is no guarantee of employment. One is not even guaranteed a full term. It could be one year, five years or, as occurred in the 1981-82 period when there were three elections, three months. There is no guarantee of continuity. Will we ask people to give up their positions in life to enter the Houses



[Deputy Seán Barrett.]

as full politicians without paying them? Will we revert to a stage where people will be tempted to take inducements? Let us bring everything into the open. As revealed recently, people in Britain did not have the guts to make the necessary changes and pay proper salaries. Instead, on a nod and a wink, people filled in forms to claim, for example, second home allowances worth €24,000 to which no one was supposed to pay any attention. Consequently, confidence in the public system has collapsed. I do not want a similar situation to obtain in this State. People should be paid.

A previous speaker stated that, when we get expenses, they should be published. People should not need to make freedom of information applications. I can stand over any of my claims for expenses. Let the publication of expenses be automatic. Let people know for what they are voting, namely, what their representatives will get and what conditions of employment they will have. Let people wishing to stand know those conditions as well.

A mistake has been made in changing the ordinary pension conditions for Deputies. As and from the last election, new Members will not qualify for pensions until they are 65 years of age. This is daft. If someone becomes a Deputy at 30 or 32 years of age, spends 25 years in the House, fights four or five elections and is unfortunate enough to lose his or her seat or believes he or she has fulfilled a purpose and leaves, he or she will get nothing until reaching the age of 65 years. This is madness.

**Deputy Joan Burton:** That is not true.

**Deputy Seán Barrett:** It is a question of rushing through provisions. The Minister can check, as I am certain that I am correct. There will be a large gap. If he or she dies, what will happen to the surviving spouse and children? Who will look after them? As Chief Whips have dealings with many people, I knew plenty of widows who were on the verge of starvation because their husbands served as Deputies. They were left with minuscule pensions and were too proud to seek other assistance. These are facts.

There is a notion that public representatives are ripping off the system and getting paid plenty. That is not true. I am interested in the truth and the facts, which clearly show that the maximum pension a widow or widower can get under the new system is €25,000 per year. The maximum salary will be €100,000. If one serves 20 or more years, one can get 50% of that amount as a pension, but a widow or widower can get only 50% of that €50,000. Therefore, the maximum pension that a widow or widower can get is €25,000.

Since we are assuming that people will be full-time public representatives, no other income or pensions will go to the widows or widowers. Those who lose their seats at 50 or 55 years of age cannot claim jobseekers' benefit.

**Deputy Brian Lenihan:** The widow or widower will always get a pension in those circumstances.

**Deputy Seán Barrett:** Is that to be *ex gratia*?

**Deputy Brian Lenihan:** No. The age restriction does not apply in the event of the death of the Member. The pension is payable to the widow or widower.

**Deputy Seán Barrett:** At whatever age. It is a small amount of money in today's world. The idea that people will either leave the House rich or that their spouses and dependent children will be cared for is inaccurate. From this debate, I would like——

**An Leas-Cheann Comhairle:** I am loth to interrupt the Deputy, but I will need to call the Minister in five minutes' time. I call on Deputy Tom Hayes to make a brief contribution.

**Deputy Seán Barrett:** I will conclude, as I would like to let Deputy Tom Hayes contribute.

**Deputy Tom Hayes:** I welcome this opportunity to discuss the Bill. Where politicians are concerned, nothing has taken up as much space on the airwaves or column inches in the print media as pay. Every Deputy wants to be open and fair. The main issue is the lack of understanding on the part of the public and the media about how politicians accrue expenses. Deputy Barrett illustrated the issue of pensions very well. The media and public do not understand the cost of running a modern political set-up in a constituency. In some rural areas, Members have two or three constituency offices, which cost money. The Minister may laugh but there are Members of the Dáil with two or three constituency offices, some of whom are in his party and others who are in my party. The offices represent a very significant cost and burden.

**Deputy Brian Lenihan:** Three offices?

**Deputy Tom Hayes:** Some have two and others have three; that is the reality. The offices may not be open full-time but people come to them in these difficult times with various problems that must be solved.

I set up an office here when I started in Leinster House. I needed this office but, because of the demands on Members, I had to open offices in my constituency to serve people. Their cost must be considered but this is not understood. It is not understood that, when a Member is away from home, he is entitled to an overnight allowance and travel expenses. People do not understand that and believe we put the allowances in our pockets. We all have to have extra cars and ways of getting around, as the case may be.

The real issue, in respect of which Deputy Barrett mentioned a review, is that we should make an effort in this House to address these matters because we are doing damage to ourselves. There are people who will opt for the populist line at all times but it must be remembered that, by doing so, we are doing damage to the body politic. None of us wants his or her family to be embarrassed or to have headlines stating who is on top of published tables of expenses. With regard to freedom of information, there are humans behind the statistics; there are children and spouses. The highlighting by the media of the circumstances of a married couple in this House was grossly unfair. As politicians we should stand together and explain to the media and public what we do. They do not understand. When there is a review of politicians' pay, pensions and increments, as Deputy Barrett called for, the House should, as one unit, explain to the people that we are not trying to pocket the money. As Members have said, one does not get rich in here. One does one's job and one does it as best one can. There are many committed Members in the House trying to do so.

**Minister for Finance (Deputy Brian Lenihan):** I will try to assist the House as much as I can by going through each Member's contribution rather than delivering a general reply. Deputy Bruton commenced the debate by referring to legal advice and his comments were echoed by several Members. The position is that the Attorney General advised that removing the pensions from current sitting Members was vulnerable to constitutional challenge but that a reduction following consultation with the Members would be possible. That is why the relevant Members were written to in that regard. The Government, having considered such correspondence as was received, decided a proportionate reduction of 25% would be possible.

All the interventions of Deputies were useful. Deputies Barrett and Burton illustrated the character of the legal problem involved. When the 1993 scheme was introduced, those who



[Deputy Brian Lenihan.]

were Members theretofore were not transferred compulsorily but given an option to transfer. The legislation dates from the 1940s. The Attorney General was satisfied that it was possible to make a reduction but that if a percentage were exceeded, it would not constitute a reduction but an actual extinguishment or abolition of the expectation or right in question. For this reason, he advised the Government that a ceiling should apply to any reduction that could be effected in the case of a sitting Member.

Statutory practice in this matter indicates that when the 1993 scheme was introduced, Members on the old scheme, whereby the pension was payable irrespective of age, were allowed to opt into the 1993 scheme or remain in the one they were in. The Attorney General advised that we face grave economic circumstances and that the Government is entitled to make reductions as a consequence, but that it cannot single out one class for a reduction that amounts to an abolition of their rights. This advice flows from the circumstances that obtained the 1990s, as outlined by Deputies Barrett and Burton.

The pensionability of any increment that has already been earned by Deputies, which was raised by a number of Members, is not dealt with in this legislation. It is a matter for the relevant pension scheme. Deputies Shatter and Bruton made the point that there would not be a level playing field in the next election if a Deputy were aware of the fact that, by contesting the election, he or she would lose an accrued pensionable entitlement. Therefore, it is my intention in revising the appropriate schemes to preserve the increment, if earned before budget day, in so far as the pension is concerned. Otherwise, the rights of widows and those who survive a deceased Member in receipt of a pension would be entrenched. This issue will be addressed.

With regard to the review body on higher pay, I welcome very much the comments of Deputy Burton. I agree with her that if we are to consider very substantial economic adjustment, leadership must clearly come from the top. This is why I announced, in the supplementary budget, that we needed a commission on higher level pay. It will examine the pay of senior public servants and also the pay of Ministers.

The key point Deputies Burton and Bruton raised in this regard focused on the basis of comparison. One difficulty with earlier review groups on higher remuneration was that they compared public salaries exclusively to those in the private sector. I have amended the terms of reference on this occasion to ensure comparison to comparable jurisdictions in the eurozone and the United Kingdom.

Deputies and Senators are now within the scope of the review group because there has been for a number of years a linkage between the salary of a Deputy and that of a principal officer in the public service. I was very determined to preserve this arrangement in the legislation because it is the correct one regarding the determination of Deputies' pay. I would like a similar arrangement put in place——

**Deputy Michael Creed:** Will principal officers lose their increments also?

**Deputy Brian Lenihan:** When Deputies were linked to principal officers, the link was established at the highest level of principal officer pay. In other words, a principal officer would have to earn all his increments to have the basic salary of a Deputy. On the issue of having increments for Deputies, I examined the papers in my Department and noted a very scanty submission underlying the change in this regard earlier in the decade. It is not constitutionally correct for Deputies to have increments. They are different from all other public servants in this regard. We are here at the pleasure of the people and a Deputy who is elected for a few

weeks has the same standing as a Deputy who is here for 20 years. That is the nature of this House and the basic salary arrangement should reflect that point.

I take Deputy Barrett's very fair point that we may have to consider in the medium term the circumstances of Front Bench spokespersons in Opposition parties. We will not be able to examine them during the current crisis. However, it is not justifiable to say that because one is a Member for a number of years, one should earn an increment. Deputies are in a different position from any other member of the public service in this regard. There is no presumption that we should be here for a given number of years; it is entirely a matter for the electorate to determine when given the opportunity to do so.

We are linked to the principal officer grade. If financial adjustments are required to that grade in the course of what we have to do in the next year it will affect Deputies. However, it means Deputies are in the same position as a definite grade in the public service and that is appropriate. I hope there is all-Party agreement to stick to that because it is a good arrangement. If anything, I would like to see it extended to Government Ministers and Ministers of State because that would help to remove the matter from controversy.

Comments were made by various Deputies about our workload. It is a very substantial burden and any principal officer in the public service will accept that any Deputy, of whatever stripe, has to work a lot harder than a principal officer and cannot rely on any hours-of-work legislation in the performance of his or her duties.

The review group will look at comparisons with other countries. Deputy Bruton asked about the party leaders' allowances and payment to Independents and there is an issue in that regard, which I will examine. The Oireachtas Commission has submitted proposals to me and there is a legal basis for the implementation of those in the amendment which, regrettably, we will not discuss now.

**An Leas-Cheann Comhairle:** There will be half an hour for Committee Stage.

**Deputy Brian Lenihan:** If I can close my remarks there might be an opportunity to discuss it.

Deputy Burton raised a number of important points. The position relating to former Taoisigh is unique. One currently serves in the House and there are another four who have retired from the House. The position of a former Taoiseach is unique and a former Taoiseach has always been paid a full pension with no reduction. In that sense there is consistency, despite Deputy O'Donnell's suggestion that there was inconsistency in the treatment of different individuals. There is a 25% reduction for everybody, whether a former Taoiseach or a former Minister.

The age limit of 55 was reduced to 50 in 2001. I have not looked at that issue afresh, although Deputy Burton suggests we should do so. I take into account what she said about the expenses regime. I would welcome her comments on top-level salaries as there are issues to address in that regard. I have told the review group to complete its work with the greatest possible speed.

In the old scheme there was no age limit. In the new scheme it was 55 from 1993 to 2001. After 2001 it was 50 and since 2004 it has been 65, a point to which Deputy Barrett drew attention. It does not affect the position of a widow, for whom no age limit applies, but it could affect Members who gave long service but lost their seats in their 50s.

Deputy Morgan made a point about legal challenges. Governments have to act on the advice of the Attorney General. A lot of legal opinions are expressed nowadays but at all stages before and since the budget the advice of the Attorney General has been consistent and he has always maintained that issues would arise from the implementation of any decision to abolish pensions or increments. We acted within the legal constraints that applied to us.

**Deputy Arthur Morgan:** I was only asking for the Minister to summarise. I accept that he has done so.

**Deputy Brian Lenihan:** I appreciate that, Deputy. Deputy O'Donnell also asked the question and Deputy Shatter addressed the legal issues.

Deputy Bruton asked about increments in the public service generally but they do not arise in this legislation. Fine Gael has consistently advocated that increments be frozen in the public service. Typically, increments in the public service are earned by the lower grades quite rapidly and amount to a substantial increase in their remuneration as they progress. We looked at this issue when preparing the pension levy earlier in the year and found there would be arbitrary effects to freezing increments in that people doing like work would not receive like remuneration. For that reason we felt the pension arrangement was fairer.

The position of Deputies and Senators is unique in the public sector and I do not believe there is, in principle, a case for the payment of an increment simply on the basis of length of service. In pension schemes I will respect those increments which have been earned by Members.

Deputy Creighton referred to the salary reductions taken by different individuals within the community. The average imposition made by the pension levy in the public sector is of the order of 6.8%. The forecast of the EU for this year is for a reduction of between 4% and 5% in payroll levels. Of course, in some firms there have been reductions very much in excess of that and in some of the sheltered sectors there have been pay increases. There is a much wider spectrum in the private than in the public sector.

I take issue with one point made by Deputies Creighton and Barrett to the effect that there was an age in Ireland when politics were the preserve of the wealthy. Salaries were very poor in this House for many years and the House was not dominated in any sense by wealthy people. Back in the 19th century, when we had to send people to another Parliament in London, Members of Parliament for Irish constituencies who represented the national interest in the old Home Rule Party had no remuneration at all. Many went to London at considerable personal expense and lived in circumstances of near destitution while earning no pensions. We do not acknowledge that fact often enough in this House. We commemorated the First Dáil this year and we should also acknowledge those who represented the national interest elsewhere, many of whom lived in garrets to attend meetings of the House of Commons.

The idea of paying public representatives was introduced by the political left and was designed to give people the freedom to act in the public interest, which is fundamental and very important. However, in the various Dáileanna since 1919 there have been a large number of individuals who had to lead a very restricted lifestyle and the House was not noteworthy for many persons of substantial wealth. In fact, most Members were very poor and that has been the case for many years. The former Minister and current EU Commissioner, Mr. Charlie McCreevy, did a good day's work for politics in ensuring a reasonable level of remuneration. Nevertheless, we must look at some of the excesses that developed in recent years and trim them.

I feel I have dealt with most of the questions put by Deputies during the course of the debate.

Question put and agreed to.

**Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Bill 2009**  
[Seanad]: Committee Stage and Remaining Stages.

SECTION 1.

**An Leas-Cheann Comhairle:** Amendments Nos. *a1* and *b1* are related and may be discussed together by agreement.

**Deputy Richard Bruton:** I move amendment No. *a1*:

In page 3, between lines 21 and 22, to insert the following:

““Act of 2001” means Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Act 2001.”.

This amendment is to deal with the issue which the Minister indicated he was sympathetic to examining, namely the status of the allowances paid to Independents. Under the present arrangements, while parties have to provide justification for their leaders' allowances in the form of vouched returns, etc., a similar restriction does not apply to Independents. The purpose of my amendment is to provide that the annual allowance enjoyed by Independents be backed up by a statement of expenditure from that allowance. There should be equity for all Members. While it is important that Independent Deputies have the same support as is provided to Deputies who are members of parties through the leader's allowance to help carry out research and engage in legitimate parliamentary activities, there should be a similar obligation to account for how the money is used. Otherwise there is simply a slush fund available to Independents that is not available to members of parties to compete in constituencies.

**Deputy Joan Burton:** I support this amendment. Most members of the public would be quite surprised to learn that Independents receive an additional personal expense allowance of €41,000 that does not have to be vouched for in any way. In this regard, Independent Members of the Oireachtas have an enormous advantage over members of parties in their constituencies. If a Dáil lasts its full term, €41,000 per year adds up to a war chest of over €200,000 to put towards an election; members of political parties do not enjoy such a benefit. Has the Minister had occasion to examine this allowance?

A deal was struck with Independents some time ago, probably by the former Taoiseach, Deputy Bertie Ahern. Much of what we are dealing with today, in terms of confusion and obfuscation relating to allowances, is a legacy of the former Taoiseach and the former Minister for Finance, Mr. Charlie McCreevy. Things were done quietly and extra money was put into the system. The problem is, when there is little discussion of or justification for such measures all politicians are brought into disrepute. Unfortunately, the money is not evenly shared and it is not justified. Like political party Members, Independents vary; some may spend a lot on constituency expenses and some may take a tighter approach. An additional €41,000 per year, untaxed and unvouched, is a lot of money. Deputy Bruton's proposed amendment, which would make this payment subject to vouching in the same way as the parliamentary allowance paid to leaders of political parties, is sensible.

When expenses are published emphasis tends to be placed on those who get the highest amounts and people assume that everyone gets such payments. Has the Minister reviewed these payments? Has an *bord snip nua* been working by candlelight on Independents' expenses? Was this in the terms of reference? The general public should understand that people who have the privilege of being elected as Independents get an extraordinary amount of money and it is up to them how they choose to spend it. Most Deputies, particularly those in political parties, spend money in a fairly predictable way; expenses are used to run constituency offices and

[Deputy Joan Burton.]

communicate with constituents. However, the additional €41,000 per year that Independents receive may not be spent at all — it could be put in a piggy bank or in Anglo Irish Bank and saved for a rainy day.

**Deputy Richard Bruton:** That would be the safest deposit in the country.

**Deputy Michael Creed:** I support the amendment and wish to raise a related matter, the allowance for a personal assistant to which each Member of the House is entitled. Can the Minister for Finance clarify how this allowance applies to Ministers and Ministers of State who already have an extraordinarily generous allocation of officials from their Departments to assist them in their constituency and ministerial duties? Parliamentary assistants are invaluable to all Members of the House but I understand that Ministers and Ministers of State receive this allowance directly. Can the Minister clarify whether this is the case?

The general perception is that we are all on the gravy train but, in the context of what is coming down the track in terms of public finances, this House should lead by example. In this respect, additional scrutiny should be applied to the ministerial salary cut made recently. Much spin was placed on that measure but I understand that, unlike the cutbacks relating to allowances that are being agreed for all Members of the House, the ministerial salary reduction will not impact on future pension entitlements. If cutbacks to allowances payable in increments to Members will be applied in future, why are ministerial salaries not seeing this reduction? Ministerial pension entitlements should decline accordingly.

It appears there is a golden circle in the House and it consists of Ministers and Ministers of State who enjoy a far more privileged position than ordinary Members. When Members' expenses are published Ministers and Ministers of State strut around and make much ado about the fact that they do not draw expenses. However, we hear nothing of how their parliamentary assistant allowance is paid. Their pension arrangements are more generous, and are safer in the current economic climate, than those of ordinary Members. Ministers and Ministers of State have credit card allowances, walking about allowances and a range of other benefits to which ordinary Members of this House are not entitled. Having said that, ordinary Members of this House are not looking for such benefits as they willingly acknowledge the difficult circumstances we are in and are prepared to lead by example. I see cynicism at the root of the attitudes of Ministers and Ministers of State to these proposals.

**Deputy Arthur Morgan:** I strongly support Deputy Bruton's amendment; this is a question of accountability and levelling the playing field. If party leaders are required to prepare a statement of expenditure there is no reason Independents should not also do so, provided there is no clause, such as a Cinderella clause, that excuses them from doing so.

**Deputy Brian Lenihan:** I have considerable sympathy with the amendment tabled by Deputy Bruton. The Standards and Public Office Commission has a statutory oversight role that relates to party leaders' allowances. The commission has made a recommendation on the statutory effect to be given to the guidelines on the allowance issued. I am considering the recommendations and will consider this proposal in that context. The proposal will be examined in a separate statutory context.

The expenditure control group asked me for leave to examine the Central Fund as well as the voted allocation. The Houses of the Oireachtas Commission is funded by a triennial grant that is a charge on the Central Fund. The examination was conducted and I know the Houses of the Oireachtas Commission met the expenditure control group. There are recommendations



in the report that relate to the business of the Houses of the Oireachtas Commission and there are also recommendations relating to the National Treasury Management Agency, NTMA.

**Deputy Joan Burton:** Did the Minister read that chapter first?

**Deputy Brian Lenihan:** I have not yet had the opportunity to digest that matter but the chapter headings show that the Houses of the Oireachtas Commission is within the scope of the report.

Deputy Creed raised a number of issues. This has been a very constructive debate so far. In regard to ministerial pay, Ministers are the only people who have taken a voluntary pay cut as an absolute and general class in the House. I am not making a great virtue out of this, but that is the position, and that was done after the budget in October last year. Ministers, like Deputies, were subjected to the pension levy. Because it is a voluntary surrender, it does not affect pension entitlements. Government has established a commission on higher level remuneration that will look at all the higher level payments. We discussed that during the debate.

Regarding the options for secretarial assistance available to Ministers, the Oireachtas Commission treats all Members of the House equally. When the arrangement was put in place for Deputies to have a second secretary there were other options available to a Deputy. The Deputy had the option of having a secretarial assistant or of sharing a very high-powered adviser with another Deputy — I do not think anyone has ever availed of that option. There was also the option of vouching a sum, approximately equivalent to the value of a secretary, for definitive secretarial expenses. That option is also available to Ministers, as is the option of a much smaller sum, but with the special secretarial allowance. There are various options available to Ministers.

**Deputy Joan Burton:** The last option is unvouched.

**Deputy Brian Lenihan:** There is a vouched and an unvouched option available to Ministers and to Deputies. Deputy Creed pointed out the fact that a Minister gets some provision for constituency staff from the public service.

**Deputy Michael Creed:** It is a very generous provision.

**Deputy Brian Lenihan:** There is a point that must be borne in mind and it is that those officers are not allowed to engage in political activity.

**Deputy Michael Creed:** That is a fine line.

**Deputy Brian Lenihan:** It is not a fine line.

**Deputy Leo Varadkar:** Does that include staffing clinics?

**Deputy Brian Lenihan:** I will not go into the detailed application of the rules——

**Deputy Leo Varadkar:** Are civil servants running Fianna Fáil TDs' clinics?

**Deputy Brian Lenihan:** I am simply making the point that there is a line to be drawn here. Certainly they could not circulate literature, something at which Deputy Varadkar has always been a great expert. They certainly could not draft and circulate political propaganda. There is a distinction to which I draw attention. We have seen in recent elections that increasingly these distinctions are enforced and respected and have real consequences.



**Deputy Michael Creed:** We are talking about seven or eight staff. What about credit cards and walk-about allowances?

**Deputy Brian Lenihan:** The Deputy had better remind me what walk-about allowances are.

Amendment put and declared lost.

Amendment No. *b1* not moved.

Section 1 agreed to.

Section 2 agreed to.

#### NEW SECTION.

**Acting Chairman (Deputy Cyprian Brady):** Amendments Nos. 2 and 3 are related to amendment No. 1 in the name of the Minister. Amendments Nos. 1, 2 and 3 may be discussed together.

**Deputy Brian Lenihan:** I move amendment No. 1:

In page 4, before section 3, to insert the following new section:

“3.—(1) Where a member of the Oireachtas is entitled to—

(*a*) payments for travelling facilities prescribed under section 5 (as amended by section 18 of the Act of 1998) of the Act of 1964 and granted under section 2 of the Oireachtas (Allowances to Members) Act 1938,

(*b*) the overnight allowance under section 1 (inserted by section 2 of the Act of 1996 and as amended by section 15 of the Act of 1998) of the Act of 1962,

(*c*) a telephone allowance under section 2(2) (inserted by section 3 of the Act of 1996) of the Act of 1962, or

(*d*) an allowance for expenses under section 3 (as amended by section 19 of the Act of 1998 and section 37 of the Act of 2001) of the Act of 1992,

the Minister may decide that any payment due to the member in respect of all or any of them may be paid together as a single composite monthly payment (“parliamentary standard allowance”) to the member, of the amount determined in regulations under this section, in lieu of each allowance or payment due to the member being paid separately to him or her.

(2) Where the parliamentary standard allowance applies under this section to a member of the Oireachtas—

(*a*) the rate payable for travelling expenses determined in regulations under section 5(1A) (inserted by section 18 of the Act of 1998) of the Act of 1964,

(*b*) an overnight allowance of the amount sanctioned by the Minister for Finance under section 1(2) (inserted by section 15 of the Act of 1998) of the Act of 1962,

(*c*) a telephone allowance of the amount prescribed in regulations under section 2(2)(*a*) (inserted by section 3 of the Act of 1996) of the Act of 1962, and

(d) the rate payable of an allowance for expenses determined in regulations under section 3(4) of the Act of 1992,

do not apply to the member.

(3) The Minister may, in applying the parliamentary standard allowance to a member of the Oireachtas—

(a) by regulations revoke any regulations made under the provisions referred to in subsection (2), and

(b) determine in regulations made under subsection (4) the rates and amounts payable under those provisions in determining the amount of the parliamentary standard allowance payable to a member of the Oireachtas in regulations under that subsection.

(4) The Minister may, by regulations, in respect of the parliamentary standard allowance, determine—

(a) the date from which the allowance is payable,

(b) the amount of the allowance payable—

(i) to a member or members of Dáil Éireann, and

(ii) to a member or members of Seanad Éireann, and

(c) the manner in which, and the exceptions, restrictions and conditions (including attendance recording and deductions for non-attendance) subject to which, the allowance is to be provided and paid.

(5) Regulations under this section may, if so expressed, have retrospective effect.

(6) Every regulation made under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either House within the next 21 days on which the House has sat after the regulation has been laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

(7) Section 836 of the Taxes Consolidation Act 1997 is amended—

(a) by inserting after subsection (1A) (inserted by section 21 of the Act of 1998) the following: —

“(1B) Parliamentary standard allowance payable under section 3 of the *Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Act 2009* is exempt from income tax and shall not be reckoned in computing income for the purposes of the Income Tax Acts.”,

and

(b) in subsection (2), by inserting “or under section 3 of the *Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Act 2009* or any allowance or payment made in respect of any particular allowance or payment referred to in subsection (1) of that section” after “1992.”.

(8) In this section—

[Deputy Brian Lenihan.]

“Act of 1962” means Oireachtas (Allowances to Members) Act 1962;

“Act of 1964” means Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices (Amendment) Act 1964;

“Act of 1992” means Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices (Amendment) Act 1992;

“Act of 1996” means Oireachtas (Miscellaneous Provisions) and Ministerial and Parliamentary Offices (Amendment) Act 1996;

“Act of 1998” means Oireachtas (Allowances to Members) and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act 1998;

“Act of 2001” means Ministerial, Parliamentary and Judicial Offices and Oireachtas Members (Miscellaneous Provisions) Act 2001;

“Minister” means Minister for Finance.”.

The purpose of this is to facilitate the decision made by the Oireachtas Commission on a composite allowance for Members. The commission has made a submission to me. It is under consideration in my Department. We consulted the Attorney General on it and the advice is that the easiest way to do this is to have statutory authority to provide for such an allowance. The statutory authority is being provided for here. The new section will enable the Minister to pay a composite allowance in view of the separate allowance currently paid to Deputies and Senators and to make regulations determining the rate of the allowance, the date from which it will be payable, the conditions for payment and the manner of payment. In addition, it allows the Minister to make regulations regarding the recording of attendance and deductions for non-attendance. The composite allowances, to be known as parliamentary standard allowance, has been proposed by the Oireachtas Commission and will include all or elements of the existing expenses.

The Government decided in April that the Oireachtas expenses allowance should be cut by 10% with the exception of the travel rates to this building which have been reduced already by 25%. The new parliamentary standard allowances will take account of the 25% reduction already made to the mileage payments for travel to Dublin and the 10% reductions for the rest of the allowances.

**Deputy Richard Bruton:** Is this new in the sense that the Minister is taking responsibility for something that has hitherto been a matter for the Oireachtas Commission? The Minister seems to be saying that the legal advice is that this would seem to be the simplest way. Undoubtedly it is simple but it certainly seems to be rowing back on the principle that the Oireachtas Commission is self-governing. Perhaps the Minister would clarify that.

Another aspect that struck me relates to subsection (5) which provides that regulations under this section may, if so expressed, have retrospective effect. Is that in accordance with good legal practice? Why is that provided for?

**Deputy Brian Lenihan:** I understand that the reference to retrospective effect is a standard provision in enabling provisions of this type. On the issue of the point of substance raised, it has always been the position that the Minister draws up the regulations relating to expenses on the advice of the commission. That is the statutory template. There is, therefore, no question of interference with the autonomy or independence of the commission. When the original

legislation was enacted setting up the commission, that was the balance of power between the Minister and the commission. There have been many occasions when I would have preferred if the entire function were vested in the commission but this is how matters stand. There are two main areas where the Minister has residual authority as against the commission. One is the whole question of establishments and staffing and the Minister sanctions staff complements and increases. The other is the area of expenses. The commission advises the Minister and I will have to have regard to what it says. I have had a very useful discussion already with the Ceann Comhairle and several members of the commission about these matters. We need to ensure that, in addition to the reduction taking place, expenses are verified, which is for the protection of all of us, and that they are objective in their basis.

**Deputy Joan Burton:** The Minister should acknowledge that it was the commission which wrote to him on behalf of ordinary Members of the Oireachtas proposing that these matters should be addressed. In the public relations campaign and so on that was attendant on the last budget, the Minister managed to lose sight of the fact that it was the Houses of the Oireachtas Commission that had put forward a scheme for the reduction of the various expenses. It is good that the Minister should work with the Houses of the Oireachtas but I want to get back to the point that Deputy Creed made. It is important for our democracy that the expenses of Ministers and Ministers of State be as transparent as those of TDs. I have the schedule of Ministers' salaries. They did not accept the last increase. I am aware that the Taoiseach, Deputy Cowen, when he returned to office, struggled with the issue of whether to accept the suggested increases for Ministers and I think he stayed at the current rate. That, for a Minister, is €214,000. Is that correct? That is what is in the schedule we received in the last report. The Taoiseach's salary is €271,000. Some Ministers add to that an active ministerial credit card. These expenses are never listed with TDs expenses. When it comes to the publication of expenses, TDs' expenses are properly listed and published, but because ministerial expenses are paid by individual Departments they are never listed, and it is made to look as if Ministers are not in receipt of expenses. This is the wrong impression because Ministers have significant and important expenses. If one is making general regulations the expenses of Ministers, whether paid by the Houses of the Oireachtas Commission or by Departments, should be listed at the same time as the expenses of Deputies are listed. I do not know whether the Minister's amendment provides for this. It is very unfair to Deputies to give the impression that some of them earn more than Ministers because they do not, unless they have been Ministers and have been receiving ministerial pensions until now. That should be clarified.

Do people who have served as Attorneys General and go on to have other lucrative and highly-paid positions continue to collect a full ministerial pension? Some receive significant sums, to judge by the senior positions they hold in Ireland and internationally. That should be considered, perhaps by way of an abatement. It would be interesting to know whether multimillionaires, particularly those who lecture the rest of us, and ordinary people and old age pensioners about giving up their pensions, make the same kind of sacrifices that they often suggest the rest of us should make. The information about ministerial emoluments, entitlements and so on should be published at the same time as that relating to Deputies.

When the Minister received the report from an *bord snip nua* yesterday evening did he dip into it? It is human nature to want to do so.

**Deputy Tom Hayes:** We might see it in the newspapers over the weekend.

**Deputy Joan Burton:** If the report addressed the total cost of the Houses of the Oireachtas Commission, did it also in any way address the total cost of Ministers and Ministers of State

[Deputy Joan Burton.]

and other office holders? Would the Minister care to tell us whether he saw that when he scanned over the document?

**Deputy Arthur Morgan:** I will not oppose the Minister's amendments because, like the pension issue, they go some way to improving matters but they do not go far enough. There is a requirement that expenses will be verified I would have preferred the word "vouched". The issue of expenses is part of the view of politics as a contaminated profession. We all know that does not concern only expenses, but includes tribunals, golden circles and five or six civil servants working in a Minister's office. There is some minor improvement here in the regime.

**Deputy Kieran O'Donnell:** The amendment states, in subsection (1)(d): "an allowance for expenses under section 3 (as amended by section 19 of the Act of 1998 and section 37 of the Act of 2001) of the Act of 1992,". What are they? In subsection (2)(d) the amendment states: "the rate payable of an allowance for expenses determined in regulations under section 3(4) of the Act of 1992,". This is not specified. Will the Minister indicate what it is?

I see no mention of the Oireachtas Commission and the expense of running the Houses in the amendment or of how it interacts with the Chairman. Is it based on a recommendation from the Oireachtas Commission on expenses? What is the Minister's legal status when it comes to determining the expenses for the commission?

**Deputy Brian Lenihan:** On which sections did Deputy O'Donnell require clarification?

**Deputy Kieran O'Donnell:** It is amendment No. 1. In subsection (1)(d), below where it states: "Where a Member of the Oireachtas is entitled to—".

**Deputy Brian Lenihan:** The section relates to the existing legislative provisions. There are already sections in legislation providing for all of these matters such as the payment for travelling facilities, overnight allowances, telephones, miscellaneous expenses, constituency office and constituency travel. Each of those has a distinct statutory existence. The first sub-section enables me to make a regulation if I so wish to provide for a composite allowance instead of the existing provisions. That is what it means.

**Deputy Kieran O'Donnell:** That clarifies the matter.

**Deputy Brian Lenihan:** The requirement that it follows the advice of the Oireachtas Commission is contained in the primary Oireachtas Commission legislation, which binds me. I hope that clarifies the point.

**Deputy Kieran O'Donnell:** Yes.

**Deputy Brian Lenihan:** Deputy Burton ranged far beyond some of the issues raised in the amendment. I agree with her point that the presentation of the expenses is often very unfair because a Deputy who lives a long way from the House is highlighted as the typical expense collector, and while the general Deputy expenses are published, the ministerial ones are not. As the Deputy spoke I was reminded of a former Member of this House, Seán MacBride, who once presided over a commission whose purpose was to ensure that there would be fair and balanced information about Third World countries in First World newspapers. We do not control how the press acquires or disseminates information but that is an issue and it is important that all expenses are accounted for.

While Deputy Morgan is happy that we are going some in addressing matters he seems to want us to go a bit further but I am not clear how.

**Deputy Seán Barrett:** The location of a constituency office presents a difficulty because it involves the payment of rent. A constituency office in the centre of a city costs far more than one elsewhere. There seems to be no distinction made. If one has a constituency office for one's staff it is not necessary to provide space in this House. There is a saving for the State if people are outside rather than in the Houses. In other words if we closed down constituency offices and moved them in to the Houses we would have to find additional accommodation for them. It is logical to recognise this fact.

**Deputy Brian Lenihan:** The Commission has raised this issue. There is a wide variety of arrangements for constituency offices. It would be impossible in my constituency to have a main street office whereas in many provincial constituencies it is possible to rent property on a main street. In my constituency only a back office arrangement is possible because a front office would be too expensive. One would need to be a very wealthy individual to have a front office. The point is correct and is something I will consider in examining the proposals from the Commission.

Amendment agreed to.

Sections 3 to 5, inclusive, agreed to.

#### SECTION 6.

**Deputy Brian Lenihan:** I move amendment No. 2:

In page 8, subsection (2), line 17, to delete "section 2" and substitute "sections 2 and 3".

Amendment agreed to.

Section 6, as amended, agreed to.

#### TITLE.

**Deputy Brian Lenihan:** I move amendment No. 3:

In page 3, line 11, after "SALARIES" to insert "AND ALLOWANCES".

Amendment agreed to.

Title, as amended, agreed to.

**Acting Chairman:** As it is now 2 o'clock I am now required to put the following question in accordance with an Order of the Dáil of this day: "That the amendments set down by the Minister for Finance for Committee Stage and not disposed of are hereby made to the Bill; in respect of each of the sections not disposed of that the section or, as appropriate, the section as amended is hereby agreed to in Committee; the Title as amended is hereby agreed to in Committee; the Bill, as amended is accordingly reported to the House; Fourth Stage is hereby completed; and the Bill is hereby passed."

*2 o'clock*

Question put and agreed to.

#### **Health (Miscellaneous Provisions) Bill 2009: From the Seanad.**

*Notice taken that 20 Members were not present; House counted and 20 Members being present,*

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



**Acting Chairman:** Seanad amendments Nos. 1 and 3 are consequential on Seanad amendment No. 2 and these amendments will be taken together.

Seanad amendment No. 1:

Section 1: In page 5, subsection (4), line 31, to delete “*section 62*” and substitute “*sections 60 to 64*”.

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Amendment No. 1 is a technical drafting amendment to allow certain sections of the Bill to come into force when it is enacted and assist the commencement process. These are sections Nos. 60 to 64, inclusive, of the Bill as amended by the Seanad. Other provisions of the Bill will come into operation at different times by ministerial order.

I will outline the four sections referred to in amendment No. 1. Section 60 provides for the transfer of ministerial responsibility for the local government superannuation scheme in the health sector from the Minister for the Environment, Heritage and Local Government to the Minister for Health and Children. Section 61 is a new section included in the Bill during its passage through the Seanad and is provided for in amendment No. 2.

Section 62 amends the Hepatitis C Compensation Tribunal Act 1997 to remove age limits for travel insurance benefit provided in accordance with that Act. Section 63 provides for an amendment to the Mental Health Act 2001 to address difficulties in the operation of the Act which have arisen following a recent High Court judgment. Section 64 makes technical drafting amendments to the Health Act 2007.

**Deputy Caoimhghín Ó Caoláin:** I accept that this amendment is essentially technical and allows for the coming into effect of sections 60 to 64, inclusive, but I must raise my concerns about the implementation of section 62. This section was introduced as a Government amendment on Committee Stage and we objected at the time on the grounds that it was a substantial measure that in this Deputy’s view and that of others required separate legislation.

The Minister of State will agree that the involuntary admission of patients with mental illness is a very delicate and sensitive issue. The effect of the section is to authorise the personnel of a private company to carry out this function and I am not happy with the fact that a private firm is being used for what is quite clearly a public health function. The Minister of State indicated in the Seanad yesterday that this is an interim arrangement, if I am informed correctly. He also stated that all the staff of the firm involved are trained psychiatric nurses.

That is certainly a reassurance but before we agree to this amendment I ask the Minister of State to indicate what further legislation is expected in this regard. When will it be forthcoming? Will the Minister indicate this to the House with the clarity that this Deputy requires to build on the reassurance I have already referred to with regard to the confirmation of the staff involved in the cited firm? Will the Minister give an assurance that the staff not only today but also tomorrow and into the future will have that basic required standard of trained psychiatric nurse?

**Deputy James Reilly:** The concerns about this Bill revolve around the new section which has been added. When the House last discussed it, we raised our concerns about the manner in which this was included and the Minister gave us the rationale behind it. The section was rushed in because of a court case so while we can accept a certain logic to this and a need to address a legal problem, rushed law often transpires to be bad law.

The Minister has told us the Mental Health Act will not be reviewed until 2011 at the earliest, which is two years away. In the meantime there is no regulation governing inspection, selection

of these private companies, police vetting, regulation of hygiene requirements or the type of vehicle which can be used in the transport of disturbed patients, or the training of individuals concerned in restraint and talking-down techniques.

It is reassuring to know that the current company consists mainly of psychiatric nurses who would have all that training. There is no guarantee, particularly in light of the current economic climate, that other companies will not seek to become involved in doing the same sort of work or that individuals who are not suitably trained may join the employ of the company which holds the contract at present.

I am disappointed the Minister of State did not take on board what Members said on Report Stage and did not take the opportunity to introduce amendments which could have addressed the issues about which we are concerned. It would have been preferable if the Bill had been amended in such a way as to give the Minister for Health and Children the power, by way of introducing a statutory instrument, to impose regulations that will set standards in respect of the issues to which I refer. I do not have an ideological difficulty with a private company being involved in this area as long as the public can rest assured that proper standards and procedures relating to training, hygiene and the nature of the transport used will be adhered to. In addition, the company in question must be subjected to regular inspections and the public interest must be served by its being frequently monitored by HIQA or some other agency.

Is the Minister of State in a position to provide assurances in this regard? As stated previously, this is the only aspect of the Bill about which we are concerned. I do not want to be obliged to vote against the legislation. However, if we do not obtain some guarantees in respect of this matter, then we will be failing in our obligation to patients who are vulnerable and who will be completely at the mercy of those arrive to assist in their being brought to hospital. We all know what the word “assist” means in this context. Basically, it refers to the forced removal of patients — against their wishes — from wherever they are to a place of care. These people usually require to be forcibly removed because they are psychotic or unwell and certain procedures have to be followed for their safety and for the safety of others.

When we take extraordinary powers onto ourselves, we must be absolutely certain that the appropriate personnel and means of transport are in place. I await the Minister of State’s response in respect of the matter.

**Deputy Jan O’Sullivan:** I also have serious concerns with regard to this aspect of the Bill and I ventilated them on Report Stage. Like Deputies Ó Caoláin and Reilly, I am disappointed that an additional amendment was not introduced in the Seanad so that provision could be made for the extra safeguards we are seeking.

It is fine to state that Nationwide Health Solutions employs trained psychiatric nurses. However, there is no safeguard in the legislation which will ensure that this continues to be the case in the future. In addition, there is no indication with regard to how long this legislation will remain in operation.

Is it not the case that the contract relating to the kind of work done by Nationwide Health Solutions must be put out to tender? If so, is it not possible that another company might tender for the work and that said company, because there would be no obligation on it to do so, might not employ trained psychiatric nurses? When other aspects of health care, such as, for example, the cleaning of hospitals, were privatised, companies competed against each other in order to obtain the work at the lowest price. This sometimes prompts concerns with regard to the standards that might apply. In this instance, I do not know if there is an obligation to open up the work in question to companies other than that which possesses the contract at present. However, that is often the case with regard to work which is paid for out of public moneys.

[Deputy Jan O'Sullivan.]

Assurances must be provided to the effect that a range of other companies will not seek to be given this work. All such companies would need would be a few strong men who are able to hold people down. If the latter were the case, we would not be protecting the interests and well-being of the patients concerned who, by their nature, are vulnerable because they are being taken against their will to a place in which they have no desire to be.

This is an extremely delicate matter and I am concerned about what we are allowing to happen in the legislation. While I accept that amendments Nos. 1 to 3, inclusive, do not deal with the substantive issue we are concerned about, one of them relates to the commencement of the relevant section of the Bill. It would be appropriate, therefore, to deal with the substantive issue in the context of that amendment. Will the Minister of State indicate if there is a date in respect of the commencement of the section to which I refer? As I understand it, various sections of the Bill will be commenced at different times.

Our concerns are genuine. I do not know if in-depth consideration was given to them prior to the rushed introduction of the relevant amendment on Report Stage. We were only informed of this at the end of Committee Stage because the amendment did not arise out of Committee Stage proceedings. We did not, therefore, have the normal opportunity to debate it at length. I hope the Minister of State is in a position to provide the assurances we are seeking. However, I would much prefer to have those assurances included in the legislation so that they might act as a safeguard and protect the well-being of the vulnerable patients concerned.

**Deputy John Moloney:** I thank the Deputies for their contributions. I will try to deal, in as clear a manner as possible, with the points they raised. I sympathise with people's concerns, particularly in view of the fact that we are dealing with mental health issues. Given the perception that the legislation is being rushed, I will try to show that due consideration was given to all relevant matters.

As stated on Report Stage in this House and on Committee Stage in the Seanad, the Bill is an interim measure. I accept the fact that it was introduced on short notice but, on foot of a High Court judgment delivered on 21 May, there was a need to amend the position prior to the summer recess. The difficulties which gave rise to the legislation arose on foot of events that occurred in Dublin, in other areas on the east coast, in Clonmel and in Cork, where over 90% of involuntary admissions were carried out by an external agency. I wish to stress that these amendments to the Mental Health Act are necessary to ensure the continuation of externally assisted admissions. No one wants a situation to develop whereby vulnerable people cannot be assisted, albeit on an involuntary basis, to enter health facilities.

I referred to the Bill as an interim measure because I wanted to clarify the position and assure people that we were not rushing through legislation. I accept Deputy James Reilly's point that the major review will not take place until 2011. All mental health legislation will form part of that review. In the context of safeguards, I wish to inform Deputies Jan O'Sullivan and James Reilly that a number of other amendments will be introduced later in the year. These will contemplate the matters now under discussion.

I accept that people have doubts with regard to the agency and its staff and Deputies Jan O'Sullivan and James Reilly inquired about the qualifications of the latter. I wish to point out that there is a tendering system for work of this nature. The company which secured the contract in this instance underwent a tendering process. If I were on the opposite side of the House, I would also want to clarify the position regarding the bona fides of such a company.

All the personnel of the company in question are qualified psychiatric staff and their qualifications are reviewed on a yearly basis. In addition, the company is obliged to meet the various

standards laid down by the Mental Health Commission. The staff of the company work in close proximity with members of the Garda Síochána in all of their dealings.

It also is important to note that the suitably qualified people are vetted by the Garda Síochána. Moreover, on the initial vetting and clearance by the Garda, just as qualifications are renewed on a yearly basis, so also will the Garda vetting process continue on a yearly basis. This should bring some clarity towards ensuring that those involved in involuntary assisted admissions are properly trained. I wish to state specifically in respect of the vetting of staff that current practice regarding the contracting of this service requires the external agency to provide suitably qualified mental health professionals, such as psychiatric nurses or allied health professionals or both. All such professionals must have Garda clearance and the HSE protocols and guidelines for the external assisted service will be revisited in light of the amended legislation.

I have dealt with the perception that this legislation is rushed and will respond regarding the review. The review will not take place until 2011 and much work must be done between now and then. However, in respect of safety in this regard, I again refer to the ongoing Garda clearance and the level of professionalism of the staff. While one cannot dwell on the past to predict the future, it is important to note that of the 600 assisted involuntary admissions, there have been no complaints — nor should there be — from the patients, their families, the centres or anyone else involved. During the debate in the Seanad yesterday, I noted the HSE is the direct employer and through protocols or safeguards, the HSE has the responsibility to ensure that those who have been contracted live up to the required standard as laid down by the Mental Health Commission. I accept the point, to which Deputy Reilly also referred the last time, on the involvement of HIQA.

The standards will be set in the protocols and are set out in the contract. Whenever a contract is up for renewal, an open market competition will take place and other companies may vie for similar contracts. I am not in a position to provide Members with the number of companies that submitted tenders because I do not know. While I should know it for the purposes of this debate, the point only occurred to me a few minutes ago. I will revert to Members with this information as quickly as possible.

However, based on the historical involvement of this company, the Garda clearance, the HSE involvement, the absence of complaints and the requirement that the staff must be professionals, I am satisfied that all safeguards are present in respect of this agency. In future, this obviously must be firmed up in the forthcoming Bill in 2011 and there will be some further amendments before then.

I forgot to reply to the question raised by Deputy Jan O'Sullivan as to when the Bill will be enacted. It will be enacted immediately after its presumed signature by the President.

**Deputy James Reilly:** I thank the Minister of State for his helpful and useful reply. He has addressed all the concerns save one, which I am sure he also can address. He has assured Members that the standards of training of those involved are up to those obtaining for psychiatric nurses and allied professionals. While he did not refer to the regulation or inspection of vehicles to be used in transport, I am sure this can be done by way of a directive from the Minister. I seek assurance in the House that there will be regulation and regular inspection. During the previous debate on this issue in the House, I told the Minister of State about the regular ambulance service that was taken over by one company from another. The new owner discovered that 20 drivers of the company he took over did not have police clearance. This constitutes a glaring hole although it pertains to enforcement rather than to legislation. Nevertheless, although a law may not be required, a ministerial directive is. The Minister of State should provide Members with an undertaking today that he will ensure regular inspections and

[Deputy James Reilly.]

regulations pertaining to the training of companies and associated personnel that might apply in the future before Members have an opportunity to review this issue.

There also should be regulations in place in respect of hygiene training for both vehicles and personnel. This would be for obvious scenarios such as someone getting sick in the back of a vehicle, which then would require a thorough deep clean, or blood contamination. There also should be training in restraint and talking techniques, as well as Garda clearance. If the Minister of State provides an undertaking in respect of these measures, I certainly will not oppose the Bill.

**Deputy Caoimhghín Ó Caoláin:** The Minister of State has provided an assurance to Members on current staff numbers and the critical remaining concern is in respect of the future. Am I to understand that the legislation to which the Minister of State referred, which is scheduled for 2011, will place in legislation the standards of training to be reached and sustained by people involved in this line of work in the future? Will that be the means and method of guaranteeing the highest standards of those involved in such activities in the future? Does the Minister of State suggest some other means or method in the intervening period? On the basis of the assurances provided by the Minister of State and in expectation of what the Minister of State's response may contain, I also wish to indicate that I will not oppose the amendments as tabled.

**Deputy Jan O'Sullivan:** While the Minister of State's response is reassuring, I wish to tease out matters a little further. The Minister of State mentioned protocols and noted that specific standards are laid down by the HSE regarding vetting, qualifications, hygiene and so on. Are these protocols set in stone for the future and are they written down somewhere? Are they available for inspection in order that one may be assured that the standards will be maintained? In these times of cutbacks, I refer to the need to prevent another clever company from offering to provide the service more cheaply by cutting corners and by not complying with such protocols. I seek an assurance that the protocols will continue in force into the future, are not negotiable and must be conformed to by whatever company might undertake this work.

While the Minister of State referred to the major item of legislation scheduled for 2011, he also stated that further amendments would arise later in the year. He should indicate whether they are simply other amendments to mental health legislation in general or whether they relate specifically to the contents of this Bill.

**Deputy John Moloney:** I again thank Members for their questions. First, in response to Deputy Ó Caoláin's point, the commitment is that there will be a major review of the proposed Act in 2011. There also will be opportunity for amendments. As I am anxious to move in respect of other issues pertaining to mental health, which may require amendments, such an opportunity may arise before then. I make this point in the context of the issues that have been raised. I must apologise to Deputy Reilly in one context, that is, the points he raised regarding the ambulance issue were quite relevant and I should have started my initial response from that point. As for the major review of legislation in 2011, I will have opportunities before then to make amendments on this issue and possibly other issues.

In the context of the ambulance service, I recall the point made by Deputy Reilly last week regarding the conditions of some ambulances, the change of drivers and so on. Part of the contract between the HSE and this company stipulates there must be regular servicing of vehicles. While the word "service" may conjure up the image of mechanical servicing only, clearly far greater issues arise in this regard. I intend to strengthen this provision to ensure that it is not simply the motorised part of the ambulance that should be serviced. Clearly, the



contract also should stipulate that areas dealing with patients or the public also must undergo strenuous and regular tests. I give that particular assurance as well.

I refer to the question as to what will happen in the Act. Since the Act and the establishment of the Mental Health Commission, submissions made by Members in the House and in the Oireachtas Joint Committee on Health and Children have raised a number of issues. There will be a root and branch review of the Act. That is why it will take so long. Many issues arise and I give a commitment to Members that such a review will take place. The contents of the Act will come from the review and from consultation between now and then. I give a clear commitment that there will be opportunity to debate this matter and there will be a full review.

Deputy Jan O’Sullivan asked me about protocols and staff. These must be professional staff and must be vetted by the agencies, including the Department of Health and Children and the Garda Síochána. The psychiatric nurse or the health professional contracted in this instance must have a qualification of three years in the previous four years. It is not a matter of bringing in someone who was a nurse years ago. The person must be an active participant who is clearly involved in current legislation, as well as being skilled to meet standards laid down by the Mental Health Commission. This will be included in the contracts prepared and signed by the company involved.

**Deputy James Reilly:** What about monitoring? Administration services were supposed to be monitored but were not.

**Deputy John Moloney:** I am not sure what the role of HIQA should be. The authority is assigned to centres. It is important that there should be independent authority to ensure this monitoring takes place. I will engage with HIQA to see if it will carry out this duty.

Seanad amendment agreed to.

Seanad amendment No. 2:

Section 61: In page 20, before section 61, but in Part 8, to insert the following new section:

“61.—(1) Section 53(1B) of the Health Act 1970 (inserted by section 34 of the Nursing Homes Support Scheme Act 2009) is amended by the substitution of “section 6(1)(c) of the Nursing Homes Support Scheme Act 2009” for “section 6(2)(c) of the Nursing Homes Support Scheme Act 2009”.

(2) The amendment (effected by *subsection (1)*) to section 53(1B) of the Health Act 1970 is deemed to have been included in that provision with effect from the passing of the Nursing Homes Support Scheme Act 2009 and that provision (as amended by *subsection (1)*) shall come into operation in accordance with section 2 of the Nursing Homes Support Scheme Act 2009.”.

Seanad amendment agreed to.

Seanad amendment No. 3:

Title: In page 5, line 15, after “OF” to insert “THE HEALTH ACT 1970.”.

Seanad amendment agreed to.

Seanad amendments reported.

**Acting Chairman:** A message will be sent to the Seanad acquainting it accordingly.



**Local Government (Charges) Bill 2009 [Seanad]: Second Stage.**

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I move: "That the Bill be now read a Second Time."

I am pleased to open the debate in the Dáil on the Local Government (Charges) Bill 2009. The purpose of the Bill is to give effect to the Government's budgetary decision to introduce an annual charge on non-principal private residences. The Bill sets the charge at €200 and liability for it will fall, in the main, on owners of rental, holiday and vacant properties. This will broaden the revenue base of local authorities. The proceeds of the charge will be paid to, and retained by, local authorities and it will take effect in 2009 and continue to apply in subsequent years. It has been a long time since a new source of local funding has been made available to local authorities. The Indecon review of local government financing recommended that the sources of local government funding should be extended by a contribution in respect of non-principal private residences, and the Bill gives effect to the Government's budgetary decision in this regard. Furthermore, local authorities should not be disproportionately dependent on central Government funding and, for this reason, the importance of the Bill outweighs the level of revenue it will generate. The existing revenue base of local authorities is very narrow by international standards.

There is now a measure of consensus that our economy, and especially our tax revenues, has been overly reliant on activity in the construction sector. The decline in the yield from transaction taxes such as stamp duty, capital gains and value added tax on property has been a major factor in the imbalance in our public finances which the Government has had to address. The correction has been sharp and painful and more needs to be done. The €200 charge on non-principal residences is one of the measures taken to close the gap between expenditure and revenue but it should be seen as more than simply a measure to raise additional revenue. It is a new type of revenue stream that will generate a stable yield and will not be subject to the volatility associated with the transaction based property taxes.

The Bill is a relatively short and straightforward legislative measure. Essentially, owners of non-principal private residences will be liable to pay to the city or county council an annual charge of €200 in which a relevant property is located. Liability arises each year on a point in time basis. Ownership of a relevant residential property on a specified day, known in the Bill as a liability date, gives rise to the requirement to pay the charge. My colleague, the Minister for the Environment, Heritage and Local Government, intends to designate 31 July as the liability date for 2009. In subsequent years the liability date will be 31 March and this earlier date will fit somewhat better with the overall annual financial cycle of local authorities.

The charge can be viewed as a type of self-assessment measure because it is for the owners of residential property, in the first instance, to assess whether they are liable to pay it. Given the relatively modest level at which the charge is set, it is very important to minimise the costs associated with its collection. Accordingly, city and county councils will not be required to issue bills or invoices to those persons who own property liable for the charge.

Nonetheless, the basis on which the charge will operate is relatively simple and straightforward, and it is generally easy to understand and administer. I do not anticipate that those persons liable to pay it will be under any confusion on this point and my Department and local authorities will mount an information campaign to advise people of their responsibilities in this regard. In addition to the normal sanctions involving a fine on conviction of an offence, the Bill incorporates a late payment fee which should act as a real incentive to pay the charge by the due date.

From a drafting perspective, the Bill takes as its starting position a universal liability for residential property in respect of the charge. It goes on to exempt certain buildings and owners

from this liability. To put it another way, it identifies what is not liable within the totality of residential buildings rather than taking as a starting point buildings and owners that are liable. By far the most important exemption relates to principal private residences. Owner-occupied residences account for 70% of the entire housing stock. The more important of the other exemptions include property which is let directly or indirectly by local authorities or voluntary housing bodies for social housing, property the subject of shared ownership arrangements with local authorities and certain heritage properties. Other exemptions to the charge are provided for persons who, in process of changing house, own two residential properties for a short period, residential properties owned by charities and certain discretionary trusts and a spouse having an interest in a property after a divorce or separation agreement and who does not reside there but the other spouse does.

We had a helpful and constructive debate in the Seanad on the Bill and it is fair to say that most of the discussion revolved around the exemptions from the charge. In the main, Senators advocated additional provisions to exempt more owners and properties from its scope. During the debate, the Minister undertook to table two amendments before this House and to report these back to the Seanad. One of these amendments will exempt a residential property owned by persons who by reason of long-term physical or mental infirmity have to vacate their principal private residence. The other relates to what are sometimes referred to as “granny flats”.

The provision of additional exemptions from taxation measures can give rise to a kind of domino effect. Providing an additional exemption from the charge may seem entirely reasonable in itself but can give rise to pressure for more exemptions catering for circumstances different to, but not wholly dissimilar from, the original one. There can be a tendency for an incremental extension of exemptions to a point where the revenue stream from the charge starts to be eroded significantly.

The Government has always taken the view that an annual charge of €200 is a relatively modest one. Against this background, I cannot see that the charge will represent a heavy burden on those required to pay it. This is not to say that there is no case for any exemptions from the charge but simply to make the point that a €200 annual charge is unlikely to be a serious burden for owners of property. The point has been made that the level of the charge may be increased in the future. I do not intend to comment on this except to state that apart from an adjustment for inflation any change in the level of the charge will require primary legislation and cannot be increased without reference to the Oireachtas.

It has been stated that the ideal taxation measure is equitable, simple and robust. The Local Government (Charges) Bill scores well under the criteria of simplicity and robustness. It is simple and cost effective to administer, and it will be simple to understand and comply with. It will generate revenue on a continuing basis and will not be subject to the volatility we have come to associate with transaction based property taxes. In this sense, it is sufficiently robust to cope with varying economic conditions while maintaining a stable yield. It has to be acknowledged that the Bill does not include a valuation-based component, something which would have made the measure very much more complex and difficult to administer and comply with. As against this, I again make the point that the amount of the charge is relatively modest at €200, and should not cause those liable to pay it any great difficulty.

The Bill provides that the charge shall be paid to county and city councils with an estimated annual yield of €40 million. However, census and other data suggest that there may be 400,000 properties in the State liable for the charge. The annual potential yield could, therefore, be higher than estimated at present. However, like any new taxation measure, knowledge of the actual yield will only come with experience of its operation in practice. Given the data sources

[Deputy Michael Finneran.]

available, it is likely that, initially at least, collection levels from rental properties, of which there are about 200,000, may be higher than from holiday homes and vacant residential properties.

For reasons of efficiency, the smaller towns and boroughs that are rating authorities — those that levy and collect commercial rates — will not be involved in this exercise. However, they will receive a payment from their parent county council based on the yield from the charge related to properties that are located in the town area. Provision is also made for the costs of collection of these charges to be retained by the parent local authority. This ensures that all local authorities who have revenue raising powers will benefit from the introduction of the charge.

In the event of non-payment of a charge for which a person is liable by a certain date, a late payment fee of €20 will apply for each month or part of a month for which the charge remains unpaid. An unpaid charge and any associated late payment fee will be a charge against the property in respect of which the liability arose. The rolled-up amount of a late payment fee should not be underestimated, and non-payment of a charge for a period of five years will result in a liability of more than €4,000 when account is taken of the charges and the late payment fees. I want the message to go out as clearly as possible to those who are liable to pay the charge that it will be much simpler and much less expensive to pay the charge when it falls due rather than to attempt to evade it, especially in terms of resale of the property concerned.

Where a property liable for the charge is sold, the Bill provides that the new owner of the property will be liable for unpaid charges and late payment fees, and that these will remain a charge against the property for a period of 12 years from the date that they were incurred. This should prove a strong incentive for a purchaser's solicitor to ensure that all outstanding charges are paid before a contract to sell the property is executed. Local authorities will also have power to take prosecutions against owners who fail to discharge their liability to pay the charge. Prosecution will be by way of summary jurisdiction, and a court may impose a fine of up to €2,000.

Local authorities can delegate functions under the Bill to the Local Government Computer Services Board or the Local Government Management Services Board, or both. In practice, the computer services board will design and operate a web-site facilitating electronic payment of the charge and a database to record payments. It is likely that local authorities will delegate functions to the Local Government Computer Services Board on the overall operation and management of a web-site through which the charge can be paid, and a database recording payment of the charge and related matters.

Provision is made for data exchange between local authorities and the Private Residential Tenancies Board, PRTB, the Electricity Supply Board, ESB, and the Revenue Commissioners. This data should assist local authorities to identify properties liable for the charge. The PRTB holds data on rental properties and the ESB's information technology systems can generate data on residential properties where relatively low amounts of electricity are used, something which will indicate the possibility of a holiday or a vacant residential property. The Revenue Commissioners hold data on certain property transactions such as stamp duty, VAT and capital gains taxes.

Payment will be accepted on behalf of any local authority through a web-site designed and constructed by the Local Government Computer Services Board and which is broadly similar to the motor tax on-line system. The revenue accruing will be relayed automatically and at intervals to the bank account of the city or county council in whose area the property is situated. While payment will also be accepted locally in local authority offices, I would ask those con-

cerned to use the web-site for their own convenience. This will minimise costs associated with the administration and collection of the charge.

Deputies are aware of the significant role which the local government fund has played in financing the local government sector since it was established in 1999. The fund is financed from a combination of an Exchequer contribution and the full proceeds of motor taxation. Total funding for 2009 amounts to €1.46 billion, which represents approximately 30% of local authority current funding. The fund comprises an Exchequer contribution of €417 million and the proceeds of motor tax, which is projected at just over €1 billion this year. In addition, local authorities will retain the full proceeds of the new pension-related deduction, estimated at €80 million in 2009, and the Exchequer contribution to the fund has been reduced to take account of the deduction. The new pension related deduction has, therefore, a neutral impact on local authority finances in 2009.

Local authority current expenditure amounted to €1.8 billion in 1997. This year current expenditure by the local government sector will be of the order of €5 billion. Local authorities were advised of their 2009 general purpose grant allocations in October 2008, which indicated an average reduction of 6.4% over the corresponding 2008 allocations. The general purpose grant allocation from the fund to local authorities for 2009 amounts to €935 million. These allocations have been reviewed in the light of the estimated income from motor tax in 2009 and the Exchequer contribution to the fund for 2009 as set out in the supplementary budget. This has necessitated a further reduction of 3% in individual allocations, and local authorities have been recently notified on the matter.

The €200 charge is estimated to provide some €40 million in income to local authorities. This will more than ameliorate the impact of the reduction of €30 million in general purpose grants to which I have just referred. I hope that local authorities will be proactive in carrying the charge into effect and that the yield from the charge will exceed what I regard as a relatively conservative and prudent budget projection.

A properly resourced local government sector is vital to local democracy but I want to take this opportunity to address another issue that is equally important to the local government sector. As Deputies will be aware, a Green Paper on local government reform has been published and a White Paper will be published after the Government has had an opportunity to consider the report of the Commission on Taxation. The Green Paper addressed a number of issues, including a proper balance of power at local levels between the managers and elected representatives; directly elected mayors; establishing town councils in towns that have displayed significant population growth; quality customer service; and expenditure limits at local elections.

My colleague, the Minister, recently announced that the first election for a mayor for Dublin with a regional mandate will be held during the summer of next year. The election of the Dublin Mayor in 2010 will fulfil, a year ahead of target, a key commitment of the Government's programme. In introducing a directly elected mayor for the region, the Government will be making the most significant change to local democratic leadership in Dublin since the foundation of our current system of local government in the 19th century. Dublin is both a city and a region. A strong, dynamic and sustainable capital is essential to the well-being of the whole nation, not just to the people of the city itself. Experience has shown that strong political leadership can bring a new dynamic to cities and their regions.

The new mayor will be elected by the people of the city and the three surrounding Dublin county councils — that is, the area which constitutes the existing Dublin Regional Authority — and will have the powers to set strategic policy for the region, to co-ordinate across institutional boundaries and to ensure that local activity is in tune with a coherent set of strategic regional

[Deputy Michael Finneran.]

policies and plans. A strengthened Dublin Regional Authority, chaired by the mayor, will support and complement the mayor's activities. The introduction of a democratically accountable mayor for Dublin, a position which personifies local government and thereby creates a new connection with the public, will capture the imagination of the people of the city. It should bring about improved strategic planning for the region, better services, greater integration and coherence, the enhanced use of resources, and a stronger local democracy.

Quality customer service is another issue addressed in the Green Paper. The efficient and effective performance of local government is of real importance to our citizens and to the welfare of our local communities. In that context, the transforming public services agenda will build on the local government modernisation programme which has taken place over the past decade or so, but will also represent a step change in regard to progress in this area.

Transforming public services recommends that local government structures should be drawn on to enhance public service delivery. The democratic legitimacy of elected councils is also recognised and should be maximised as a focus for consultation on the delivery of national services locally. The local government sector is a willing and able partner in this agenda and recognises that public sector transformation is an integral part of the solution to Ireland's current economic difficulties. In this regard, greater coherence and synergy between different levels of Government and of the public service are fundamental to more efficient and effective operation. The Department and the local government sector are working closely together to advance broad public service initiatives for a more integrated public service which can achieve better value for money and enhanced customer services.

The Local Government (Charges) Bill is a fairly short and straightforward legislative instrument. The revenue stream to which it will give rise — while not insignificant at some €40 million annually — could not be described as large in the context of overall local government spending. Nonetheless, its importance cannot be measured simply in these terms. The Bill establishes a new funding source for local authorities, one that is genuinely local in that it derives from revenue raised locally and that will be expended for local purposes. By broadening the revenue base of local authorities, the charge can properly be described as a ground-breaking initiative. I hope it will receive a general welcome for that reason.

Arguably, it would serve the interests of local democracy still better if local authority members themselves determined, perhaps within certain limits, the level of the charge, as is the case for commercial rates. There may be scope to devolve other aspects of the charge to local authorities also. These are issues we may well revisit at a future date, and I welcome any views Deputies may have on these matters. I thank Deputies for their co-operation in facilitating early consideration of the Bill and commend it to the House.

**Deputy Phil Hogan:** I wish to share my time with Deputies Bannon and Deenihan.

**Acting Chairman:** Is that agreed? Agreed.

**Deputy Phil Hogan:** The Bill before the House, the Local Government (Charges) Bill, is probably the most confused legislation brought before the House by the Minister for the Environment, Heritage and Local Government since he took office. With no disrespect to the Minister of State, I am disappointed the Minister is not here to explain how he could have put such proposals to the Cabinet some months ago and have made such major mistakes with regard to the application of the charge that he must now amend these mistakes in the Dáil and Seanad. The Minister accused me, the Fine Gael spokesman on the environment, of being mischievous in raising issues relating to the elderly, but now we have amendments before the House in order to put into effect the concerns expressed by Fine Gael.



The disrespect shown by the Government to the people of Ireland by rushing this important and far-reaching legislation, which creates a precedent with regard to property tax, through the Oireachtas is unacceptable. The decision to rush through a new property tax with only one day's debate is unprecedented in any parliamentary democracy. It seems always to hold true that every time legislation is rushed, mistakes are made. The Minister has made many mistakes in this legislation already and perhaps before the day is out, we will, in the short time available, have teased through some aspects of the Bill and have found other exemptions are required.

Glaring faults were immediately obvious in the Minister's proposals and this Bill is no different. The fact that such a Bill, with little or no thought put into it, can be approved by the Cabinet is very worrying. Fianna Fáil Cabinet Members clearly made no observations or submissions to the Minister on the legislation. The Cabinet has approved the Minister's attempt to put a property tax on the elderly who reside in nursing homes and on those who built granny flats to care for their elderly parents. It even allowed for a tax on mobile homes until it was forced into an immediate U-turn after the Minister got an earful from the Joe Duffy radio show.

The Minister will claim that it was never his intention to levy these taxes on the elderly and carers, yet that is what his legislation set out to do when it was published. How nobody in Government saw the blatant anti-elderly bias in the published version of the Bill is astonishing. One would almost believe that forces at work at the highest level of Government set out to make old people's lives more miserable. Of course, this is untrue.

The truth of the matter is that these ill-thought out provisions are the result of an incompetent Government. These mistakes are the results of its own actions. The Government is complacent and mistakes are made. One would wonder what mistakes will be made on serious legislation such as the implementation of the National Asset Management Agency if mistakes like these are made on such a short Bill.

Besides the attack on the elderly, there are other significant problems with this Bill. The inclusion of Bord Fáilte approved self-catering holiday homes is another example of the Government failing to see the bigger picture. Self-catering holidays are the backbone of the Irish tourism industry. These homes are not simply homes, but businesses. Bord Fáilte registered and listed homes already pay charges in the form of registration fees and other annual business charges to local authorities. The Fine Gael Party leader encouraged people to holiday at home in Ireland this year to keep money in the Irish economy. It is a bizarre display of inconsistency that the Green Party Minister for the Environment, Heritage and Local Government, who would be against excessive air travel, is now imposing an additional tax on the indigenous tourism industry. Self-catering homes will have little option but to pass on the cost to their customers, difficult and all as it is to get customers in the current climate.

The Bill is an attempt to address the many problems of local government finance. As such, Fine Gael accepts the principle of putting a charge on second homes, in order to assist local government financing. However, we are opposed to some of the details of the Bill. Many local authorities throughout the country are in significant financial difficulty due to the collapse of the building industry, business rates and development levies. The local authority in my area, Kilkenny County Council, had a €7 million income from development levies in 2008. It budgeted for €3 million in 2009 but the most recent target is €1 million. This is the extent of the difficulties with which local government is faced for the remainder of the year in carrying out much of the planned capital works that require development levy contributions to make them happen.

The Minister for the Environment, Heritage and Local Government's tinkering with the car tax system last year contributed to the almost complete collapse of that industry and the



[Deputy Phil Hogan.]

resulting loss of tax for the local authorities. Galway County Council is reportedly losing a €1 million a week. This week, Sligo County Council stated it had no prospect of balancing its budget this year, and I have no doubt the same problems arise in many other local authority areas. Notwithstanding the economic difficulties the country is facing, after two years in office, the policy pursued by the Minister, Deputy Gormley, has contributed to many of the problems that are faced in the financing of local government at present. What will result is a drastically reduced level of service and the elimination of any meaningful impact on the capital programme, particularly for water and waste water services which are urgently needed in the context of meeting our deadlines for the water framework directive in 2015.

What has been the Minister's response to this financial crisis in local government? It is a tax on second homes that was put together without thought and then rushed into the Dáil today. In this time of emergency and crisis, it is not half-hearted measures that will get us through but wholesale reform of local government. The Minister has talked about local government in the context of the Green Paper and he promised we would have a White Paper by the end of 2008. He was not able to take the hard decisions and set out his programme before the local government elections in June of this year. He has talked big but his only real proposal for reform is to have a directly elected mayor of Dublin, on which we do not know the powers or the extent of the remit of the position. He is expecting us to buy and pig in a poke in regard to accepting this proposal without knowing what level of impact and power will apply *vis-à-vis* the management system in the four local authorities in Dublin and, more importantly, what meaningful impact this position will have on the welfare and well-being of the citizens of Dublin next year.

Any new tax measures for Dublin have been put off until the Commission on Taxation report is published. While I welcome the expected publication of that report in the coming weeks, this new tax to help pay for the failing "business as usual" model is a waste of taxpayers' money. It has been 15 months since the Government published the Green Paper and, although we want to see action on local government reform, we want a comprehensive White Paper published sooner rather than later because we are already seven months behind schedule.

What local government in Ireland, not just Dublin, needs is dramatic reform. Fine Gael has painstakingly set out its local government reform programme whereby we want to bring all of the various agencies in a locality together under the accountable remit of local government. Too many agencies are operating at arm's length from the State in local areas without any proper mandate at local government level. These are the kind of agencies that could make a meaningful impact in creating employment in many of our urban and rural areas if they were at the coalface of interaction, where they should be.

The Minister of State, Deputy Finneran, who was a member of a local authority, will appreciate that over the years there has been a massive centralisation of power in the hands of the Executive and central Government at the expense of local government. I do not agree with this and believe we need a programme of devolution that will give a meaningful role to the local councils. The only way this can be done is to devolve functions and responsibilities, and co-ordinate all of the agencies that are operating from various Departments through the local government system.

This new tax is supposed to raise €40 million but it has no hope of raising that sum in 2009. To begin with, we do not know the extent of the information that is available at local government level and we are relying on the Private Residential Tenancies Board, the Revenue Commissioners and the ESB. The Revenue Commissioners is probably the body best equipped to know what is the registration of each property and it has the necessary powers and remit to be able to get that information. It could then transfer funds to the local government system. I do not accept the local government system will be up and running as quickly as the Minister

anticipates in order to collect this amount of money in the current year. Instead of compensating for the €30 million reduction in the funding of the local government that was recently announced, we will make a bad situation worse in terms of the funding deficit at the end of the year. I put forward an amendment which suggests that the Revenue Commissioners should collect this tax in the first instance and until such time as the local government system is able to cope administratively with new taxation.

Fine Gael has published the details of its local government programme and the Minister should take them on board in order to ensure there is a vision for local government. We are often accused by Government of not coming forward with constructive suggestions as to how we could deal with many of the problems in different areas, although we on the Opposition side do this regularly. The document I have given to the Minister for his perusal is another example but the only response is that we are told to await the outcome of another report. It is time for action because the country cannot afford inaction. It is widely expected there will be difficulties in the next budget and that there will be a need for reform in all areas, so why not start now by ensuring we have a meaningful local government structure? We should not delay in issuing the White Paper for local government, including in regard to financing, on which difficult decisions will have to be made.

In the meantime, there are programmes which require serious expenditure, such as the water services programme, on which the Minister has set out his stall and boasted of the extra money he has received in order to make the biggest single investment in water services in the history of the State. Now, however, because of the reduction in development levies at local authority level, we will not be able to start many of the anticipated projects this year. How will we achieve our objectives in regard to meeting the water services framework directive as drawn up by the European Commission by 2015 if there is no serious attempt to make the necessary investments in water and waste water services? If we do not do this, we will have to pay fines to the Commission which, as everybody would agree, is a waste of time.

In principle, I have no difficulty with charging a modest fee for second homes. We believe a service charge is required for provision of second homes in local authority areas. However, as one can see from the research, this will mean different things in terms of funding for different parts of the country. It will be welcome for some areas, particularly Dublin and the west coast, but the midlands will suffer disproportionately due to inactivity on the second home and holiday home front.

It is not appropriate that the self catering businesses which are approved by Fáilte Ireland, many of the them in the Minister of State's, area near the River Shannon, should be included as part of the process of levying the €200. With the best intentions and all the assurances in the world that this €200 charge will remain €200, we all know that once a charge is introduced, it does not always work out that way. At a time when we have many demands on programmes and demands by the Exchequer and the Minister for Finance for additional resources, the €200 could very quickly become €400 or even €500.

The principle has been accepted but the exemptions are important to ensure we do not penalise people who, through no fault of their own, have made investments and are paying tax in other ways and paying contributions through the local government system, including elderly people who live in the same area as their families. How the Minister could not see that this should be included in the exemptions is beyond me. I encountered another case today involving a 90 year old lady who has two family members living in apartments at the rear and the side of her house. Since the property is in her name the house and the two apartments at the side and rear will be liable for the €200 charge. These are unforeseen circumstances with which the Minister of State should be able to deal. The two family members are helping out to ensure

[Deputy Phil Hogan.]

the elderly parent can stay in the general vicinity of the family home rather than institutionalised care. These are the anomalies we must address in the legislation and I trust the Minister of State is open enough to deal with the matter as quickly as possible.

**Deputy Jimmy Deenihan:** I welcome the principle of the Bill as Deputy Hogan has done. It has major implications for a county such as Kerry which has a very substantial dependency on tourism. According to the 2006 census there is a possibility of earning up to €4 million in the county through the charge on tourist accommodation. In the overview presented by the Oireachtas Library and Research Service, it was suggested that because of the amount of rental accommodation Dublin City Council could earn up to €14 million. Vast revenue earning opportunities exist for local authorities. Local authorities set rates and water charges. Although it is not contained in the Bill, would it be possible for local authorities to set their own charges on property? That may be a matter for the future but it is at least a possibility that local authorities could set their own charges depending on the conditions and the demands of a certain area.

I acknowledge the Minister has accepted some amendments. However I make a special case for the self-catering tourism sector, a very important part of tourism in counties such as Kerry with which I am familiar. I refer to a particular case, that of a person I visited last week. The man in question is concerned about this Bill and the imposition of the €200 tax. He pointed out that he already pays high registration fees to Fáilte Ireland, VAT on rental moneys received and his water is metered by the local council. He is required to have a BER, building energy rating, certificate. He advertises in self-catering magazines, marketing brochures and through web and printed media. He employs contract cleaners and facilities for visiting tourists which I saw including playgrounds, saunas and an indoor hot tub. The proposed charge will be another imposition.

Deputy Hogan has tabled an amendment which would exempt self-catering accommodation from this charge and I urge the Minister to consider it. The Fáilte Ireland survey of 2008 indicated that tourists in the self-catering sector add approximately €1 billion to local economies throughout the country. There are self-catering units throughout the country, including the midlands, and they are a very important vehicle for rural development. They provide very good value and bring tourists to areas they would not normally visit. My concern is the imposition of this charge together with the imposition of all other charges may encourage some of those involved to leave the business entirely. I realise it is only €200 but it may be the straw that breaks the camel's back. It might create a very negative reaction by some of those involved. The number of Fáilte Ireland registered and approved self-catering homes has been in sharp decline in the past two years. The exemption need not apply to every self-catering enterprise, only those which are registered. I wish to focus on this issue and I hope the Minister of State is listening to me. Such a measure would have two effects. It would encourage people to register and, as a result, there would be a higher quality product.

**Deputy Michael Finneran:** The charge does not apply to anyone paying commercial rates anyway.

**Deputy Jimmy Deenihan:** Those who have self-catering units pay——

**Deputy Michael Finneran:** Not everyone pays commercial rates. It is a matter for the local authority.

**Deputy Jimmy Deenihan:** I refer to those registered with Fáilte Ireland. The Minister of State and his official may wish to clarify the matter. The impression of the individual with

whom I spoke, a very credible operator who does a very good job, is that he will be liable for the tax. This should be clarified.

**Deputy Michael Finneran:** Clearly the person is not paying commercial rates.

**Deputy Jimmy Deenihan:** No, but he pays water rates. He is not paying commercial rates but he is registered with Fáilte Ireland. If the charge is introduced people will drop their registration with Fáilte Ireland, simply pay the €200 charge and this will lower the standard with which they must comply. I wish to focus on that issue and I hope the Minister of State will consider the matter seriously. It will be discussed on Committee Stage and I will have another opportunity to examine the matter then, but an exemption should apply to those registered with Fáilte Ireland. It would encourage people to register with Fáilte Ireland and raise standards.

**Deputy James Bannon:** This is extraordinarily disturbing legislation. Shockingly, one of its main thrusts seems to be yet another attack on the elderly. What appears on the surface to be legislation to impose a charge on second and holiday homes follows a pattern set by this heartless Government in its quest to restore the public coffers, which it criminally squandered in the first place. The Government is attempting to find any method possible to squeeze every last cent from those who deserve respect and comfort in their old age, not an assault on their purses.

I call on the Minister of State, who comes from my area——

**Deputy Michael Finneran:** This is nothing to do with the elderly.

**Deputy James Bannon:** ——to close his eyes, not in the 40 winks manner described by my colleague, Deputy Lee, but to allow a mental image to form. I call on the Minister of State to imagine the lifestyles of the majority of our elderly citizens who are forced into nursing home care. The Minister of State should contrast that with the picture of the lavish lifestyles of our bankers, higher paid civil servants and the Galway tent brigade. Does it not disturb the Minister of State to dwell on these mental images? It should do so since he comes from a rural part of the country.

Even with my eyes firmly open, it is a contrast too great for me to bear. The elderly and vulnerable are usually extremely reluctant to leave their family home and go into institutionalised care.

**Deputy Michael Finneran:** This is nothing to do with the elderly.

**Deputy James Bannon:** The only thing that makes this more bearable is the thought that they might perhaps at some stage return home. It seems the Minister of State is now cruelly telling them that their home is not their home, that the nursing centre is their primary dwelling and their family home is merely a second home. This is in addition to 80% of their income due to go on care costs and 15% of the value of what the Government is, in certain circumstances, pleased to acknowledge as their primary residence, to be taken after their death. This, combined with the withdrawal of 20,000 medical cards from the over-70s, is a shameful record for this Government. It is appalling that legislation can be drafted which leads to a perception such as this, even if the action was never intended. The stress caused to the elderly at a time when they have earned a peaceful retirement is inexcusable, regardless of whether it is the Minister of State's actual intent to impose this charge.

The intention to include granny flats in the levy is equally disturbing. What Government would acknowledge the kindness of a person, who is prepared to give over a part of his or her

[Deputy James Bannon.]

property to accommodating an elderly relation, by imposing a €200 levy as a reward? Only one word springs to mind for such an action and that is “cruel”.

**Deputy Michael Finneran:** Everybody knows they are not liable.

**Deputy James Bannon:** The Minister of State’s constituents will meet him on the doorsteps on this one at the next general election and I hope that election comes soon.

**Deputy Michael Finneran:** The Deputy knows they are not liable. He is putting inaccurate information on the record of the House.

**Deputy James Bannon:** It is particularly puzzling when one considers the benefit to the State of having the burden of the provision of care removed. I am particularly concerned that this levy is being debated at this point when residential property tax and domestic service charges are being mooted. If these are imposed, will the elderly person in the nursing home then end up paying a treble tax on the house that is not being regarded as a primary residence, but rather a second home for the purpose of this legislation? This will in all probability become a residence for the purpose of the residential tax. The law may be an ass, but it is in the ha’penny place compared to the actions of the Government.

If one considers the rapid rise of the so-called registration fee for third level colleges which will amount of €1,500 this September, the introduction of a €200 levy, while unacceptable in the short term, has far more worrying long-term implications. The Government has a worrying record of stealth taxes, which is what this levy is. It is an attempt to make good the shortfall in funding for local authorities at the expense of the middle income earners, who as always will be hardest hit. Those who raised a mortgage to buy a place in the country, as opposed to a mobile home or a villa abroad, as a means of saving have invested heavily in the area into which they bought and they pay tax on the income if they rent the property.

The Government actively encouraged people to buy rural properties. Does the Minister of State, Deputy Michael Finneran, not realise that the countryside is awash with unsold properties? This is particularly evident in my own county of Longford and also in County Roscommon. These properties are becoming derelict and will soon be a blot on the landscape. This is the result of the sham Government schemes which have led to the destruction of the countryside, particularly our small villages. Many of the developers responsible for the rash of now unsold or unfinished estates were in bed with the Galway tent guys. Second-home buyers who fell for the Government spin are now being rewarded by the imposition of this levy. Ironically, if they had merely bought a mobile home they would be exempt. This is a farce as some mobile homes are worth far more than small rural properties and yet, due to public outcry, they will be exempt from taxation. The public are flexing their muscles as they realise that the louder they shout, the easier it is to get the Government to do a U-turn. This happened on Joe Duffy’s show only two weeks’ ago.

**Deputy Michael Finneran:** There is a bit of a show on here as well.

**Deputy James Bannon:** As the Government has cut over 3% annual funding from local authorities, it sees second-home owners as the fall guys to take the hit and make good the deficit. I realise the position is extremely difficult for many local authorities with the picture becoming increasingly one of debt and rapidly rising bills.

Another area I would like to see the Minister of State reconsider is the imposition of the levy on the owners of rented properties.



**Acting Chairman (Deputy Seán Ardagh):** The Deputy has only half a minute left.

**Deputy James Bannon:** In the interest of fairness, this charge should be levied at least equally between the owner and the tenant. The tenant has absolute rights over the rented property and the services provided and, therefore, the tenant should be responsible for payment of at least a percentage of the charge.

**Acting Chairman:** Thank you very much, Deputy Bannon. I am afraid the Deputy has used his time.

**Deputy James Bannon:** There is huge anger being voiced right across the midlands. It would be wrong of me, as a public representative from a rural constituency, to let this go.

**Acting Chairman:** I call Deputy Ciarán Lynch.

**Deputy James Bannon:** There is huge anger being voiced by the farming community.

**Acting Chairman:** I think the Deputy has had enough time.

**Deputy James Bannon:** It is the keening at the wake for our national industry, put to death by this Fianna Fáil-Green Party Government —

**Deputy Michael Finneran:** What section of the Bill is that?

**Deputy James Bannon:** This legislation is another example of the lack of joined-up thinking which is graphically highlighted by the Fianna Fáil-Green Party Government on a daily basis.

**Acting Chairman:** I ask Deputy Bannon to have a little respect for the Chair, please.

**Deputy James Bannon:** Shame on the Minister of State.

**Deputy Ciarán Lynch:** I wish to share my speaking time with Deputies Joanna Tuffy and Martin Ferris.

Listening this afternoon to the Minister of State's contribution on Second Stage, to Deputy Phil Hogan and to the Joe Duffy show last week, one would have a certain degree of trepidation as to what will happen here in the House this afternoon. There is a significant difference between what is a good idea and what is good government. We have witnessed this in a number of proposals from the Minister, Deputy John Gormley's Department to date. It was proposed that self-detonating a nuclear device in Ireland would become an illegal act and it would incur a fine of €5,000 if a nuclear bomb was set off in the State. This is one of the proposals coming from the Minister.

Not so humorously, last year, the method for VRT registrations was changed. This had a significant and very damaging impact on the motor vehicle trade. Everybody knows that people buy their cars at the start of the year. The introduction of a change in the taxation regime in the middle of the summer had a direct impact on the sequencing and purchasing of new cars. There is a direct correlation between the Government's policy on VRT and the situation in the motor trade. The Government policy is not entirely to blame but it came at the beginning of a difficult period for the motor industry and there is no doubt that the figures in that year relate to the management of the VRT taxation system.

Last week, along with other Members of this House and people right across the country, I listened to the Joe Duffy show. This was legislation carried out on the airwaves. The Minister's intention does not seem clear. The Bill in its initial draft was specific with regard to mobile



[Deputy Ciarán Lynch.]

homes. This was not a misinterpretation or some ambiguous reading or misreading of the Bill. It was a stated fact that mobile homes would be included as part of this new charge. I await the Minister's reply this evening. What is the intention behind this charge? Is it a second property tax? If so, is it a form of indirect taxation? If it is taxation, questions must be asked about its equity and fairness.

I dispute Deputy Bannon's argument. A mobile home depreciates in value from the moment of purchase and will never appreciate in value because it is six sheets of aluminium or steel which will depreciate over a period of time. Regardless of how bad the property market is now, a small property will always appreciate over the long term. One is not comparing like with like. Properties, by definition, have a leasehold or some form of deed of title.

Debate adjourned.

## **Ceisteanna — Questions.**

### **Priority Questions.**

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#### **Departmental Expenditure.**

1. **Deputy Fergus O'Dowd** asked the Minister for Transport the potential and planned spending cuts across his Department; and if he will make a statement on the matter. [29661/09]

**Minister for Transport (Deputy Noel Dempsey):** Planned expenditure levels for my Department will be considered as part of the Estimates and budgetary process for 2010. This will include consideration of the report of the Special Group on Public Service Numbers and Expenditure Programmes.

It would not be appropriate for me to comment further at this stage pending the outcome of these deliberative processes.

**Deputy Fergus O'Dowd:** That is a poor response. The former Minister for Transport, Deputy Mary O'Rourke, spoke about the an bord snip nua report this morning and said it should be in the public domain. The Minister has been in consultation with an bord snip nua. The Minister should put on record the plans he put before the board.

**Deputy Noel Dempsey:** The Deputy will be aware that we did not make any proposals. We were asked questions about the various programmes. We gave an outline of those programmes and it is up to Mr. McCarthy to make up his mind and make his decision on what he feels might or might not be cut to ensure the levels of expenditure generally across Government are reduced. The Deputy will be aware that we are talking in terms of an adjustment in the coming budget of €4 billion in total between tax and revenues. I am sure some elements of that will fall on the Department of Transport but until the deliberative process is finished I am not at liberty to say anything further.

**Deputy Fergus O'Dowd:** The Minister has not given me any facts. Did the Minister distinguish, in the discussion with an bord snip nua, between capital and current projects? Did he distinguish between national priorities in terms of transport infrastructure? The key point that he and his Department should have made, if they did not make it, is that it was never cheaper to build infrastructure projects than it is now and that, on average, they are coming in 20% less than what was the case in the previous year, and may be even less again next year. The

process sounds like a confession box in which no confession was made. The an bord snip nua man was there, the Minister was on his knees but he said nothing. It is clear he said nothing and therefore the axe may fall universally on his Department rather than on where the waste is located. What proposals, if any, does the Minister have in terms of current expenditure cutbacks or efficiencies?

**Deputy Noel Dempsey:** The Deputy seems to be under some misapprehension as to the process in regard to an bord snip nua. I did not talk to an bord snip nua. I had no contact with it. I was not asked to have any contact with it. An bord snip nua can make whatever recommendations it likes but at the end of the day I will outline my priorities and those of the Government. If programmes are suggested for cuts, whether capital or current, I will make a judgment on that and make my views known at that time.

### **Taxi Regulations.**

2. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will report on recent meetings with taxi workers and their representatives; his views on a moratorium and major reform of the taxi regulatory system; and if he will make a statement on the matter. [28929/09]

**Deputy Noel Dempsey:** Officials of my Department recently met representatives of several different organisations representing taxi interests. They set out the concerns of their members relating to the taxi industry including, in particular, in relation to taxi numbers. The taxi representative bodies were encouraged by the officials to participate fully within the advisory and consultative structures provided for under the Taxi Regulation Act 2003 to ensure that their views, including those in relation to the economic review of the sector, are taken into account by the Commission for Taxi Regulation, which is the agency charged under law with the regulation of the taxi industry.

The Taxi Regulation Act 2003 does not provide for a moratorium on taxi numbers and the recent economic review concluded that a moratorium is not warranted. The Commission for Taxi Regulation has recently completed a major public consultation on the economic review and is currently preparing proposals for the further development of the taxi industry for consideration by its Advisory Council. I understand the commission expects to finalise its development proposals in August.

I will consider the outcome of this work, the views of the Oireachtas Joint Committee on Transport and the views of the representatives of the taxi industry, consumers and consumer interest groups insofar as they relate to my statutory responsibilities.

**Deputy Thomas P. Broughan:** Is it not time the Minister told us where he stands on a moratorium on the issuing of taxi licences because he is the Minister who has presided over a collapse in standards and a free for all in the taxi industry? Many Deputies, particularly those on the transport committee, have been inundated with complaints about cloned vehicle licences, illegal licences of different kinds, drivers without the proper knowledge of the region in question, the poor state of vehicles, safety issues and, most recently, investigations by the media such as the *Evening Herald* and *The Sunday Times* into the ease with which one can legally buy a roof taxi sign or a full taxi package. Roof signs are only €180 approximately. There is a litany of abuses in the industry and at the same time the recent Goodbody report highlighted that the income of taxi workers has collapsed, down to approximately €11 an hour, which is just above the minimum wage, although drivers who are members of Taxi Drivers for Change and the taxi unions tell us that incomes have collapsed by anything from 25% to 40%.

It is very difficult for taxi workers to put bread on the table for their families. The Minister is presiding over that with an ineffective and failing taxi regulator who has now granted licences

[Deputy Thomas P. Broughan.]

to almost 28,000 drivers and approved more than 27,000 vehicles in the case of this city. More licences are being issued for this city than for the city of New York with ten times the population. The Minister is presiding over that failure of regulation. On the regulator, for those 50,000 drivers there are only nine enforcement officers — nine inspectors for 50,000 workers. Is it not time the Minister stopped shilly-shallying and came forward with a moratorium?

**Deputy Noel Dempsey:** It would be helpful if the Deputy knew the structure for the control and regulation of the taxi industry. It would make answering some of his questions a little easier. In addition to that, matters legal and for enforcement are a matter for the Garda as well as the taxi regulators.

**Deputy Thomas P. Broughan:** This is utter nonsense.

**An Leas-Cheann Comhairle:** I will call the Deputy again but allow the Minister to answer the question.

**Deputy Noel Dempsey:** As the Deputy should be well aware, both the Garda and the transport officers are involved, and we have approximately 14,000 gardaí in the country.

On the economic review, the Deputy has selectively quoted from that. He fails to note that the economic review also states that taxi journeys have increased by 25% in recent years.

**Deputy Thomas P. Broughan:** As has the population.

**Deputy Noel Dempsey:** It is an increase. Demand has grown by 25%. The number of cabs has increased from almost 3,000 in 2000 to almost 27,500 in 2008.

The current status of the industry, according to the Goodbody report, from the point of view of vehicle standards, knowledge and so on, is that “current overall level of cab services provided in Ireland as well as vehicle quality, vehicle cleanliness and helpfulness of drivers is good”. The Deputy is being very unfair to the taxi regulator but there is only one taxi regulator and 27,000 taxi drivers. They have included a new uniform and new fare structure, new national vehicle standards, better customer information and redress complaint mechanisms, including a national information line. They have provided for a new skills development programme, for this year for new drivers and for 2012 for existing drivers. There has been a streamlining of the administration of vehicle licensing, a strengthening of enforcement and the establishment of a national register of licensed vehicles.

**Deputy Thomas P. Broughan:** The Minister does not have the required knowledge of how the system works. Is it an offence to sell a licence on a particular number or not? Gardaí tell us it is not.

The Joint Committee on Transport has discussed this issue for the past nine months. We have listened to all interests and have consulted with consumers and passengers. We have taken advice from a senior counsel who says it would be possible to introduce legislation to suspend the allocation of licences for a period, using a legal device known as a sunset clause, to allow time to bring in a proper system of regulation.

The Minister and his Cabinet colleagues presided over lousy regulation of the financial system and planning. The country is suffering from a poor regulation regime. This is affecting the taxi business and the Minister is responsible.

**Deputy Noel Dempsey:** I am aware of the work of the CTR. I am also aware of the work done by the Joint Committee on Transport. A process of consultation is under way and the

fair and reasonable approach is to wait until all of that work is compiled, look at it and then decide if further action is required in the areas for which I have direct responsibility. I will do that.

### **Public Transport.**

3. **Deputy Fergus O'Dowd** asked the Minister for Transport the progress that has been made in the implementation of the Deloitte report on efficiency reforms in Dublin Bus; the timetable for the implementation of set objectives; his plans to restructure other areas of CIE and Dublin Bus in the immediate future; and if he will make a statement on the matter. [29662/09]

**Deputy Noel Dempsey:** I understand from Dublin Bus that it has commenced implementation of the recommendations of the Deloitte report. The implementation process includes the application of the principles identified in the report, such as the amalgamation of route legs and the use of even headways between buses, as part of its cost recovery plan. The company has also commenced work on the review and redesign of the network in line with the Deloitte report and Dublin Bus is targeting mid-2010 for the completion of this work. This involves a detailed review of the 18 main route corridors served by Dublin Bus. I am informed that Dublin Bus is rolling out automatic vehicle location, AVL, and real time passenger information on a depot by depot basis with the first depot to be completed by the end of this year. Once AVL has been introduced this will enable Dublin Bus to provide real time passenger information, RTPI, by way of Internet or mobile phone access. Funding has also been set aside for Dublin City Council to enable the installation of RTPI display signs at bus stops in a similar fashion to those at Luas and DART stops.

Both Dublin Bus and Bus Éireann are introducing a single smart card in the greater Dublin area on a phased basis over the period to early 2011. Dublin Bus introduced a “disposable” smart card in 2008 for its current range of prepaid tickets and more than 30 million smart card transactions take place every year.

While I have no plans to restructure other areas of CIE and Dublin Bus in the immediate future, my Department is currently developing public service contracts for the annual compensation paid to the CIE companies in respect of their PSO services. These contracts, which will replace the current memoranda of understanding, are due to be in place by early December.

**Deputy Fergus O'Dowd:** I have met with Dublin Bus representatives. I am happy with the way the company resolved its industrial relations issue, and particularly with how it gave priority to new people coming into the company and allowed older people who wished to take voluntary redundancy to do so.

In a contracting economy, the situation has worsened for people who need public transport. People cannot afford to drive as much as previously and there are fewer buses on the road. What plans do the Minister or Dublin Bus have to improve services? When funding is cut the company cannot provide service.

The Dublin Transport Authority was to have been set up earlier this year. Will it be in place before the end of the year? When it is set up, will it give priority to this area?

Integrated ticketing was to have cost €12 million. It has cost €18 million to date and is still not fully in place. Taxpayers' money has been wasted on this project and it is not working as well as it ought.

**Deputy Noel Dempsey:** The total cost of integrated ticketing will be €54 million. The amount spent so far is €19 million.

**Deputy Fergus O'Dowd:** A sum of €12 million was the estimated cost so far.

**Deputy Noel Dempsey:** Yes, to the stage it is now at. The estimated total cost was in the region of €49 or €50 million. When tenders came in that was revised up to €54 million. That is the figure we are looking at.

I hope the Dublin Transport Authority will be established and operational before the end of this year. The new chief executive officer has been notified of his appointment and some matters remain to be finalised in that regard. As soon as the person is in place we will establish the board itself and move forward.

I join Deputy O'Dowd in commending Dublin Bus on securing agreement for a new streamlined service and for the necessary economies. The plans for improvement do not need extra money. The recommendations of the Deloitte report will save money. I meet Dublin Bus representatives every four to six weeks to discuss the Deloitte report. The company has set up a steering group which is dedicated to implementing the recommendations of the report.

**Deputy Fergus O'Dowd:** The Deloitte recommendations would save Dublin Bus approximately €2 million per major route. The key point is that new areas of population have no bus service. With its finite resources, Dublin Bus will not be able to provide these services. What attractions is the Minister providing to private companies to come into the market, as was promised ten years ago?

**Deputy Noel Dempsey:** I accept the Deputy's basic point. I am sure Bus Átha Cliath will take note of the fact that there are areas where there are no services. I have seen some maps which illustrate this lack. There is nothing to stop private sector companies from operating in those areas. The forthcoming public transport Bill, which will reform the 1932 Act, will be a big help in attracting the private sector.

**Deputy Fergus O'Dowd:** It takes years to get the consent of the Department of Transport and to get a licence.

**Deputy Noel Dempsey:** No, it does not.

**Deputy Fergus O'Dowd:** I can give the Minister a few examples.

**Deputy Noel Dempsey:** There have been difficulties in the past. The 1932 Act is slow and cumbersome and is not fit for current purpose.

**Deputy Fergus O'Dowd:** Absolutely.

4. **Deputy Fergus O'Dowd** asked the Minister for Transport the indicative completion dates of all planned public transport capital projects; the delays that are currently being experienced by these projects; the status of other public transport capital projects as detailed in Transport 21 but have not yet entered the planning phase or are not subject to contractual obligations; and if he will make a statement on the matter. [29663/09]

**Deputy Noel Dempsey:** Significant progress has been made in the delivery of the ambitious programme of works to upgrade our public transport system set out in Transport 21.

A number of public transport projects have already been completed. The new Docklands railway station has opened and Irish Rail has completely modernised its intercity rolling stock. The new Portlaoise traincare depot is open and operational and new stations have also been provided at Parkwest-Cherry Orchard, Clondalkin-Fonthill and Hazelhatch-Celbridge. All of



the Luas trams on the Tallaght line were lengthened by 10 m, increasing the capacity of that line by 40%.

Further major works are also in progress on other public transport projects, some of which will be completed this year. These are the Cork to Middleton rail line, phase 1 of the western rail corridor and the Luas extension to the Docklands. Apart from six that were damaged in transit, the remainder of the new intercity railcars will also enter service on the national rail network this year. Work is progressing on the Luas extensions to Cherrywood and Citywest, phase 1 of the Kildare route project and phase 1 of the Navan rail line project. All of these will complete construction within 18 months.

Funding for an automatic vehicle location system, AVLS, and real-time passenger information, RTPI, has also been made available and these projects will be rolled out over the next 18 months. The integrated ticketing project is also well advanced and the single smartcard for the GDA will be introduced on a phased basis over the period to early 2011. Major investment in Iarnród Éireann's railway safety programme is ongoing. Progress is also continuing on the delivery of bus priority measures in Dublin and the provincial cities. By the end of this year, more than €2.5 billion will have been invested in new public transport infrastructure under Transport 21.

Regarding projects not yet at construction, I have stated a number of times that the provision of increased capacity will continue to be a key consideration in determining investment priorities for public transport. Given their potential to increase capacity on the public transport network, metro north and the DART underground are key projects. Continued investment in increased bus capacity and bus priority measures are also priorities. The bus-related investment will be guided by the Deloitte cost and efficiency review of the CIE bus companies and the availability of current funding for public service obligations. The selection of projects and programmes will also be guided by the overarching priorities of strengthening the productive capacity of the economy and sustaining employment.

The planning of the other major public transport capital projects identified in Transport 21 is continuing and they will be released for construction as soon as they are through statutory procedures and subject to the funding available during the current difficult economic climate.

**Deputy Fergus O'Dowd:** The current economic climate is key. Does it mean that all of Transport 21's objectives will be followed through? There has been speculation in the press regarding metro north and west. Will the Minister comment in this regard? Metro north, which everyone present favours, is predicated on a Government decision to proceed. It has not received the final green light.

Where there are contractual obligations, I presume that they must continue. Where there are none, will the Minister provide an amended Transport 21 plan for 2015?

**Deputy Noel Dempsey:** Like the Deputy, I have been reading consistently negative comments in newspapers about metro north for as long as I have been in my Department and even prior to that time. Metro north is some people's pet hate and they continue to feed this feeling into the media.

**Deputy Fergus O'Dowd:** Yes.

**Deputy Noel Dempsey:** However, the project's situation has not changed one iota. It is one of Transport 21's two key public projects. As the Deputy is aware from newspaper reports, it is being delayed in the planning process.

**Deputy Fergus O'Dowd:** This week.



**Deputy Noel Dempsey:** The two preferred tenderers are in place. As soon as the planning and tendering processes have concluded, the cost-benefit appraisal will be carried out. Once it proves positive, which I am certain will be the case, construction will commence.

Any contracts we have signed must be honoured and those projects will continue. As to which projects might fall foul of the economic circumstances if they do not improve, I will decide nearer the time. In deference to our time limits, I will not name all of the projects listed in Transport 21, but I intend to continue providing money for planning and to make them shovel ready. At that stage, we will make the decisions in light of the economic circumstances.

**An Leas-Cheann Comhairle:** The Minister can add any additional information in a tabular statement that will be included in the Official Report.

**Deputy Fergus O'Dowd:** The Minister and I agree on the objectives. He stated that the projects without contractual obligations will continue until he must make the decision to say "Yay" or "Nay". What is metro west's position in this regard?

**Deputy Noel Dempsey:** Its next stage, the railway order, is under consideration. No final decision will be made on the project until we get that order.

### **Proposed Legislation.**

5. **Deputy Shane McEntee** asked the Minister for Transport if he will outline the progress to date in reducing the legal blood alcohol level to 0.5 milligrams per 100 millilitres of blood; the introduction of compulsory testing of alcohol at road traffic accidents; and if he will make a statement on the matter. [29664/09]

**Deputy Noel Dempsey:** A road traffic Bill that, *inter alia*, provides for a reduction in the blood alcohol concentration levels for drivers is nearing completion. The preparation of legislation takes time and I am sure Deputies will agree that it is important to get it right.

The Bill will take account of the blood alcohol concentration levels proposed by the Road Safety Authority, RSA, last year. The implementation of the new levels, when the legislation has been enacted, will require the recalibration or replacement and subsequent recertification of both the roadside breathalysers and evidential breath testing machines in Garda stations. The Bill will also include provision for the mandatory testing for alcohol of drivers involved in road traffic collisions and provisions for field impairment testing, that is, non-technological methods by which gardaí can make a preliminary assessment about the possible presence of drugs. A number of amendments will be included to improve the effectiveness of the fixed charge and penalty points system.

As Deputies will be aware, we have seen a sustained reduction in the number of people killed on our roads. For example, 2008 saw the lowest number of road deaths on record at 279, despite the fact that, in the past decade, there has been a 40% increase in the number of drivers and a 70% increase in the number of vehicles on our roads. Fatalities in the year to this morning number 128, down 18 from the same date last year. It is important to maintain this momentum. As everyone knows, each fatality and serious injury is a tragedy for families, friends and communities. I am confident that the provisions in the road traffic Bill will contribute to significant further improvements in road safety.

**Deputy Shane McEntee:** I welcome the Minister's report. In 2005, there were 396 road deaths. Last year, the figure was 279, a decrease of 117. The RSA was established due to the outcry about the slaughter on the roads. Many initiatives have since been taken. I would push to the limit the education of young people.

The Minister knows of the considerable input provided by Mr. Michael Finnegan, a road safety officer in our county, in educating people on not drinking and driving. This is the bottom line. People should find a way to get to and from places without drinking and driving. Young people follow this message because they will not sit into a car being driven by someone who has been drinking.

The other issue is speed. Given the drastic number of sergeants leaving the Garda force, I am concerned that we will not be in a position to patrol roads. Nothing is more striking than the sight of a garda or a patrol car on the road. One will cut one's speed. The reduction in law enforcement numbers will affect everyone. In one station in Dublin, seven of nine sergeants have left.

We all know what must happen, but it has not yet come about. When will the Garda begin testing for drug driving?

**Deputy Noel Dempsey:** The sooner the better. My most recent information in this regard is that, unlike the breathalyser and so on, there is no effective roadside test for drugs. However, drugs can show up in blood and urine samples, so there is some level of detection of drugs.

*4 o'clock* Anecdotal evidence indicates an increasing number of people are being caught with drugs, but not necessarily alcohol, in their system. With a view to having roadside testing for drugs, we are involved with a high-level group at European level that is trying to develop a means of carrying out reliable roadside tests. The Australians are trying out systems at present and if they prove successful, we will consider them.

**Deputy Shane McEntee:** In Australia, where roadside tests were carried out, it was discovered people are five times more likely to have drugs in their systems than alcohol. Addressing this problem is crucial. The Oxegen concert is taking place this weekend and it is essential that we avoid the carnage that occurred last year.

**Deputy Noel Dempsey:** I agree with the Deputy and I join him in appealing to those going to the concert to drive safely.

### Other Questions.

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#### State Airports.

6. **Deputy Seán Sherlock** asked the Minister for Transport his views on airport security following recent proposals by an airline (details supplied) to request all passengers to carry their own luggage directly on to the aircraft; his views on whether such a measure would be compatible with standard operating procedures at national airports here; and if he will make a statement on the matter. [28404/09]

**Deputy Noel Dempsey:** While I am aware of recent press articles about suggestions by the airline concerned that it plans to stop passengers checking in any baggage from next year, my Department has not received any proposal of this nature to date.

Security measures specifically in respect of both cabin and hold baggage are currently in place as part of the overall aviation security regime in the State. These measures are in accordance with EU regulations on aviation security and must also comply with the national civil aviation security programme. Any proposed changes to current procedures would have to comply fully with all EU and national aviation security requirements and therefore would have to be approved by the relevant national authorities in all jurisdictions concerned.

**Deputy Thomas P. Broughan:** Reports suggested that Ryanair was considering a system whereby passengers would carry their main baggage through the check-in area and on to the tarmac and put it into the hold of the plane. Perhaps on landing, a passenger as fit and nimble as the Minister, Deputy Noel Dempsey, might hop into the hold and hand out the bags to the other passengers. This was to be one system. The other that the chief executive of the airline is apparently considering involves airplanes on which everyone would stand and perhaps hold a handgrip like those on the tube or DART. On a serious note, given that both our airlines have instituted steps to enable baggage to be swiftly transferred at least to the point where one boards the plane, are there security concerns that must be considered?

Is the Minister prepared to ask the Department of Finance to publish the cost-benefit analysis it carried out on the travel tax, which is due to yield only €95 million this year? It is alleged by the industry——

**An Leas-Cheann Comhairle:** That is beyond the scope of the question, which concerns airline security.

**Deputy Thomas P. Broughan:** I am broadening the question because it may well be that these kinds of loony proposals for cutting costs are the result of the imposition of unnecessary and counterproductive charges, such as the travel tax. Can we have the cost-benefit analysis of the Department of Finance on the travel tax?

**An Leas-Cheann Comhairle:** I call the Minister. Deputy Broughan takes two minutes for his one-minute slot.

**Deputy Thomas P. Broughan:** There is no such document and the tax was proposed on the back of a cigarette box.

**Deputy Noel Dempsey:** I do not know why the Deputy would seek a cost-benefit analysis that he knows does not exist. I am not quite sure about his logic.

**Deputy Thomas P. Broughan:** I asked because the Minister will not be able to produce it.

**Deputy Noel Dempsey:** I will provide the Deputy with a very quick cost-benefit analysis, not even on the back of an envelope. The tax is €10 per passenger and the benefit will be €95 million this year and €156 million potentially in a full year. A month ago, I asked the Deputy where he would get the €95 million we would have to forgo if we did not impose the tax and I am still awaiting a response.

**Deputy Thomas P. Broughan:** The Government jet would yield approximately €10 million.

**Deputy Noel Dempsey:** Is the Deputy proposing to sell it?

**Deputy Thomas P. Broughan:** I refer to the Government jet and the chopper that brings the Minister home to Navan.

**Deputy Noel Dempsey:** Perhaps the Deputy will suggest disbanding the Army? Has he any other proposal?

**Deputy Thomas P. Broughan:** It could be done.

**Deputy Noel Dempsey:** On a serious point, I heard the suggestion about standing on airplanes some days ago. I had not been aware of it and all I could do was laugh. I am still

laughing. With regard to security, there are rules and regulations stipulating what baggage one can bring to certain points in airports. These will be, and must be, enforced strictly.

**Deputy Pat Breen:** I attended the European Aviation Conference in Strasbourg last Monday and the issue of logistics associated with baggage arose.

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

**Deputy Pat Breen:** My question is coming; the Leas-Cheann Comhairle should not worry. At the conference, the cost of scanners was mentioned. Many of them must be upgraded at a cost of millions of euro. Scanners, particularly those for hand luggage, only scan luggage weighing under 10 kg. Therefore, the logistics of trying to enforce the proposed system are not feasible.

I have a serious question on the issue of having passengers stand on airplanes. There was an application in this regard from a Chinese airline called Spring Airlines, which I understand is very serious about the proposal. This is a security matter. The airline proposes to have passengers stand while wearing seat belts and to cut down on food and water. It will be like getting on and off a bus.

Deputy Broughan referred to the travel tax. Ireland is the only country in Europe imposing such a tax to yield revenue to make up for bad governance.

**An Leas-Cheann Comhairle:** We cannot discuss that issue.

**Deputy Pat Breen:** There are travel taxes in the United Kingdom, France and elsewhere. In the United Kingdom the revenue is ringfenced for sports, and so on. Will the Minister comment on that?

**An Leas-Cheann Comhairle:** The Minister may reply on the part of the question that is relevant.

**Deputy Noel Dempsey:** It is not the practice to comment on specific security measures that are in place or which might be implemented at any of the State's airports. As I stated to Deputy Broughan, passengers are not permitted to carry certain articles into security-restricted areas or the cabin of the aircraft. Obviously some such articles are permitted in checked-in, hold-destined bags. Any change to current procedures would have to be approved. Any change must be put to the National Civil Aviation Security Committee, which is chaired by a senior official from my Department and includes airline pilots and representatives from various Departments, including the Department of Defence, Customs and Excise and the Irish Aviation Authority.

### **Proposed Legislation.**

7. **Deputy Seán Barrett** asked the Minister for Transport when he expects to introduce a lower drink driving blood alcohol limit; the reason for not meeting the deadline as set out in the road safety strategy; and if he will make a statement on the matter. [28490/09]

24. **Deputy Arthur Morgan** asked the Minister for Transport when legislation will come into effect to reduce the drink driving limit. [28344/09]

35. **Deputy Joe Costello** asked the Minister for Transport if he will reduce the legal blood alcohol level from 80 mg per 100 ml to 50 mg per 100 ml; if this measure will be provided for in the new Road Traffic Bill; when this Bill will be published; and if he will make a statement on the matter. [28386/09]

64. **Deputy Róisín Shortall** asked the Minister for Transport the reason he has not published the new road traffic (amendment) Bill; if he will include a provision for the mandatory testing of all drivers involved in a road collision in the legislation; the other key headings and objectives of the bill; and if he will make a statement on the matter. [28385/09]

**Deputy Noel Dempsey:** I propose to take Questions Nos. 7, 24, 35 and 64 together.

In my reply to Question No. 5, I outlined the provisions on blood alcohol concentration and mandatory testing that will be included in the road traffic Bill, which is nearing completion. Clearly, I cannot at this stage specify when the new regime will come into place as the passage of the legislation will be a matter for the Oireachtas. As already mentioned, the new limits will require the recalibration or replacement of roadside breathalysers and evidential breath-testing machines in Garda stations.

The Bill will also provide for several amendments to existing legislation to improve the effectiveness of the fixed charge and penalty points system.

**Deputy Fergus O'Dowd:** Will the maximum blood alcohol level recommended by the Road Safety Authority be included in the Bill? Does the Minister intend to have graduated penalties? Existing legislation permits the Minister to make an order to allow those whose blood alcohol levels are less than a certain limit to consent to surrendering their licences immediately and go off the road voluntarily, thus preventing their having to appear in court and eliminating the expense of court action. He has not made such an order to date.

**Deputy Noel Dempsey:** The Deputy is referring to administrative penalties. We stated on another occasion that the provisions in section 5, although in law, have never been commenced.

**Deputy Fergus O'Dowd:** That is right. The Minister has not commenced them.

**Deputy Noel Dempsey:** The administrative penalties come under section 5. The Garda, the Courts Service and various others have a strong desire to ensure section 5 would become operational because it would free up significant time for the Garda and the courts. There was a difficulty about records and establishing what happened over the previous five years but that has been overcome and I hope to be able to put that into effect for many of the offences. On the other issues, because the Government has not approved the Bill I can say only that I take my advice on limits from the Road Safety Authority, RSA. It has advocated a reduction from 80 mg to 50 mg and to 20 mg in certain cases.

**Deputy Fergus O'Dowd:** Will the Minister expand on his point about what he will actually do in respect of this section?

**Deputy Thomas P. Broughan:** I have the same question. We are still waiting for the road traffic legislation. When will it be published? Will that be when the Dáil is not sitting? When can it be implemented? It is reported that last night at the Fianna Fáil parliamentary party meeting the Minister met severe opposition to the introduction of the 0.5 mg level, presumably from those representing vintners. Is the Minister seriously committed to implementing the RSA recommendation because the record shows that 37% of all fatal crashes involve alcohol and it is also a factor in approximately 50% of crashes involving young men. Will the lower, 0.2 mg limit, be in the legislation in respect of professional and learner drivers?

**Deputy Noel Dempsey:** The Bill will take account of the blood alcohol concentration levels that the RSA proposed last year. I cannot anticipate Government decisions on this. When a few issues about fixed penalties are sorted out I will bring the final draft of the Bill to Govern-

ment. It will be published as soon as Government has passed it and I hope it will have a speedy passage through the House.

**Deputy Fergus O'Dowd:** I have raised the matter of fixed penalty points in question No. 9 so I will postpone that discussion. Will the Minister commence the section soon that provides that someone who has a low blood alcohol concentration but is technically over the limit can opt to surrender his or her licence on the spot without going to court? Can he give us a date? How will that operate?

**Deputy Noel Dempsey:** Section 5 of the 2006 Act provides that if a person whose blood alcohol concentration is found to be between 80 mg and 100 mg accepts that fact and takes the fixed penalty he will be fined €300 — I think that is the fine — and will have to hand up his licence. Instead of going to court where he would be disqualified for 12 months he would be automatically disqualified for six months. That is the provision and we will operate on that principle.

**Deputy Fergus O'Dowd:** When does the Minister intend to commence that?

**Deputy Noel Dempsey:** We have to make a change to the Road Traffic Bill to make it feasible because there was a difficulty about the five——

**Deputy Fergus O'Dowd:** We will not see it before Christmas.

**Deputy Noel Dempsey:** It will be ready sometime in the autumn.

**Deputy Thomas P. Broughan:** Mandatory testing at crash sites will be part of the Bill but is the Minister concerned that so many deadlines for the actions on the timetable in the road safety strategy are being missed? He has not delivered any of the following, the change to the blood alcohol concentration limit, due in the second quarter of 2009; action 72, the graduated driver licence, due in the third quarter, 2008; action 41, the random roadside mechanical checking programme, second quarter of 2008; action 34, the new speed limit engineering guidance for setting speed limits, third quarter of 2008; above all, action 26, the 6,000 hours of cameras, second quarter 2008; and action 23, the full roll-out of the traffic corps, fourth quarter 2008. I could go on. The Minister has failed again and again. Does the Minister recall the day he launched the strategy in the presence of Gay Byrne, Noel Brett and the rest of us? Is it not deplorable that he has missed so many targets in the road safety programme? Is he serious about this?

**Deputy Noel Dempsey:** This is the subject of a later question but the Deputy will be delighted to know, because he usually celebrates all our successes, all the actions listed for 2007 have been completed. A total of 24 actions of the RSA, which is the lead, or joint lead agency are under way and most are completed. A range of other actions across the road safety strategy, some of which were not due until 2010 and 2011, have been completed. I would like to stick to the indicative timetable as much as possible but sometimes the opportunity arises to do something further down the list and that causes slight delays in the earlier part of the list. The important point is that the road safety strategy is being implemented and is having a significant effect.

#### **Appointments to State Boards.**

8. **Deputy Ciarán Lynch** asked the Minister for Transport when the chief executive officer, CEO, for the Dublin Transport Authority, DTA, will be appointed; the estimated salary for the new, CEO of the DTA; the person he plans to appoint to the board of the DTA; the



[Deputy Ciarán Lynch.]

mechanism for appointing members of the public to the DTA board and advisory body; when he will publish promised legislation to transform the DTA into a new national transport regulator; and if he will make a statement on the matter. [28383/09]

**Deputy Noel Dempsey:** My Department is proceeding with preparations for the establishment of the Dublin Transport Authority during 2009. A key part of those preparations is the recruitment of a CEO. The necessary recruitment process has now been concluded and I expect to be in a position to announce the outcome in the near future. The annual salary for the CEO post will be €211,363.

In accordance with section 14 of the Dublin Transport Authority Act 2008, the Minister for Transport is responsible for appointing the members of the DTA. Membership of the authority will comprise a chairperson, three *ex officio* members and six ordinary members. The chairperson and six ordinary members must be persons who, in the opinion of the Minister for Transport, have wide experience of transport, industrial, commercial, financial, land use planning or environmental matters, the organisation of workers or administration.

Last March I invited applications from people who wish to be considered for appointment as an ordinary member of the new authority. The purpose of the application process was to encourage people who believe that they can make a positive contribution to the development of the transport system in the greater Dublin area to put their names forward for consideration. The process yielded 66 applications, which I am considering. The procedure for the appointment of the 24 members of the Dublin Transport Advisory Council is set out in section 17 of the 2008 Act.

In January 2009, the Government approved the general scheme of the Public Transport Regulation Bill which contains proposals for a new bus licensing regime which will replace the Road Transport Act 1932 and the provisions of the Transport Act 1958 that relate to the provision of bus services by the State bus companies. It is proposed that responsibility for bus licensing and public transport services contracts nationwide will be assigned to the DTA under the Bill, which will also provide for the absorption of the Commission for Taxi Regulation into the DTA. The Bill will also provide for the renaming of the DTA as the National Transport Authority given its proposed national focus in relation to commercial bus licensing, future bus and rail subvention and the regulation of small public service vehicles. The draft Bill has now been prepared and has been circulated to Departments for observations. On their receipt, it is my intention to seek Government approval for the publication of the Bill as soon as possible.

**Deputy Thomas P. Broughan:** Is the new chief executive from this country? The Minister said it was an international competition. On the appointment of members of the public, it is good news that a number of people have put themselves forward for that position. It was my view on Committee Stage of the Dublin Transport Authority Bill that the people should elect the key members of the board, as would happen in many other countries. These are people with an expertise and interest in the matter.

Will the criteria for membership change now that the body is to become the national transport authority rather than just one for the Dublin area? We spent approximately 13 hours on Committee Stage of the DTA Bill because it was so significant but is the Minister envisaging any of the powers of the regulator being changed in any way in the new Bill? For example, what will be the ability of the new regulator to grant bus contracts and other public contracts for the whole of Ireland?

I presume the new national transport authority will now have authority over all public service contracts throughout the country. Does the Minister envisage that the licensing Bill will bring about the final changes for that to happen and what will be the timeframe on it?

**An Leas-Cheann Comhairle:** I will call the Deputy again. Otherwise we will lose track of all the questions.

**Deputy Noel Dempsey:** It was difficult to keep up. With regard to the composition of the authority, I do not anticipate the need to change the criteria for people who will go on the DTA when it changes to a national transport authority. The same types of skills — a wide experience in transport, industrial, commercial and financial land use, planning or environmental matters and the organisation of workers and administration — mean such people can stay as they are. I may have to consider a geographic spread of the people involved.

From 9 December this year, all PSO contracts and subvention will be subject to a contract, and any new PSO will be subject to open public tender from any operator, public or private. The DTA will administer all of that. When the national transport authority comes into existence, it will look after the licensing at the time and it will have the responsibility which currently resides in the Department.

**An Leas-Cheann Comhairle:** I will call on Deputy Broughan so as not to break his sequence. I will then go back to Deputy O'Dowd.

**Deputy Thomas P. Broughan:** When does the Minister envisage the Commission for Taxi Regulation will be absorbed? Does he agree there is an ideal opportunity to change the remit of the taxi regulator, which relates to some of the points I made earlier? Deputy O'Dowd mentioned the next matter earlier. What is the final timeframe on integrated ticketing in the greater Dublin area?

**Deputy Noel Dempsey:** We hope to have the Commission for Taxi Regulation absorbed into the national transport authority as quickly as possible. There are considerations regarding transfers of staff and so on that will have to be taken into account, and some industrial relations matters will also have to be dealt with, along with pensions and so on. It will happen as quickly as possible because we want to build up a critical mass in the DTA at an early stage.

What was the second point? It was something unrelated to the original question.

**Deputy Thomas P. Broughan:** I asked about integrated ticketing, which is a key task.

**Deputy Noel Dempsey:** It is expected to have it completely rolled out at the end of 2010 and early 2011.

**Deputy Fergus O'Dowd:** When the Bill went through the Dáil I made the point that the Minister should have opted for the national transport authority as the DTA has limitations. One of the problem areas relates to counties Meath and Louth. Much of the Bill is excellent, particularly as it relates to land use and strategy but, for example, planning permissions in County Meath must conform to transport plans, while in County Louth they do not need to regard them at all.

It is very important for that anomaly to be cleared up around the country because when the economy recovers and the building industry picks up again, we want to ensure there is joined-up thinking, with transport plans linked to housing estates rather than what has happened over the past 12 years.

With regard to licensing, which currently resides with the Department, I presume that authority will go to the DTA or the national transport authority when it comes along. There have been many cutbacks in Bus Éireann around the country and people are up in arms over them. I was told that two years ago Bus Éireann in Drogheda requested from the Department a

[Deputy Fergus O'Dowd.]

consent to vary a route so as to include a railway station in the mornings. It has waited two years for that decision.

Is the Department operating in Soviet Russia or why is there such slow and unacceptably ridiculous decision making and bureaucracy? Why will the Department not approve the route straight away?

**An Leas-Cheann Comhairle:** The Deputy is extending the boundaries of the question.

**Deputy Fergus O'Dowd:** To the Kremlin only.

**Deputy Noel Dempsey:** If the Deputy had given me some notice I could have informed him on that issue. I have had similar complaints from Bus Éireann in Deputy Broughan's area and from other Deputies. Nearly every time I went to investigate, I found that the company had started a service which was in direct competition with an existing service that was licensed. It was told it could not do so under the terms of the 1958 Act and that it had to seek consent. If it had sought consent it would be dealt with. In about 80% of the cases, consent was not sought but the company complained about not getting the service. I do not know if that is the case in Drogheda but I will check it out.

**Deputy Fergus O'Dowd:** In this case there was no competition.

**Deputy Noel Dempsey:** I agree with the Deputy's other points. We had a discussion on the DTA Bill and I wanted to get the DTA element through at the time. The Deputy rightly pointed out that we would return to this issue and I indicated that I would introduce proposals for a national transport authority. We are doing this because it is important to get the land use and transport.

### **Road Traffic Offences.**

9. **Deputy Fergus O'Dowd** asked the Minister for Transport his proposals to improve the fixed charge processing system; and if he will make a statement on the matter. [28523/09]

**Deputy Noel Dempsey:** Some 36 fixed charge offences under the Road Traffic Acts are covered by the Garda fixed charge processing system. If a person makes a payment of up to €80 within 26 days, or a higher payment of up to €120 within a second period of 26 days, a prosecution will not be proceeded with. Some 31 fixed charges also attract penalty points. An Garda Síochána operates the fixed charge system itself.

There is ongoing liaison between my Department, the Department of Justice, Equality and Law Reform, An Garda Síochána and other parties, including the Courts Service, on the effective enforcement of the Road Traffic Acts, including the fixed charge system. As a result of these contacts I will take the opportunity in the forthcoming road traffic Bill to introduce measures to amend certain provisions relating to the operation of the fixed charge and penalty point system to improve its effectiveness and to support the better use of the resources of the gardaí and the Courts Service. My overall objective is to maximise the number of cases dealt with under the fixed charge system rather than proceeding to court.

Implementation of the system itself in accordance with the legislative provisions in the Road Traffic Acts is a matter for An Garda Síochána.

**Deputy Fergus O'Dowd:** The key point is that the Courts Service is being clogged up and Garda time is being wasted. The figures we have for 2007 show that in the first six months, 88,000 people chose not to pay the fixed penalties and court notices were issued. Some 23,700

were struck out, 43,000 were not served and only 14,000 resulted in fines. That is extremely unfair to people who opt to pay their fines and not go to court.

The key change the Minister must make is to introduce a default position whereby if people opt not to go to court in the first seven days or whatever, the level of the fine should be automatically increased if it is not paid within 20 or 40 days. As I understand it, the Courts Service is being prevented from doing its normal work because it is obliged to process these minor infringements, which were never intended to go before the courts in any event. The sooner the Minister introduces legislation to amend the position, the better.

**Deputy Noel Dempsey:** The Deputy raised this matter on previous occasions and has pursued it quite vigorously in the interim. As a result of issues he raised on a previous Question Time, I asked the officials of my Department to examine the position. They did so, in consultation with the various interested organisations, and it is our intention to bring forward proposals which can be discussed in the context of the Road Traffic Acts.

**Deputy Fergus O'Dowd:** I welcome that development.

### **Public Transport.**

10. **Deputy Joe Carey** asked the Minister for Transport if he has explored interest with domestic and international private bus operators to enter the market here to compensate for reduced and lost bus transport systems; and if he will make a statement on the matter.  
[28503/09]

**Deputy Noel Dempsey:** In recent years, private bus operators have shown a much stronger interest in the provision of bus services and are now well established in parts of the national bus market. They compete with Bus Éireann on most of the major national routes in and out of Dublin and provide some limited services within the Dublin metropolitan area. The provision of public bus services on specific routes or to service particular areas is an operational matter that must be determined by the State bus companies or by private bus operators.

The Road Transport Act 1932 provides the statutory basis for regulating the provision of public bus services by private bus operators. Under that Act, it is open to such operators to submit proposals to my Department for licences for the provision of bus services. Dublin Bus and Bus Éireann are not subject to the 1932 Act. However, they are obliged to notify my Department with regard to the initiation or alteration of a bus service and they must obtain my specific consent under section 25 of the Transport Act 1958 where a proposed new service or an alteration to an existing service would give rise to competition with a service licensed under the 1932 Act.

In January 2009 the Government approved the general scheme of the public transport regulation Bill, which contains proposals for a new bus licensing regime for all commercial services. This new regime will replace that provided for under the Road Transport Act 1932 and the provisions of the Transport Act 1958 which relate to the provision of bus services by the State bus companies. In accordance with the programme for Government commitment, the proposed licensing regime will provide a level playing field for all bus market participants.

The general scheme of the Bill also contains proposals for extending nationally the contractual arrangements for the procurement of bus and rail services established in the Dublin Transport Authority Act 2008 in respect of the greater Dublin area. That Act provides that future growth in the market for subvented bus services will be addressed by public service contracts entered into following open tendering processes.

[Deputy Noel Dempsey.]

The Bill will assign responsibility to the Dublin Transport Authority, DTA, for bus route licensing and the award of public service contracts nationwide. Given its proposed national responsibility in respect of commercial bus licensing, bus and rail subvention and also the regulation of small public service vehicles, the Bill will also provide for the renaming of the DTA as the national transport authority. In the light of Government approval of the general scheme to which I refer, the draft public transport regulation Bill has been prepared and circulated to Departments for observations. When the latter are received, it is my intention to seek Government approval for the publication of the Bill at the earliest opportunity.

**Deputy Fergus O'Dowd:** Has the Department received any approaches from companies from outside the State which may wish to provide services here?

**Deputy Noel Dempsey:** I am not aware of any such approaches being made. However, there are a couple of companies which operate in Ireland, the parent companies of which are located abroad. One of the latter has its headquarters in Singapore. I met representatives of that company when I visited Singapore, either last year or the year before, to examine its transport system. I am not aware of any formal approaches being made to the Department in respect of the provision of bus services but I will check on the matter for the Deputy.

**Deputy Thomas P. Broughan:** The Joint Committee on Transport discussed the issue of international operators in the context of the relevant European directive. Did any discussions take place with international companies in respect of that matter? For example, I understand there may have been discussions with some Polish companies.

How many applications for bus licences — of any type — are currently lodged with the Department in respect of which decisions are awaited? How long does it take the Department to process such applications? Are there any ongoing legal disputes involving the Department and any private bus operators?

**Deputy Noel Dempsey:** Approximately 600 licences are on issue in respect of public bus passenger services being provided by private bus operators throughout the country. In the first half of this year there has been an increase of over 40% in the number of applications. The total number of applications received for the first six months of 2009 was 152. Applications for annual passenger licences during that period increased by over 100% when compared to the first six months of 2008. It is clear, therefore, that something is happening in the market.

I am informed that no undue delays occur in respect of processing either bus licence applications for private operators or notifications from the State bus companies. In 2008 the Department received in the region of 500 applications for proposed services. These comprised applications for new licences from private operators, amendments to existing licences and notifications from the State bus companies. Some 90% of these applications were processed in 2008. Almost 100% of the remaining 2008 applications had been processed by the beginning of this month. A total of 601 cases were finalised in 2008, comprising 447 applications received in that year and 154 that were outstanding from previous years.

The aim is that, where possible and once all the necessary information has been provided, applications are processed with weeks of being received. In view of the level of complaints received, I insisted that this be the case when I took up my portfolio.

**Deputy Thomas P. Broughan:** So a problem did exist.

**Deputy Noel Dempsey:** Yes. In addition, difficulties continue to arise in cases where State bus companies or private operators make prior applications. In such circumstances, one appli-



cation must be processed before the other. Of the 336 cases received up to 7 July of this year, 72% have been processed, that is, an offer has been made to the relevant operator.

**Deputy Ulick Burke:** The bus service provided by Bus Éireann in the west is particularly bad. In 2005 Bus Éireann agreed to commence providing a range of services between Knock Airport and the surrounding towns. The Minister and his Department were lobbied in respect of this matter. In March 2007 — oddly enough, prior to the general election — the department decided to sanction the provision of such services. To date, however, a service to the airport has not been provided. Will the Minister indicate the position with regard to this matter?

**Deputy Noel Dempsey:** The matter to which the Deputy refers is extremely specific in nature. If he tables a parliamentary question in respect of it, I will endeavour to obtain the information he requires. If it took two years to process the application — I have no reason to doubt the veracity of the Deputy's claims in that regard — then information must have been outstanding and this prevented the making of a decision. The fact that, two years after the licence was granted, bus services are not being provided, indicates to me that the fault may not lie with the Department.

**Deputy Thomas P. Broughan:** I wish to raise one closely related point and thank the Minister for the statistics. It is the first time Members have been provided with such statistics, which will enable Members to evaluate what is happening——

**An Leas-Cheann Comhairle:** The Deputy should be brief, as I wish to include one last question.

**Deputy Thomas P. Broughan:** Are there, at present, one or more legal disputes between the Department and a number of companies?

**Deputy Noel Dempsey:** Yes, I am sure there is one or more.

**Deputy Thomas P. Broughan:** Can the Minister provide information on them to Members?

**Deputy Noel Dempsey:** The Deputy should drop a note to me and I will try to give him any information I can.

### **Public Transport.**

11. **Deputy Michael D'Arcy** asked the Minister for Transport if he will make future funding to CIE contingent on the company producing a strategy for ensuring a more sustainable fleet and for progress in implementing the Deloitte report on bus efficiency; and if he will make a statement on the matter. [28527/09]

**Deputy Noel Dempsey:** Public service contracts with the CIE companies are due to be in place by early December. My Department will consider the inclusion in those contracts of provisions relating to emission standards to be met by buses and rail rolling stock and the implementation of the recommendations of the Deloitte report relating to the bus companies. A number of initiatives have already been undertaken across the three companies to ensure more sustainable fleets.

The complete renewal of rail rolling stock, funded under Transport 21 and earlier investment programmes, has resulted in a more fuel-efficient fleet, which generates less emissions. Iarnród Éireann has also in the past two years achieved energy savings of 26% through the use of regenerative braking on its DART fleet. Iarnród Éireann also has fitted fuel shut-down modifications to much of the diesel fleet, thereby saving 3.5 million litres of diesel per annum.



[Deputy Noel Dempsey.]

Transport 21 also has facilitated the introduction by Dublin Bus and Bus Éireann of buses and coaches meeting EU Euro 4 standards. Both companies have been using bio-diesel in their tour fleets since 2006 and Dublin Bus is currently piloting a hybrid electric bus. The Government's Smarter Travel policy, which I published in February 2009, provides that all public transport providers will prepare a plan for fleet replacement based on the most sustainable vehicle and fuel type.

The position in respect of the recommendations of the Deloitte report is that both Bus Átha Cliath and Bus Éireann have commenced implementation including, in the case of Dublin Bus, a complete review and redesign of its network to better meet the needs of its customers. The implementation of recommendations in the report relating to bus priority, integrated ticketing, bus licensing and the move to public service obligation, PSO, contracts are being pursued actively by my Department in conjunction with the key stakeholders

**Deputy Fergus O'Dowd:** I welcome the Minister's reply. Will a percentage limit be placed on such companies? In other words, will an obligation be placed on the companies in order that, for example, 80% of their vehicles must use bio-fuels? What criteria will the Minister apply?

**Deputy Noel Dempsey:** My Department has asked CIE to have a blend of at least 5%.

**Deputy Fergus O'Dowd:** That is what was originally proposed.

**Deputy Noel Dempsey:** Yes, that is what was originally proposed in the programme for Government. CIE purchases fuel for all three companies and its supplier has confirmed that in many cases, a 5% blend is applied by the fuel companies. In addition, both Bus Éireann and Dublin Bus have sought and received assurances that their new buses will be able to accommodate a 30% blend without affecting their warranty. They are pursuing the goal that any new buses will have a usage of 30%

**Deputy Thomas P. Broughan:** While I welcome the thrust of the response to the question, would it not be advisable to make provision in the new legislation for all bus operators to be obliged to have more sustainable fleets, in order that the low CO2 emissions required of the captive fleets of the national companies would be applicable to all companies? I note in particular that recently, both Bus Éireann and Dublin Bus bought large new fleets contingent on the expansion of their service but the Minister then peremptorily, and as part of the Government cutbacks, slashed their allocations and forced them to rely on older fleets. Is this not part of the problem? Will the Minister include in the legislation a requirement to make it incumbent on all public transport operators to have more sustainable fleets?

**Deputy Noel Dempsey:** It is quite to the contrary. The fact that Dublin Bus now operates with fewer buses than it used to recently——

**Deputy Thomas P. Broughan:** The service has worsened. One now waits for 20 minutes instead of waiting for ten minutes.

**Deputy Noel Dempsey:** The average age of the fleet has been improved——

**Deputy Thomas P. Broughan:** It now will begin to decline.

**Deputy Noel Dempsey:** ——and the company now has buses that are much more fuel-efficient.

I will make one point in this regard. Costs must be taken into account and the cost of bio-fuel increased by 46% last year. This factor must be taken into account.

*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) Deputies Margaret Conlon, Seymour Crawford, Rory O'Hanlon and Caoimhghín Ó Caoláin — the removal of acute medical services from Monaghan General Hospital on 22 July 2009; (2) Deputy Lucinda Creighton — the commitment of the Minister for the Environment, Heritage and Local Government to introduce legislation for a directly elected mayor of Dublin in 2010, the need to establish how far advanced is this proposal, what the implications will be for the role of the current position of Lord Mayor of Dublin and the type of budget and executive powers that are envisaged for the directly elected mayor, as distinct from the Lord Mayor; (3) Deputy John Perry — to ask the Minister for the Environment, Heritage and Local Government to outline the guidelines in place or planned for local government authorities in the matter of the cost-benefit analysis procedures and methods to be followed in assessing proposals for their larger capital expenditure projects, and if he will consider extending the remit of the Comptroller and Auditor General to include the larger local authority capital expenditure projects; (4) Deputy Joe Costello — the need for the Minister for Health and Children to resolve the bed crisis in the Mater and St. James's Hospital; (5) Deputy Bernard Allen — the situation where there are 3,700 persons awaiting optical services on the north side of Cork city and the explanation given that applications could not be processed because the clerical officer is on maternity leave, unlike the south side of Cork city where there is no waiting list and services are offered within one month of application; (6) Deputy Ciarán Lynch — to ask the Minister for Finance if it is his intention to provide sufficient finance to continue the provision of area co-ordinators in the family mediation service in the southern and western regions and if he will make a statement on the matter; (7) Deputy Simon Coveney — to ask the Minister for the Environment, Heritage and Local Government to outline in detail where stands the Cork docklands project now, what the Government is planning to do to incentivise investment through taxation and gateway funding for this project, where the report completed last summer by the docklands policy committee is and if he will outline its findings and his Department's plan to work with the local authority on its ambitious plans for the Cork docklands project; (8) Deputy Denis Naughten — the need for the Minister for Health and Children to ensure that elderly people in County Roscommon can avail of the enhanced nursing home subvention; and (9) Deputy Paul Connaughton — the non-eligibility of unemployed persons on jobseeker's benefit to participate on community employment schemes.

The matters raised by Deputies Margaret Conlon, Seymour Crawford, Rory O'Hanlon and Caoimhghín Ó Caoláin and Paul Connaughton have been selected for discussion.

### **Local Government (Charges) Bill 2009 [Seanad]: Second Stage (Resumed).**

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

**An Leas-Cheann Comhairle:** Approximately 26 minutes remain to Deputy Ciarán Lynch.

**Deputy Ciarán Lynch:** As I mentioned just before the debate was adjourned, I wish to share time with Deputies Joanna Tuffy and Martin Ferris. How much time remains in my slot?

**An Leas-Cheann Comhairle:** Six minutes.

**Deputy Ciarán Lynch:** Previously, I was discussing the manner in which the Bill has been managed to date and the need for clarity. I seek clarity in this Second Stage debate regarding the real intention behind the measure that has been introduced by the Department of the Environment, Heritage and Local Government. However, I also seek specific clarity on a particular matter. During the last Question Time in which questions were directed to the Minister, Deputy John Gormley, I asked him what was the position in respect of development levies held on account at present by local authorities. At the end of 2007, a total of €1.5 billion was held on account.

This sum entered the public domain on foot of a report by the Comptroller and Auditor General that showed that €1.5 billion was held on account by local authorities nationwide. I asked what was the position in respect of this money because at the outset of this year, a circular from the Department was issued stating that all existing moneys held on account by local authorities was now to be ring-fenced and only spent when measured against income for 2009. Therefore, a local authority can only spend €1 million or €2 million in development levies, if it is in receipt of a similar income this year. This is the elephant in the room. This Bill provides for a €200 charge on second dwellings that has the potential to raise perhaps €40 million. Moreover, that is before one considers potential difficulties in respect of administering this scheme or in collecting moneys in County Donegal and Border regions in which the owners of such properties may live in Northern Ireland. The question will arise as to how one can get the money from them or whether it is legally possible to do so.

However, even if two thirds of the aforementioned funds have been spent since the start of 2008, it would mean that €500 million remains held on account nationally. I refer to moneys to which developers, builders and home owners contributed under the development levy to have specific critical infrastructural and recreational works carried out in their communities. Will such work be done or not? If such work is not to be carried out, I question the legality of people handing over a tax for specific works to be done in their communities while, simultaneously, the Minister issued a directive to the local authorities to the effect that this money cannot be spent. Will developers ask the Department to give them their money back? This money was collected for a specific reason and will not be spent for the foreseeable future.

The Minister's circular letter, FIN 03/2009, issued in February 2009, indicates no timeline in this regard. Consequently, the development levy moneys that local authorities have on account will remain frozen for the foreseeable future. At the conclusion of the Second Stage debate, the Minister should provide some further clarification in this regard. His response in the House that day, when I believe the Leas-Cheann Comhairle was in the Chair, appears to contradict the evidence given to the Joint Committee on the Environment, Heritage and Local Government the previous day by the County and City Managers' Association. Its representatives were categorically clear that development levies that are held on account at present or up until 31 December 2008 can only be spent against moneys accrued in 2009. That is a substantial sum of money. It puts the sum of money we are talking about this afternoon in the ha'penny place. It is something on which local authorities must be given a clear answer. This is particularly true for people who are living in developments that were built in recent years when development levies were accrued and who are awaiting completion of vital infrastructural and recreation projects.

In the course of the debate on Committee, Report and Final Stages, the Labour Party will table amendments. One relates to an amendment tabled during the debate in the Seanad. I read with concern the Minister's response to the Labour Party amendment on that day in which he said there was no legal standing for the amendment to recognise separated couples in a specific context. My legal advice is that the Minister is operating illegally. During the course of debate on Committee and Report Stages I hope the Minister receives legal advice rather

than talking on the hoof, as appears to have been the case in the Seanad. He might then come to the legal position of the Labour Party amendment, which is correct, so that he accepts there are different categories of separation in law.

The Labour Party will table amendments on the second home charge in respect of properties with an architectural or heritage value that are in a transitional stage, where the property owner may wish to hand it over to a national heritage trust, the Office of Public Works or another national agency and where the owner may be exposed to this charge over the transfer period. Unlike a development levy, which is paid over a period of time and index-linked, the cumulative cost of not paying the charge over a four year period runs into a significant sum. It increase from €200 to €4,000 over four years as a penalty. This is critical.

There was much confusion when this Bill was introduced. “Liveline” acted as a referee between callers and the Department to clarify what was happening. There was a massive U-turn on mobile homes and this reflects the cloudy thinking of the Minister on this issue. This is a consistent theme with the Green Party. We saw this on the Nuclear Test Ban Bill, part of a UN protocol to which Ireland is a signatory. The bizarre situation was that the legislation provided that someone caught detonating a nuclear device in the State would be fined €5,000. I do not know who would be around afterwards to issue the fine or collect it after a nuclear bomb exploded. This was poorly drafted legislation.

Another example is the motor vehicle registration tax. There is a difference between a good idea and good governance. The vehicle registration tax makes sense but should have been introduced on 1 January of any given year. The Minister introduced it in the middle of the calendar year. The dogs in the street know that the state of the motor industry is determined by cars being bought at the start of the year. The second hand car market is also dependent on turnover at this time. Since moving to the yearly registration system of 07, 08 and 09, this has become a critical factor in the industry. The registration immediately indicates the year of the car’s manufacture. Introducing a new tax regime in the middle of the year created a situation in which cars were not sold in the period, particularly in the case of diesel cars, because people were witnessing a significant drop in taxation. It was June or July when this measure was introduced and car sales started to drop. Other factors have had serious implications for the motor vehicle trade but this was the entry point at which the motor vehicle trade was in danger because of bad sequencing and timing by the Minister and his Department.

Whether this is a tax or a charge and whether it is indirect or direct, all payments by citizens to local or national government should be paid in equity and fairness. There are concerns about how equitable or fair this measure will be. There are fears that because this legislation is being rushed, Opposition spokespersons are not begin given enough time to examine what the Government hopes to achieve, given the number of U-turns the Minister and his Department have made to date.

**Deputy Joanna Tuffy:** When this was announced in the budget it was called a charge. There was no mention of a tax. In legislation it is now being referred to as a tax and the Minister refers to it as a charge at times and a tax at other times. It is in between, neither one nor the other.

It is hard to know how it fits in with future plans for taxation and local government funding. The Minister made the point that this is the first time there is an independent source of local government funding in a long time but it is not part of a local government review. It is not clear that this is what the measure is about. The problem with the charge and the legislation is that it is not part of an overall plan on how to tax or charge people fairly to pay for public services. A flat charge that people pay irrespective of income or wealth is a blunt instrument. It is an *ad hoc* measure that goes back to the budget before Christmas, when certain measures

[Deputy Joanna Tuffy.]

were introduced and then there was a U-turn. There was a U-turn in respect of mobile homes after the legislation was published. There is unfairness in this. It will hit people irrespective of how valuable their property is, their income or circumstances.

Will nursing home residents be charged this sum? How long will they be charged for? The charges may build up if they are not aware they are liable for it. Local authorities will not know if this is a property to be charged. Those in nursing homes who will be hit for the charge will also be charged under the fair deal legislation for up to 15% of the value of their houses. This will include those on modest incomes, on the State pension and who bought council houses from the local authority. The value of the house may be €150,000 and it may be the one thing the person intended to leave to the family after passing away. It is unfair to hit those people.

There are many anomalies in the Bill. It is not unlike bin charges as they were originally introduced, where there was a flat charge everywhere. In that case, many local authorities had a waiver system for those for whom the charge would cause hardship. There is a similarity because the charges attach to the property. If selling the property, one had to clear arrears and bin charges. I presume that is still the case. There is no waiver or consideration that someone might have a property subject to a charge but not have a major income. The nursing home resident is one example, another is a person with a second property but who became unemployed. That is why this Bill needs more thought and should have been part of an overall plan.

5 o'clock There is no return in services. This is allegedly a new income stream for local authorities but no extra services will be provided by them in return. It is to plug a gap in funding from the national Exchequer as the Government is cutting funding to local authorities. Whether it will make up the difference is questionable because it will create an inequality in terms of what local authorities receive through the charge. I understand that some local authorities will receive more under the charge than others and I hope the Minister speaks more on this aspect.

Material prepared for us by the Library indicates that Kildare, which is the constituency of the Minister of State, Deputy Áine Brady, will raise a low level of revenue through the charge. However, I know that Kildare is not unlike the area in which I live; it is part of the commuter belt and has huge needs. Issues have already been raised by Deputies from Kildare about the lack of funding as the local authority in north Kildare comes out unfairly with regard to local government funding. Huge demands are made on the services because of the huge numbers of families living in the commuter belt.

The implementation of this tax is another example of the Government's policy of ad hocery and crisis management — it is not part of an overall plan — and it is an example of divide and rule whereby the Government picks on a sector of the population which it has decided is doing great. Many of those hit will be people on middle incomes. Other examples of this are the public sector pension levy and the proposals to introduce third level fees.

It is easy for someone to state that he or she does not have a second property — I do not — and to shrug his or her shoulders. I know some people who built holiday homes and who privately rented out accommodation benefited from the various tax reliefs introduced by the Government over the years and there is a certain amount of equity in the fact that they might be hit for a tax now as they legally avoided tax under the various tax structures put in place by the Government on holiday homes and the development of property in incentivised areas. However, many who will be hit by this tax did not benefit in that way. We need to consider how to tax, levy and charge people in a way that is fair and has the common good in mind. The outcome should be to ensure that what we do in terms of our taxation and spending policies are for the common good. None of that is behind this legislation.



Fine Gael differs from the Labour Party on the point of third level fees. Is third level education for the common good? I believe it is and that it does not matter whether it is my children or someone else's who receive third level education. It benefits all of us and our economy so why pick on students and tax them? We all benefit from third level education and we should pay for it through a fair taxation system not pick out sectors of the community, make them pay for it and treat it like it is a consumer good, which I believe Deputy Brian Hayes of Fine Gael did in his article in *The Irish Times* today.

Why did the Government appoint a group of unelected individuals to come up with cuts? Why does the Government not have an overall vision of how it will tax and use the money collected to bring about a better society? There is no vision in this; it is all part of a very negative approach of which an *bord snip nua* is one example.

I also want to discuss cutbacks because although this is an alleged new income source for local authorities they have been told to substantially reduce their expenditure. This means they are letting go temporary staff and not recruiting to fill vacancies that arise. They are not employing the people they used to for summer works such as cutting grass in local cemeteries. In a cemetery in my constituency the grass is up to shoulder height because South Dublin County Council cannot employ students to carry out this work during the summer, which it normally did. There is a rota of where to cut the grass in the various cemeteries and as a result families turn up to leave flowers for their relatives and have to wade through uncut grass. We also have other issues, such as uncollected litter at beaches.

Services are being reduced but the money saved must be weighed up against the money lost to the economy if the image of Ireland as a good clean country is damaged by not collecting litter. Will there really be savings? Most of the temporary workers let go by local authorities were on low incomes. They are now on the dole and are being paid to sit at home to do nothing. Local authorities had plenty of work for them to do. The wages they were being paid were not that much higher than what they receive on social welfare but they wanted to work. Last month, the shortsightedness of this type of cutback was borne out by the fact that county and city managers told the Joint Oireachtas Committee on the Environment, Heritage and Local Government that they made a submission to FÁS to ask to be allowed to provide employment through FÁS schemes because they have much work to be done but do not have the workforce to do it.

The Government's policy is shortsighted. We need a plan for the economy that takes into account the broader picture and looks at society as a whole to consider how best to impose taxes and spend public moneys.

**Deputy Martin Ferris:** As others stated, this Bill is to be welcomed for addressing areas which were neglected for far too long. Any of us involved in local government who have party colleagues who are local councillors know there has been considerable resentment over the fact that holiday homes were not making a contribution to the cost of providing water, roads, sewerage facilities and other amenities in their respective areas. This was particularly the case in counties such as mine where there is a considerable number of such buildings which place a very high demand on those services. That is not to say that people object to people having holiday homes as individuals or to let commercially. However, it is only fair that they make a contribution and I welcome the provisions of the Bill.

I have submitted an amendment to section 3(3)(a) which deletes the reference to the €200 rate set by the Minister and transfers that right to local authorities which is best placed to decide. For this reason, I will oppose the Fine Gael amendment which proposes to give the power of collection to the Revenue Commissioners rather than to local authorities. This would add to the bureaucracy involved and local authorities would be more efficient at collecting such

[Deputy Martin Ferris.]

a charge and would immediately have the money at their disposal to fund local services. That cannot be stressed enough, particularly in the present circumstances when local authorities are striving for funds to meet the demands placed upon them and provide such services for holiday homes. It is also to be welcomed that the Minister amended the original draft to provide that the revenue collected from holiday homes will be retained by local authorities and in that way go towards the provision of essential services, particularly as there are so many financial constraints at present.

I also welcome the fact that caravans will be exempt from the charge. The proposals with regard to caravans and mobile homes have been brought to the attention of all Members in recent weeks. Most people who own caravans are in the low income bracket of society and it is not right to put further constraints upon them.

The issue of commercially-let holiday homes has been raised and no doubt many Deputies received representation from the owners of such properties to ask to be exempted. There is a point to be made on the importance of holiday homes to the local economy and the fact they bring much-needed spending, particularly during the summer months; we can testify to that in rural Kerry, Cork and Clare. They bring significant benefit to the local economy and are much appreciated. Long may that continue. However, there is little ground for exempting them from the charge, given that residents of the counties concerned must pay local for local services and the fact the premises in question draw heavily on those services. Therefore, while I recognise the case being made, fairness requires that the charge should stand.

I also support the amendment to exclude from liability what are referred to as “granny flats”, premises built adjoining existing family homes in order to accommodate a parent or close family relation. These are a common feature around the country and play a vital role in care for the elderly by families. In light of the fact this represents considerable savings for the State, which might otherwise have direct responsibility for looking after such people, it is only fair such premises should be excluded from the charge, as proposed by the amendment in the name of Deputy Hogan. It is a good amendment and should be supported. I hope it is taken on board. The same applies to the amendment to exempt people who are currently in residential care and not living in their home, but who would be liable for the charge as the legislation stands. I support the proposal to exclude them from the charge.

Much of the Bill is welcome. I applaud the fact that those who drew it up and those who have brought it to the House have listened carefully to the proposals for amendments and to those who voiced their opinions in the media or through their representatives.

**Deputy Mattie McGrath:** I wish to share my time with Deputy John Browne.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Mattie McGrath:** In October 2008, as part of its budget, the Government announced it would introduce a €200 charge on non-principal residences. The legislation necessary to give effect to this was published by the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, on 24 June 2009. The bill brought forward, the Local Government (Charges) Bill 2009, will give effect to last October’s budget decision.

The €200 charge proposed in the Bill will apply to the owners of residential rental property, holiday homes and vacant properties, unless the vacant property is newly constructed but unsold. It is estimated that the new charge will provide some €40 million in revenue to county and city councils each year and that the charges will be collected and retained by local authorities. This is a good step. However, the actual yield will only be known once collection of the

charges by the local authorities begins. The Bill represents the first important revenue stream for local authorities since the abolition of domestic rates over 30 years ago and it will provide access to much needed funds.

We all recognise that councils carry out very important work in the area of water schemes, road improvements, infrastructure and tourism, etc. However, some of that work has been jeopardised this year due to the drastic decline in development levies and other cuts. This new measure is significant in that it recognises that local authorities require a stable revenue stream that is independent of central government funding. These moneys will not only reduce local authorities' dependence on central funding, but will provide a stable income stream, as this is not a transaction based tax. In other words, the charge will not be affected by economic conditions in the way that stamp duty or capital gains tax were.

The County and City Managers Association, CCMA, recently proposed the introduction of a local property tax as a mean of raising funds locally. The new property tax will be collected each year on a day known as the "liability date". The Minister for the Environment, Heritage and Local Government will choose the liability date for 2009. Failure to pay the charge within the relevant period will result in a late payment fee of €20 for each month or part of a month that the charge remains unpaid. A grace period of one month will be allowed before the late payment fees start to take effect. Any unpaid charges will be a charge against the property. This means that if the property is sold, those charges will remain against the property for a period of 12 years. Non-compliance with the charge will be considered an offence.

The person liable for the charge is defined as the "owner", that is the person to whom rent on the building concerned is payable, or would be payable if it was rented. The owner of the residential property shall be liable for the charge on the specific liability date and he or she shall pay it to the local authority in whose area the property is situated. The Minister may also increase the charge of €200 in line with inflation.

Not all residential properties are categorised in the Bill under the title "non principal residences". Those houses that will not be subject to the €200 charge are those that are newly constructed but unsold, those of particular heritage value, those let by certain public authorities, those that are the subject of a shared ownership arrangement with a housing authority and those that are owned by voluntary housing bodies or those that are the subject of a contractual arrangement with a housing authority. As someone who was involved in the social housing area as a councillor, I welcome this on behalf of all the voluntary bodies throughout the country who do so much work in the area of voluntary housing and meeting housing needs.

The Bill provides for a number of exemptions from payment of the charge, such as the temporary ownership of a second home used for a short period while moving house. In this case, a person may have the €200 charge refunded, but must dispose of the original property within six months of the liability date. I welcome the amendment that specifically provides that those in nursing homes will not be subject to a €200 charge on their home. Granny flats will also be exempt, where the owners or parents live in the second house on the land within a specified distance of the main house. A person going through a judicial divorce or separation resulting in one of the spouses buying a second house will also be exempt, provided this is to be used as the main residence of the other spouse. Owners of principal private residences who occupy their property as their principal private residence, but who let out rooms within it will also be exempt from the charge.

I wish to comment on a number of other areas concerning local government. We all understand the importance of the functions of local government. I served on a local authority for a number of years, as I am sure did many Members before the ending of the dual mandate. Local authorities face significant issues, such as the provision of housing, the provision and

[Deputy Mattie McGrath.]

maintenance of roads, the maintenance of the environment and water and sewerage infrastructure. These are vital issues at this time. The county development plans are also of significant importance in each local authority area. Local councils work hard with planners to try and get the best deal for everybody within those plans.

Planning and enforcement are another issue. I compliment planners in the main, particularly those who in recent years fought and worked hard against the pressures for huge developments in our towns, villages and the countryside. They often got stick from us for that resistance, but I compliment them on the job they did. They held the reins as well as they could. We now concede we have an over-supply of houses and housing schemes in some areas. Developers went a bit mad in the Celtic tiger years, but those years are now over.

I must pay tribute to the planning officer in my area, Mr. Michael Lynch in the South Tipperary County Council. I pay tribute to planners who worked hard, despite criticism and who held the line. However, I now ask planners and county managers — I have asked the county manager in my county and his director of services to do this — to make the planning process more accessible, particularly for rural dwellers as there are many issues in that regard. A more accessible planning process would also act as a boost to the construction industry. Better incentives would encourage people with business ideas and plans.

I am aware of such people in my constituency who have found there is too much red tape and that planning approval takes far too long to obtain. Third parties are entitled to object, raise issues and appeal to An Bord Pleanála. I am aware of planning issues continuing for the past six years with regard to a hotel in my own town. This was a landmark building that ceased operating as a hotel and became derelict. Now a brave developer and his associates want to turn it into a badly needed car park, with 460-odd car-parking spaces and some retail units. This would be a lovely development for a centre of town site at a time when many towns, including my town of Clonmel, are dying and cannot survive because business are moving out from them to new clusters on the outskirts of towns. However, planning in this case has been an issue. An Taisce and the Department of the Environment, Heritage and Local Government both took appeals to An Bord Pleanála. This process has gone on for years but, thankfully, in recent weeks the board made a decision and gave the green light. I am concerned about An Taisce's role. While it has an important role and is interested in conservation and other issues, some of its judgments, certainly in my constituency, must be questioned.

Delay will cause the loss of many projects because the process is too expensive, time-consuming and exhaustive. In many cases developers are forced to walk away. These issues arise in my own town of Clonmel with regard to major developments. An Taisce should be more upfront and have greater accessibility. Developers need to get the message immediately that a development is too large or has too much of an impact on the roads and not find this out following a series of meetings. One of the cases to which I refer comes under the remit of three local authorities, Clonmel Borough Council, South Tipperary County Council and Waterford County Council. It is a nightmare to organise and facilitate meetings, to get the people one needs at these meetings and to get the process on the road. It is costing too much, particularly for developers, is too cumbersome and is frustrating people with initiative.

I welcome the development of the new motorway. The travel time to Dublin has been significantly decreased, which is great for travellers from Cork and other areas on the route to Dublin. While I understand compulsory purchase orders are a tool that must be used, the non-payment to farmers, householders and ordinary families is an issue. While the road has been opened and the developer has been relieved of his duties, many landowners and families have been left unpaid, which is unfair. The contractor and those who worked on the road have been paid, rightly so, and the tolls are being paid by motorists travelling on the Cork section of the road,

so it is not acceptable that the families who expected to be paid under CPOs have been left in a position of uncertainty.

I have an issue with regard to transient traders. I refuse to call them Travellers. Although I have heard their various representative bodies call them Travellers, they are not Travellers but transient traders who have come in marauding gangs onto huge tracts of land on the motorway. I do not know why this land was needed and, when it was not used, it should have been given back or sold back to the landowners. We have a major problem moving these traders from place to place. They do not pay rates, I doubt they pay income tax, despite driving the finest of vehicles, and they are very intimidating.

I visited a site on Monday where a new road was built to give access to lands which had severed by the new motorway. The road was blocked and I had to ask them to move to let me through. They questioned me as to what my business was on that public road. The gardaí and the council officials do their best, to be fair, but the Roads Act 1993 will have to be strengthened. I do not know if all aspects of the current Act are being employed by the county council. We are too slow to implement the legislation because these people need to experience the full rigours of the law. They create hell for everybody living in the vicinity, they intimidate people and they are carrying out business.

The businesspeople in all of our towns and villages pay their rates and insurance, and pay their staff, and they must deal with NERA and the many other agencies dealing with health and safety, food safety and so on which ensure standards are maintained. I would sometimes question whether the standards are too high and they make it extremely expensive for businesspeople to trade. The current debate on rates is based on wrong premises as it is based on a valuation from 2005 or 2006 whereas the valuation from, say, 2000 would be more realistic. People simply cannot afford to pay the current level of rates. Different statements have been made by the different parties in recent months with regard to freezing or lowering rates but we must seriously consider this issue because many business are unable, though not unwilling, to pay. While there were minimal increases in rates this year, there are increases year on year.

It is not easy for the ratepayers, for whom I feel sorry as they are the ones in the centre of our villages and towns carrying out business in the long term. Most are indigenous, family businesses which must pay all the time even though the business is being sucked out to the new developments on the outskirts of the towns. While I welcome that a new Marks & Spencer has opened in Clonmel, this type of development is sucking the business from the main streets and leaving semi-derelict areas in the main streets. Some property developers were too greedy and bought many properties and charged too high a rent. We have to force down the cost of business and this Bill should address this area, particularly with regard to rates, by allowing for other streams of income for local authorities.

The issue of cuts by local authorities has become a big issue recently, including in my constituency where the county manager informed a council meeting on Monday last that he must achieve €5 million in cuts before the end of the year, which is draconian. We should not need to have an *bord snip nua* — it is a terrible name — because we should have been minding the stable before the horse bolted, or before the tiger disappeared. My issue during the first round of cuts last year was that the first staff let go by the local authority were the ground, outdoor and temporary staff, who were the people providing the services on the ground. The local authority is top-heavy, with a plethora of managers, including the county manager, the director of services and many engineers, but it is the staff working in services on the ground and in amenities who are let go.

This policy will cost more in the long run. If we have a bad winter and maintenance is not done, the roads will be significantly undermined, particularly given the effect of climate change.



[Deputy Mattie McGrath.]

We have seen the result of heavy rain in Mayo and Donegal, which has caused much damage to roads. It is more foot soldiers that we need; we have all chiefs and very few Indians, if the House will pardon the pun. This is happening throughout the country. When I first joined the county council, there was a county manager, county engineer, county secretary and a range of engineers, and there is now a plethora of directors' services and their staff, most of whom got their bonuses last December in the middle of this crisis.

I pay tribute to the staff of the local authorities, who work very hard and are often criticised. The outdoor staff must deal with all kinds of situations, including some very unsavoury ones such as when the traders leave. We pay for our bins and pay our litter fines but these people leave a mess behind them. Who must look after this? It is the ordinary council workers. There are not enough of them and while they do a vital job and provide a good service, the dignity of the job is not being respected. They need to be supported and not made to accept cuts and three-day weeks and four-day weeks. Will we have the offices staffed but no staff on the ground to look after the necessary work?

Health and safety is an issue in this regard. There is no hedge cutting in south Tipperary and exiting from junctions and culs-de-sac is a danger. Health and safety has gone over the top in some areas but there are glaring anomalies and places where it is being compromised not just because of lack of resources, but also because of the management of those resources, which I seriously question. We will have to get the County and City Managers' Association back before the committees of the Houses to try to get a change of emphasis. I feel very strongly about this issue. They are making it too difficult for people to trade and stifling initiative. There is the issue of parking charges and development charges that have been introduced in recent years. I supported them because many community facilities have received a good deal of money.

I compliment those who operated the scheme within the council as well for the encouragement they gave various communities. The local communities are the real enablers and nothing would be done in the community by Government or local authorities without them. These people endure sleepless nights and establish committees limited by guarantee to organise planning and they have the vision to put in place the infrastructure.

The community development levy for recreation schemes has been an asset, which is the reason I support it. However, we now must re-examine the matter. We need clarity because there are rumours that vast sums of money remain in local authorities' deposit accounts. It is suggested these are from the levies paid on road, infrastructure and sewerage and water charges. The matter should be sorted out and the rumour is not appropriate but I am unsure whether it is true. It is suggested one council has a certain amount and another has yet another amount. However it is unclear if the money has been collected. If the money is available it should be spent and there is no point in leaving it holed up in a deposit account; it should be spent on the services needed. I wish the Minister well with the Bill and I commend it to the House.

**Deputy Olivia Mitchell:** I wish to share time with Deputies Breen, Shatter and either Creighton or D'Arcy. I support the concept of local charges. I was one of the self-destructive politicians that defended water charges when they were introduced in the 1990s. It is reasonable if I have a holiday home and I am supplied with services that I should be asked to pay for them. I also understand there is a gaping hole in the national finances and that it must be filled somehow.

However, as the Taoiseach has stated many times, as well as the need to stabilise the nation's finances we must also try to sustain employment and return to economic growth. My objection to the Bill stems from the proposal not only to tax those who do not pay charges but to tax

those who already pay charges. In other words, it is a stealth tax on businesses and as such it is completely contrary to Government objectives. I do not wish to see any business taxed but as the Fine Gael spokesperson for tourism matters I especially do not wish to see a further burden put on the sector. As I have stated numerous times it is already subject to a crisis that no one imagined was possible. It has already lost 50,000 jobs and the promised bounce from Irish people staying at home has not materialised. People are doing exactly that, they are staying at home. They are not staying in hotels, holiday homes, or bed and breakfast accommodation.

The lead Minister for this legislation should be in the House as should the Minister for Arts, Sport and Tourism, whose job it is to champion the industry. He has been silent, sleepwalking through a disaster which is haemorrhaging jobs and closing down the tourism infrastructure. That infrastructure was painstakingly built up over many years and was aided by a significant contribution from the taxpayer.

The Minister for Arts, Sport and Tourism is either incompetent or negligent to allow yet another tax to be applied to the industry, which is collapsing without a murmur. Now that I reflect on the matter, he is probably both. I expect he will defend this tax as he has already defended the airport departure tax, which was probably one of the most incomprehensibly stupid taxes of which I have ever heard and which has been completely counterproductive. The result of the tax, apart from everything else that has taken place in the industry, is plain for all to see.

Yesterday, I met some hoteliers from Cork and from the Ceann Comhairle's constituency of Kerry South. Deputy Clune accompanied me. They told a sorry tale of 35% occupancy for major hotels. Up to three-quarters of all hotels are operating on winter season overdrafts in the middle of the high season when revenues should be pouring in. Some 40% of all hotels have been unable to play last year's rates bill. The jobs of these businesses and all the local spin-off jobs supported by tourism will be gone before the end of the year unless the Government wakes up, does something about it and tries to salvage something from what remains of this tourism season. We are already in the middle of July.

Not content with what has taken place in the hotel industry, the Government now seems determined to wipe out the self-catering holiday sector. It has displayed a complete lack of joined-up thinking because the very homes they seek to tax were, in many cases, tax incentivised in recent years or received grants at the taxpayer's expense. Although he is not present, I plead with the Minister — he may be listening somewhere — to exempt registered and listed self-catering holiday cottages from the legislation. These businesses are located almost exclusively in rural Ireland in areas where they provide the only jobs, or if not the only jobs then the support and other spin-off jobs in areas dependent on tourism and farming. For many operators, it is their only business and their livelihood, or it may supplement farm income. Whichever is the case these businesses are vital to the social and economic fabric of rural Ireland.

The sector has reported a drop in business of at least 30% this summer. It is only holding at this level because those in the sector have slashed prices. In some cases, prices have been reduced by 50% and they simply cannot afford to pass on any more charges. They already pay local charges. One operator contacted me yesterday and outlined to me that he already pays €639 per property in a variety of local charges. In addition he pays €200 per property to Fáilte Ireland to register his property and to ensure standards are maintained. He may or may not get referrals from Fáilte Ireland. A further €200 has been requested from the same Minister for a BER, building energy rating, certificate. This does not include VAT, income tax and corporation tax which must be paid to the Exchequer, quite apart from local charges.

[Deputy Olivia Mitchell.]

As in the case of many of his colleagues in the same business, the operator who approached me is on a knife edge for survival. It makes no sense to push such people over the edge with a tax that will, in the long run, reduce income to the Exchequer. This tax will be the final straw for many businesses that are only barely hanging on. The season has shrunk immeasurably. Some ten or 15 years ago the season was long but now people go abroad in the winter, the season lasts only 14 weeks. The income for those working in the industry has been halved.

I do not exaggerate and I cannot over-emphasise the heartbreaking calls and e-mails to my office in recent weeks from those in the industry, upon whom it is only now beginning to dawn that the promise of salvation and of an upturn in tourist numbers during the summer will not materialise. Many face ruination. It is not simply a question of these rental properties closing down. There is also the matter of the debt attached to these properties. In many cases, operators were scarcely able to pay the interest on these but now nothing will be paid.

The banks are currently exposed to the tourism industry to the extent of €11.5 billion. Under the NAMA proposals the taxpayer would take on that debt. What is the point in putting them out of business by imposing a further tax now? The Government has far more to lose than it has to gain by introducing the tax. I understand that only €2 million would be foregone if the Minister exempted the tax from Fáilte Ireland-registered and listed properties. They already pay €200 to Fáilte Ireland. The proposal is a great incentive for businesses currently registered with Fáilte Ireland to leave the register and enter the black market which would result in further income lost to the Exchequer. I call on the Minister of State, Deputy Brady, to explain to the Minister that this will wipe out an important part of the tourism industry. It is vital he understands the damage this charge will bring about.

**Deputy Pat Breen:** I welcome the opportunity to comment on the Bill. Funding for local authorities has not been addressed but a debate on that matter should take place at some stage. Many local authorities throughout the country are contemplating some very unpalatable decisions as they struggle and try to keep essential services in place, because funding from Government has been cut dramatically and, in some cases, it has dried up completely. In the constituency of Clare, the local government fund allocation from central Government was cut by €1.1million in 2008 and there was also a direction from the Minister to cut payroll and administration costs by 3%. There are knock-on effects for each of the town councils in Kilrush, Kilkee, Ennis and Shannon who now have to cut their cloth to suit the measure of their income reduction and no matter how it is dressed up, this will have an effect on the delivery of services. I would argue that County Clare has done very badly and it is fifth from the bottom with respect to moneys received from central Government in 2008.

The moneys collected from the imposition of this €200 income charge was expected by many local authorities to be an additional income stream for them but I question whether this is the case. Will this be reflected in a further reduction in the funding from central Government? This aspect needs to be clarified.

Many local authorities are now struggling. The 2009 roads programme in Clare has been reduced by 5%. Deputy Michael McGrath referred in his contribution to the level of charges in south Tipperary. I was beginning to wonder for a while if he was a member of the Opposition and if he had made any representations to the Minister for the Environment, Heritage and Local Government. Potholes are returning in many rural roads and hedges are not being cut back on the secondary and local roads. The majority of accidents take place on secondary roads, many of which are very narrow and the overgrown hedges reduce visibility even further.

The lack of funding is also restricting the council's good work in helping older people to adapt their homes in order to address their changing needs and no new applications are being

accepted for the housing aid for the elderly scheme this year. I welcome the decision by the Minister to exempt mobile homes from the €200 tax. Like every sector in this country, the tourism sector is in crisis as Deputy Mitchell outlined very well in her contribution. Hoteliers in the mid-west region are only achieving 30% to 35% occupancy in the middle of July which is their high season. Many Irish people are expected to holiday at home this year and we should not be imposing any form of tax that could jeopardise the tourism business. My county has quite a number of caravans and mobile homes, particularly in the resorts of Kilkee, Lahinch and Spanish Point. Those resorts depend on the summer influx to keep them going. I spoke to one man recently who told me that he is already up to his ears with bills and this levy was the final straw for him.

Deputy Mitchell raised a very important point about self-catering holiday cottages. This will affect my county as a €200 tax will be administered for this accommodation. Will the tax be paid by the owner or by the person renting the cottage? If it is to be paid by the owner, has the Minister considered the administrative difficulties particularly in the current crisis? These will have an adverse effect. One owner of holiday cottages told me he has no bookings for July.

I urge the Minister to consider the tourism sector. The travel tax did considerable damage to our airports and this tax will do the same to holiday cottages in our resorts.

**Deputy Alan Shatter:** My colleagues have voiced many valid criticisms of this Bill which I believe has been prepared with undue haste. It is being guillotined in circumstances which are highly inappropriate and which is laying the foundation for attacks on which I expect the Government to further build in the next budget. This Bill is simply providing a structure that will result in a major property tax imposition throughout the length and breadth of this country. The Government is introducing this by way of stealth to ensure the structure is in place when we get to the budget next November or December.

The Bill is riddled with anomalies that result from its poor drafting and failure to address the different circumstances that can arise and for which special provision should be made. A classic example of an anomaly in the Bill which has the potential for very odd consequences is set out in the definition section of the Bill. The Bill defines the word “buildings” as:

- (i) part of a building,
- (ii) a structure or erection of any kind and of any materials, or any part of that structure or erection,

I am not quite sure why it is that we have the definition of a building, an essential definition with regard to residential property in later sections of the Bill, which includes a reference to an erection of any kind or part of an erection. I have been checking this out in the *Oxford Compact Dictionary* which defines the word “structure” in a variety of ways:

noun 1 the arrangement of and relations between the parts of something complex. 2 a building or other object constructed from several parts. 3 the quality of being well organised.

Essentially what is intended here is a building or other object constructed from several parts.

The definition of “erection” is a building or other upright structure. It seems to me one either refers to a structure or an erection and the only difference between the two in the *Oxford Compact Dictionary* is that an erection is also described with regard to a certain physiological impact on the male species of certain events. I do not know what the Minister is at and I think it is deplorable he is not in the House to listen to the debate on this Bill. It is quite extraordinary, in a Bill which is seeking to impose a €200 charge, that apparently there is a need to make reference to an erection or part of an erection. What mindset produced that type of

[Deputy Alan Shatter.]

drafting? What is the reason for it? Is there some stealth impact intended by this tax, with a short amendment to this Bill at a later stage if not this evening, or some further amending piece of legislation? Is there some sort of activity that the Minister has in mind on he wishes to impose a €200 charge? I do not know.

This is a serious Bill but in a serious Bill it is an example of bad drafting. I know this type of phraseology has been used in conveyancing circumstances — and the Ceann Comhairle, as a former solicitor, will be aware of this — to deal with certain building issues that can arise but why in the name of God are we referring here to structures or erections? I simply do not understand it. This could only be a Bill that is rushed out by a Minister who has completely lost all sense of proportion that it would be so poorly and badly drafted and contain a reference of a nature that I think would surprise many people outside this House.

If there is this sort of difficulty with this Bill, there are other hidden flaws in the Bill that need to be addressed. Clearly the erection reference should be deleted. I think the Minister should explain how such a nonsensical provision could be included in a Bill sponsored by his Department and supported by the Government. The very fact that it includes this definition should ring the alarm bells to indicate there are other flaws in this legislation, that it should not be guillotined through this House and that there are other more serious issues that need to be addressed and amendments included to cover, for example, the issue of granny flats, about which there has been so much discussion so far.

**Deputy Michael D’Arcy:** This Bill makes it obvious that local authorities throughout the country are starved of money. For too long they were completely dependent on development levies. There is a peculiar anomaly that many local authorities are running overdrafts of millions of euro and paying significant interest to the banks yet have development funds worth millions of euro. This is a crazy scenario which has been allowed to happen and it should be addressed. I am pleased the Minister has seen sense and has exempted mobile homes. My area of north Wexford has perhaps more mobile homes than most and the area will be well known to the Minister. The benefit of the mobile home is that people will come and spend money in the local towns. The weather is not good and they are not going to the beaches. They are in the towns and are spending some money, and that is a major benefit.

The Minister must remove the Bord Fáilte registered properties. We must not beat about the bush or talk about it for much longer. They should be taken out and allow the matter be dealt with finally. Everyone in this Chamber is at one on that issue. If we do not take them out we will further impact on our tourist sector, which is already in enough difficulty.

I want to raise two other aspects. The current unemployment level has the capacity to do serious damage. We can charge people who want to holiday in Ireland this rate of €200 by not removing the people with Bord Fáilte registered properties or we can decide not to charge them. If we charge it, the people will not go into towns and spend money in the shops where VAT is collected and people are employed. Those people are essential. If we charge this rate we will have another 150,000 unemployed before the end of this year.

Another important point is that this money will not be easily collected. There will not be an easy method of collecting it. I can envisage every tax avoidance measure being put in place to ensure people do not pay this €200 charge, including properties being put into the names of husbands and wives and only one property owned. That is something we must deal with also. I would like to discuss many other aspects but unfortunately time does not allow me to do that.

**Deputy Niall Collins:** I wish to share my time with Deputy John McGuinness.



**An Ceann Comhairle:** Agreed.

**Deputy Niall Collins:** I am grateful for the opportunity to contribute to this debate. Many of us in this House have served in local government from time to time and we realise the importance local government plays in everybody's lives. It is important that we have a debate on these charges, and a wider debate on the funding of local government would be welcome also.

Our local authorities have core functions to do with planning, roads, sewerage infrastructure, environment, community and enterprise. Throughout those core functions they have many revenue raising streams which the public have to contribute to on an almost daily basis but the most controversial one which causes people concern is commercial rates. Any of us who have been involved in a budget estimates process in a local authority will be aware that the rate struck by a local authority is the balancing figure. We have come to a position here where the small and medium businesses, and the larger businesses, are being levied with onerous commercial rates by local authorities. We must undertake a fundamental review of that because we have a serious competitiveness issue in addition to increasing joblessness and businesses closing down. The local authorities pursue the collection of outstanding rates, which they are mandated to do through legislation, in an aggressive fashion.

The chairman of the Revenue Commissioners recently outlined a policy, which is welcome, in which they are open to negotiation in terms of tax collection from companies and businesses that owe taxes. They are open to collecting payments over a scheduled period. On the question of commercial rates, business people tell us there is an issue that we must address it at some point.

On planning, local authorities have gathered a great deal of money through the local authority development funds. Recently, those funds were practically frozen. The balance on those development funds is taken into the overall Government cash balance calculation at the end of the year. That is regrettable. Certainly, in my constituency basic community facilities such as playgrounds which were approved for areas such as Bruff and Kilfinnan, are now held up. In my local authority, for example, there is approximately €25 million sitting in the bank that cannot be spent. That is why we need a full debate on this issue.

The lack of sewerage infrastructure is holding up development across my constituency. We allowed a ridiculous situation arise in recent years where consultants' documents, engineers' documents and so on flowed between local authorities and the Department of the Environment, Heritage and Local Government. The process would go from one stage to the next stage, come back for another report and 12 years later there is still no sewerage scheme in place. I have one such situation in my home village of Patrickswell. Development is held up. Planning permission is conditional on sewerage upgrades and it is stymying everything. The Department of the Environment, Heritage and Local Government must seriously examine that issue.

The €200 charge is a mechanism for raising revenue. I appreciate that we must raise taxes to run the country and provide the services but on the €200 charge a number of issues have been brought to my attention, particularly in terms of my constituency. We are unique in Rathkeale in that we have a large Traveller community which is not comparable to Traveller communities in other areas of the country. They are business people, effectively, but they live in large demountable houses or mobile homes on their own properties beside a house, which they own. The house is boarded up and used to store the tools of their trade, including furniture and whatever they need to lay tarmac on roads. It begs the question whether the €200 will be levied on the storage, which is a dwelling, or on the mobile home or the demountable.

A situation arises also where people, because of their social circumstances, are living in a house but they have a mobile home or a demountable, which is not mobile, on the property or

[Deputy Niall Collins.]

premises which is used by other members of the family because the house, for whatever reason, has not been extended or does not have enough room. We must clarify the position on that.

There has been a great deal of debate about the an bord snip nua report and the review of all the State agencies. We need to examine all our local authorities. A debate is ongoing in Limerick as to whether we should have a boundary extension from the Limerick City Council administrative area into the county. We have all those issues; we have duplication; we have local authority managers and directors of services. All of that has grown out of Better Local Government. All of that must go under the microscope.

On the €200 charge, there are some items I would like to see clarified but I appreciate we have to raise taxes to provide the public services.

**Deputy John McGuinness:** There has never been a time in the history of the State when people were more geared towards reform of one kind or another and addressing all the outstanding issues we might have tolerated in a time of plenty. In a time when there is far less there should be this type of reform and people would accept it, provided we set out our stall and explain to them where we are going, how much it will cost to get there and the timeframe. That leadership is now more necessary than ever.

A more extensive Bill dealing with reform of local government would have been a welcome development. The report of an bord snip nua became available today. Perhaps it is time to look at outstanding matters and at where reform is necessary. Having listened to Members who have experience of local authorities, it is obvious that the demand for reform of the local government system is more relevant and more necessary than ever. The Better Local Government package, which is in place, is not working.

I understand that Fine Gael accepts the Bill in principle. This change needs to be made. I accept the argument about self-catering holiday homes. The Bill will be passed and the charge will be applied. It is essential that we establish how the amount will be increased and ensure that it will not be substantially increased automatically year by year. It will be applied to every home and will affect those people who own their homes.

We need to examine the entire rates system. In a previous debate, I referred to the valuation system. Businesses are paying rates on valuations established at the high end of the market. They are unable to pay the rate. New businesses which are paying on that higher valuation will run into serious difficulty in the course of this year. While we debate competitiveness in the economy, we cannot overlook the fact that some competitive difficulties come from our local government system. We need to examine the cost of making a planning application. What fees and charges are applied after the application is made, how do businesses develop thereafter and how are rates applied? There is a need to radically overhaul local government because local government charges affect our competitiveness, and this is a way of doing it.

I encourage new local authority members to examine local government charges in a new light, bearing in mind the current economic circumstances. If wages and other costs are tumbling there is no reason rates cannot be looked at in the same way. Why should they not come down? They are just another cost. They bridge the gap between what is needed in local authorities but they are applied to the smaller and smaller number of people who are in business. As councils examine their costs, we should force the debate forward by ensuring they examine how their rates are struck.

The Minister said the election of a mayor of Dublin would capture the imaginations of people. The election of mayors throughout the country captured people's imaginations but it

is not understood that when they are elected they have very little power within their local authorities. If power is to be moved from central government we should give substantial power to each local authority and ensure the mayor is allowed to function independently and to drive a local economic, social and political agenda. That thinking can be applied to the mayor of Dublin and to any elected mayor. Instead of that, we are tying down mayors with bureaucratic red tape which prevents them from acting in the interests of the people and from driving the local economy. That can be easily changed. I have heard many ideas expressed during this debate which could be considered by the Minister in the context of local government reform. Regardless of what side of the House they came from, these ideas should be considered in the context of a Bill which would truly reform local authorities and give them the ability to raise funds locally, to adjust their funding or to deal with local issues.

As local authorities see their funds reduced and their ability to raise funds affected by the economic situation, the first to be hit is the person at the front line delivering services. Roads are not swept and services are not delivered to local communities. That needs to be examined. A balance must be struck between the delivery of services and giving value for money. The only way to strike that balance is to put the complete onus on the local authority to raise its own funding. Some funding must come from central government but local authorities must be given the authority and power to make real decisions at local level. Otherwise this House will become a local authority or a general council of county councils discussing local issues. A large number of Members contributed to this debate and the issues they raised were local authority issues.

We should not be afraid to reform local government. If that is not going to happen soon, we must find a way in the short term to give real powers to the mayors and chairmen of county councils so they can reflect the views of their electors. At present, members of local authorities and strategic policy committees simply sign off on the reports of managers or engineers. People are fed up with that process. They want to see real democracy and they look to this Government to deliver real change and to give local democracy real meaning.

In these changed times, we should not be afraid to bring forward legislation, even if it must come under the heading of emergency legislation, to enforce the views of the Members of both sides of this House. We are all demanding the same thing, which is change in local government.

I fought hard against the ending of the dual mandate, which was a bad step for local democracy. Most members of local councils now say that since the Oireachtas Members were removed from the authorities they have less power and less information. When we were members of local authorities there was direct communication between central and local government and we kept our local government colleagues informed. That communication must be strengthened so that local authority members are empowered to make real decisions for themselves. It should not be a simple matter of how the county manager sees things or what he thinks needs to be done.

The same business people are called upon repeatedly to raise money. I understand there are more than 1,000 local authority houses empty in Dublin. A similar number of houses are empty and boarded up throughout the country. These houses could have been allocated when the previous tenants vacated them. They are well kept houses in the housing stock of local authorities but when tenants left they were simply boarded up. Some have been vandalised and will cost a fortune to repair. We are standing over this failure and continually giving local authorities money to refurbish houses. The figure of 1,000 empty houses in Dublin is not inaccurate. Similar numbers of houses are empty throughout the country. Some action must be taken in that regard. The more money lost by not collecting rent the more must be imposed in rates, an imposition on the business people of the country. That is an unfair method of taxation.

[Deputy John McGuinness.]

We will create new taxes in the coming budget and we must examine the report of an *bord snip nua*. The board must do a full report, including a report on local authorities. If necessary, Mr. Colm McCarthy should be asked to investigate local authorities and the HSE and begin to give taxpayers real value for money. I urge the Minister for Finance to publish the report of an *bord snip* so that we can have a full debate on the report in the House, as we lead into the budgetary process.

**An Ceann Comhairle:** Is Deputy Burke sharing his time with Deputy Connaughton?

**Deputy Ulick Burke:** The Deputy has indicated that he will not avail of the time.

Earlier this afternoon, the Minister's colleague stated, "A properly resourced local government sector is vital to local democracy". When we take into consideration this, and the Bill's capacity to raise funds for proper local democracy, we are left with hastily produced legislation. The greatest fault of those who have contributed to it is the uncertainty and lack of real decision making. All that can be said about the Bill is that it seems to be the first short step towards the reintroduction of domestic property rates.

Deputy McGuinness discussed the need for local government reform. Has he forgotten that a Fianna Fáil Government was responsible for the abolition of rates or that his and another party were responsible for what was termed better local government? Throughout the country, our local government is in crisis due to a shortage of money. Regarding the Bill's potential to collect money, there is no clarity on the way in which money will be collected and given to local authorities. There are four suggestions regarding payment methods, how it will be identified and who is to declare a liability of payment to local authorities. In contrast with the Bill's provisions, the Department failed to legislate for a register of landlords. It missed its opportunity to identify landlords. That vague step was never implemented properly. Now, more legislation is coming down the same line.

Almost every local authority and every contributor to this debate has indicated serious cutbacks in local government funding. Galway County Council was notified only a few weeks ago of a cutback amounting to €10 million in its allocation. How can a local authority continue to deliver services when such cutbacks are being implemented? The Bill will do nothing to shore up the shortage.

What is the cost of implementing the collection of the funds? There is no indication of the cost. We have been given an estimate of what it might yield in light of the 700,000 residents who might be liable for the tax. The Bill comes at a time when local authorities have needed to shed employment due to cutbacks. People on short-term contracts have lost out and many talented people have lost their jobs. The collection will incur serious costs, yet nothing has been allocated to retrieve them.

I will not indulge in previously mentioned definitions, but that of a vacant property is vague. No one knows what is a vacancy. How long must a house be vacant before it can be classified as being liable for the charge? This is an important matter. Our spokesman, Deputy Hogan, has clearly indicated the greatest concern for many people, namely, granny flats vacated by elderly people who are temporarily in nursing homes. The Minister must clarify these points as matters of urgency.

**An Ceann Comhairle:** The Deputy's time has expired.

**Deputy Ulick Burke:** I hope the Minister will clarify the many concerns expressed by Deputies.

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I thank Deputies for their thoughtful contributions on the Bill. Its purpose is to give effect to the Government's budgetary decision to introduce an annual charge on non-principal private residences. The Bill sets the charge at a level of €200 and it will be payable, in the main, by owners of rental, holiday and vacant properties. The proceeds from the charge will provide a new source of income to city and county councils and the budgetary estimate of the annual revenue stream was €40 million. Experience of the operation of the charge will be the best guide to the actual revenue generated.

To revert to Deputy Burke, we are confident that, since we have incentivised local authorities to collect the charge, they will do so efficiently and effectively. In my conversations with local authority managers, who are enthusiastic about the provision, they——

**Deputy Ulick Burke:** As a first step.

**Deputy John Gormley:** ——assured me this is a good way to raise revenue.

The Bill is important because it gives effect to a new locally based income source for local authorities, the first in many decades. While the amount of income is modest in the context of local authority overall revenue expenditures, it will nevertheless broaden authorities' revenue sources and reduce their dependence on finance from central government. Over the years, there have been many calls for a new locally based source of local government funding to be introduced and I believe the introduction of the new charge through this Bill is positive. It has been broadly welcomed by the Opposition.

It has been stated that the ideal taxation measure is equitable, simple and flexible. The Local Government (Charges) Bill scores well under the criteria of simplicity and flexibility. It is simple and cost effective to administer and understanding and complying with it will be simple. It will generate revenue on a continuing basis and will not be subject to the volatility we have come to associate with transaction-based property taxes. In this sense, it has the flexibility to cope with varying economic conditions while maintaining a stable yield. It must be acknowledged that the Bill does not include a valuation-based component, something that would make the system more complex and difficult to administer and comply with, as mentioned by a previous speaker. As against this, the amount of the charge is relatively modest at €200 and should not cause those liable to pay it any great difficulty. For these reasons, I hope Deputies from all sides of the House can support the passage of the Bill.

I will refer to some of the points raised. As they primarily relate to issues that will arise on Committee Stage, I am reluctant to address them on this Stage. However, my amendment will put beyond doubt the availability of an exemption from the charge for granny flats and persons vacating their homes due to incapacitation arising from mental or physical ill health. People in those circumstances are different from the general run of owners of non-principal private residences.

I wish to comment on the points made by Deputy McGuinness. He has since left the Chamber, but I share his interest in local government reform. For too long, that area has been stagnating. If we are to examine seriously the issue of the dual mandate, which the Deputy raised, we must examine electoral reform. We all know that Deputies compete with up-and-coming councillors. We send out the same sorts of letter assuring people that the drains have been cleaned and the potholes have been fixed. One must wonder whether this is a role for national legislators. Electoral reform at a national level goes hand in hand with local government reform. We must have a serious debate on reform of the Dáil, the Seanad and local government.



[Deputy John Gormley.]

I want to go further and consider broadening the revenue base. I will be able to do so more thoroughly once the Commission on Taxation has reported. We will be able to determine in greater detail how we can raise money at local authority level. Bearing in mind that there is a Sinn Féin amendment in this area tabled for Committee Stage, I want to consider empowering the local authorities to set the levels and examine the scope of charges. This is what real local government is about. I agree with Deputy McGuinness in this regard.

I thank the Deputies opposite and those on the Government side. Second Stage has given rise to some interesting debate, which I want to continue on Committee Stage.

Question put and agreed to.

**Local Government (Charges) Bill 2009 [Seanad]: Committee and Remaining Stages.**

SECTION 1.

Amendments Nos. *a1* and *b1* not moved.

**An Ceann Comhairle:** Amendments Nos. 4 to 6, inclusive, 8, and 13 to 18, inclusive, are related to amendment No. 1 and they may be discussed together.

**Deputy Phil Hogan:** I move amendment No. 1:

In page 4, to delete lines 11 to 15.

This amendment deals with the administration of the charge collection system. We are effectively creating a new administrative system for the collection of the charge. There are revenue collectors and staff in local authorities but, as Deputy Burke stated, the moratorium on recruitment in local authorities and the general reduction in staff arising from the reduction in local government funds are such that local authorities may not be best equipped or sufficiently equipped administratively to collect the charge. I would have believed that, in order to collect the charge, the Minister would have considered the vehicle used by the Office of the Revenue Commissioners.

Although the Minister stated the local government system is efficiently set up to collect the charge, will he indicate how he can reconcile that with the reduction in staff and the lack of necessary information on private rented accommodation and holiday homes in each local authority area? If the discrepancy has been reconciled, will the Minister assure me that is the case before I comment further?

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I thank Deputy Hogan for his amendment. The central issue concerns the body or organisation within the public service that is best suited to administer the €200 charge. I assume that Fine Gael's opposition to sections 9, 10 and 11 is based on the principle behind the group of amendments, the purpose of which is to substitute the Revenue Commissioners for local authorities in administering the collection of the charge.

I fully accept that we must administer our public services as best we can. I also accept the Office of the Revenue Commissioners is a very efficient organisation that has made major strides in recent years in facilitating compliant taxpayers to discharge their liabilities with the minimum of fuss and red tape. I have no doubt that had this function been assigned to the Revenue Commissioners, the organisation would have put in place effective management and

arrangements to implement the charge. Equally, I am in no doubt that local authorities will do a very efficient job in putting into effect the legislation.

A project board was set up by the local authorities after the 2009 budget to plan for the introduction of the charge. The Local Government Computer Services Board was asked to design a website, similar in concept to the motor tax on-line website, to accept Internet payments. This site will be up and running in time for the liability date of 31 July 2009. Other arrangements continue to be put in place in local authorities to facilitate the smooth and effective implementation of the new charge. I encourage all concerned to use the website to discharge liabilities to pay the charge. This is in everybody's interest, especially those obliged to pay it. The website is efficient and user friendly and will make life easier and simpler for those who avail of it. For those who cannot or will not use this facility, local authorities will accept payments at their local offices.

There is an inherent logic to paying the charge to local authorities, given that these bodies will retain and deploy the revenue stream that arises. This is a major step forward for local authorities towards securing a genuinely local source of revenue that will reduce their dependency on central government funding.

I await with interest the report of the Commission on Taxation. One of its terms of reference requires it to consider options for the future funding of local government. I have every confidence the commission will do its work thoroughly. It will be very interesting to see the conclusions and recommendations it reaches.

I stated in the Seanad that I have no doubt but that the local authorities will do a very good job collecting the revenue. From 31 July onwards, they will be seeking the revenue and will do so because it will be in their interest. When one provides the local authorities with such an incentive, they generally step up to the plate. While the local authorities are not immune to the cutbacks across all sectors of society, one can be assured the revenue will be collected very efficiently as a result of the changes to the way we operate at local government level.

**Deputy Phil Hogan:** I tabled the amendments because I do not believe the local authorities will be in a position to collect the money efficiently and effectively, as believed by the Minister. It is bound to take time and money for them to get their new tax collection systems up and running. I would have believed the Revenue Commissioners would have been better placed to collect the tax temporarily. The Minister expects people to admit liability to the tax and pay up. If they do not pay up they will be fined €20, which fine will increase if there are repeat offences.

The data-sharing arrangements mentioned in the Bill will help. I would like to see the charge collected but am worried about the state of local government finances. Given the short run-in period, which commenced on 7 April, on which date the local authorities first received notice, it would have been more appropriate to use an existing revenue collection system this year than to require the setting up of a new administrative system at local government level. This is the motivation behind my amendment. If the Minister is satisfied the system he has put in place is appropriate, that is fair enough. We will judge it at the end of the year.

**Deputy Ulick Burke:** I support Deputy Hogan's amendment. It was suggested that local authorities can delegate the collection functions referred to in the Bill to the Local Government Computer Services Board and the Local Government Management Services Board, which can accept electronic payment. The Minister is suggesting it will be possible to pay directly to the local authorities themselves.

**Deputy John Gormley:** Or go to an office.

**Deputy Ulick Burke:** Or go to an office. However, all of these mechanisms will incur a cost — for example, the cost of employing staff to man the computers or offices through which payments can be made.

Bearing in mind what Deputy Hogan and I stated on Second Stage, there must be a failure to realise that many sections of councils have been depleted of staff. In respect of collecting for water services, the council can cut off the water supply to make people pay up. In this instance there is no such danger apart from the fine of €20 per month for the balance. It is crazy to make the system so complicated given the sum involved, with no definite method by which those charged can pay.

Amendment, by leave, withdrawn.

Section 1 agreed to.

## SECTION 2.

**An Ceann Comhairle:** Amendments Nos. 2 and 3 are related and will be discussed together, by agreement.

**Deputy Ciarán Lynch:** I move amendment No. 2:

In page 4, subsection (1), between lines 19 and 20, to insert the following:

“(a) a dwelling let as a temporary self-catering holiday dwelling,”.

This matter came to the attention of many Members. A series of tidying up measures have been already taken because of the speed at which the legislation is being passed. In the Seanad it had to be tidied up in respect of mobile homes of granny flats, following Deputy Hogan’s highlighting of the issue last week.

There is a problem concerning self-catering dwellings across the country that are registered with Fáilte Ireland. These are not holiday homes which their owners leave unoccupied. They are let on a lease arrangement for short periods of time. Crucially they are holiday homes that provide a vital stimulus to local economies. According to one representation I received, bookings are 60% down on this time last year. That is in Kerry, one of the premium holiday regions in the country. I hope the Minister will take on board what we propose and allow some scope under the measures in the Bill — we are still undecided on whether this is a charge or a tax. The levy of €200 on each of these buildings has a significant impact on tourism service operators. I urge the Minister to support the amendment.

**Deputy Joanna Tuffy:** Has the local authority any scope to reduce rates paid in respect of buildings to allow for the €200 charge? Has the Minister examined that aspect of the charge?

**Deputy John Gormley:** I thank the Deputies from the Labour Party and Fine Gael for their amendments. There is no charge for a person paying commercial rates. Fine Gael has tabled a similar amendment. Should I wait for the Fine Gael Members to speak?

**Deputy Phil Hogan:** We will wait to hear what the Minister has to say.

**An Ceann Comhairle:** We will not discuss that amendment now. We are discussing amendments Nos. 2 and 3.

**Deputy John Gormley:** The Bill takes as its starting point the introduction of a modest annual charge on the owners of non-principal private residences. An exemption is provided for owners of principal private residences and for certain local authority and social housing that is also used for the purpose of principal residence. These exemptions are provided in recognition of the fact that we all need somewhere to live. Most other dwellings are deployed by their owners for an economic purpose of one kind or another or are available to them to be so deployed. This underpins the charge. It is reasonable to ask the owners of properties that are, or can be, used to generate an economic return to make some contribution to the services that local authorities provide and that are necessary to enable an economic return to be made.

Nobody likes having to pay taxes or charges and nobody particularly likes imposing them either. It would not be reasonable for me to differentiate between rental properties and other non-principal private residences by exempting one type of non-principal private residence from the charge while leaving other such properties liable to it. I accept that self-catering holiday accommodation is a valuable resource from the perspective of our tourism infrastructure. These properties benefit tourists and the local economy alike. I hope they generate a reasonable economic return for the individuals and companies that own them, but accommodation of this kind is in the business of generating a return for its owners, and it usually will. For this reason, I cannot accede to the amendment.

I understand that self-catering accommodation is not normally liable for commercial rates even though it is in competition with other tourism infrastructure that is liable for rates. In these circumstances, the €200 fee is not a large charge when compared with a commercial rates bill. The House should note that section 2(1)(h) provides that in any case where commercial rates liability is incurred the €200 charge will not apply. Deputies can be assured that no self-catering accommodation or any other property will incur a liability for both the charge and commercial rates.

**Deputy Olivia Mitchell:** I thank the Minister for his response. I have just spoken on this topic and do not want to repeat what I said. However, I want to convey to the Minister that this is an industry in crisis, haemorrhaging jobs and losing infrastructure. The departure tax has done irreparable damage to hotels and B&Bs and this tax means wipe-out for many people in the self-catering sector. That is no exaggeration. Many feel this is the thin end of the wedge and a €200 charge this year might be €2,000 before we blink. Even if the fee does not increase, this will be the extra cost that drives many businesses over the edge. They are slashing, even halving, their prices to salvage an income out of a maximum 14 weeks season when demand is down to keep any kind of bookings coming in. These businesses are in real trouble.

I plead with the Minister to consider these self-catering holiday homes that are registered with Fáilte Ireland. They already pay €200 to register. This will drive many people into the black market. My main concern is to maintain jobs in the tourism industry. The Minister stated that they will not have to pay the charge if they are paying rates. They are making a local contribution. It may not be rates but they are paying water charges, refuse charges and an additional fee for a building energy rating, BER, certificate for each holiday letting, introduced by the Minister's Department. They also pay national taxes such as corporate tax, income tax and VAT. Many cannot afford to pay the interest on their debts. We are driving people out of business. Many of them face ruination. They owe money to the banks which will sell their bad debts to the taxpayer. This makes no sense from anybody's perspective, and the Exchequer will lose more money than it can ever hope to gain from this tax. I ask the Minister to consider these businesses. I understand the total cost would be €2 million if the Minister were to exempt the registered properties.

**Deputy Jimmy Deenihan:** I, too, have already said what I am going to say now. The revenue loss of €2 million that Deputy Mitchell mentioned represents approximately 10,000 people involved in providing self-catering units. In a year when we all know tourism is doing so poorly, this would be a gesture to the industry to indicate we are concerned about it and sensitive to its current problems.

As Deputy Mitchell said, it costs €200 to be registered and people may decide not to register with Fáilte Ireland as a result of this. The conditions for registration would not hold and this could result in an inferior product. There are now people selling their self-catering units by means of the Internet and doing their own promotion. Such people may get more clients than would through Fáilte Ireland brochures and its marketing process.

As a result of this measure, people may not bother listing with Fáilte Ireland, and its fees will go up anyway. Fewer people will be registered with Fáilte Ireland and, although people will have to pay the €200, we may see an inferior product as a result. The Minister should consider that.

The case was strongly put on Second Stage and again on Committee Stage by both Labour and Fine Gael. I urge the Minister to accept the amendment. Perhaps it could be reviewed in future, but because of what is happening currently in the Irish tourism industry, it is important that these amendments are implemented. Although €200 may not seem much, to the 10,000 people in the sector, it could mean a great deal. As I have stated, it could cause fewer people to register with Fáilte Ireland, leading to an inferior product.

**Deputy Denis Naughten:** I support the amendment put down by my colleagues Deputies Hogan and Mitchell on this issue. The points have been articulated well by my colleagues, and there is an opportunity to ensure we deal with a sector of the industry that is on its knees. I have correspondence from a constituent who has said bookings are down between 50% and 60% this year alone, and it is mainly families which avail of self-catering accommodation around the country.

The industry has been allocated a great deal of resources by the State, especially Leader funding, in recent years. Many people around the country got their facilities registered with Fáilte Ireland in order to draw down grants from Leader, with facilities brought up to a very high standard for Fáilte Ireland approval. In recent years, as part of the rural development process, the State has encouraged the development of these facilities around the country but we are now putting an additional tax on top of rates, water charges and the Fáilte Ireland registration fees.

There is a concern that this will be only the first step and the €200 charge will be increased in future. The reality is that in many parts of the country, self-catering accommodation is the backbone of the tourism offering. It is a substantial part of tourism in my own constituency in Roscommon and south Leitrim, and this is also the case in other parts of the country. I urge the Minister to accept the amendment, as it would not have a major financial implication on what the Government is trying to do but it would send a clear message that we want to support the development of our tourism industry. This is important from the point of view of the taxpayer and the European Union because of the large capital investment in the sector in recent years. It is vital that we support the industry, rather than imposing additional taxes, now that it is under financial pressure.

**Deputy John Gormley:** Deputy Naughten has repeated an untruth which I have clarified for Deputy Tuffy. The €200 is not on top of rates; we have made it clear that it is separate from rates.



**Deputy Olivia Mitchell:** It is on top of other charges.

**Deputy Denis Naughten:** It is on top of charges and water rates.

**Deputy John Gormley:** Deputy Naughten said it was on top of rates, which is not the case.

**Deputy Denis Naughten:** It is on top of water rates.

**Deputy John Gormley:** Deputy Mitchell said it is €200 and that it could be €2,000 before we know it, but the legislation is clear.

**Deputy Olivia Mitchell:** The legislation can be changed.

**Deputy John Gormley:** That is the point. We would have to introduce new legislation if we wanted to change it. It cannot be introduced by sleight of hand. Deputy Deenihan indicated that €200 is not a significant amount. That is precisely the point. This is a relatively modest charge in the overall scheme. This economy must raise an incredible amount of money and if we cannot act on this modest charge, we may as well throw our hats at it.

**Deputy Olivia Mitchell:** People will be put out of business.

**An Ceann Comhairle:** How stands amendment No. 2?

**Deputy Ciarán Lynch:** I would like to withdraw amendment No. 2 in favour of the Fine Gael amendment, which is better in scope in that it refers to Fáilte Ireland-registered properties, which sets a standard and ensures such a standard into the future.

Amendment, by leave, withdrawn.

**Deputy Ciarán Lynch:** I move amendment No. 2a:

In page 4, subsection (1), between lines 21 and 22, to insert the following:

“(b) a building which is intrinsically of significant scientific, historical, architectural or aesthetic interest, and which is unoccupied on the date of commencement of this section and in respect of which the owner bona fide intends to apply to have the building approved as an approved building within the meaning of section 482 of the Act of 1997, until it becomes occupied or so approved, which ever first occurs,”.

This amendment sets out to allow exemptions for heritage-type properties which are unoccupied pending the making of an application for them to become approved properties under the 1997 Act. This could occur where a property is not yet in a fit state to be rented out by the Landmark Trust, for example, or some other agency similar in scope to the Landmark Trust, but which will be at some future point.

It seems unfair to charge a tax in the meantime if the property remains vacant, and there are properties in this category around the country. It would be unfortunate if such properties were to fall to rack and ruin in a similar way to the magnificent properties in the State which fell to rack and ruin in the 1920s because a tax or charge would be implemented. There are currently applications with the Landmark Trust to have buildings transferred and that trust does not have the financial fluidity which it had a number of years ago. This cost could jeopardise the transfer of such properties.

**Deputy John Gormley:** I thank the Deputy for putting down this amendment. Section 482 of the Taxes Consolidation Act 1997 deals with certain tax reliefs for buildings of significant scientific, historical or aesthetic merit. Deputies will note that I provided for an exemption from the charge for such buildings that had been approved for the purposes of this section by the Revenue Commissioners.

Few such buildings will qualify under the provision of the Bill in section 2(1)(a) as most of them are likely to be used as principal private residences. Nonetheless, it seemed prudent to include the provision in the Bill, both for its own sake, especially as I have a role relating to heritage generally, and for consistency with the provision of the tax code operated by the Revenue Commissioners.

I regret I cannot accede to the amendment. If I provided an exemption for any person who indicated it was his or her bone fide intention to use a residential property as a principal private residence, the entire yield from the charge could dry up. Our corpus of legislation deals with reality as it exists, not as it might be or as some people intend it to be. For this reason, I cannot accede to the amendment sought.

If people genuinely believe they are entitled to relief under section 482 of the Taxes Consolidation Act 1997, they should apply to the Revenue without delay. They should do so because they may be entitled to such relief but also because there is a possible exemption from the €200 charge if a property qualifies under section 482.

**Deputy Olivia Mitchell:** Does the charge qualify to be set against tax in the same way domestic refuse charges so qualify? Will businesses be able to set it against tax?

**Deputy John Gormley:** As I understand it, they can set it against their expenses for business purposes.

**Deputy Jimmy Deenihan:** Is there a register of houses that are listed as being of value from a heritage point of view? Is there an overall figure in this regard?

**Deputy John Gormley:** Yes. We published details of the houses that are listed. I seem to recall that the Deputy was present when I launched the document relating to those properties in Kerry.

**Deputy Jimmy Deenihan:** I was just wondering if there is an overall figure in respect of the number of houses listed. I presume castles in which people live, etc., are included.

**Deputy John Gormley:** Castles, thatched cottages and so on are included.

**Deputy Jimmy Deenihan:** I presume some of them are very famous houses which attracted attention when the scheme was introduced some years ago. It will be stated that those who rent out their properties as self-catering holiday homes will be penalised, while some very wealthy individuals will be exempt. However, that is the way it is dealt with in the legislation.

**Deputy Olivia Mitchell:** It shows where the priorities lie.

**An Ceann Comhairle:** On the last occasion on which Deputy Deenihan referred to thatched cottages at a meeting of Kerry County Council, a Deputy who was present stated that if the colour of the thatch was anything like the colour of the thatch on some of those attending the meeting he would have nothing to do with it.

**Deputy Jimmy Deenihan:** Yes, but we saved quite a few houses on that occasion.

**Deputy Phil Hogan:** And the Deputy is still around.

**Deputy Ciarán Lynch:** The amendment does not relate to castles, moats or Georgian or Victorian mansions. There are a number of small cottages and dwellings which would have come into people's possession by means of inheritance or whatever and which, in light of the level of refurbishment they require, could not be regarded as habitable. If they were to be refurbished to modern standards, their natural heritage value might be destroyed. A number of these properties incorporate unique design and architectural features that can be peculiar to the localities in which they are to be found. Is there a possibility that, by means of secondary legislation, further direction might be given in respect of including matters that are not currently contemplated in the Bill?

**Deputy John Gormley:** No, that possibility does not exist. However, in the interest of clarifying certain matters, I will issue guidance to local authorities. I made it clear earlier that people will either be part of this or they will not. It is not possible to legislate for situations where a person intends something to happen. I cannot operate in that way.

Amendment, by leave, withdrawn.

**Deputy Phil Hogan:** I move amendment No. 3:

In page 4, subsection (1), after line 44, to insert the following:

“(i) a building that is a Fáilte Ireland registered and/or listed self catering property.”.

Amendment put.

The Committee divided: Tá, 62; Níl, 70.

Tá

Allen, Bernard.  
Bannon, James.  
Barrett, Seán.  
Breen, Pat.  
Broughan, Thomas P..  
Bruton, Richard.  
Burke, Ulick.  
Byrne, Catherine.  
Carey, Joe.  
Connaughton, Paul.  
Coonan, Noel J..  
Costello, Joe.  
Crawford, Seymour.  
Creed, Michael.  
Creighton, Lucinda.  
D'Arcy, Michael.  
Deenihan, Jimmy.  
Doyle, Andrew.  
Durkan, Bernard J..  
Enright, Olwyn.  
Feighan, Frank.  
Ferris, Martin.  
Flanagan, Charles.  
Flanagan, Terence.  
Gilmore, Eamon.  
Hayes, Brian.  
Hayes, Tom.  
Hogan, Phil.

Howlin, Brendan.  
Kehoe, Paul.  
Kenny, Enda.  
Lee, George.  
Lynch, Ciarán.  
Lynch, Kathleen.  
McCormack, Pádraic.  
McHugh, Joe.  
McManus, Liz.  
Mitchell, Olivia.  
Naughten, Denis.  
Neville, Dan.  
Ó Caoláin, Caoimhghín.  
Ó Snodaigh, Aengus.  
O'Donnell, Kieran.  
O'Dowd, Fergus.  
O'Keefe, Jim.  
O'Shea, Brian.  
O'Sullivan, Jan.  
O'Sullivan, Maureen.  
Perry, John.  
Quinn, Ruairí.  
Rabbitte, Pat.  
Reilly, James.  
Sheahan, Tom.  
Sheehan, P.J..  
Sherlock, Seán.  
Shortall, Róisín.

Tá—*continued*

Stanton, David.  
Timmins, Billy.  
Tuffy, Joanna.

Upton, Mary.  
Varadkar, Leo.  
Wall, Jack.

Níl

Ahern, Dermot.  
Ahern, Michael.  
Ahern, Noel.  
Andrews, Barry.  
Andrews, Chris.  
Ardagh, Seán.  
Aylward, Bobby.  
Behan, Joe.  
Blaney, Niall.  
Brady, Áine.  
Brady, Cyprian.  
Brady, Johnny.  
Byrne, Thomas.  
Carey, Pat.  
Collins, Niall.  
Conlon, Margaret.  
Connick, Seán.  
Coughlan, Mary.  
Cregan, John.  
Cuffe, Ciarán.  
Cullen, Martin.  
Curran, John.  
Dempsey, Noel.  
Devins, Jimmy.  
Dooley, Timmy.  
Fahey, Frank.  
Finneran, Michael.  
Fitzpatrick, Michael.  
Fleming, Seán.  
Flynn, Beverley.  
Gogarty, Paul.  
Gormley, John.  
Grealish, Noel.  
Hector, Máire.  
Kelleher, Billy.

Kelly, Peter.  
Kenneally, Brendan.  
Kennedy, Michael.  
Killeen, Tony.  
Kirk, Seamus.  
Kitt, Michael P..  
Kitt, Tom.  
Lenihan, Brian.  
Lenihan, Conor.  
Lowry, Michael.  
McEllistrim, Thomas.  
McGrath, Finian.  
McGrath, Mattie.  
McGrath, Michael.  
McGuinness, John.  
Moloney, John.  
Mulcahy, Michael.  
Nolan, M.J..  
Ó Fearghaíl, Seán.  
O'Connor, Charlie.  
O'Dea, Willie.  
O'Flynn, Noel.  
O'Hanlon, Rory.  
O'Keeffe, Edward.  
O'Rourke, Mary.  
O'Sullivan, Christy.  
Power, Seán.  
Ryan, Eamon.  
Sargent, Trevor.  
Scanlon, Eamon.  
Smith, Brendan.  
Treacy, Noel.  
Wallace, Mary.  
White, Mary Alexandra.  
Woods, Michael.

Tellers: Tá, Deputies Paul Kehoe and David Stanton; Níl, Deputies Pat Carey and John Cregan.

Amendment declared lost.

Section 2 agreed to.

### SECTION 3.

Amendments Nos. 4 and 5 not moved.

**Deputy Aengus Ó Snodaigh:** I move amendment No. 5a:

In page 5, subsection 3(a), line 17, to delete “€200” and substitute “at a rate determined by the local authority”.

**Deputy John Gormley:** I thank Deputies Ferris and Ó Snodaigh. From my speech on Second Stage the House will be aware that I have considerable sympathy with the view that the determination of the charge should be devolved to local authorities in the future. I see this power

being exercised as a reserve function within certain limits that the Minister for the Environment, Heritage and Local Government would determine. For 2009, local authorities will concentrate on securing the maximum yield from the charge, not to mind embarking on a process of considering the level of the charge. I have made it clear that I may revisit the basis on which the charge operates but I want to consult Members and see what the Commission on Taxation has to say on the future of financing local government before making any further decisions. I made that clear on Second Stage. For these reasons I am not disposed to devolve powers to local authorities to determine the level of the charge at this time but I will keep the matter under review.

Amendment, by leave, withdrawn.

Amendment No. 6 not moved.

**Deputy Phil Hogan:** I move amendment No. 7:

In page 5, after line 45, to insert the following subsection:

“(8) The charge liable by a single owner will be limited to €600 per building in instances where the building contains in excess of three self-contained dwellings.”.

I tabled this amendment because the €200 levy is not unduly onerous on rented accommodation or apartments but could have a significant impact on low cost social housing for single people who may not be able to buy a house of their own. Many houses have been converted into five, six or seven units, depending on the size of the house. Each unit could be subject to the €200 charge. On top of that, the owner must pay a registration charge to the Private Residential Tenancies Board. It could amount to a great deal of money when we want to provide good quality accommodation, particularly for single people with low incomes. I ask the Minister to cap the charge at a particular amount without letting it run to €3,000, depending on the number of units in the house. I suggest it be capped at €600. There is a precedent for this.

**Deputy John Gormley:** I thank Deputy Hogan although I cannot accept his amendment. The definitions in the Bill are relevant to this amendment. The policy parameters of the Bill arise, as well as considerations of equity and fairness.

Let us consider the definitions of “building” and “dwelling” in section 1 and “residential property” in section 2. These are the building blocks that define the scope of the Bill. Section 1 provides that the definition of a building includes part of a building so that the argument cannot be made that an apartment block within which multiple living units are contained is simply one building and liable to only one charge. In the case of the definition of “dwelling” in section 1, it is clear that it includes a separate dwelling, whether other facilities in common areas are shared. This concept of a separate dwelling is reinforced in the definition of “residential property” in section 2, where it is made clear that maisonettes, flats, apartments and bedsits constitute residential property. Section 3(1) and 3(2) apply the charge to residential property. It is clear that each separate dwelling incurs a charge unless its owner is exempt. This is as it should be.

The Bill does not rely on a valuation component but we all know that many apartments are worth more than many houses. Furthermore, many apartments generate more rent for their owners than do houses. There are examples of multiple apartments owned by a single person. I cannot accept that the owner of multiple apartments in a substantial apartment block should have his or her liability restricted to €600 or to any figure other than the multiple of €200 the number of separate residential properties gives rise to. I cannot see how a restriction of the



[Deputy John Gormley.]

kind proposed in the amendment could be regarded as progressive or fair. The impact of the amendment is to reduce the average cost or charge per dwelling, incrementally, in proportion to the number of dwellings the person owns. The more one owns, the less one pays. This is unreasonable, unfair, not progressive and unsuitable for the Bill before us. For these reasons I ask Deputy Hogan to consider withdrawing the amendment.

**Deputy Phil Hogan:** The Minister has completely misinterpreted the motivation behind the amendment. I explained that I was concerned about low income people, particularly single people, with social housing requirements and the case of a large dwelling that is converted into various units, each of which is subject to the €200 charge. I do not advocate the charge being exempt for the case of the multi-unit apartment blocks to which the Minister referred. Nor am I proposing a regressive measure.

Those who have rented or leased HSE assisted dwellings, including those with disabilities, are exempt. Are they exempt altogether? What is the duration of the lease or rent required in that instance to be exempt under the meaning of “residential property” in section 2?

**Deputy John Gormley:** HSE contracted buildings are exempt. Deputy Hogan should remember that we are talking about the owners of the properties, not those renting.

**Deputy Phil Hogan:** Why did not the Minister include the rental accommodation scheme?

**Deputy John Gormley:** We are trying to encourage the rental accommodation scheme. Deputy Hogan is asking questions back and forth; I will respond when he is finished.

**An Leas-Cheann Comhairle:** Exactly.

**Deputy Phil Hogan:** In line with the scenario presented in respect of HSE assisted people, the same principle applies to those under the rental accommodation scheme but the Minister has exempted them. I am interested in the reason.

**Deputy John Gormley:** I have explained this in this House and in the Seanad. We try to encourage the rental accommodation scheme and move towards it. We have less and less money to build property. We are trying to move more people to the rented sector. We can get better value for money and that is why we made the exemption.

The RAS system is working well.

Amendment, by leave, withdrawn.

Section agreed to.

#### SECTION 4.

Amendment No. 8 not moved.

**An Leas-Cheann Comhairle:** Amendments Nos. 9 and 10 are related and will be discussed together.

**Deputy Ciarán Lynch:** I move amendment No. 9:

In page 7, subsection (4)(a)(iii), line 5, after “granted” to insert “or separation agreement entered into”.

As it stands, the section fails to recognise separation agreements and seems to put a premium on a court order or judicial separation. The Labour Party believes this is discrimination against people who are separated by agreement and that view travels well beyond the Labour Party. In legal definitions, this section would be seen to discriminate against that group. The Minister's reply to the Seanad when this issue was debated there defies logic. He stated:

The amendment does not define adequately what a separation agreement is, whether it applies in the case of a marriage or otherwise or, more generally, what standing it has in law. Neither is it clear whether either or both of the parties to the marriage had the benefit of legal advice in arriving at that agreement. It would not be known whether any element of duress was present in respect of one of the parties to the agreement when it was entered into.

Excuse me, but this does not add up. "Separation agreement" has a clear legal meaning and the phrase is used in section 49 of the Family Law Act 1996 and sections 22(2) and 24(1)(b) of the Criminal Evidence Act 1992, and in amendment No. 10 we use the definition included in section 20 of that Act. The Minister should accept this amendment. What he proposes creates a shortfall and we will end up with a test case on this matter and the legislation will be found to be legally flawed as it does not take into its scope one type of separation. If the Minister has received legal advice on this I would like him to quote it in the House because what he is proposing is at variance with the Statute books.

**Deputy John Gormley:** I thank Deputies Ciarán Lynch and Joanna Tuffy for tabling amendments Nos. 9 and 10. Section 4 provides that where a decree of divorce or a decree of judicial separation has been granted in respect of a marriage, a residential property in which a spouse retains an interest but which is occupied by the other spouse as his or her sole or main residence will not attract a liability for the charge in respect of the spouse who does not reside there. This provision is inserted to cater for the relatively common outcome of a divorce or separation agreement where one party continues to reside in the family home but the other, although retaining a financial interest in the property, does not.

Amendments Nos. 9 and 10 seem to seek to give the same status to a separation agreement as is given to a decree granted by a court. Deputy Lynch is correct to state that I made the point in the Seanad that I have considerable sympathy with the objective of these amendments but, as before, I regret to state that I cannot accede to them. While the Labour Party amendments go further than those put forward in the Seanad in attempting to define what is a separation agreement, there remains a crucial difference between what the amendments propose and what is provided for in the Bill.

A decree of judicial separation and a decree of divorce, as referred to in the Bill, must be granted by a court but this is not the case with regard to the type of separation agreement proposed in the amendments we are discussing. As such, we would not know whether either or both parties to the separation agreement had the benefit of legal advice or whether due process generally was followed in arriving at the terms of the agreement. It seems that a court has a vital role to play in ensuring a separation agreement was entered into with the full consent of both parties and ensuring that the parties had been properly advised as part of the legal process.

I assure the Deputies that I am not opposing their amendments on the grounds that there would be a loss in revenue yield. The breakdown of a marriage is a very serious matter and one which generally brings with it a difficult and complicated process during which the parties, among other things, must disentangle their financial affairs. I do not wish to grant a form of legal recognition to this process where there is an insufficient guarantee that it has been carried

[Deputy John Gormley.]

out properly and with adequate regard to the principles of natural justice and any relevant legal requirements.

The drafting of section 4(4) of the Bill is grounded in precedent. I refer the Deputies to section 13 of the Finance (No. 2) Act 2000 which deals with broadly similar circumstances, but which confines itself to actual decrees of divorce and separation granted under the same statutes as referred to in section 4(4)(b). Bearing in mind this and taking account of the points I have made with regard to the uncertainty surrounding a separation agreement, I regret I cannot accede to the amendments under discussion.

I want, however, to be as helpful as possible to the Deputies and I refer them to the definition of “owner” in the Bill which is set out in section 1. Essentially, an owner is a person who is entitled to receive the rent from a property. If, as part of a separation agreement, one of the parties to the marriage will not be entitled to occupy the residential property in question or to receive any rent in respect of it, I am prepared to advise local authorities that the person should not be regarded as an owner for the purposes of the Bill. It follows, therefore, that the person would not be required to pay the charge in respect of the property in which he or she retains some financial interest but in which he or she is not either residing or receiving rent as part of the separation agreement. I will do this as part of the guidance, to which I referred previously, I intend to issue to local authorities to assist them to carry this legislation into effect.

I hope it will be of benefit to the Deputies proposing the amendments if I also undertake to contact my colleague, the Minister for Justice, Equality and Law Reform, to advise him of the Deputies’ views in this matter, as this branch of law is primarily something in which his Department has the requisite expertise. As I pointed out, the provision included in the Local Government (Charges) Bill follows precedent in other legislation. Depending on my colleague’s advice, I would be happy in the future to address these concerns in a suitable legislative vehicle if this is necessary or appropriate in light of what I have already undertaken to do.

**Deputy Joanna Tuffy:** The Minister made a point on precedent and I presume this precedent relates to the first time buyer’s exemption on stamp duty because when that exemption was introduced a separated person was eligible for it under certain conditions. If this is not the precedent to which the Minister referred, I ask him to clarify it.

Surely the majority of separations are by way of separation agreement, not court proceedings. The point is that the two spouses no longer live together. The situation envisaged here is that one of the spouses will be living in the property and the other will live somewhere else, but under the separation agreement both names could remain on the title deeds and both could have a legal and beneficial interest in the property. Merely because a separation agreement is mediated through negotiation with a solicitor or between the spouses they must pay the €200 tax. However, those who go through adversarial proceedings in court will not. This is not right.

Thousands of couples have had separation agreements for years and the Minister is stating he will give guidance to local authorities if there is a provision in the agreement which states the person is not entitled to receive rent from the property. How will people retrospectively provide for this in their separation agreements? The Minister has opened up a minefield by stating what he did. The Labour Party amendments would deal with the problem once and for all. A separation agreement is a legal document recognised by the State and its institutions. The idea that this is considered inferior because the people did not go to court is nonsense. I do not know what the exemption is under the Finance (No. 2) Act 2000 but it is not the same.

This is obviously an anomaly with which the Minister should deal. There is provision in the legislation for those with a decree of divorce or separation decree, but it should also apply in the case of those with separation agreements. Otherwise, the whole family law issue must be

open to question, particularly if, somehow, a separation agreement is not a separation agreement and not a legal document. Of course it is.

**An Leas-Cheann Comhairle:** Does the Minister wish to respond?

**Deputy John Gormley:** Is there a need to go through it all again.

**An Leas-Cheann Comhairle:** That is a matter for the Minister.

**Deputy John Gormley:** We have gone through it.

**Deputy Ciarán Lynch:** In response to the Minister's comments on the issue, it appears he is saying people should pay either the €200 or the court costs. The notion of somebody having to go through an expensive court process to receive an exemption they should have been granted in the legislation is bizarre. The same is true with regard to the fact that the Minister says he will give guidance to local authorities. What he should be doing is providing them with clear direction through legislation. Failure to do this is a missed opportunity for the Minister to take leadership on this substantive issue — a separation agreement — which is something that is recognised in Ireland today. That the Minister is determining discriminating levels of status for people who are separated — as Deputy Tuffy pointed out — is nonsense. A separation agreement is an agreement reached by various means — through mediation, solicitors or personal agreement — which *de facto* states that two people no longer live together. They may have a second home, what was once a holiday home, where one of the partners now resides. This Bill in all common sense should provide that the exemption applies in that situation. On those grounds, the Labour Party will press the amendment.

Amendment put.

The Dáil divided: Tá, 63; Níl, 70.

Tá

Allen, Bernard.  
Bannon, James.  
Barrett, Seán.  
Breen, Pat.  
Broughan, Thomas P.  
Bruton, Richard.  
Burke, Ulick.  
Byrne, Catherine.  
Carey, Joe.  
Connaughton, Paul.  
Coonan, Noel J.  
Costello, Joe.  
Crawford, Seymour.  
Creed, Michael.  
Creighton, Lucinda.  
D'Arcy, Michael.  
Deenihan, Jimmy.  
Doyle, Andrew.  
Durkan, Bernard J.  
Enright, Olwyn.  
Feighan, Frank.  
Ferris, Martin.  
Flanagan, Charles.  
Flanagan, Terence.  
Gilmore, Eamon.  
Hayes, Tom.  
Hogan, Phil.  
Howlin, Brendan.  
Kehoe, Paul.

Kenny, Enda.  
Lee, George.  
Lynch, Ciarán.  
Lynch, Kathleen.  
McCormack, Pádraic.  
McGrath, Finian.  
McHugh, Joe.  
McManus, Liz.  
Mitchell, Olivia.  
Naughten, Denis.  
Neville, Dan.  
Ó Caoláin, Caoimhghín.  
Ó Snodaigh, Aengus.  
O'Donnell, Kieran.  
O'Dowd, Fergus.  
O'Keefe, Jim.  
O'Shea, Brian.  
O'Sullivan, Jan.  
O'Sullivan, Maureen.  
Perry, John.  
Quinn, Ruairí.  
Rabbitte, Pat.  
Reilly, James.  
Sheahan, Tom.  
Sheehan, P.J.  
Sherlock, Seán.  
Shortall, Róisín.  
Stagg, Emmet.  
Stanton, David.

Tá—*continued*

Timmins, Billy.  
Tuffy, Joanna.  
Upton, Mary.

Varadkar, Leo.  
Wall, Jack.

## Níl

Ahern, Dermot.  
Ahern, Michael.  
Ahern, Noel.  
Andrews, Barry.  
Andrews, Chris.  
Ardagh, Seán.  
Aylward, Bobby.  
Behan, Joe.  
Blaney, Niall.  
Brady, Áine.  
Brady, Cyprian.  
Brady, Johnny.  
Browne, John.  
Byrne, Thomas.  
Carey, Pat.  
Collins, Niall.  
Conlon, Margaret.  
Connick, Seán.  
Coughlan, Mary.  
Cregan, John.  
Cuffe, Ciarán.  
Cullen, Martin.  
Curran, John.  
Dempsey, Noel.  
Devins, Jimmy.  
Dooley, Timmy.  
Fahey, Frank.  
Finneran, Michael.  
Fitzpatrick, Michael.  
Fleming, Seán.  
Flynn, Beverley.  
Gogarty, Paul.  
Gormley, John.  
Grealish, Noel.  
Haughey, Seán.

Hector, Máire.  
Kelly, Peter.  
Kenneally, Brendan.  
Kennedy, Michael.  
Killeen, Tony.  
Kirk, Seamus.  
Kitt, Michael P.  
Kitt, Tom.  
Lenihan, Brian.  
Lenihan, Conor.  
Lowry, Michael.  
McEllistrim, Thomas.  
McGrath, Mattie.  
McGrath, Michael.  
McGuinness, John.  
Moloney, John.  
Mulcahy, Michael.  
Nolan, M.J.  
Ó Fearghaíl, Seán.  
O'Connor, Charlie.  
O'Dea, Willie.  
O'Flynn, Noel.  
O'Hanlon, Rory.  
O'Keefe, Edward.  
O'Rourke, Mary.  
O'Sullivan, Christy.  
Power, Seán.  
Ryan, Eamon.  
Sargent, Trevor.  
Scanlon, Eamon.  
Smith, Brendan.  
Treacy, Noel.  
Wallace, Mary.  
White, Mary Alexandra.  
Woods, Michael.

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

Amendment declared lost.

**Deputy Ciarán Lynch:** I move amendment No. 10:

In page 7, subsection (4)(b), between lines 21 and 22, to insert the following:

“separation agreement” means an agreement in writing which provides for the spouses concerned living separately and apart from each other.

Amendment put and declared lost.

**An Leas-Cheann Comhairle:** We move to amendment No. 11. Amendment No. 12 is an alternative and the two amendments may be discussed together.

**Deputy John Gormley:** I move amendment No. 11:

In page 7, between lines 21 and 22, to insert the following subsections:



“(5) If, on a liability date, an individual who is the owner of a residential property—

(a) is incapacitated by reason of long term mental or physical infirmity, and

(b) had been obliged, at a time prior to that date, due to the said mental or physical infirmity, to vacate the said property, which had been, immediately preceding that time, his or her sole or main residence, and

(c) is normally resident in a place of which he or she is not the owner, then he or she shall not be liable to pay a charge in respect of that property in relation to that liability date.

(6) (a) If, on a liability date, a residential property is occupied, free of rent, as his or her sole or main residence by an individual who is a relative of the owner of the property, and the owner resides in another property as his or her sole or main residence, then the owner shall not be liable to pay a charge in respect of the first-mentioned property in relation to that liability date, provided that the first-mentioned property and the sole or main residence of the owner are located—

(i) on the same property, or

(ii) within 2 kilometres of each other.

(b) For the purposes of *paragraph (a)*, “relative” includes—

(i) a relation of the spouse or partner of the owner,

(ii) a person in respect of whom the owner is the legal guardian, and

(iii) a person who is a ward of court in respect of whom the owner is the committee.”.

The amendment inserts two new subsections into section 4 of the Bill. Subsection (5) caters for a situation where a person who owns a principle private residence vacates the dwelling in question because he or she is long-term incapacitated as a result of physical or mental illness. Although the dwelling in question would no longer be used by the person concerned as a principle private residence, a liability to pay the charge could arise. I accept there is an issue here in regard to whether it would be reasonable in these circumstances for the person concerned to incur this liability, notwithstanding the fact the charge is set at a very modest level. I am, therefore, tabling this amendment before the House.

The amendment provides that a number of criteria must be satisfied for the exemption to have effect. In the first instance, the incapacity must be long-term and due to mental or physical illness. Typically, I would expect the incapacity to be brought about by infirmity due to old age or perhaps a form of senile dementia, but other forms of illness could also result in incapacitation. Either way the essential point is that the person concerned is incapable of independent living at the time and in future.

The residence vacated must be the person’s principal residence and if the person does not own the residence in which he or she lives, no charge would arise in any case. If the dwelling vacated prior to entering long-term care were not the person’s principal residence, it is difficult to see why an exemption should be granted in respect of that property because, presumably, it would have been put to some form of economic use. The person concerned must not own the property in which he or she will reside in future. In such a case the person would be the owner of at least two properties and an exemption from a modest charge of €200 would not seem to be required in respect of the property vacated.

[Deputy John Gormley.]

Clearly a person who is incapacitated due to long-term illness will require long-term care and this is often, but not always, secured through a nursing home or care centre. In such cases, the Revenue Commissioners will permit the person's income to be offset against the cost of residing in the nursing home or care centre. It is often the case that the property which was the person's principal private residence is let out to defray in part the costs of long-term residential care. In bringing forward this amendment I am disinclined to require the person in care to pay the charge in these circumstances. Sometimes the person incapacitated goes to live with or is looked after by someone else, normally a relative. In these circumstances, I am also disinclined to provide that a charge should be paid on what used to be the incapacitated person's principal private residence. The relative who has taken the incapacitated person under his or her care has probably relieved the State, at least partially, of the cost that otherwise would have been associated with institutional care of one kind or another. I am not inclined to impose a charge in these circumstances even if the dwelling concerned is rented out. In this respect the amendment I propose goes further than that tabled by Deputy Hogan, which referred specifically to a nursing home.

I refer to subsection (6) of the amendment which addresses the issue of what are sometimes referred to as granny flats. In general the Local Government (Charges) Bill does not apply the €200 charge to dwellings that are not separate dwellings. A granny flat that constitutes an integral part of the residence in question will not be liable for any charge, assuming the overall building of which it is part is a principal private residence. Nor will a granny flat be liable for a charge where it is owned by the person or persons who reside there if it is their principal private residence.

The question at issue, therefore, relates only to instances in which a granny flat constitutes a separate dwelling and is owned by someone other than the resident. The amendment is designed to cater for a person who owns the primary residential property of which the granny flat forms a part or is otherwise associated with. I accept a valid case has been made for exempting such properties from the charge. Such accommodation is usually provided by sons and daughters to enable them to look after their parents and in circumstances in which the parents, understandably, wish to retain a measure of independent living for as long as possible. However, it is very much secondary to the consideration to which I referred earlier. In addition, the costs to the State are likely to be a good deal less in cases in which people are being cared for by relatives rather than in long-term care.

I have dealt with the issues and although there is a good deal more I could say I will allow other Deputies speak.

**Deputy Phil Hogan:** The Minister, Deputy Gormley, stated his amendment went further than the Fine Gael amendment, demonstrating a great hypocrisy. The Minister published legislation which allowed people in long-term care and those with granny flats attached to their homes to be subject to the charge. He accused Fine Gael and the media of being mischievous when we raised the issue, but he now praises himself for introducing an amendment that is better than the Fine Gael amendment. That represents a great political hypocrisy and double standards and it is difficult to take the Minister seriously when he debases politics by making such spurious comments. I welcome the amendment, which had to be dragged out of the Minister through the airwaves on RTE radio 1, as was the case with the mobile home amendment on Joe Duffy's show. The Minister had to be dragged into reality concerning the category of people included in the charge. He now, however, praises himself for excluding these people.

The family is very important in any community. The Minister sought to impose on families a charge for attaching a granny flat to a principal private residence but such families would be

exempt if a mobile home were in the back garden. This represents a lack of joined-up thinking and I have no idea what took place at the Cabinet meeting at which the Minister initially introduced the Bill. I do not understand how it was not spotted in the context of observations from other Ministers on the Fianna Fáil side, of which there are not many here tonight to support the Minister. Nevertheless, I welcome the fact that the Minister has carried out another U-turn with this amendment and that he has put forward an acceptable definition. However, I seek clarification on two aspects. What does he mean by “long-term” in the legislation? How long is “long-term” in terms of mental or physical infirmity in subsection (5)(a)? What is the definition of a relation in subsection 6(b)? It states that, for the purposes of *paragraph (a)*, a “relative” includes a relation of the spouse or partner of the owner. What is meant by “relation”?

**Deputy Joanna Tuffy:** I wish to put a question about the second part of the amendment which would exclude a relative, but the term “granny flat” was mentioned by the Minister. What is the position if someone uses the same unit or property to house an au pair for example? Might someone in that situation get caught for the charge?

**Deputy John Gormley:** An au pair is not a relative. I will revert to the earlier points made by the Deputy. A relative is someone who is a relative, it is as simple as that. It could be a brother or whatever.

**Deputy Phil Hogan:** In the broadest extent of the term.

**Deputy John Gormley:** This amendment did not have to be dragged out of me.

**Deputy Phil Hogan:** It did, absolutely.

**Deputy John Gormley:** It certainly did not and if the Deputy spoke to his colleagues in the Seanad or if he read the Seanad debate he would find they were pleased to praise the way in which I conducted the debate. I conducted it in a non-partisan way and I was pleased in an unprecedented way to go outside and to allow them to——

**Deputy Phil Hogan:** To bring forward an amendment.

**Deputy John Gormley:** ——be briefed thoroughly by my officials. We considered the issue and I could not believe that, while we were conducting those discussions in a most civilised way, the Deputy issued a press release which was mischievous. I stand by my description in that regard. We have examined all the issues and listened at all times to what people have had to say. If the Deputy wishes, we could close our ears to any of the points he tries to make, but I try to be as accommodating as I can and that is what I have done in this case. The result is better quality legislation.

I have stated previously that any of these issues can be considered from the guidance document point of view. We can consider this matter in this way in discussions with the local authorities. I would be pleased to do so in any case but it is appropriate to have a belt and braces approach. I am not here to praise myself, to use the Deputy’s words. I sought to broaden the scope of the legislation. The Deputy chose a certain wording but I believe the wording I have proposed captures a greater number of circumstances. I accept we do not have the opportunity to go through the matter in as much detail as he would wish but I believe our proposals on these two issues are comprehensive and deal with the outstanding issues.

**Deputy Phil Hogan:** What about the definition of “long-term”?

**Deputy John Gormley:** The Deputy and I discussed the matter outside. Originally the wording was permanent, which was not flexible enough. On the meaning of “long term”, someone who is residing in a nursing home is often regarded as someone having long-term incapacity and that is the best way to describe it. This is a description that has been used in other legislation so we were of the view that “long term” was a better way of describing it.

**An Leas-Cheann Comhairle:** As it is now 8 p.m. I am required to put the following question in accordance with an order of the Dáil of this day: “That the amendments set down by the Minister for the Environment, Heritage and Local Government for Committee Stage and not disposed of are hereby made to the Bill, in respect of each of the sections not disposed of, the section, or as appropriate, the section, as amended, is hereby agreed in Committee, that the Title is hereby agreed in Committee, that the Bill, as amended, is accordingly reported to the House, that Fourth Stage is hereby completed and the Bill is hereby passed.”

Question put and agreed to.

### **Criminal Justice (Amendment) Bill 2009: Committee Stage (Resumed).**

Debate resumed on amendment No. 2a:

In page 9, lines 21 to 23, to delete all words from and including “of” in line 21 down to and including “expertise” in line 23 and substitute the following:

“of—

(a) any member of the Garda Síochána, or

(b) any former member of the Garda Síochána,

who appears to the Court to possess the appropriate expertise (in this section referred to as the “appropriate expert”).

—(Minister for Justice, Equality and Law Reform).

**An Leas-Cheann Comhairle:** Deputy O’Donnell was in possession and amendments Nos. 2a, 3, 3a, 4a, 5, 5a and 5b, are being discussed together.

**Deputy Kieran O’Donnell:** I am speaking specifically on amendment No. 3. We have excellent garda detectives on the ground in Limerick who do fantastic work. We must ensure this section of the Bill is constitutional. Fine Gael proposes that the expert evidence of a Garda superintendent to the Special Criminal Court should be put forward in cases of gangland crime. We need to get immediate convictions and ensure that Roy Collins, Shane Geoghegan and Brian Fitzgerald will be remembered. We must ensure that we can deal with gangland crime in an effective fashion and stop senseless murders and such heinous crimes ever happening again. Fine Gael supports this legislation but we want to ensure that when it comes into operation within the legal and courts system, it will be effective. In that context the expert evidence of a Garda chief superintendent to the Special Criminal Court would be the most effective in ensuring convictions for gangland crime and for the direction of and involvement in gangland crime in Limerick.

**Deputy Pat Rabbitte:** The import of this group of amendments is that notwithstanding that the evidence in question is only as to the existence of a gang, the view is that it would be more appropriate that this would be a garda of more senior rank. This has been the practice up to now and also because of the fact that a more senior garda, not below the rank as suggested in the amendments, would be likely to have more comprehensive information available to him.

One cannot expect a garda of any rank to have the same breadth of knowledge and the same sources of information. It is also to avoid or to minimise the possibility of accident.

A gruesome murder that took place in Limerick was reported by RTE to be the unlawful killing of yet another victim who was known to the Garda Síochána and who had criminal associations. When this report was corrected later in the day and when RTE had to apologise, it did so quite properly and fulsomely because it was in error. This was one hell of an error, given the tragedy that had already transpired. The apology went on to explain that RTE only reported what they had reported because they had been briefed and had double-checked it with the Garda Síochána in Limerick. I have been hearing here how expert the Garda Síochána is in advising on its local knowledge of gangs and gang personalities. Whatever views people may hold about the national broadcaster, its accuracy and professionalism in the news department is usually of a very high standard. In this case they reported that the victim was known to the Garda Síochána with all that implies. They only reported that because they were so advised by the local gardaí. This is not a matter we can take lightly. The experience before the Court of Criminal Appeal is that this business is taken very seriously and if a garda is required of a higher rank to make sure from several sources available to him or her, the testimony is likely to be more reliable. This is an additional good reason for the Minister taking one of these amendments on board.

**Deputy Charles Flanagan:** We are dealing here with the burden of responsibility in proving what in effect constitutes a criminal organisation. Already on the last occasion we clarified the position regarding section 70 of the 2006 Act which has never been used to any significant effect. We propose the insertion of a new section to follow that section establishing the definition of a criminal organisation. Without impugning the Garda Síochána in any manner, it is important that the law reserves this burden of responsibility to senior persons for two reasons.

First, it reflects the importance of the officer going into to court, that he or she is a serious, experienced and expert officer of a rank not below that of a chief superintendent; everybody can testify that is a high-ranking official with many years of service, experience and, more importantly, expertise. Second, it underlines the gravity of the offence in terms of what is a criminal organisation because a person convicted of being a member of, participating in, directing or otherwise a criminal organisation can face a hefty sentence of imprisonment. The gravity of the offence must be reflected and that can be done by the status, experience and expertise of the officer.

I asked the Minister a question on the previous occasion but I am not sure if he responded. If he did I will ask him to repeat it because I do not have a note of his answer, nor can I recollect it. Part 2 deals with organised crime and the new section 71B(1) states: "In proceedings under this Part the opinion of any member of the Garda ...". It could be that this opinion is being given by a Garda who is retired for many years, may not have been in the force for decades and who has been involved in a different career since leaving the force. We know that because many members of the Garda Síochána are forced to retire at a relatively young age and embark upon many and varying pursuits, some in the security industry because of their knowledge.

I would be concerned that ordinary ranking gardaí who may have left the force many years and embarked on different and varying careers could be called upon to give evidence to establish proof of the existence of a criminal organisation in an area. The relaxation of the safeguards around that opinion is a cause of concern that could be dealt with in a forum other than this one. Will the Minister clarify if this opinion evidence of an ordinary ranking member of the Garda Síochána could be given to a judge without any other witness being present? If that is the case, the concerns expressed by Deputies should be taken into consideration. The Minister



[Deputy Charles Flanagan.]

might confirm that there are no circumstances in which that could happen, given the proposals in the Bill. I will conclude because the Minister has a number of questions to answer but there does not appear to be a standard or a requirement of experience in terms of years standing, nor is there a standard of expertise which could be a matter of interpretation, given the individual circumstances.

Serious concerns arise here and I ask the Minister to explain not only the rationale behind his introduction of a late amendment facilitating the giving of evidence by a former member of the Garda Síochána and also the legal advice at his disposal that confirms his belief that by loosening the long-established safeguards, he is acting in a way that is constitutionally sound.

**Deputy Aengus Ó Snodaigh:** I have some sympathy with what Deputy Flanagan is trying to achieve while being opposed to the section as a whole. At least somebody of the standing of a chief superintendent would have the experience and a full understanding of the justice system which an ordinary member may not necessarily have. I have not been listening to the radio today and I do not know what sentence was imposed but a member of the Garda Síochána was convicted and sentenced today for her attempts to falsify evidence and obstruct justice. Not every member of the Garda Síochána is infallible and a high standard should be set if the Minister intends to go down this route.

Opinion evidence is no more than hearsay because it can be contradicted by the opinion of the others. The problem in the special court over the years was that the judges did not accept a contrary argument when it was dealing with people who were charged with IRA membership and that the basis of the evidence was just a garda's word. What the level of that evidence had to be changed over the years but it was still used on occasion to convict. That appears to be the intention in this Bill in that a garda's evidence would be enough to say a criminal organisation exists.

I gave the example previously but will repeat it. Recently, a senior garda in the Dublin South Central area denied at a public meeting that a feud was going on in the area despite the fact that 13 people had died at the hands of the ruthless gangs involved. That was an example of a garda giving contrary evidence to what the dogs in the street in Crumlin, Drimnagh and the rest of the country understood to be true. It might not be on the scale that Paul Williams and others would have us believe but it does exist.

I draw the Minister's attention to the letter, although he has probably seen it at this stage, signed by over 130 barristers and solicitors in regard to the Bill. On the point about opinion evidence from a garda they state:

Opinion evidence from a garda must be understood as simply that — an opinion. No basis for such an opinion would be required by this Bill. No corroboration is required.

A Garda on the beat — who may base it on a person's previous convictions or from evidence upon which he/she will claim privilege and therefore not divulge where it came from — will be able to give an opinion which could result in conviction and sentence for a serious crime.

The Constitution will surely not permit this, but even if it does, Ireland is likely to find itself shamed before the international community when the European Court of Human Rights or the United Nations Human Rights Committee are, inevitably, called upon to rule on the issue.

The Minister's Bill was bad enough in its original presentation but he is now introducing an amendment to go beyond that and allow opinion evidence from a former member of the Garda

Síochána who supposedly has expertise. We have seen some of the articles by some of these expert gardaí in the newspapers which amount to sensationalism.

We must also consider the amount of leaking in investigations of details of suspects, which I believe in some cases undermines the possibility of a conviction. There seems to be more information available to the newspapers than there is to the Director of Public Prosecutions. It has never been fully addressed that Garda files, Garda photographs and intelligence which only those who are investigating close to the crime would have access to seems to leak out to the newspapers, especially the newspapers which sensationalise it. They create gangs where they do not exist. We need to be careful here. Might the word of a garda be based on an article he read in the *Sunday World* or similar? I have major concerns about going down this route. I am in sympathy with Deputy Flanagan's attempt to introduce a safeguard. Although the evidence would be opinion evidence it would, at least, be given by a witness of a high standing who would understand its full impact.

The Irish Council for Civil Liberties, in its submission on the Bill, highlighted some of the points I have made. I urge the Minister to re-read what the council has to say about section 7. The submission says:

The opinion of any garda who appears to the court to possess the appropriate expertise would be admissible as evidence of the existence of a criminal organisation. Under this section expertise means experience, specialised knowledge or qualifications. The opinion of the garda can be informed by the existence of previous convictions of the accused person.

In most trials the existence of previous convictions is not disclosed until the end of the trial. Here a garda can influence the court at an early stage, based upon someone's previous convictions. The submission continues:

The Supreme Court has considered the use of belief evidence and its compatibility with Article 38 of the Constitution and Article 6 of the European Convention on Human Rights. While holding that a garda may claim privilege as to his or her sources when being cross-examined about belief evidence, the [*Supreme*] Court is clear that conviction cannot take place without the support of corroborative evidence, in recognition of the disadvantage which flows from and accrues to the defence in a trial. Moreover, in relation to the rank of a garda who is entitled to provide belief evidence, the Court stated that, the relevant provision in the Offences Against the State Act was "carefully crafted, ensuring that the belief evidence must come from an officer of An Garda Síochána not below the rank of Chief Superintendent". This, the Supreme Court said, "was a view establishing trust and credibility as far as possible".

That safeguard of a Chief Superintendent establishing trust and credibility is what Deputy Flanagan is inserting in the Bill. The Irish Council for Civil Liberties believes section 7 should be withdrawn and that, without prejudice, should the Bill be enacted opinion evidence should be restricted to a garda not below the rank of Chief Superintendent. It believes the Bill "should include an express provision that a person cannot be convicted on opinion evidence alone".

I do not wish to see drugs gangs escaping conviction. Recent legislative changes, particularly the Criminal Justice (Surveillance) Bill will allow for that evidence to be built up. The Garda Síochána requires additional resources. The Minister denies they need these and says they have everything they need. An adequately resourced Garda Síochána coupled with the Criminal Justice (Surveillance) Bill could build up cases properly and prosecute them to a proper conclusion.

This section of the Bill is flawed and should be withdrawn.

**Deputy Thomas Byrne:** I encourage the Minister in his resolve on this issue. Civil liberties and constitutional issues are important but so are the rights of ordinary citizens to go about their daily lives, not only in County Limerick but in my constituency in County Meath, where many of the gangs from Finglas have decided to live. Crime is an important issue in my part of the country.

A garda giving evidence in court does not determine guilt or innocence. He or she does not determine whether an organisation exists. His evidence will simply be part of what the judge must weigh up and decide on. Other evidence will be presented, which the judge will accept or reject based on his or her view of it.

I encourage the Minister in his resolve. His amendment to allow former members of the Garda Síochána to give the same evidence is appropriate. The issue was raised of gardaí who are long retired being allowed to give evidence. If such a retired garda were to give evidence it would, surely, be weighed accordingly by a judge.

Let us keep thinking about the victims. We should acknowledge the support for the Minister from the general public. The correct procedures in the Dáil must be observed and the Bill scrutinised line by line but we must not forget the victims of crime. The public want this legislation and it is important that we give it to them.

**Deputy Dermot Ahern:** The purpose of Amendment No. 2a and those associated with it is to emphasise that the person giving evidence as to the existence of a gang must establish, to the satisfaction of the court, that he or she is an expert. Any garda will not be sufficient. The garda giving evidence must establish that he or she has the appropriate expertise. A garda, “who appears to the court to possess the appropriate expertise shall be admissible”.

Deputy Ó Snodaigh is wrong when he says previous offences can be taken into account. Subsection (3) states:

It shall be permissible for that member [*of the Garda*] in forming the opinion to take into account any previous convictions for arrestable offences of persons believed by the member to be part of a criminal gang.

This merely allows a garda to form an opinion. We are extending the measure to former members of the Garda because some members who have the necessary expertise may have left the force prior to the hearing.

There is considerable misunderstanding and misinformation among people I would have thought had expertise in this area. As recently as midnight last night, I heard someone on the airwaves mistaking what the Bill is about. He seemed to confuse it with opinion evidence, as a lawyer would normally know it, in the context of the Offences Against the State Act. In that legislation the opinion of a Chief Superintendent that a person is a member of a proscribed organisation is admissible. That is not part of this legislation. We have not gone that far. The expert evidence cited in this Bill is to the existence, generally, of a gang. It does not go any way to point guilt or innocence at the accused in question. The evidence will simply set the scene to the court and is an attempt to deal with the acknowledged difficulty of proving these criminal gang offences.

In drafting the Bill, we discussed it with the Garda Síochána. It has serious reservations about any proposal to introduce rank into the Bill. It has concerns that in assessing the expertise of any member or former member, the courts may have regard to the rank the person holds or attained in the Garda. The key issue is the knowledge of the garda, irrespective of rank. The rank of garda who would normally produce this expert evidence is detective inspector.

The strong advice of the Garda is that we should not specify a rank because there may very well be a garda of a lower rank who would have that expertise.

Reference was made to the famous letter. The letter is incorrect. It states: “A garda on the beat ... will be able to give an opinion which could result in conviction and sentence for a serious crime”. That is not the case. There is no way in which this section could, on its own, establish guilt or innocence. It does not go towards someone’s guilt or innocence. Instead, it establishes the existence of a criminal gang to the satisfaction of the court. Deputy Charles Flanagan is correct in that the garda would be open to cross-examination in open court unless the judge decided to exclude someone, although that only occurs in rare cases.

This is not opinion evidence in the normal understanding of opinion evidence in terms of the Offences Against the State Act. I accept that there must be corroboration of those offences. The provision in the Bill is to establish that a criminal gang is operating in a particular geographic area and to prevent a garda from impugning the accused at that stage. I ask people to understand this point and to accept what the Garda is saying.

If we were to limit the rank to that of chief superintendent, he or she might not have within his or her own knowledge the expertise in respect of the gang’s existence. By including that measure, we would be asking a superintendent with second-hand knowledge of the gang’s existence to subject himself or herself to cross-examination. Any lawyer worth his or her salt would be able to draw a coach and four through the garda. The chief superintendent might have general knowledge, just not the knowledge required under the Bill, namely, expertise, experience, specialised knowledge and qualifications. I strongly suggest that we accept the Garda’s assertion that no rank should be linked to this, although the understanding is that the officer should be as senior as possible.

**An Leas-Cheann Comhairle:** Can we make progress on this amendment?

**Deputy Finian McGrath:** On section 7.

**An Leas-Cheann Comhairle:** We will discuss the section separately. We are on amendment No. 2a.

Amendment put and declared carried.

Amendments No. 3 and 3a not moved.

**Deputy Charles Flanagan:** I move amendment No. 4:

In page 9, between lines 27 and 28, to insert the following:

“(3) A person shall not be convicted of an offence under this Act based on the opinion given under this section in the absence of corroborating evidence, which shall not include evidence given to a Court based on section 9 of this Act.”

This amendment relates to opinion evidence. I listened to the Minister, but we are establishing new offences and dealing with what constitutes the existence of a criminal organisation. The Minister stated that no one will be convicted under the opinion evidence, but it will be fundamental in leading to a conviction because it will establish the existence of a criminal organisation or gang. The level of evidence submitted is inextricably linked with the conviction because no conviction will be achieved without the court having established the gang’s existence. It is a difficult and too wide-ranging a proposal to depart from the accepted procedure under the Offences Against the State Acts. The Supreme Court has stated that opinion evidence must be

[Deputy Charles Flanagan.]

corroborated. Amendment No. 4 leaves no doubt as to the need to have corroborating evidence.

The manner and speed with which the Bill is being passed poses a difficulty, as the surveillance legislation has not been given an opportunity to run its course through the courts. In practice, opinion evidence accompanied by the evidence garnered under the surveillance Bill will help ensure that what the Supreme Court has stated will be maintained, that is, the unsoundness of opinion evidence alone. Without amendment No. 4 or a similar confirmation, corroborating evidence would be essential to any opinion evidence and we would be in danger of jeopardising the soundness of the Bill.

The practical effect of the surveillance legislation may be that the process I have outlined will be routine in such cases. The corroboration that ensures opinion evidence on the existence of a criminal gang is acceptable to a court could be achieved under any of the provisions of the surveillance legislation in terms of evidence that can be produced. Will the Minister accept the amendment?

**Deputy Dermot Ahern:** Were we addressing this matter under the scheduled offences in the Offences Against the State Act and opinion evidence was being given as to the guilt of a particular individual by a chief superintendent, I would agree that there would need to be corroborative evidence. The courts have stated this point umpteen times. After the Shane Geoghegan murder, I asked the Attorney General to re-examine the request from Deputy Noonan, a former Minister for Justice, to determine whether we could use a chief superintendent's opinion evidence in respect of organised gangs in a similar way as is handled under legislation on paramilitary organisations. The Attorney General confirmed the advice given by the previous Attorney General on the 2007 legislation to the effect that opinion evidence cannot be given without substantial corroborative evidence.

However, the Bill and section 7 do not deal with that matter. To accept the Deputy's amendment would give rise to the suggestion that the garda's opinion evidence could be used in determining the guilt or otherwise of a defendant, which this section is not about. Nowhere else in the legislation is opinion evidence that goes to the potential core of an accused's guilt given.

To put the matter beyond doubt, I refer the Deputy to the proposed new section 74B in section 13, which states: "Nothing in this Part prevents a court, in proceedings thereunder, from excluding evidence that would otherwise be admissible if, in its opinion, the prejudicial effect of the evidence outweighs its probative value". The amendment in question resembles section 3 of the Offences Against the State (Amendment) Act 1972, which requires evidence to be given by an officer of the Garda Síochána not below the rank of superintendent. His or her evidence is to the person's membership of an unlawful organisation, which is the offence but that is not the case in this section or legislation. As stated, the evidence of a Garda officer will not be used to determine the guilt or innocence of a defendant.

A signatory to the famous letter appeared on "Morning Ireland" yesterday. She stated that her first problem with the legislation was the provision that allowed for opinion evidence of any ranking garda to be given as to the membership of a gang. It is not correct because opinion evidence does not determine the guilt of an accused under this legislation. Equally, there is no offence of membership of a gang. When people comment on this matter, they should examine section 7, the purpose of which is to try to establish participation in a gang.

When I sat down with the Garda Commissioner, the Attorney General and my officials in the weeks subsequent to the murder of Roy Collins, we decided we would consider a number of issues, including the existing legislation, to determine whether the legislative provisions were being used. This is because certain commentators, such as the Deputies opposite, were saying



they were not. We do not have a say in whether the provisions are used; that is the role of the DPP. We examined how we could amend the existing offence of participation and determined whether we could have an offence of membership but decided on the advice of the Attorney General that proving membership of an organised criminal gang was beyond the possibility of legislation. We therefore decided to stick with the amended offence of participation and the new offence of directing a criminal organisation.

The suggested amendment gives the incorrect impression that opinion evidence goes to the heart of the guilt of an accused under section 7.

**Deputy Pat Rabbitte:** The Minister is asking us to take a lot on faith. It puts us in a difficult position because, given that the Minister is minded to push through the legislation before the recess, nobody wants to see a section of the Bill undermined in terms of its efficiency on commencement.

The concept described by the Minister is very unusual. We have just passed over the issue of adding “or former garda”. I am certain, without having checked the matter, that there is no such precedent anywhere in the criminal law. The Minister stated the garda best able to give evidence as to the existence of a gang and what it is doing is the garda patrolling the streets of a particular neighbourhood and that, as a consequence, we should not persist in dividing the House. We did not do so in respect of the issue pertaining to gardaí who are not below a certain rank. When the Minister was asked to instance the kind of former garda he would call to testify, he referred to the former Assistant Garda Commissioner, Mr. Tony Hickey. Former Assistant Garda Commissioner, Mr. Tony Hickey, is a long way from gardaí on the beat in certain troubled areas.

On the last occasion on which we discussed this Bill, the Minister quoted a document he said he received from the Garda Commissioner. He felt Cabinet confidentiality would prevent him from informing the Opposition of the information therein. The result is that we are in quite difficult circumstances. The Bill is being rushed through and there is no time to hear other evidence and input. I demur from dividing the House on this matter and am willing to take the Minister at his word, although there is a great lack of certainty as to where we are going.

**Deputy Dermot Ahern:** I genuinely wanted to move in the direction of opinion evidence as regards membership of a criminal gang but the Attorney General confirmed advice given by a preceding Attorney General stating the difficulty was not just the necessity to have corroborative evidence but also that membership of a gang would be difficult to establish. It was relatively easy to prove membership of a paramilitary organisation but it is not as easy to prove membership of a criminal gang and that is why we dropped this idea. Consequently we had to re-examine the issue of opinion evidence as to membership.

Expert evidence of a garda on the existence of a gang constitutes a new way — the way advised by the Attorney General — of adding to the proofs required to establish that a loose gang, not in any way similar to the Provisional IRA or any other paramilitary organisation that was operating in the State for decades, is operating in a particular geographical area. That is why much of the discussion on opinion evidence, as it is normally known by a lawyer, is not encompassed by this legislation. The legislation refers to the establishment of the fact that there is a gang in existence in a particular area but the person who gives evidence in this regard cannot link it to the guilt, or otherwise, of the accused.

**Deputy Aengus Ó Snodaigh:** Let me refer to a point the Minister made in respect of the ease of gaining convictions in the Special Criminal Court. It was not easy to prove membership but it was easy to gain a conviction given that there was no jury. That is one of the problems.

**Deputy Dermot Ahern:** It has to be said that people did not recognise the court because they were not prepared to give evidence to oppose what the chief superintendent was saying.

**Deputy Aengus Ó Snodaigh:** It was easy to gain a conviction but not to prove membership, which was a different matter. We can return to that if the Minister wants.

We are scheduling two offences without provision for a jury. The Minister stated there is no crime of membership but has created a crime that is its equivalent. Uncorroborated evidence from a garda that a gang or criminal organisation exists will be, in many cases, based on undisclosed previous convictions. The opinion of the garda will be based on whatever is in the PULSE system but this could not be declared to the court because it would prejudice a jury. A garda giving evidence, or supposed evidence, will state it is his firm belief that Mr. A is a member of a certain criminal organisation but if cross-examined he will not be able to disclose that his evidence is based on previous convictions that might be ten or 20 years old. The gang with which the convictions are associated may no longer exist.

The Minister said that no crime of membership exists. The section before us equates to that because the person could be charged with being involved in an offence of participating in or contributing to certain activities mentioned in section 6 which states, in subsection (4):

In proceedings for an offence under this section it shall not be necessary for the prosecution to prove—

(a) that the criminal organisation concerned or any of its members actually committed, as the case may be—

(i) a serious offence. . .

It is a huge leap of faith and danger to the system of justice that a garda can associate a person with an organisation, which he or she swears exists, and does not have to prove any crime when the person convicted under that section might be liable to up to 15 years in jail. Many of those whom we would like to see behind bars probably deserve the 15 years but this is not the way forward.

The way forward is to properly resource the Garda Síochána, to use the Criminal Justice (Surveillance) Bill and if at the end of that time, two or three years from now, it has been shown that those steps are not working we can move to the provision in section 8, that “the ordinary courts are inadequate to secure the effective administration of justice”. The time to declare a national emergency is after we have taken the practical steps that I mentioned the last day we debated this Bill and the Minister accused me of going all over the place. They are simple steps. Everything in this Bill is predicated on the Government’s failure to deliver the practical steps first and foremost to remedy problems, such as the Garda stations throughout the country which do not even have Internet access or proper rooms; the lack of proper scanners around the country to scan trucks for weaponry and drugs and the like; the shortage of sniffer dogs; the inadequacy of the forensic laboratory; the under-resourcing of drugs units; the failure to achieve the target for civilianisation, to properly fund the Dial to Stop Drug Dealing service, to protect juries and witnesses or even to introduce legislation which puts them on a standard footing; and the other matters I mentioned such as the bans on overtime, promotions and recruitment and the delay in the TETRA system. There are more. That is what should be done first before we go down the route intended by this Bill. I oppose the Minister’s intentions in this section.

**Deputy Bernard J. Durkan:** I have some concerns about this section but they are not the same as those of the last speaker. There are issues that revolve around the points raised by the

Minister and the Members on this side of the House. I do not accept the notion that previous history should not become an issue. That is not particularly relevant to this amendment but it could be relevant in an attempt to determine whether a person was a member of a criminal gang.

I was here in 1984 when the then Criminal Justice Bill was introduced and the House sat until 7 a.m. I was concerned that some of the measures introduced then would be used against innocent people in an arbitrary fashion to secure a conviction in a way that we would regret. There were many submissions to support that view. It did not happen but the Bill was watered down to such an extent that it became ineffective and failed to deal with the problems at the time.

**An Ceann Comhairle:** The Deputy should deal with amendment No. 4.

**Deputy Bernard J. Durkan:** I want to put it on the record because I have spoken about this before, as have others.

**An Ceann Comhairle:** It is in evidence now.

**Deputy Bernard J. Durkan:** Unlike the Ceann Comhairle I am not a lawyer. I speak as an ordinary layman. In 1996 and 1997 it was found necessary again to introduce more corrective or restrictive measures to combat the problem. I had serious concerns about that Bill at the time and again I was wrong. It is interesting that after a few years there appears to be a serious erosion of the rights of society and the law-abiding citizens around us. I do not agree with the last speaker. I believe that the case must be based on solid legal grounds. It should not be put in such a way that a clever cross-examiner in the courts could poke holes in it and overturn the legislation and leave us back where we were. I do not agree with the notion that we should see how it works and leave part of the legislation out and reintroduce it in a couple of years' time. It is too late for that. I agree there should be substantive evidence that is corroborated. It cannot come from just anybody or be based on opinion alone, there must be some back-up.

We had all better be aware that there is a serious situation unfolding before our eyes and if we do not tackle this head on we will be judged by the law-abiding citizens outside who have deep concerns. I am not suggesting that my colleague, Deputy Ó Snodaigh, was speaking for the less than law-abiding citizens. From my knowledge of what is going on in this country, as a non-legal person, cases have come before the courts where a serious history exists and it is probably just as well that the jury is not told. I know why the information cannot be made available but it shocks me to read of some of the things that have happened in the courts—

**An Ceann Comhairle:** The Deputy must confine himself to amendment No. 4.

**Deputy Bernard J. Durkan:** This is on amendment No. 4.

**An Ceann Comhairle:** The Deputy's remarks will be more appropriate to section 7 when we discuss it. We are on a very narrow amendment now, submitted by Deputy Flanagan.

**Deputy Bernard J. Durkan:** I am speaking on the basis of Deputy Flanagan's—

**An Ceann Comhairle:** The Deputy will have to obey the rules.

**Deputy Bernard J. Durkan:** The amendment is about the basis for the case and whether the evidence should come from a garda above or below a certain level. We are either serious about this or not. If we want to be serious about it and tackle the issue then we go about it. If we

[Deputy Bernard J. Durkan.]

want to fiddle around with it we can talk around in rings and circles for as long as we like but the public knows full well what the issues are, where and how they occur. If 100 lawyers write to *The Irish Times* with a concern along these lines, I want to hear about it. If, however, this is nothing more than someone speculating I want to hear about that too. Unless we tackle this issue now, society that abides by the law and is concerned with the failure to enforce it will judge all of us.

**Deputy Finian McGrath:** I share many of the Minister's views on this issue because it concerns enhancing the ability to bring prosecutions for organised crime. The provision to take the evidence of a former garda is relevant because I know from experience that many former gardaí have excellent intelligence, no matter how high or low their rank. We should listen to them. We should also listen to people involved in the anti-drugs movement who are aware of the people involved in organised crime.

On amendment No. 4, I agree that there must be quality corroborative evidence. This is an important point.

Progress reported; Committee to sit again.

### **Adjournment Debate.**

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### **Health Services.**

**Deputy Margaret Conlon:** I thank the Ceann Comhairle for the opportunity to speak on this very important issue both for the people I represent in County Monaghan and myself. For the past 30 years the people of Monaghan have had the dark cloud of an impending hospital closure hanging over their heads. In the 1980s, the Minister for Health at the time, Barry Desmond, used the famous phrase that he wanted to close and dispose of the hospital. That was not what we wanted then and it is certainly not what I want now.

I want to see an enhanced role for the hospital in Monaghan in providing services which it is competent in delivering and which the people would have faith in using. Monaghan's medical unit is second to none under the expert guidance of the consultant, Dr. McMahon, and it should continue to provide such services.

I have no objection to changing for the better and standing still is not an option. If change is something to be embraced and not feared, it must be managed properly. Since I was elected and before that, I have believed that in order to effect change in a real way one has to work within the system. However, the level of engagement and consultation with the HSE has been disgraceful and with the proposed changes as of 22 July, the level of meaningful discussion has been unacceptable.

I never at any time made promises on the hospital which I felt I could not deliver and I always knew this would be an uphill battle. Nevertheless I pledged to do my best. Although I was tempted many times to use the media to create the impression of over-the-top activity on my behalf, I never chose to do so. I regret that the system has failed me and the HSE has moved on without any involvement or input from me.

Since being elected I have endeavoured to do my best and I will continue to do so. The proposed measure as the HSE sees it is "a replacement with a safer, superior alternative" but I do not see it that way. The HSE are masters at changing the goalposts when it suits.

The medical assessment unit in Cavan is working well but there is chaos in Our Lady of Lourdes Hospital in Drogheda, with patients on trolleys and long waiting times for assessment and admissions. There was nobody on a trolley in Cavan yesterday or today but Drogheda is more than making up for that. There are patients on trolleys today and there were patients on trolleys yesterday. I can guarantee that there will be patients on trolleys tomorrow. Is that a better service? I think not.

I have always been consistent in saying that systems must be in place, bedded in, tried and tested so that people can have confidence in any newly reconfigured services. I am disappointed that over the past few weeks there has been much political game playing and scurrilous personal attacks; there is no place for such abuse in any debate. I regret that we came to that level.

Tonight I appeal to the HSE not to proceed as proposed on 22 July as it is too soon. Not everything is in place and there has been a lack of consultation and engagement by the HSE. It has not had the full benefit of the wisdom of GPs and Dr. McMahon and other stakeholders. If the HSE treats the GPs in the same manner as the elected representatives, it is no wonder it has no engagement.

My major fear is that the HSE will not have all its i's dotted and t's crossed by 22 July and something will go wrong to compromise patient care and safety. I will hold Professor Brendan Drumm and the management of the transformation team in the north east responsible and accountable for any failings or shortcomings that have a negative impact on any patient. I guarantee that I will watch their every move every step on the way.

**Deputy Seymour Crawford:** I thank the Ceann Comhairle for allowing this issue to be discussed by the four Deputies from County Monaghan. I am very disappointed that the Minister for Health and Children, Deputy Harney, did not see fit to be here tonight. I hope this Minister of State will give us a positive reply.

I welcome the statement in *The Irish Times* by Deputies O'Hanlon and Conlon indicating that they are against the transfer of services on 22 July 2009 but what have they done in the past few months and years to change the decision of the Minister for Health and Children, Deputy Mary Harney, and the present and previous taoisigh, who worked with the HSE to remove the services from Monaghan General Hospital? The Minister did everything possible to close down the hospital before by using the tragic death of Pat Joe Walsh, who should never have been removed from the hospital in Drogheda. During the period when the hospital was off-call, up to 17 lives were lost.

Who is charge of the health service and runs the budget? Has she any role in how that is administered? If she does not, is there any role for Deputies in Government at all? We have heard Deputy Conlon say that she has worked hard behind the scenes but the Minister is in charge and not Professor Drumm. Professor Drumm is answerable to the Minister.

Earlier I submitted questions to the Minister and I hope the replies are available. Has the transfer of services from Monaghan General Hospital been discussed and agreed as safe with Monaghan GPs? Has it been discussed with consultants in the hospital? What evidence does the Minister have that what is being done is safer and better than the service currently available? Can primary care teams deliver a replacement service and is there any in place in Monaghan?

Will the Minister comment on why the advice of Teamwork is being ignored when it was paid to provide such advice? It clearly indicated that the services at Monaghan should not be removed until the new regional hospital is in place. Does the Minister accept that the current project is being spearheaded by management structures without any medical expertise?



[Deputy Seymour Crawford.]

Some €17 million was spent on Monaghan General Hospital in repair and restructuring. I make no apology for reminding the House that on the day the Minister for Agriculture, Fisheries and Food, Deputy Smith, officially opened the two brand new, state-of-the-art wards, I organised a protest at the gates — in which I was supported by the party I represent, Fine Gael, Sinn Féin and the Monaghan General Hospital Alliance — because we learned that at the same time that these wards were being opened, a top-quality female medical ward was being dismantled and state-of-the-art beds were being dumped in storage. This meant that 25 beds were removed from service.

The new proposal put forward by the HSE, which is supported by those who represent the main Government party — including the Minister for Agriculture, Fisheries and Food, Deputy Smith, and Deputies O’Hanlon and Conlon — is that the two wards opened in September 2007 be dismantled, at a cost of €6 million, and be turned into two 13-bed units for rehabilitation and respite.

I beg the Minister for Health and Children, at this late stage, to intervene with the HSE in order to put a stop to the lunacy of taking our hospital off call. This hospital is capable of providing a good service and closing it is unwise, unsafe and unjustified. The four Oireachtas Members who represent the constituency were recently brought to see the new state-of-the-art ambulances at the paramedic unit that is due to replace the hospital. However, I must highlight the fact that in the past number of weeks it took an ambulance 45 minutes to reach the site of an accident at Knockatallan. This accident involved a lorry and took place on the main national primary route which runs from Donegal to Dublin. The paramedics were contacted first but the ambulance arrived before them.

We have been promised that the new service will be state-of-the-art. Deputies O’Hanlon and Conlon should ask the Taoiseach who is in charge of the HSE. That organisation is not completely without attachment to the House. We must ensure that it is accountable to the Dáil.

**Deputy Rory O’Hanlon:** This matter relates to patient care; it is not about party politics or any other agenda. I did not oppose the transfer of services in circumstances where I accepted that a better and safer service was being provided. This is not the case with regard to the announcement of 8 June.

Monaghan General Hospital has an excellent acute medical service, which provides for approximately 80% of patients’ needs. I recognise that major improvements have taken place in the provision of services in our region. I refer, for example, to the medical assessment unit in Cavan and the enhanced ambulance service, to which Deputy Crawford referred, in Monaghan and Castleblaney.

What is being implemented will result in patients travelling 30 to 50 miles and I am not satisfied that sufficient additional facilities have been put in place in Cavan or Drogheda to cope with the increased numbers that will come from County Monaghan. Where an appropriate level of service can be provided at Monaghan General Hospital, then it should be provided. It is important to recognise the level of services that will continue at Monaghan General Hospital. The two wards to which Senator Crawford referred will be used in an extremely efficient manner to, for example, facilitate patient rehabilitation.

**Deputy Seymour Crawford:** The ward in Cavan has been closed.

**Deputy Rory O’Hanlon:** A wide range of outpatient services, including day surgery, ear, nose and throat services and a number of investigative procedures, will continue to be provided. More people attend outpatient clinics than are admitted to hospital.

I urge the Minister for Health and Children to ensure that an adequate CT scanner is put in place at Monaghan General Hospital. It is important that the hospital should have all the state-of-the-art facilities necessary to assist in the provision of services. I made that point to Professor Drumm last night when Deputy Conlon and I discussed the issue with him at a meeting which lasted an hour and a half.

We must move forward from where we are and not from a point at which we would like to be. Medical patients, particularly elderly people who are affected by conditions such as pneumonia, asthma, strokes and mild heart attacks, should continue to be treated at Monaghan General Hospital because this would mean that they would be near to home and their relatives. In order to achieve this, I would like the Minister for Health and Children to request the Health Service Executive, which has the ultimate responsibility in this area——

**Deputy Seymour Crawford:** It is the Minister who has that responsibility.

**Deputy Rory O'Hanlon:** The operation of the services is the responsibility of the HSE, not the Minister. It is time we moved away from adversarial politics——

**Deputy Seymour Crawford:** What happened at Roscommon?

**Deputy Rory O'Hanlon:** ——and stopped blaming the Minister for things for which she has no responsibility.

**Deputy Seymour Crawford:** I tried to do that for years and it did not work.

**Deputy Rory O'Hanlon:** What we should do is come together in order to achieve a resolution.

I ask that the Minister for Health and Children request that the Health Service Executive work with elected representatives, those who represent the hospital staff, GPs and patient representatives in order to consider the options that exist in order to ensure that the level and quality of health care will not be compromised. We must ensure that the elderly people to whom I refer will continue to be treated at Monaghan General Hospital.

**Deputy Caoimhghín Ó Caoláin:** On this morning's Order of Business, the Ceann Comhairle characterised the axing of services at Monaghan General Hospital as a constituency matter. With respect, I must correct the Ceann Comhairle and say that it is a national matter with consequences for hospitals throughout the country. Monaghan is the blueprint for this Government's policy of slashing services in local hospitals. What it is doing to Monaghan now it plans to do to other hospitals in Dundalk, Navan, Nenagh, Ennis, Tralee and Cork, with still more likely to follow. These are ultimately political decisions.

I have been reliably informed from within the HSE that the Taoiseach, Deputy Cowen, and the Minister for Health and Children, Deputy Harney, were closely involved in the decision to axe these services from 22 July next. Let us consider the timing involved. The HSE signalled that these services were to go in November 2008. It then decided that the closure would not happen until the start of this year. Finally, a date in early summer was identified as apt for their disappearance. However, the local and European elections loomed and the axe was hidden until polling day passed. That axe was merely being sharpened and, lo and behold, two days before the Dáil goes into recess until September, the announcement was made that it will finally fall on 22 July.

This represents nothing short of a health care disaster for the people of counties Monaghan and Cavan and areas beyond. It flies in the face of all appeals from front line health care workers — including nurses, GPs, consultants and support staff — and from people of all political affiliations and religious beliefs. From 22 July, lives will be at risk, day and night,

[Deputy Caoimhghín Ó Caoláin.]

because we will lose vital hospital services, including emergency services and inpatient medical care. Lives were lost when Monaghan General Hospital was off call for emergencies in the past and now another fatal date has been set.

Deputies Conlon and O'Hanlon pointed out that all the promised support services due to be put in place before the axing of acute care at Monaghan have not, in fact, been put in place. That is true but I will return to those Deputies in a moment.

Even if all the promised supports were put in place, this would still not make the execution of Monaghan General Hospital acceptable or safe. In the HSE's confidential so-called transformation planning document of April 2008 — I revealed this fact at the time — “rehab/respice/step-down” facilities are described as “alternatives to acute inpatient care”. Of course, they are no such thing.

The decision announced yesterday represents an attack on the health services by this Fianna Fáil-Green Party Government and a betrayal of the people by the members of Fianna Fáil who represent Cavan and Monaghan, namely, Deputies Conlon, O'Hanlon and Smith. Deputies Conlon and O'Hanlon shed crocodile tears here this evening but this morning they voted with the Government and could not bring themselves to abstain in the vote I called in order to allow all Deputies to register a protest at what is being done to Monaghan General Hospital. The Deputies opposite had an opportunity to make a difference but the vote was defeated by 70 votes to 68.

**Deputy Margaret Conlon:** That was a vote on the Order of Business. It had nothing to do with Monaghan General Hospital.

**Deputy Rory O'Hanlon:** It was a vote on the Order of Business.

**Deputy Caoimhghín Ó Caoláin:** If the Deputies had abstained, the Government would have been defeated in the vote.

**Deputy Margaret Conlon:** There was no vote on Monaghan General Hospital

**Deputy Caoimhghín Ó Caoláin:** As a result, the issue of Monaghan General Hospital would have been catapulted to major national attention.

Deputy Conlon mentioned scurrilous attacks. I wish to refer to just one such attack which I heard this evening on the “Drivetime” programme on RTE radio, when Deputy O'Hanlon actually had the gall to blame those courageous people who have campaigned in defence of the hospital for the removal of services. Apparently, we should all have remained quiet while our betters decided what was best for us. Those days are long gone. Deputy O'Hanlon and his colleagues should hang their heads in shame because their inaction has helped bring about this mortal attack on a hospital that has served generations of the people of County Monaghan and served them well.

The Minister for Health and Children is not present in the House.

She, like the Taoiseach, had escaped before the announcement was made yesterday and Professor Brendan Drumm had wrapped up his opportunity the previous morning before the Joint Committee on Health and Children. As for the Minister of State, who is the messenger of the Minister——

**Acting Chairman (Deputy Charlie O'Connor):** Excuse me Deputy——

**Deputy Caoimhghín Ó Caoláin:** I will conclude on this point.

The Minister of State and her colleagues on the Government benches must deliver a single clear message to the Minister for Health and Children and to the Taoiseach. They should make no mistake about it and should not become relaxed on this issue because this fight is not over.

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I am replying to this Adjournment matter on behalf of my colleague, the Minister for Health and Children, Deputy Mary Harney.

At the outset, I note the fundamental objective of Government health policy continues to be to maximise the health status of the population. The Government is committed not only to ensuring the delivery of the best quality health services possible, but to doing so in an effective and efficient way. Ensuring patient safety is paramount in order that people can have confidence in the services and the best possible patient outcomes can be achieved.

The transformation programme for the north-east region involves widespread and fundamental change. It is designed to build a health system that is in line with the model of care emerging internationally. This can be achieved by centralising acute and complex care in order that clinical skill levels are safeguarded by ensuring access to a sufficient throughput of cases. This was highlighted, along with crucial patient safety and quality of care issues, in the 2006 Teamwork report to the HSE. The Teamwork report demonstrated that the service configuration in the north east was unsustainable. I am glad to have the opportunity this evening to explain clearly what the changes will involve and to offer reassurance that they can bring significant improvements in the services available.

As part of the transformation programme for the north-east region, all acute medical services will be transferred from Monaghan hospital to Cavan hospital on 22 July 2009. As part of the Cavan-Monaghan Hospital Group, Monaghan hospital will continue to play an important and expanding role in the provision of non-acute health services to the people of counties Cavan and Monaghan.

As the newly appointed clinical director for the Cavan-Monaghan Hospital Group, Dr. Hayes, stated on radio yesterday, there have been significant improvements in acute hospital services provided to Cavan and Monaghan over the past five to ten years and this transfer is part of the ongoing development of the services for the people of the area. He made the point that the Cavan medical assessment unit provided better, safer and significantly easier access to acute hospital services in the Cavan-Monaghan area.

**Deputy Seymour Crawford:** Tell that to the people.

**Deputy Áine Brady:** A medical assessment unit, MAU, which is consultant-led, opened in Cavan hospital on 30 March 2009. It provides a fast-track alternative to the emergency department for patients who require an urgent medical assessment. Patients can be referred directly by their GP to the medical assessment unit. Since the introduction of the MAU, the average waiting time for full medical diagnosis has reduced from eight hours to three hours. This unit is assessing patients and putting in place appropriate treatment plans that include admission to a medical bed. However, the reduction in diagnosis times is facilitating an increased level of discharges. As a result, this MAU has freed up bed capacity in Cavan hospital.

A new 24-hour observation ward, which is managed by emergency department consultants, has further reduced the Cavan hospital inpatient bed requirement. This observation ward will also reduce surgical admissions in Cavan. An admissions lounge, which is a new six-bedded ward, is now also in place in Cavan hospital. It is aimed at ensuring that no patient from the MAU, observation ward or emergency department will be obliged to wait on a corridor.

**Deputy Seymour Crawford:** Great.

**Deputy Áine Brady:** This ward is close to the MAU and the observation ward. If a patient in either of these services requires admission, he or she will be transferred to this ward until a bed in the main hospital becomes available.

My Department is informed by the HSE that it has no plans to close the Pathways rehabilitation unit service.

**Deputy Seymour Crawford:** It has been closed for months.

**Deputy Áine Brady:** However, because of a number of recent staff retirements at the Pathways unit, patients from the unit are currently being accommodated in the Lisdaran unit for the elderly, which is located within the same building. These patients are receiving the same level of intensive rehabilitation therapy within the Lisdaran unit——

**Deputy Seymour Crawford:** Total and absolute rubbish.

**Acting Chairman:** Please, Deputy.

**Deputy Áine Brady:** ——as they had received prior to their relocation from the Pathways unit.

**Deputy Seymour Crawford:** I was there and saw it.

**Deputy Áine Brady:** In the meantime, the HSE is trying to source staff nurses with a view to restoring the service at the unit as soon as possible.

**Deputy Seymour Crawford:** Does the Minister of State expect Members to believe that?

**Deputy Áine Brady:** As the Deputies will be aware, the Pathways unit has been playing a key role in providing an intensive rehabilitation service to patients from counties Cavan and Monaghan who are recovering from an episode of acute illness such as stroke, amputation, a road traffic accident or acquired brain injury.

Under the new arrangements, Monaghan hospital will have a minor injuries unit. This unit will now treat adults and children over the age of five years who present with minor injuries between 9 a.m. and 9 p.m. seven days a week. These minor injury patients will receive the same service in Monaghan hospital as they do on the other sites with a targeted turnaround time of one to two hours. Day surgery, medical day services and X-ray diagnostics will remain at Monaghan hospital. Outpatient services in medical, surgical, ear nose and throat, diagnostic urology, paediatrics, obstetric and gynaecological specialties will also stay at the hospital. Furthermore, 26 rehabilitation and step-down beds will be retained in Monaghan.

My Department is informed by the HSE that it is committed to putting in place an appropriate computed tomography, CT, service at Monaghan hospital. Having carried out a detailed option appraisal, the HSE established that best value can be obtained by putting in an upgraded CT scanner rather than reusing the former Cavan hospital scanner, which is in storage at present.

**Deputy Seymour Crawford:** That has been the case for ten years.

**Deputy Áine Brady:** An upgraded scanner will require less infrastructural works, will incur lower service charges, will include a free parts replacement guarantee and will allow advantage to be taken of a trade-in discount on the existing scanner. The HSE is extremely mindful of the relatively low volumes of scans likely to be a feature of this service and will tailor both the service configuration and the clinical governance arrangements accordingly to ensure that any



issues related to expected volumes are appropriately managed. As a minimum, this will involve the CT service at Monaghan hospital operating within an overall single radiology department for Cavan and Monaghan hospitals, with appropriate rotation of radiography CT staff between the main CT service at Cavan hospital and the Monaghan hospital site to ensure skill levels and clinical competencies are maintained. It is anticipated that this service will operate within existing staffing levels and should be operational by late September or early October.

I wish to assure the House that there will continue to be a significant role for each of the acute hospitals in the region. Rather than operating largely independently of each other as at present, they will come together to enable the provision of a comprehensive integrated service. We need to recognise that the way in which hospital services are provided is changing rapidly and a growing proportion of care can be provided on a day basis without the need for overnight stays. I appreciate that people are concerned about services to deal with those who fall seriously ill or who are involved in an accident in areas further away from Cavan hospital. Pre-hospital care is the key to quality emergency and trauma management, regardless of hospital configuration. There always will be people who live considerable distances from any hospital and the key is to ensure that pre-hospital services are put in place that enable life-saving treatment to be provided quickly to such patients.

Medical evidence demonstrates that stabilising a patient should commence as rapidly as possible for someone who has suffered significant trauma. In the case of a road accident, this should happen at the roadside and be carried out by advanced paramedics. All the evidence demonstrates that people with severe injuries are best dealt with in large hospitals with a range of specialist teams to deal with serious injuries to different parts of the body. Ambulance services for Monaghan and Cavan already have been enhanced to include an additional emergency ambulance. This is in addition to two existing emergency ambulances based at Monaghan ambulance station. An intermediate care vehicle will also be based there for the transportation of non-emergency patients between hospitals. Advanced paramedics have also been deployed in a rapid response vehicle on a 24-hour, seven day a week basis to provide the population of Monaghan with access at the scene to life-saving treatments including blood and anti-clot treatment.

Ten posts were identified to deliver a significantly increased number of care packages in the community. Nine staff are in place at present, with the tenth person expected to be put in place shortly. These care packages will support the Cavan and Monaghan hospitals, further relieving the pressures on acute hospital services in the area. The HSE is managing the change process in Cavan and Monaghan through a network of subgroups. The HSE has stressed the importance of the involvement of all relevant stakeholders in this process and the HSE has sought the participation of general practitioners on a number of the subgroups particularly in respect of the development of the medical assessment unit in Cavan.

The sub-groups are being supported by specialist risk advisers to ensure that the change process is managed smoothly and, in particular, with a view to ensuring that any associated risks or challenges are identified and addressed in advance of any service changes. The HSE has reiterated that it has and will continue to seek engagement with GPs on this issue. Last week, the HSE held two sessions with GPs and work will continue to help ensure the GPs involvement, which is required for a well-integrated service linking hospitals and the community.

The HSE is due to issue an information leaflet to all households in Monaghan shortly to advise them of the minor injury unit. Advertisements are due to be placed in local newspapers in Cavan and Monaghan next week to remind the public of the new arrangements. The emergency unit consultants wrote to GPs in Cavan-Monaghan, on behalf of the HSE, on 7 July 2009

[Deputy Áine Brady.]

to outline the referral process and the inclusion and exclusion criteria to them for the proposed minor injury unit at Monaghan Hospital.

It is frequently alleged that the Government and the HSE want to downgrade smaller hospitals, principally to save money. This is not so. There is an abundance of expert medical advice that small hospitals with low patient volumes should not continue to provide complex care.

**Deputy Seymour Crawford:** We were never offered that.

**Deputy Áine Brady:** Patient safety, as a guiding principle for change, is aimed at achieving the best outcomes for patients. The best outcomes for the population will be achieved when complex care is provided in specialised centres where all of the necessary expertise, which is maintained by way of day-to-day experience in treating a range of patient's problems and facilities, is immediately available. At the same time, the changing nature of health service delivery is such that smaller hospitals can meet much of the demand for less complex services, especially those that are increasingly done on a day case basis.

**Deputy Seymour Crawford:** On a point of order, Mr. Mulvaney told us it was a political decision.

**Acting Chairman:** I am not in a position to take any further contributions.

**Deputy Caoimhghín Ó Caoláin:** The Government needs to re-examine this.

### **Community Employment Schemes.**

**Deputy Paul Connaughton:** I wish to set the scene on this important issue. Over 400,000 people are out of work and the figure is likely to be 500,000 before the year is out. Most of these people have never stood in a dole office in their lives and never want to. Economists, market analysts and commentators — everybody except the Government — now understand that getting people back to work is a crucial part of the national recovery plan. Every so often a Minister pays lip service to this principle but never seems to do something about it. Everybody knows that the Departments of Social and Family Affairs and Enterprise, Trade and Employment must draft an action plan to help people hold onto the jobs they have or take people off the dole. As the saying goes, better to light a candle than curse the darkness.

Let us look at a case in County Galway, where a young married man with two children lost his job as a manual worker two months ago. His local community employment scheme had an impressive list of works that needed to be done in the parish. Interviews were held but, lo and behold, the position could not be filled. It was not because the numbers were not there but because there were so many ineligible to get a job on a FÁS scheme. Why were they ineligible? One must be in receipt of jobseeker's benefit for 12 months or jobseeker's allowance. In this case, my constituent was on the former.

Why would the State want to subject a person to a year on the dole in the company of 400,000 more people when he did not want to be on the dole and there was no need for it? I ask the Minister of State to bring some sense to this. Where there are people who want to work and are capable of doing a job on community employment schemes, the least the Government should do is ensure that people are eligible to work. How is it that the Government will not allow anyone drawing the dole in these terrible recessionary times, who wants to work on a community employment scheme, to do so? Leaving politics aside, could there be anything more appropriate than taking people off the dole?

I received an answer to a parliamentary question I tabled to the Tánaiste, telling me all the things the Government proposes to do to get people back to work. Although numerically my proposal is small enough, it is significant for the people concerned, the sponsors of the scheme, the development associations all over the country, those who want to get work done and those who know what wonderful work has been done on community schemes and related schemes in town and country. The Government has people on the dole drawing down money we do not have while there are jobs in the parish in which they live. The Government sees fit not to allow these people to work. It is the daftest situation I have seen in my time in the House.

**Deputy Áine Brady:** I will respond on behalf of my colleague, the Tánaiste and Minister for Enterprise, Trade and Employment, Deputy Mary Coughlan.

I thank Deputy Connaughton for raising this matter. Community employment is an active labour market programme designed to provide eligible long-term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a fixed-term basis. The purpose of community employment is to help unemployed people to re-enter the open labour market by breaking their experience of unemployment through a return to a work routine and to assist them to enhance both their technical and personal skills.

The current eligibility criteria set by the Department of Enterprise, Trade and Employment for entry onto the community employment programme allows for a combination of periods on different social welfare payments including jobseeker's benefit, provided they add up to at least 12 months without significant interruption and the person is currently in receipt of the payment at the time of application. Community employment is not designed to cater for short-term unemployed persons as they are not as far removed from the open labour market as the main client group for the programme.

In April 2000, the Department of Enterprise, Trade and Employment introduced capped limits on the amount of time that a person could participate on community employment. Community employment capping was introduced to facilitate the movement of participants through the programme, allowing new participants who would not otherwise have such an opportunity to avail of the programme. In November 2004, to cater for older workers in particular, the standard three-year community employment cap was revised to allow those 55 years of age and over to avail of a six-year period on community employment based on participation since 3 April 2000. Subsequently, the participation limit for persons eligible for community employment based on a social welfare disability linked payment, including those under 55, was increased by one year. These measures were introduced in recognition of the fact that older participants and participants with a disability may find it more difficult to progress into the open labour market.

Funding for community employment in 2009 has been provided with a view to maintaining overall numbers on FÁS schemes. At present, over 22,000 people are participating in community employment schemes nationally. Some €6.6 million was provided to FÁS in 2009 for the provision of an additional 400 community employment places. In delivering these places, FÁS operates flexibly in the management of this allocation in order to maximise progression to the labour market while at the same time facilitating the support of community services. This provision of places is managed through a standardised application process between regional FÁS offices and local sponsor and community organisations. Any issues regarding the allocation of places are dealt with in this context. In so far as participants remain on community employment, they are precluding someone else from benefiting from the programme. FÁS makes every effort to ensure that differing levels of demand between neighbouring schemes are equalised. FÁS also operates the programme flexibly as far as possible to ensure the continuation of community projects.

[Deputy Áine Brady.]

Persons that are considered job-ready are progressed through FÁS employment services onto other options, thus freeing up community employment places for others in greater need.

**Deputy Paul Connaughton:** Back on the dole.

**Deputy Áine Brady:** This Government will continue to support the positive role of community employment in meeting the needs of long-term unemployed persons, while, at the same time, providing essential services to communities. The Minister keeps the operation of the scheme under review in the context of the current difficult unemployment situation.

**Message from Seanad.**

**Acting Chairman:** Seanad Éireann has passed the Defamation Bill 2006, without amendment.

The Dáil adjourned at 9.40 p.m. until 10.30 a.m. on Friday, 10 July 2009.

## Written Answers.

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

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*Questions Nos. 1 to 11, inclusive, answered orally.*

### **Public Transport.**

12. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport the action he will take on the further cuts proposed to Bus Éireann. [28342/09]

**Minister for Transport (Deputy Noel Dempsey):** Service changes are a day-to-day operational matter for Bus Éireann and not one in which I have any function. I have been briefed by Bus Éireann management on the deterioration in its financial position and on the measures necessary, including the scale and extent of service changes, to maintain its financial viability. I have also been briefed by the unions on the issues involved. Decisions in relation to service changes are a matter for the company itself. I understand that Bus Éireann is currently engaged, under the auspices of the Labour Relations Commission, in detailed discussions with its staff and their representatives on the measures proposed in this regard. I look forward to a successful outcome to these discussions.

### **Road Safety.**

13. **Deputy Joan Burton** asked the Minister for Transport the reason he has not implemented a number of key actions in the road safety strategy 2007 to 2012, including an administrative disqualification system for drink drivers, a risk register for heavy vehicle goods drivers, a full time health and safety officer for every local authority, a new system for preventing car write-offs getting back onto roads here, and a review of the response system for emergency staff to road collisions; the actions under the road safety strategy 2007 to 2012 which have failed to be implemented by the designated deadline; the reason all of these deadlines have been missed; and if he will make a statement on the matter. [28379/09]

62. **Deputy Arthur Morgan** asked the Minister for Transport the number of recommendations of the road safety strategy 2007 to 2012 which have been implemented to date; and the status of the remaining recommendations. [28345/09]



**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 13 and 62 together.

The Road Safety Strategy 2007-2012 was prepared by the Road Safety Authority, approved by the Government and launched in October 2007.

Its overall objective, through a combination of education, enforcement and engineering actions, is to save lives and prevent serious injuries, thereby bringing Ireland in line with best practice countries in road safety terms.

The Strategy is being successfully implemented across a range of agencies. We have seen a sustained reduction in the number of people killed on our roads.

2008 saw the lowest number of road deaths on record at 279, despite the fact over the past decade there has been a 40 per cent increase in the number of drivers and a 70 per cent increase in the number of vehicles on our roads. Fatalities in the year to date (9th July) are 128, down 18 from the same date last year.

According to the European Road Safety Performance Index (PIN) programme, which is run by the European Transport Safety Council, (ETSC), Ireland moved up to 6th out of the 27 EU Member States in road fatalities per million of population (compared to 8th in 2001).

Of course it is important to maintain the momentum in Road Safety measures, as each fatality and serious injury is a tragedy for families, friends and communities.

Action 83 of the Strategy requires the Road Safety Authority (RSA) to report to me by the end of the second quarter of each year on the implementation of the 126 actions in the Strategy, all of which identify the lead agency responsible for implementation and a target implementation date.

The report for the year 2008 is being finalised by the Road Safety Authority and will be presented to me shortly. However it is clear from communication with the RSA that substantial progress has been made on the annual Actions and those specifically for 2008. More than half have been completed and substantial progress has been made on the majority of the rest.

It may be the case, over the course of an ambitious and challenging Road Safety Strategy, that some of the target dates are missed, even where work on the Actions themselves is underway, but we must not lose sight of the underlying achievement: road fatalities are falling and substantial progress is being made on all the key issues in relation to the safety of road users.

#### **Airport Preclearance Facility.**

14. **Deputy Olivia Mitchell** asked the Minister for Transport when legislation giving effect to the preclearance facility at Shannon Airport will be published; when the facility will be up and running; and if he will make a statement on the matter. [22870/09]

43. **Deputy Michael D. Higgins** asked the Minister for Transport if he will report on the roll-out of the preclearance facilities at Shannon and Dublin Airports; when preclearance facilities will be fully operational at Shannon and Dublin Airports; if Aer Lingus will be utilising the preclearance facilities at Shannon; the expected number of additional routes and services to be created at Shannon in the first year of full pre-clearance; and if he will make a statement on the matter. [28401/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 14 and 43 together.

As Deputies will be aware the Aviation (Preclearance) Bill 2009 was passed by both Houses of the Oireachtas last week as is due to be signed into law by the President this week.

My officials are working closely with the U.S. authorities on the final aspects of the operating procedures between the two administrations to ensure that preclearance will work to the benefit of both countries. My objective is that these collaborative efforts with the U.S. will allow preclearance to be inaugurated in Shannon before the end of July. It is scheduled to become operational at Dublin Airport in November 2010 with the completion of Terminal 2.

I understand from Aer Lingus that the airline would face severe logistical difficulties in a situation where their ex Shannon flights would be precleared and their ex Dublin flights would not. Accordingly I understand that they have taken a decision to postpone using preclearance for their flights until the service is available both in Dublin and Shannon.

Two daily British Airways services from London to the U.S. are due to use Preclearance at Shannon from the autumn and I hope that more airlines will follow this example.

### **Renewable Energy.**

15. **Deputy Jimmy Deenihan** asked the Minister for Transport the action he has taken to compel CIE to implement the 2007 direction to use 5% biodiesel in its fleets and 30% for newly acquired vehicles; and if he will make a statement on the matter. [28534/09]

18. **Deputy Phil Hogan** asked the Minister for Transport the steps he has taken to encourage greater use of renewable energy in public transport fleets; and if he will make a statement on the matter. [25187/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 15 and 18 together.

A number of initiatives have taken place in relation to Iarnród Éireann, Dublin Bus and Bus Éireann to ensure more sustainable fleets in these organisations.

Iarnród Éireann, for example, have in the past two years re-instated regenerative braking on all DART electrical fleets giving energy savings of 26%. Iarnród Éireann have also fitted fuel shut-down modifications to much of the diesel fleet saving 3.5 million litres of diesel per annum. The significant renewal of engines and carriages funded under Transport 21 has resulted in more fuel-efficient trains, which also generate less greenhouse gas emissions. There will be further significant improvements with the electrification of the Kildare and Maynooth commuter lines.

Both Dublin Bus and Bus Éireann have also benefited from Transport 21 support and the new fleet of buses provided since 2006 have Euro 4 engines with selective catalytic reduction for lower emissions. Both companies have been using biodiesel in their tour fleets since 2006. In addition, I have provided funding for Ireland's first hybrid electric bus, which is being trialed by Dublin Bus at the moment.

The diesel used in all the public transport fleets meets the EN 590 European standard for fuel, which has to contain up to 5% biofuel. The commitment in the Programme for Government relating to biofuels has, however, been superseded by the more ambitious targets for transport as set out in the Government's Smarter Travel policy which I launched February, 2009.

Specifically, in relation to public transport fleets Smarter Travel proposes that all public transport providers will prepare a plan for fleet replacement based on the most sustainable vehicle and fuel type.

[Deputy Noel Dempsey.]

The actions in Smarter Travel are to be implemented over a twelve-year period. In relation to new technology the immediate focus of Government policy is to prepare a plan to deliver the 10% target for electric vehicles by 2020. On biofuels, Smarter Travel refers to the proposed biofuels obligation, which will apply to all transport fleets and which is being addressed by my colleague the Minister for Communications, Energy and Natural Resources.

### **Integrated Ticketing.**

16. **Deputy Simon Coveney** asked the Minister for Transport the reason Bus Éireann is behind other CIÉ companies in rolling out an integrated ticketing system; his views on whether ten years for the rollout of this project could be considered a success; and if he will make a statement on the matter. [28515/09]

**Minister for Transport (Deputy Noel Dempsey):** The integrated ticketing system in the Greater Dublin Area (GDA) is being introduced on a phased basis, based on smartcard technology. A progressive approach is being adopted to allow customers to familiarise themselves with using the new system and to permit transport operators to undertake the necessary testing with the integration of the technologies involved. The project is now firmly in the implementation phase.

A smartcard has been available on all Luas services for some time. Smartcards have also been introduced by Dublin Bus in respect of a number of ticket products such as annual and monthly tickets, 5-day rambler tickets, and annual and monthly integrated bus and rail, and bus and Luas tickets. The disposable smartcard is now being used by some 30% of Dublin Bus customers.

Irish Rail will launch its interim smartcard for its DART and Dublin commuter services from late Summer. The progressive roll-out of smartcards is in line with good practice internationally.

Subject to successful in-house testing, the single smartcard system will be rolled out initially to a small number of customers for live testing of the Dublin Bus / Luas integrated annual ticket. The full roll-out will take place throughout 2010 on Dublin Bus, Luas and Irish Rail. This means that by end 2010, the ITS smartcard will be available to the vast majority of public transport passengers in the GDA. It is also envisaged that private bus operators will join the scheme.

Bus Éireann's project plan builds on the work currently being carried out for Dublin Bus as the ticketing equipment is similar. However Bus Éireann has advised that the software development work is more complex, taking account of the more complex ticketing issues that will arise with the introduction of longer distance commuter services to the scheme.

Bus Eireann will commence testing in Q4 2010, with rollout of smartcards on its pilot routes planned for early Q1 2011.

### **State Airports.**

17. **Deputy Joan Burton** asked the Minister for Transport the status of the six hangars of a company (details supplied) at Dublin Airport; and if he will make a statement on the matter. [28406/09]

**Minister for Transport (Deputy Noel Dempsey):** The status of the six hangars of SR Technics at Dublin Airport is an operational matter for the Dublin Airport Authority (DAA) and as such I have no function in the matter.

I understand that the DAA and SR Technics signed an agreement earlier in the year, whereby DAA bought back property leased by SR Technics at Dublin Airport, comprising six hangars and related ancillary facilities. I am informed that consequential contractual details are being completed at present.

*Question No. 18 answered with Question No. 15.*

### **Bus Licensing.**

19. **Deputy Dinny McGinley** asked the Minister for Transport when he expects the Dublin Transport Authority to be fully operational in view of the fact that legislation establishing the body was signed in 2008; the effect this delay will have on restricting competition in the bus market here; and if he will make a statement on the matter. [28578/09]

**Minister for Transport (Deputy Noel Dempsey):** My Department is proceeding with preparations for the establishment of the Dublin Transport Authority (DTA) during 2009. A key part of those preparations is the recruitment of a Chief Executive Officer and the necessary recruitment process has now been concluded. I expect to be in a position to announce the outcome in the near future.

In January 2009, the Government approved the General Scheme of the Public Transport Regulation Bill which contains proposals for a new bus licensing regime which will replace the Road Transport Act 1932, which applies to the licensing of private bus operators, and the provisions of the Transport Act 1958 that relate to the provision of bus services by the State bus companies. In accordance with the Programme for Government commitment, the proposed licensing regime will provide a level playing field for all bus market participants.

The new licensing structure will apply in respect of all commercial bus passenger services, including those provided by Dublin Bus and Bus Éireann. It will establish a clear structure against which applications for bus route licences will be considered as well as a modern system of penalties and associated powers for revocation of licences.

The General Scheme of the Bill also contains proposals for extending nationally the provisions of the Dublin Transport Authority Act 2008 in relation to the provision of public service obligations that are consistent with EU Regulation No. 1370/2007 on public passenger transport services by rail and by road. The Regulation creates a framework regulating how exclusive rights are to be awarded and compensation paid for services deemed to be 'public service obligations' on a transparent basis. The Regulation will put into effect for the first time in Irish transport law a contracting regime to govern public service obligations. Future growth in the market for subvented transport services will also be pursued by way of open tendering processes in accordance with the EU Regulation.

The Bill will assign responsibility to the Dublin Transport Authority for bus route licensing and public transport services contracts nationwide and provide for the amalgamation of the Commission for Taxi Regulation into the DTA, as well as the renaming of the DTA as the National Transport Authority given its proposed national focus in relation to commercial bus licensing, bus and rail subvention and the regulation of small public service vehicles.

Following Government approval of the General Scheme of the Public Transport Regulation Bill in January, a Bill has been drafted and has been circulated to Government Departments for observations. On their receipt, it is my intention to seek Government approval to the publication of the Bill as soon as possible.

### **Transport Projects.**

20. **Deputy Joe McHugh** asked the Minister for Transport his views on whether all aspects

[Deputy Joe McHugh.]

of the Transport 21 plan will be completed by the 2015 deadline; his further views on whether capital transport investment projects are a means to restore lost economic competitiveness and provide short term employment; and if he will make a statement on the matter. [28487/09]

36. **Deputy Bernard J. Durkan** asked the Minister for Transport the extent to which the capital spending programme for his Department is expected to alter in each of the next three years with particular reference to the targets he identified when he launched Transport 21 in respect of road and rail projects; if it is intended to increase capital spending to offset certain aspects of the economic downturn; if he expects any of the projects to be brought forward or accelerated; if he has identified the most likely areas for opportunities to improve the economic situation throughout his Department; and if he will make a statement on the matter. [28428/09]

56. **Deputy Mary Upton** asked the Minister for Transport if he has made submissions to the Department of Finance and the special group on public service numbers and expenditure programmes regarding capital funding for critical Transport 21 projects in budget 2010; and if he will make a statement on his priorities for capital transport spending up to the end of 2010. [28411/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 20, 36 and 56 together.

Transport 21 continues to provide the strategic framework guiding Government investment in transport up to 2015.

To date, over 60% of the major inter urban roads programme, linking Dublin with Cork, Limerick, Galway, Waterford and the Border with Northern Ireland, has been completed and the remainder is under construction and on target for completion in 2010. The upgrade of the M50 motorway is also on target for completion in 2010. On public transport, new railway stations have opened on the Kildare line and Irish Rail has completely modernised its intercity rolling stock under Transport 21. A number of projects such as the Midleton rail line, Phase 1 of the Western Rail Corridor and the Luas line to Docklands are scheduled to be completed this year, while construction continues on other projects such as the Luas lines to Cherrywood and Citywest, the first phase of the Navan rail line between Clonsilla and Pace and the Kildare rail project.

However, in the light of the changed economic circumstances, it has been necessary to review investment priorities across all Government Departments. As a result of this review, my Department's priorities for the coming years have been identified as follows: national roads, completion of the five major inter-urban motorways by end 2010, progressing the Atlantic Road Corridor, increasing public transport capacity through construction of Metro North, construction of DART Underground and implementation of the associated electrification, signalling and rolling stock investments, investment in buses and bus priority, subject to the Deloitte/TAS cost and efficiency review of the CIE bus companies and the availability of subvention, continued planning of other Transport 21 projects to ensure that a shelf of work is ready to go to construction when the economic climate improves.

Transport 21 projects will be released for construction as soon as they are through statutory procedures and the available financial resources permit and consistent with the priorities I have outlined.

The continuation of the Transport 21 programme as planned will provide significant job opportunities within the civil engineering construction sector. Transport investment has significant employment benefits, sustaining about 10 direct jobs per €1 million of expenditure.



However, the primary purpose of investment in transport infrastructure is to add to Ireland's capital stock and help support the development of a competitive productive economy in the long term.

In January this year my Department supplied briefing on all aspects of its Vote to the Special Group on Public Service Numbers and Expenditure Programmes. However the primary focus of the Group is on current expenditure.

My Department is in constant dialogue with the Department of Finance and discussions in respect of Budget 2010 will begin shortly as part of the normal annual Estimates process. My Department is also working with the Department of Finance and the NDFA to maximise private investment in transport infrastructure.

### **Public Transport.**

21. **Deputy Kathleen Lynch** asked the Minister for Transport if he will undertake a review of public bus services for commuters in view of the recent significant changes to Bus Éireann and Dublin Bus routes and services through programmes of cutbacks; if he is monitoring the effect of withdrawn or reduced public bus services on workers and commuters particularly in lower income areas and for vulnerable citizens including senior citizens; and if he will make a statement on the matter. [28380/09]

22. **Deputy George Lee** asked the Minister for Transport his views on whether CIE is capable in providing adequate bus services at a reasonable cost to the Exchequer in view of the recent cutbacks in services; and if he will make a statement on the matter. [28570/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Question Nos. 21 and 22 together.

In January last I published a cost and efficiency review of Dublin Bus and Bus Éireann services. The review concluded that, while both companies are generally as efficient as comparable organisations, there is considerable scope for Dublin Bus to improve its services to customers through improved network design and increased efficiencies. The recommendations of the review are being implemented by both companies in the context of their cost recovery plans to ensure the financial viability of the companies while maintaining services at the highest possible level.

Decisions in relation to services and the deployment of buses and drivers are matters for the companies having regard, inter alia, to the changing patterns and levels of demand and the revenue available from fares and Exchequer compensation for PSO services.

### **Road Network.**

23. **Deputy Richard Bruton** asked the Minister for Transport if he will reallocate the reduced funding for local and regional road maintenance to local authorities to address long standing dangerous roads; and if he will make a statement on the matter. [28495/09]

**Minister for Transport (Deputy Noel Dempsey):** There was no reduction in the April Supplementary Budget in the State road grant provision for maintenance works on regional and local roads in 2009 and grants totalling €125.977 million were allocated in April last to local authorities for such work in the current year. A total of €85 million of the overall provision was allocated under the Restoration Maintenance Programme to fund the surface dressing of approximately 4,600 kilometres of regional and local road in 2009. The roads to be surface dressed under the programme are selected by local authorities with priority given to roads most in need of treatment.

[Deputy Noel Dempsey.]

A submission from the City and County Managers Association was received in my Department on 29th June seeking discretion to use some of the funds allocated for the surface dressing programme on other maintenance work. The request is being examined in my Department and a response will issue shortly to the Association.

*Question No. 24 answered with Question No. 7.*

### **Public Service Review.**

25. **Deputy Damien English** asked the Minister for Transport the recommendations the special group on public service numbers and expenditure programmes has made in relation to transport; and if he will make a statement on the matter. [28540/09]

**Minister for Transport (Deputy Noel Dempsey):** As I have not as yet received the final report of the Special Group on Public Service Numbers and Expenditure Programmes, I cannot comment on its recommendations.

### **Road Network.**

26. **Deputy Pat Rabbitte** asked the Minister for Transport the amount of money allocated to road maintenance and improvement projects here in 2007, 2008 and 2009; if funding for capital spending on road building and maintenance projects including up to 80 projects that are currently being planned has been halted; the road building or maintenance projects which have been halted as a result of these new directions and if he will make a statement on the matter [28392/09]

**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 is a matter for the National Roads Authority under the Roads Act 1993 in conjunction with the local authorities concerned.

The Exchequer funding provided for to capital and current expenditure on the national road network is as follows:

	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
2009 Allocation	1,438,900,000	44,255,000	1,483,155,000

Funding for capital spending on national roads building and maintenance projects has not been halted. Notwithstanding the current difficult economic climate, the allocation of almost €1.5 billion for 2009 is evidence of this Government's continued commitment to investment in the national road infrastructure.

The priority up to the end of 2010 will be the completion of the five major interurban routes (MIUs). Significant progress continues to be made in their delivery. The M1 from Dublin to the Border was completed in 2007, while work on the other routes is underway and on schedule for completion in 2010. In addition to the MIUs, work is underway on the upgrade of the M50 which is also due for completion in 2010.

The NRA's current construction programme is proceeding on time and within budget. I expect this to continue to be the case right up to the completion of the MIUs. As all of this work is contractually committed, the current economic situation will not impact upon delivery targets.

The priority for the roads investment programme after the completion of the major interurban network will be the Atlantic Road Corridor, where construction is already underway, as well as the improvement of other key national primary routes and the targeted improvement of certain national secondary routes. Decisions to proceed with individual projects will be taken by the NRA from time to time in the light of the available public finance.

In relation to regional and local roads, the provision, improvement and maintenance of such roads, in its area, is a statutory function of each individual local authority under section 13 of the Roads Act, 1993, to be funded from its own resources supplemented by State road grants paid by my Department.

The Exchequer for capital and current expenditure on regional and local roads is as follows:

	Capital	Current	Total
	€	€	€
2007	478,606,096	128,918,904	607,525,000
2008	469,822,922	134,391,008	604,214,000
2009 Allocation	321,500,000	125,977,000	447,477,000

The capital budget for improvement works this year is €321.5 million. This will fund 241 separate improvement projects at various stages of planning design and construction. In addition, the Restoration Improvement Programme will result in a further 1,700 kilometres of road being reconstructed or improved.

There was no reduction in the April Supplementary Budget in the provision for maintenance works and grants of almost €126 million were allocated to local authorities. The bulk of this — €85 million — is being invested in the Restoration Maintenance Programme and I fully expect to see an increase in surface dressing output achieved by local authorities under this programme this year, over the 2008 output.

### Road Safety.

27. **Deputy Emmet Stagg** asked the Minister for Transport the reason he has not published the national pedestrian strategy; the proposed key objectives and headings of the strategy; if home zone residential estates will be included; if the strategy will result in new legislation; the full cost of the new pedestrian strategy; and if he will make a statement on the matter. [28398/09]

**Minister for Transport (Deputy Noel Dempsey):** Under the National Road Safety Strategy, the RSA is committed to publishing a pedestrian safety strategy and they are at consultation phase with this project.

The question may refer to the commitment in Smarter Travel, the Government's sustainable transport policy, to publish a national walking policy to meet the Government's aim of creating a culture of walking in Ireland.

There are 49 actions in the policy to be implemented over a 12 year period. In relation to the commitment on a walking policy, I have written to Ministerial colleagues to establish a

[Deputy Noel Dempsey.]

working group to progress the policy, given that it has implications for a number of other policy areas.

The working group will have to research the issues fully before preparing a position paper for consideration so it is too early to say what the details will be, including the estimated cost.

### **Acht um Thrácht ar Bhóithre.**

28. D'fhiafraigh **Deputy Paul Connaughton** den Aire Iompair cén fáth nach bhfuil sé i gceist aige an tAcht um Thrácht ar Bhóithre 1961, Alt 95, a leasú chun cead a thabhairt athrú a chur ar chruth dátheangach na gcomharthaí tráchta chun idirdhealú follasach éifeachtach a dhéanamh ar logainmneacha Gaeilge agus Béarla de réir córais shimplí, shoiléir a bheadh éasca le tuiscint, agus a laghdódh ar amanna freagartha agus léimh na dtiománaithe, agus a dhéanfadh na bóithre níos fusa le húsáid ag tiománaithe, agus níos sábháilte do chách, mar atá molta i dtuarascáil (sonraí tugtha); agus an ndéanfaidh sé ráiteas ina thaobh. [28510/09]

**Minister for Transport (Deputy Noel Dempsey):** Tá na socrúithe maidir le téacs a thaispeáint ar chomharthaí bóthair leagtha amach ins an Acht um Thrácht ar Bhóithre 1961 (Alt 95). Tá na prionsabail maidir le téacs a thaispeáint ar chomharthaí bóthair leagtha amach i Lámhleabhar na gComharthaí Tráchta. Is é an cuspóir bunúsach atá taobh thiar díobh ná go bhfuil soiléireacht curtha ar fáil don lucht taistil sa chaoi is nach gcuirtear isteach ar shábháilteacht ar na bóithre.

Cuireadh úsáid téacs, cló-aghaidh, cló-éadain agus téacs a chomhdhlúthú san áireamh nuair a bhí ábhar an lámhleabhair chomharthaíochta tráchta á dhreachtadh agus á n-ullmhú. Cuirteadh san áireamh chomh maith an chomharthaíocht dhátheangach atá in úsáid sa Bhreatain Bheag agus in Alba.

Táim sásta go bhfuil cuspóirí an pholasaí réamh luaite bainte amach ag an gcruith atá ar ár gcomharthaíocht bhóthair dhátheangach. Níl sé ar intinn agam an polasaí seo nó cruth dátheangach na gcomharthaí tráchta a leasú.

### **Light Rail Project.**

29. **Deputy Joanna Tuffy** asked the Minister for Transport if he will report on the tendering process for metro north; if he will confirm the two bidders who have been chosen to go forward to the next round of metro north; when the winning tenderer will be selected; the timeframe for the commencement and conclusion of metro north; if he will confirm further that metro north will proceed in its current format; the estimate of the amount of public and private funding which will be spent on metro north in 2009 and in each year to 2015 and from 2015 to 2020; and if he will make a statement on the matter. [28399/09]

**Minister for Transport (Deputy Noel Dempsey):** On 30 June, the Railway Procurement Agency announced that it had short-listed two bidding groups, Celtic Metro Group and Metro Express, to proceed to the final stage of the Metro North PPP procurement process. The formal commencement of this final stage of the procurement process is subject to a decision by An Bord Pleanála on the railway order application for the project.

The oral hearing before An Bord Pleanála on the railway order application commenced on 1st April last and was adjourned on 29th April to allow the Inspector and interested parties the opportunity to review and assimilate further information provided at the hearing by the RPA. On 26th June An Bord Pleanála wrote to the RPA requesting that further detailed information on various aspects of the project be submitted to it by 1st October 2009.

The scope of the Metro North project remains as set out in the railway order application to An Bord Pleanála and its implementation is subject both to the outcome of the statutory planning process and a final decision by the Government following the completion of the statutory planning and procurement processes.

The Exchequer capital amount currently allocated from my Department's Estimate for 2009 in respect of Metro North is €35m. It is not anticipated that any private funding will be spent on the project this year and the Exchequer allocation for Metro North for future years will be decided in the context of the Estimates for each year. Private sector funding for the project is a matter to be determined by the PPP procurement process, which is currently underway.

Given the commercial sensitivity surrounding the ongoing PPP procurement process, I am not in a position to give any information in relation to the cost of Metro North.

### **Sustainable Transport.**

30. **Deputy Tom Hayes** asked the Minister for Transport the amount of funding allocated specifically to meet objectives and targets in the sustainable travel and cycling documents; and if he will make a statement on the matter. [28558/09]

51. **Deputy Emmet Stagg** asked the Minister for Transport if he will confirm that the cost of implementing the national cycle policy framework will be €2.3 billion; the timeframe for the allocation of the €2.3 billion; the number of years it will take to fully implement the NCPF; and if he will make a statement on the matter. [28397/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 51 and 30 together.

Smarter Travel, A Sustainable Transport for Ireland, sets out a range of actions across all areas of Government to deliver a sustainable transport system by the year 2020. The Policy has ambitious targets, including a reduction in car commuting from 65% share in 2006 to 45% in 2020. It also sets out specific ambition in other areas. For example, it affirms the Government's commitment to have 10% market penetration for electric vehicles by 2020.

The estimated cost of implementing the policy is approx €4.5 billion. The allocation of such funding will obviously depend on the prevailing economic climate and, in the present circumstances, the focus will be on making progress from existing resources.

The National Cycle Policy Framework has emerged from the new Smarter Travel policy and the estimated cost of €2.3 billion is covered in the overall estimate referred to above. The key ambition under NCPF is an increase in the modal share enjoyed by cycling from its current level of around 2% to 10%. I believe that this is an ambitious, yet achievable, target within the action period of 12 years.

I am pleased to say that, given the constrained economic circumstances, good progress is being made in implementing both policies.

I have made a total of €14 million available to my Department for the promotion and implementation of sustainable travel and transport initiatives in 2009. This is a significant increase on a budget allocation of €3 million in 2008.

The following are key initiatives progressed under the new agenda. These are in addition to other investments under Transport 21, such as integrated ticketing and improvements to public transport, which will also contribute to sustainable travel.

- Support for demand measures such as the Green Schools Travel initiative and workplace travel planning. By September this year, 140,000 schoolchildren will have been reached,



[Deputy Noel Dempsey.]

resulting in a 18% drop in car use. The workplace travel planning initiative has reached 46 companies so far and is meeting with similar success. I aim to launch a national initiative on workplace travel planning in the near future

- Support for demonstration sustainable travel projects. My Department has advertised for submissions for schemes and the closing date for proposals is 7th September.
- Support for exemplary cycling projects. When I launched the National Cycle Policy Framework recently, I specifically referred to the availability of €3 million in 2009 for the provision of cycling infrastructure in the Dublin region. The projects that I envisage will be progressed this year by Dublin City Council include development of premium cycle routes (from Portobello to the Liffey via the Grand Canal and from the North Quays towards Fairview Park (to include part of the Sutton to Sandycove route); refurbishment of existing cycle lanes; and the provision of both additional permanent cycle parking in the city and mobile cycle parking facilities to service public events. I am also extending support for exemplary projects in other parts of the country and I recently announced schemes in Galway City.
- Support for awareness initiatives. I have already put two new websites in place to provide information on the new policies. I have also launched Ireland's first National Bike Week 2009, which ran successfully from 14th to the 21st June, and I am committed to running this as an annual event.

In all, progress is being made on most of the actions in the new Smarter Travel policy and I hope to deliver further initiatives this year. I would re-iterate that both policies offer a long-term vision that stretches from 2009 to 2020.

The wide-ranging nature of the individual interventions, their interlinked nature, and the undeniable challenges that face us in terms of availability of resources, means that it would not, however, be productive, at this stage, to assign precise deadlines to each action.

Delivery of the vision involves not only the provision of excellent infrastructure, but also requires a change in the national mindset. I am satisfied that sufficient funding is available this year to commence the process of changing the public perception and also to enable progress on key initiatives.

### **Proposed Legislation.**

31. **Deputy Jack Wall** asked the Minister for Transport if he will amend the Harbours Act 1996 through the mechanism of the Merchant Shipping Bill to increase the mandatory retirement age for maritime pilots from 60 to 65; and if he will make a statement on the matter.

[28408/09]

**Minister for Transport (Deputy Noel Dempsey):** As I have indicated in both the Committee and Report Stage debates on the Harbours (Amendment) Bill 2008, my officials are examining the issue of section 69 of the Harbours Act 1996 in consultation with the Office of the Attorney General.

It is my intention to introduce such an amendment during the passage of the Merchant Shipping Bill 2009 through the Oireachtas.

### **Driving Tests.**

32. **Deputy Jan O'Sullivan** asked the Minister for Transport when he will publish his plans

for green driving tests and enhanced eco-driving education; if he will report on the key headings and objectives of the proposed green driving tests and eco-driving plans; if legislation will be necessary for the new eco-driving measures; and if he will make a statement on the matter. [28389/09]

**Minister for Transport (Deputy Noel Dempsey):** Smarter Travel, the Government policy on Sustainable Transport, proposes a number of initiatives relating to eco-driving and driver behaviour.

I have established a joint working group between the Road Safety Authority (RSA) and the National Sustainable Travel Office (NSTO) of my Department to develop a structured overall plan to ensure that eco driving becomes part of the driving culture. Progress to date is as follows:

- Eco driving has featured in both the Change and Power of 1 campaigns.
- The RSA has ensured that compulsory annual training of drivers of certain categories of vehicles includes an eco driving element.
- The registration of driving instructors is almost completed and the RSA propose including a module in compulsory basic training (initially these will only affect motorcyclists) related to eco driving.
- The RSA are also looking at changes to the Rules of the Road and driving test.

Any changes to the national driving test to include eco driving measures will require to legislation by way of secondary legislation.

### **Light Rail Project.**

33. **Deputy Joanna Tuffy** asked the Minister for Transport the position regarding all preparation works for the big dig and the upcoming major infrastructural works in Dublin for metro north, the Luas link-up and the Dublin rail interconnector; when the public information campaign on the big dig will begin; what it will comprise; and if he will make a statement on the matter. [28400/09]

**Minister for Transport (Deputy Noel Dempsey):** I have previously advised the House that traffic management in Dublin City centre, including public information campaigns relating to traffic management, is a matter for Dublin City Council.

As the Deputy will be aware, the Dublin City Manager chairs the Dublin Transport 21 Implementation Group, which coordinates and oversees the Transport 21 investment programme in Dublin, pending the establishment of the Dublin Transport Authority.

Two sub-groups have been established:

- The Contingency Planning Group, which is chaired by an official from Dublin City Council, deals with the traffic management strategy for the Transport 21 construction phase, focussed particularly on the city centre. I understand that the Contingency Planning Sub-Group meet monthly. Contingency planning will be an ongoing process during project construction. The Contingency Planning Group has developed an initial plan which includes traffic measures such as the provision of Park and Ride sites, enhanced public transport services, Real Time Passenger Information installations for bus stops, dedicated breakdown towing services, a bus gate at College Green and improved traffic

[Deputy Noel Dempsey.]

light control at specific junctions. This will be kept under regular review by the Transport 21 Implementation Group.

- The Communications Group, which has prepared a co-ordinated communications strategy for the construction period of major Transport 21 projects, such as Metro North and the Interconnector.

I last met the Stakeholders Group regarding the major Transport 21 infrastructural works in Dublin on 11 May 2009 at which the co-ordinated communications plan for the construction period of the major Transport 21 projects such as Metro North and the DART Underground was presented. A key theme of communications during construction works is “Dublin is open for business”.

The communications campaign will be rolled out in advance of works on Metro North. The commencement of works is subject to the grant of an enforceable railway order by An Bord Pleanála.

### **Haulage Licences.**

34. **Deputy Olwyn Enright** asked the Minister for Transport his response to the Garda Ombudsman who claimed that the gardaí had provided sufficient information to his Department to make an appropriate judgment on whether to issue a haulier licence to a person (details supplied); his views on whether he made the correct decision; if there was procedural failings by his Department; his plans for policy or procedure changes in his Department related to haulage licence character checks; if the licence issued to the person will be revoked; and if he will make a statement on the matter. [28544/09]

**Minister for Transport (Deputy Noel Dempsey):** I have not yet received the Report in question. It would be inappropriate for me to make any further comment on this matter until the Report has been received and examined.

*Question No. 35 answered with Question No. 7.*

*Question No. 36 answered with Question No. 20.*

### **Employment Rights.**

37. **Deputy Jack Wall** asked the Minister for Transport if he will report on the implementation of the Maritime Labour Convention and the way it will benefit maritime workers; his views on increasing the number of marine surveyors and inspectors operating in ports here in view of the recent reports from senior officials (details supplied) on the bad conditions in which many mariners are forced to work; and if he will make a statement on the matter. [28409/09]

**Minister for Transport (Deputy Noel Dempsey):** Ireland has been an active supporter of negotiations on the International Labour Organisation’s Maritime Labour Convention in its efforts to promote global labour standards for seafarers. The Convention will enter into force twelve months after 30 Member States representing 33% of the world’s tonnage have ratified the convention. The latest information is that five Member States representing 44% of the world’s tonnage have ratified the convention.

The recently published Merchant Shipping Bill 2009 contains provisions to enable Ireland to ratify the Convention. The Convention will benefit seafarers as it contains provisions relating to the living and working conditions on board ships in terms of food, accommodation and hours

of work but does not include rates of pay. It also introduces a certification scheme to ensure compliance by all flag States.

The number of Surveyors in my Department has recently been increased to thirty one by the recruitment of seven new Surveyors who will be involved in inspections on the enforcement of the Convention.

### **Transport Sector.**

38. **Deputy Phil Hogan** asked the Minister for Transport his views on the recent OECD report that competitiveness would be restored through stronger competition; his plans to increase business competition in the transport sector; and if he will make a statement on the matter. [28562/09]

**Minister for Transport (Deputy Noel Dempsey):** The Agreed Programme for Government includes commitments to reform bus licensing to facilitate the optimum provision of services by providing a level playing field for all market participants, and to examine the need for a National Transport Regulator in the context of the overall review of the economic regulatory environment.

The legislative framework to support the authorisation and provision of improved public bus services in the Greater Dublin Area (GDA) has already been updated through the passage of the Dublin Transport Authority Act 2008, which establishes a new contractual structure relating to the provision of subvented bus and rail services in the GDA. This is in compliance with EU Regulation No. 1370/2007 on public passenger transport services by rail and by road which comes into force on 3 December 2009 and provides for a new contractual framework regulating how Member States award exclusive rights and pay compensation for services deemed to be ‘Public Service Obligations.’ The Act also provides that existing PSO bus and rail services can be procured by the DTA through direct award contracts but that future growth in subvented services must be procured by way of open tendering.

On 21 January 2009 the Government approved the General Scheme of the Public Transport Regulation Bill. The primary purpose of the Bill is to establish a modern system for the licensing of commercial public bus passenger services by the DTA with the objective of promoting regulated competition in the provision of licensed public bus passenger services on a national basis in the public interest, as well as the promotion of integrated, well-functioning and cost efficient public passenger transport services. In addition to the reform of the Road Transport Act 1932, as amended, which applies to the licensing of private bus operators, and relevant provisions of the Transport Act 1958 that relate to the provision of bus services by the State bus companies, the Bill will also provide for the introduction of new contractual arrangements for the procurement of bus and rail services on a national basis that is modelled on the approach established in the Dublin Transport Authority Act 2008 in respect of the GDA. Future growth in the market for subvented bus services will be addressed by public service contracts entered into following open tendering processes.

The Bill will also see the role of the Commission for Taxi Regulation being assumed by the Dublin Transport Authority and the re-naming of that body as the National Transport Authority so as to reflect its expanded national role in relation to commercial bus licensing, bus and rail subvention and the regulation of small public service vehicles.

In the light of the Government approval to the General Scheme, the draft Bill has been prepared and has been circulated to Government Departments for observations. On their receipt, it is my intention to seek Government approval to the publication of the Bill as soon as possible.

### Public Transport.

39. **Deputy Ruairí Quinn** asked the Minister for Transport when technical improvements which were recommended in the Deloitte report, including the early introduction of integrated ticketing, real time information, and AVL systems will be introduced for public bus services; the status of the Deloitte report recommendations; if he will ensure they are implemented in full; if so, the time frame and mechanism for implementation; the way he will invigilate these processes; and if he will make a statement on the matter. [28381/09]

**Minister for Transport (Deputy Noel Dempsey):** I refer the Deputy to my reply to Priority Question No. 3 of today.

### Ministerial Appointments.

40. **Deputy Ciarán Lynch** asked the Minister for Transport the reason he has not appointed a new chairman for the Dublin Port Company; when the appointment will be made for this job in view of the challenges facing Dublin and all of the national ports at present; and if he will make a statement on the matter. [28407/09]

**Minister for Transport (Deputy Noel Dempsey):** Section 30 of the Harbours Act 1996 provides for consultation with a number of bodies before appointments to port company boards are made.

Various bodies including the Chambers of Commerce of Ireland, IBEC and ICTU were invited to submit nominations for the current vacancy on the board of Dublin Port Company.

I have received a number of nominations and will take these into account when making my decision. In the meantime the board selects an acting chairperson for its meetings, as provided for in its Articles of Association.

### Road Safety.

41. **Deputy Kathleen Lynch** asked the Minister for Transport his views on the recent European Transport Safety Council statement which indicates that Ireland will be one of the states which will not hit the target of reducing road deaths by 50% between 2001 and 2010 as the percentage change in road deaths in Ireland between 2001 and 2008 was just 32%; the steps he will take to address this target; and if he will make a statement on the matter. [28388/09]

48. **Deputy Róisín Shortall** asked the Minister for Transport his views on the number of road deaths and collisions over the past few months including the loss of 32 lives on roads here in May 2009 compared with 19 deaths on the roads in May 2008; the measures, including legislative and enforcement, he is taking to address this trend; and if he will make a statement on the matter. [28384/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions 48 and 41 together.

Road safety is a key priority for Government, and this commitment is underpinned by the Road Safety Strategy 2007-2012. We are still on target to meet the overall Road Safety Strategy target of reducing road deaths to no greater than 60 fatalities per million population by the end of 2012. This would equate to an average of 21 road deaths per month or 252 per year; the total for 2008 was 279 and the figure to date (7th July) is 128, down 15 on the same date last year.



The European Transport Safety Council report sees Ireland improve its standing from 9th position in 2007 to 6th position in 2008 out of the 27 EU Member States in terms of road fatalities per million of population.

42. **Deputy Liz McManus** asked the Minister for Transport the amount of funding which has been allocated to the Medical Bureau of Road Safety specifically to target drug driving for these years; and if he will make a statement on the matter. [28393/09]

**Minister for Transport (Deputy Noel Dempsey):** The number of specimens tested for the presence of a drug or drugs by the Medical Bureau of Road Safety for the years 2005 to 2008 is as follows:

2005	2006	2007	2008 (provisional figure)
747	879	1,555	1,900

Figures for 2009 are not available at this time.

While my Department provides annual funding to the Medical Bureau of Road Safety, the allocation of resources to the various programmes is a matter for the Bureau itself.

*Question No. 43 answered with Question No. 14.*

#### **Driving Tests.**

44. **Deputy Liz McManus** asked the Minister for Transport if he will report on the new EU road safety regulations including the requirement for a driver certificate of professional competence which will come into force on 10 September 2009; if the Road Safety Authority will be charged with implementing these new regulations; if additional funding will be allocated for the implementation of the new regulation; and if he will make a statement on the matter. [28394/09]

**Minister for Transport (Deputy Noel Dempsey):** Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority (RSA) has responsibility for these matters.

In 2008 I introduced legislation entitled the European Communities (Vehicle Drivers Certificate of Professional Competence) Regulations, which gave effect to Directive 2003/59/EC. From 10th September 2009, all truck drivers who drive for a living will be required to have a driver Certificate of Professional Competence (Driver CPC). Drivers of vehicles for non-commercial purposes are exempt from the CPC test. Any drivers holding a valid full license in the truck license category on or before 9th September 2009 are automatically entitled to the new driver CPC. A driver applying for a truck license on or after 10th September 2009 will now be required to pass a further theory and practical driving test in addition to the ordinary truck driving test if they wish to become a professional truck driver.

The resourcing by the RSA of the implementation of the new regulations was considered as part of the overall budget for the RSA for 2009.

#### **Tax Code.**

45. **Deputy Brian O'Shea** asked the Minister for Transport if he has received, from the Department of Finance, a copy of the cost benefit analysis of the new €10 air travel tax; if he has undertaken an investigation of the impact of the air travel tax on air passenger numbers and traffic; if so, if he will publish this research; his views on the statement of a person (details

[Deputy Brian O'Shea.]

supplied) that thousands of aviation jobs may be lost in 2009 and 2010 as a result of the air travel tax; and if he will make a statement on the matter. [28403/09]

**Minister for Transport (Deputy Noel Dempsey):** The airline industry, along with other industries within the transport sector and beyond, continues to go through a difficult trading period. However, the Government does not accept that the decline in passenger numbers experienced by the airports in the State is due to the introduction of the air travel tax.

The difficult trading period in the airline industry arises primarily from weak world economic activity. The present decline in air travel is an international phenomenon and as a result aviation services are contracting on a global basis. As the Deputy may be aware the Airports Council International Europe, for example, has reported that Europe's airports have posted an average fall of 12.4% in passenger traffic in Q1 2009 compared to the same period last year. The International Air Transport Association reports also reflect such declines.

In the case of Ireland the decline in passenger numbers through our airports is broadly in line with our international counterparts including those airports where there is no travel tax in place. This downward trend has been evident for periods prior to the introduction of the air travel tax. Furthermore, passenger numbers for other modes of transport have also experienced broadly similar declines.

Ireland is not unique in regard to applying a tax on air travel. Other countries within the EU apply similar taxes such as the UK and France, as do Australia and New Zealand. The UK has a relatively high travel tax but traffic there declined by 10% in the first Quarter of 2009, as compared with first quarter of 2008, which is in line with trends internationally arising from the economic downturn. The rates for the Irish air travel tax are not unreasonable both for shorter and longer journeys, when compared to rates in other countries.

The scale of the air travel tax of €10 or €2 arises in the context of a much larger purchasing decision involving travel, hotel expenditures etc, and this serves to limit the impact on tourist numbers. It should also be recognised that tourists are only subject to the tax on their return journey.

Ireland currently faces significant financial challenges and the air travel tax is just one element of the Government's response to those challenges. As regards the taxation of airlines it is worth noting that fuel used by commercial airlines is by international agreement completely exempt from tax, so it's a sector that already has considerable preferential treatment.

### **Airport Development Projects.**

46. **Deputy David Stanton** asked the Minister for Transport his plans for the future status and development of Cork Airport; and if he will make a statement on the matter. [28580/09]

49. **Deputy Brian O'Shea** asked the Minister for Transport the status of the State Airports Act 2004; if he will repeal the legislation; if so, the timeframe for the repeal; and if he will make a statement on the matter. [28402/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 49 and 46 together.

In December last, following the recommendations of the boards of the three State Airport Authorities, I announced the deferral until 2011 of a decision on the separation of the Airports under the State Airports Act, 2004 given the current very difficult circumstances for the aviation sector.

When I considered the business plans of the three airports and the views of the boards, I accepted their overall conclusion that it would be best to defer the separation of the three airports. I took the view that it would be best to provide a reasonable period of time to enable the boards and management of these airports to address the very significant challenges facing the aviation market and decided to defer a decision on separation to 2011.

New governance arrangements, which have now been agreed with the Dublin Airport Authority, will provide an opportunity for Cork Airport to realise the potential provided by the very substantial investment in the airport in recent years.

In the circumstances the repeal of the State Airports Act, 2004 does not arise.

### **Transport Costs.**

47. **Deputy Bernard J. Durkan** asked the Minister for Transport if he has made comparisons between transport costs here and those applicable in other jurisdictions; the degree to which the main features of extra costs here have been identified; the action he will take of a policy nature which might address these issues; and if he will make a statement on the matter. [28427/09]

**Minister for Transport (Deputy Noel Dempsey):** Comparative data on transport costs are not readily available from respected international statistical sources such as Eurostat and the International Transport Forum.

Cost competitiveness is a key consideration for Ireland as an open export-oriented economy and transport costs are one of the many factors influencing that competitiveness. Ireland's peripheral location impacts on transport costs for a range of reasons including:

- Distance from our principal export markets;
- Diseconomies of scale associated with operating in a small domestic market;
- Higher administrative costs relating to distance;
- The need to maintain higher stock levels to meet tight supply turnaround times.

The large transport investment being undertaken by this Government will help reduce the cost of transport. For example the huge investment in our major urban motorways and dual carriageways is bringing about substantial reductions in travel times and in the variance in journey times. Investment in public transport is helping to reduce urban congestion and improve the efficiency of the urban economy. Commercial investment by our ports and airports in increasing capacity and improving efficiency thereby contributing to reduced costs for business.

*Question No. 48 answered with Question No. 41.*

*Question No. 49 answered with Question No. 46.*

### **Rural Transport Services.**

50. **Deputy Jim O'Keeffe** asked the Minister for Transport his policy in relation to the development of public transport links in rural areas; and if he will make a statement on the matter. [28102/09]

52. **Deputy Jim O’Keeffe** asked the Minister for Transport his views on the need to have a comprehensive public transport system in rural areas here; and if he will make a statement on the matter. [28101/09]

447. **Deputy Bernard J. Durkan** asked the Minister for Transport if he will review rural transport policy with the obligation of existing services to new areas or regions; and if he will make a statement on the matter. [29493/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 52, 50 and 447 together.

The provision of public transport services in rural areas is being progressed in the context of my Department’s Rural Transport Programme and the Government’s sustainable travel and transport plan Smarter Travel — A Sustainable Transport Future.

Thirty seven rural community transport groups are being funded under my Department’s Rural Transport Programme (RTP) which is now operational in every county. These groups are working towards maximising coverage in their operational areas having regard to local public transport service needs and the availability of resources.

Arrangements for the provision of services funded under the Programme are matters for individual rural community transport groups. Local communities know best where the transport needs are in their rural areas and how best to address those needs.

In addition, Bus Éireann and a number of private transport operators provide public transport services in rural areas.

Building on these achievements Smarter Travel, which I published in February 2009, provides the strategic framework for the further development of public transport services throughout the country.

The provision of public transport generally outside of the Greater Dublin Area will also be supported by a new legislative framework that will be promoted through the proposed Public Transport Regulation Bill. The Bill, the General Scheme of which was approved by Government in January 2009, will contain proposals for a new regime for the licensing of all commercial bus services, and for contracts for public transport services.

My Department is also supporting the Louth County Council Age Friendly Initiative by funding a study to map all transport services in the county, to assess age-related needs and to look at delivery models for a pilot scheme to provide a more comprehensive local transport service to complement nationally organised transport.

*Question No. 51 answered with Question No. 30.*

*Question No. 52 answered with Question No. 50.*

### **Public Transport.**

53. **Deputy Michael Ring** asked the Minister for Transport if he has considered the recommendations of the rural transport report recently published by an organisation (details supplied); if he will implement any of the proposals outlined in this report; and if he will make a statement on the matter. [23112/09]

**Minister for Transport (Deputy Noel Dempsey):** I presume that the Deputy is referring to the research study Towards A Sustainable Rural Transport Policy relating to the challenges of developing more sustainable travel patterns for persons living in rural areas, which Comhar, the Sustainable Development Council, commissioned Irish Rural Link to undertake.

The research findings in the Comhar/Irish Rural Link report are broadly consistent with the aims and objectives of the Government's sustainable transport policy as set out in Smartertravel — A New Transport Policy for Ireland 2009 to 2020, which was published earlier this year. Both documents recognise the need for more sustainable alternatives to the private car as the primary means of transport, the importance of reducing overall travel demand through mobility management measures, the importance of maximising the efficiency of the public transport network through greater alignment between land use and transport planning policies, the need to reduce transport emissions, and the importance of improving accessibility to sustainable means of transport.

The Comhar/Irish Rural Link report is currently being examined by my officials and the proposals contained therein will be borne in mind in the context of progressing the various actions relating to rural transport that are contained in Smartertravel.

### **Air Services.**

54. **Deputy Thomas P. Broughan** asked the Minister for Transport his views on a new aviation white paper on Ireland's national strategic air connectivity; his further views on recent proposals by Aer Lingus to end flights between Shannon and New York and Chicago during the winter season; if he has been briefed on this matter by the Government appointed directors to Aer Lingus; if he will publish the Government's cost benefit analysis on the €10 air travel tax; his views on new initiatives to enhance the connectivity of Shannon, Dublin and Cork Airports; and if he will make a statement on the matter. [28378/09]

57. **Deputy Thomas P. Broughan** asked the Minister for Transport the initiatives he is considering to address all of the major issues in the aviation sector including the loss of aviation jobs at airline operators and in the aviation maintenance and engineering industries, the declining volume of passengers in the travel and transport industry and the impact of the new €10 airport departure tax on travel and tourism; and if he will make a statement on the matter. [28377/09]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 54 and 57 together.

The aviation sector and particularly the airline sector is extremely cyclical in nature. The airline sector is being badly affected by the current global economic downturn which has led to a significant reduction in consumer demand for air travel, particularly on long-haul routes. The International Air Transport Association, which represents 230 airlines, comprising 93% of international air traffic, has projected industry wide losses of \$9 billion this year. Revenues are expected to fall by 15%, which is more than double the rate of decline experienced following the September 11 terrorist attacks. With regard to passenger numbers, Airports Council International Europe has reported that Europe's airports posted an average fall of 12.4% in passenger traffic in the first quarter of 2009 compared to the same period last year. The International Air Transport Association reports also reflect such declines.

My Department's main objective is to assist airports and airlines to respond to the downturn in the sector, while maintaining the highest possible levels of connectivity between Ireland and key markets. Across the world, airlines have been cutting capacity and routes and recent decisions by Aer Lingus, Delta and Ryanair reflect this trend. In a global market, which is fully liberalised within the EU, the scope for measures to provide direct support to airports and carriers is very limited. The focus must therefore be on managing through a severe downturn and being well positioned for an upturn when economic circumstances improve.



[Deputy Noel Dempsey.]

The suspension of some key transatlantic services for the winter season recently announced by Aer Lingus and Delta is extremely disappointing. I am particularly concerned at the impact of these developments on connectivity of the Mid-West region to the wider US market from both a business and tourism perspective. I made these concerns known on behalf of the Government to the Aer Lingus Chairman when he informed me of the proposals. I immediately wrote to the State's three directors to remind them of their mandate and requested that they take account of Government policy on connectivity, regional development and industrial development in the board's consideration of the matter. It is acknowledged that the duties of the State nominated directors on the board of Aer Lingus derive from the Companies Acts and that they are obliged to pursue the best interests of the company.

The Government does not accept that the decline in passenger numbers experienced by the airports in the State is due to the introduction of the air travel tax. The present decline in air travel is an international phenomenon. In the case of Ireland the decline in passenger numbers through our airports is broadly in line with our international counterparts including those airports where there is no travel tax in place. This downward trend has been evident for periods prior to the introduction of the air travel tax. Furthermore, passenger numbers for other modes of transport have also experienced broadly similar declines.

Looking to the future, the challenge will be to ensure that Irish aviation is well positioned to take advantage of the economic recovery when it comes. To this end my Department will:

- continue to liaise with carriers to protect and promote connectivity between Ireland and key markets;
- take measures to enhance our bilateral aviation relations with emerging markets such as China and India;
- finalise arrangements for the implementation of US Preclearance for flights from Shannon from end July 2009 and from Dublin when the new terminal opens in late 2010;
- oversee the tender competition for an operator for Terminal 2 and ensure that the Dublin Airport Authority maximises cost efficiencies;
- ensure that the Dublin Airport Authority strikes the right balance between managing short-term financial pressures and ensuring longer-term financial sustainability at all 3 State airports;
- liaise with Department of Enterprise, Trade and Employment, IDA, Enterprise Ireland and DAA to facilitate development of aviation maintenance projects in particular to replace jobs lost at SR Technics.

### **Flood Relief.**

55. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport the level of funding which will be made available in order to alleviate the damage caused by flooding in County Donegal in June 2009. [28343/09]

**Minister for Transport (Deputy Noel Dempsey):** In September 2004 the Government confirmed the Office of Public Works (OPW) as the State's lead agency in flooding, to be tasked with delivering an integrated, multifaceted programme aimed at mitigating future flood risk and impact.

As regards flooding of roads, the improvement and maintenance of regional and local roads is a matter for the relevant local authority, to be funded from its own resources supplemented by State road grants paid by my Department. The initial selection of works to be funded from these grants is also a matter for the local authority. Funding of national roads is a matter for the National Roads Authority.

When road grants for regional and local roads are allocated each year, my Department does not hold back a reserve allocation at central level to deal with weather contingencies. Such an arrangement would mean a reduction across all local authorities in the road grant allocations to them at the beginning of each year. Instead, the allocation made to local authorities is inclusive of the weather risk factor. Local authorities are expressly advised that they should set aside contingency sums from their overall regional and local roads resources to finance necessary weather related works.

In 2009, grants totalling €28.664 million were allocated to Donegal County Council for works on regional and local roads. This included a discretionary maintenance grant of €2 million and a discretionary improvement grant of €846,000. These grants are available at the discretion of Donegal County Council to fund contingency works arising from weather conditions.

My Department would also be prepared to consider sympathetically any request from Donegal County Council to adjust its multi-annual Restoration Programmes in order to prioritise work necessitated by severe weather conditions. In 2009, Donegal County Council was allocated a restoration improvement grant of €9.384 million and a restoration maintenance grant of €5.750 million.

In very exceptional circumstances, my Department will consider applications for additional funding of remedial works to roads and bridges following flooding. Consideration of any applications for financial assistance would, of course, have to take account of the current budgetary situation and the resources already allocated to the county.

*Question No. 56 answered with Question No.20.*

*Question No. 57 answered with Question No. 54.*

### **Transport Policy.**

58. **Deputy Mary Upton** asked the Minister for Transport if he has had contacts with the Department of Communications, Energy and Natural Resources on the planned national electric car roll out programme; the number of businesses which have taken up the option of a 100% write-off on the cost of purchase of electric vehicles against tax under the accelerated capital allowance scheme to date; the commencement date for the public information campaign on electric vehicles; the number of electric vehicles in the national car fleet; the percentage of the national car fleet they comprise; when the ministerial car and public vehicle fleets will be electrified; and if he will make a statement on the matter. [28410/09]

**Minister for Transport (Deputy Noel Dempsey):** I have been in contact with the Minister for Communications, Energy and Natural Resources on the plans for electric cars. In February I launched Smarter Travel, Ireland's new sustainable transport policy. It contains a commitment that electric cars will form 10% of the market by 2020. The most recent figures available to my Department (May 2009) indicate that 0.2% of vehicles (3,758) are a declared fuel-type of hybrid electric cars. This gives some idea of the scale of our ambition to increase this figure significantly.

Since the launch of Smarter Travel my officials have been in regular contact with the Department of Communications, Energy and Natural Resources to assist in the preparation of a

[Deputy Noel Dempsey.]

national plan to meet this target. The Minister for Communications, Energy and Natural Resources has the lead responsibility in relation to the matter. The Deputy's specific questions relating to tax write-off and Ministerial vehicles are a matter for the Ministers for Finance and Justice, Equality and Law Reform respectively.

### Departmental Staff.

59. **Deputy David Stanton** asked the Minister for Transport the number of staff working in his Department at various grade levels; and if he will make a statement on the matter. [28579/09]

**Minister for Transport (Deputy Noel Dempsey):** The following table provides the information requested by the Deputy.

Grade	Number
Secretary General	1.00
Assistant Secretary	5.00
Principal Officer	21.00
Assistant Principal	45.63
Higher Executive Officer	80.53
Administrative Officer	8.00
Executive Officer	89.33
Staff Officer	17.70
Clerical Officer	144.26
Ministerial staff	5.00
Services Officer	16.10
Telephonist	2.03
Irish Coast Guard — Professional & Technical	63.00
Marine Survey Office — Professional & Technical	31.00
All other Technical & Professional	17.00
Total	546.58

### Road Safety.

60. **Deputy Jan O'Sullivan** asked the Minister for Transport if he will report on the graduated driving licence scheme; when he will publish the legislation necessary to implement the full GDLS; the reason there has been a delay in rolling out this road safety measure; and if he will make a statement on the matter. [28390/09]

**Minister for Transport (Deputy Noel Dempsey):** The Road Safety Strategy 2007-2012 outlines a range of measures to be considered in relation to a Graduated Driver Licensing System (GDLS). The driver licensing regulations, which were made in October 2007, providing for the introduction of a learner permit to replace the provisional licence and some other measures, were the first step in the introduction of a GDLS. A progressive roll-out of appropriate measures is envisaged as the most practical approach for implementing a GDLS.

On 13 January 2009 the Road Safety Authority (RSA) launched a consultation process on a GDLS and published a consultation paper. This contains a number of possible measures and the RSA also welcomes other suggestions from the public. This consultation process has now been completed and the RSA is considering responses. Proposals will be submitted in due

course for my consideration. It is too soon to say what the timeframe for that will be or whether new legislation will be required.

### **Air Services.**

61. **Deputy Seán Sherlock** asked the Minister for Transport his views on the recent €1 increase in airport charges from €7.39 per person to €8.35 beginning in January 2010 that was sanctioned by the Commission on Aviation Regulation; if he expects airport charges to rise further when terminal two is opened at Dublin Airport; and if he will make a statement on the matter. [28405/09]

**Minister for Transport (Deputy Noel Dempsey):** I have no role in determining the per passenger charges at Dublin airport. The Commission for Aviation Regulation is the independent regulatory body responsible for setting maximum passenger charges at Dublin Airport.

*Question No. 62 answered with Question No. 13.*

### **Proposed Legislation.**

63. **Deputy Ruairí Quinn** asked the Minister for Transport the reason bus licensing legislation to replace the Road Transport Act 1932 has not been introduced; the reason for the ongoing delay in publishing this legislation; the proposed publication date for the bill; the proposed key headings and objectives of the bill; and if he will make a statement on the matter. [28382/09]

**Minister for Transport (Deputy Noel Dempsey):** In January 2009, the Government approved the General Scheme of the Public Transport Regulation Bill which contains proposals for a new bus licensing regime which will replace the Road Transport Act 1932 and the provisions of the Transport Act 1958 that relate to the provision of bus services by the State bus companies. In accordance with the Programme for Government commitment, the proposed licensing regime will provide a level playing field for all bus market participants.

The new licensing structure will apply in respect of all commercial bus passenger services, including those provided by Dublin Bus and Bus Éireann. It will establish a clear framework for assessing applications for bus route licences as well as a modern system of penalties and associated powers for revocation of licences.

The general scheme of the Bill also contains proposals for extending nationally contractual arrangements for the procurement of bus and rail services modelled on the approach established in the provisions of the Dublin Transport Authority Act 2008 in respect of the Greater Dublin Area. Future growth in the market for subvented bus services will be addressed by public service contracts entered into following open tendering processes. The provisions are consistent with the requirements in relation to the provision of public service obligations in EU Regulation No. 1370/2007 on public passenger transport services by rail and by road.

The Bill will assign responsibility to the Dublin Transport Authority for bus route licensing and the award of public service contracts nationwide. It will also provide for the amalgamation of the Commission for Taxi Regulation into the DTA, as well as the renaming of the DTA as the National Transport Authority given its proposed national responsibility in relation to commercial bus licensing, bus and rail subvention and the regulation of small public service vehicles.

There has been no delay in introducing the legislation. Following Government approval of the General Scheme of the Public Transport Regulation Bill in January, a Bill has been drafted and has been circulated to Government Departments for observations. On their receipt, it is my intention to seek Government approval to the publication of the Bill as soon as possible.

*Question No. 64 answered with Question No. 7.*

### **Penalty Points System.**

65. **Deputy Denis Naughten** asked the Minister for Transport the action he will take on the submission by an organisation (details supplied) on shadow licences to address the abuse of the penalty points system; and if he will make a statement on the matter. [28103/09]

**Minister for Transport (Deputy Noel Dempsey):** I have not received a submission from the organisation on the matter referred to. However a number of amendments to the fixed charge system are included in the forthcoming Road Traffic Bill.

### **Employment Support Services.**

66. **Deputy Richard Bruton** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will provide details of the €250 million job protection programme; when she expects this scheme to commence; the financial mechanisms being used to fund the scheme; and if she will make a statement on the matter. [29525/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Government is proposing to introduce a Temporary Employment Subsidy Scheme. The purpose of this scheme will be to help the economy to retain its productive capacity and help employers to retain the labour, knowledge and skills of the workforce, thereby supporting a faster return to sustainable growth; help employees to retain their jobs, and ensure that economic and fiscal stability is promoted by avoiding the costs of unemployment including statutory redundancy payments and the longer-term cost of social welfare.

It is proposed that the Temporary Employment Subsidy Scheme will apply to companies in the manufacturing or internationally traded service sectors that are currently engaged in exporting. In addition in order to qualify for support it is intended that a company must not have been in difficulty on 1 July 2008, and a financial assessment must establish that it is now facing such difficulties as a result of the global and financial economic crisis that redundancies are likely to have to be considered within 12 months. It is also intended that a company must also be judged to be viable and capable of growth in the medium term in order to receive support under the scheme. Enterprise Ireland will be administering the scheme and they will determine whether a company meets the eligibility criteria of the scheme.

It is intended that a national steering committee will be established to oversee the implementation of the scheme comprising representatives of the relevant Government Departments and the Social Partners.

The Government is in discussions with the Social Partners with a view to implementing the Temporary Employment Subsidy Scheme over the coming period. It is intended to have the scheme in operation with the first tranche of payments being made to companies after the summer. The resourcing of this scheme will be determined by Government shortly.

### **Departmental Agencies.**

67. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding proposal 24 listed in annex D of budget 2009; the date the proposal will be fully completed; and if she will make a statement on the matter. [29577/09]

85. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 119 of the 28 of April 2009, the progress made in this area; the expected date by which she expects to have completed the amalgamation



of the National Consumer Agency and the Competition Authority; and if she will make a statement on the matter. [29583/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 67 and 85 together.

As the Deputy is aware, during the course of the budget speech last October, my colleague the Minister for Finance announced the merger of the National Consumer Agency and the Competition Authority as part of the rationalisation of State Agencies. It is my intention to bring forward legislation during the course of 2009 to implement this merger.

### **FÁS Training Programmes.**

68. **Deputy Olwyn Enright** asked the Tánaiste and Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 1 of 10 June 2009 with regard to the FÁS training and community programmes listed, the courses offered in each category; the duration of each course; the location where each course is available; the annual capacity of each course; and if she will make a statement on the matter. [29920/09]

108. **Deputy Olwyn Enright** asked the Tánaiste and Minister for Enterprise, Trade and Employment the courses offered with regard to the FÁS training and community programmes; the duration of each course; the location where each course is available; the annual capacity of each course; and if she will make a statement on the matter. [29895/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** I propose to take Questions Nos. 68 and 108 together.

The types of training programmes provided by FÁS across the Training Services, Community Services and Services to Business categories include Short courses, Traineeships, Bridging/Foundation courses, Return to Work Training Courses, Community Employment Schemes as well as more recent initiatives such as the Redundant Apprenticeship Rotation Scheme. Information on the range of training programmes offered by FÁS Training Services Division and Community Services Division by programme type, duration and potential beneficiaries are provided in tabular format.

FÁS training courses are delivered on a national basis. In terms of their specific location each of the eight FÁS regions, in consultation with the relevant regional stakeholders, develop appropriate plans regarding the location, delivery, range, mix and type of training courses appropriate to the needs of their region. Information on the precise location of individual courses can be accessed through the local FÁS employment services office. Information in regard to the full list of courses available under each category provided for by FÁS are available on the FÁS website.

FÁS Training Services Division and Services to Business Division

Programme	Programme Type	Typical Duration	Potential Beneficiaries (approx.)	Delivery Location
Bridging Foundation Training Return to Work Programme	Aimed at disadvantaged clients Bridging Programme specifically for persons wishing to return to employment	8 to 20 weeks duration 10 weeks	4,643 855	Nationally Nationally
Specific Skills Training	Wide range of skills training with an appropriate vocational qualification	Vary in length the typical duration is 20 –26 weeks but it can be up to a maximum of 48 weeks	10,237	Nationally
Short Course Programme	Short Courses targeted at redundant persons with high employability	8 weeks	15,710	Nationally
Traineeship	Occupational specific and industry endorsed training	20 to 40 weeks	3,014	Nationally
Redundant Apprenticeship Training	Skills and knowledge training and assessment for apprentices	20 weeks	3,800	Nationally
Sponsored Training	Fee paying training provided by FÁS to companies for people in employment	Determined by the requirements of each skill set	2,512	Nationally
Evening Courses	Provided for unemployed persons and fee paying employed clients to upskill and obtain accreditation	10 weeks	30,448	Nationally
On-line learning	Training in a wide range of skills and knowledge for persons with access to PC	10 weeks	6,000	Nationally
Blended Learning	On-line learning with tutor support and workshops	10 weeks	6,949	Nationally
Work Placement Programme	A work placement programme for the unemployed including graduates. Participants on the scheme will retain their social welfare entitlements.	6 months	2000	Nationally
Short Time Working Training Programme	Will provide training to people on systematic short-time for the days they are not working	52 weeks	277	Nationally

FÁS Community Services Division

Programme	Programme Type	Typical Duration	Potential Beneficiaries (approx)	Delivery Location
Community Employment	Employment programme	3 years max under 55,6 years max for 55+1 extra year for persons with a disability	22,780	Nationally
Job Initiative (closed to new recruitment November 2004)	Employment programme	n/a	1,435	Nationally
Community Training Centres	Training programme	Varies depending on individual learning needs	2,300	Nationally
Local Training Initiatives	Training programme	1 year	2,100	Nationally
Specialist Training Providers	Training/Employment programme for persons with disabilities	18 months average	2,000	Nationally
Employability Services(formerly Supported Employment)	Training/Employment programme for persons with disabilities	18 months average	3,000	Nationally
Job Clubs	Training programme	Drop-in service, typically for 3 weeks average	7,800	Nationally
Special Initiative for Travellers	Training programme	18 months average	140	Nationally

### **Work Placement Programme.**

69. **Deputy Olwyn Enright** asked the Tánaiste and Minister for Enterprise, Trade and Employment the uptake of the work placement programme; and if she will make a statement on the matter. [29921/09]

70. **Deputy Olwyn Enright** asked the Tánaiste and Minister for Enterprise, Trade and Employment the uptake of the short time working programme; and if she will make a statement on the matter. [29922/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** I propose to take Questions Nos. 69 and 70 together.

My Department, along with the Department of Social and Family Affairs and the Department of Education and Science, have been working closely together to ensure a significant response to the unemployment situation. The Work Placement Programme and the Short Time Working Training Programme, which were announced in the supplementary budget, are but two initiatives that have been created to contribute to the challenge of activating and training the unemployed. It should be noted that these programmes form only an element of the Government's response to the unemployment challenge, which also includes a substantial increase in job search, training and education supports.

The Work Placement Programme has been created to provide 2,000 six-month work experience places for graduates and other individuals. The aim of this scheme is to provide invaluable work experience to individuals who are unemployed, who have recently graduated from college or have very limited experience of the workplace.

To date the number of individuals who have expressed an interest with FÁS in the Programme and who meet the eligible criteria stands at 192. In terms of places, FÁS has received 180 inquiries to date from potential providers, which has resulted in 155 actual places being offered by providers. Considering that FÁS is in the process of finalising its targeted publicity campaign of the Programme, it is encouraging that it is experiencing a considerable level of interest from individuals and providers in the Programme.

The Short Time Training Programme will provide training and income support to 277 workers currently on systematic short time working. Under this programme workers who are on a three-day week and receiving social welfare payments for the days they are not working will receive two days training a week for a period of 52 weeks.

FÁS is in the process of allocating the places on this programme across a number of regions using either its Employment Services offices or its Local Services to Business Unit. To date 124 places have been allocated across two FÁS Regions. FÁS is continuing to explore a number of other possible inquiries from other FÁS regions in relation to the allocation of the remaining places. It is intended that these places will be allocated in the coming weeks.

### **Redundancy Payments.**

71. **Deputy Dan Neville** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will make a statement on the case of a person (details supplied) in County Limerick. [28805/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The Redundancy Payments Section of my Department received an application on 1 April, 2009 for a statutory redundancy lump sum payment in respect of the individual referred to. In instances where an employer is unable or refuses to pay the statutory lump sum as

required in the first instance, my Department pays the statutory amount from the Social Insurance Fund (SIF) but, before doing so, the Department requires documentary evidence in support of the claim of inability to pay.

In all such cases, the employer is asked to provide to the Department a letter from his accountant or solicitor confirming inability to pay as well as other documentary evidence (i.e. audited accounts or statement of affairs) within 30 days of the Department's request. In this particular case, the necessary support documentation has now been supplied and the documents are currently being examined. Assuming the documentation is in order, it should be possible to issue payment in this case shortly.

### **Community Employment Schemes.**

72. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a person, who was made unemployed 12 months ago but in the intervening time signed off for a few days and suspended their jobseeker's payment for that short period, will qualify for community employment under current rules; and the way short periods of employment are treated in relation to eligibility for community employment. [28810/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** Community Employment (CE) is an active labour market programme designed to provide eligible long-term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance-develop both their technical and personal skills.

The criteria for participating on the community employment programme are based on age and length of time in receipt of various social welfare payments. CE is not designed to cater for short-term unemployed persons as they are not as far removed from the open labour market as the main client group for the programme. To facilitate some short-term employment opportunities, breaks off the live register of up to 30 days are permissible with the 12-month eligibility period, while still maintaining eligibility for CE.

CE remains as an active labour market programme with the emphasis on progression into employment. The programme is managed within this context, with consideration to the availability of resources and the needs of participants and the community.

FÁS provides a range programmes aimed specifically at the short-term unemployed, details of which are available from any FÁS Employment Services office, Local Employment Service offices or from the FÁS website *www.fas.ie*.

### **Departmental Staff.**

73. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of staff employed by her Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by her Department; the cost of same per annum; if leased, when such lease expires; her proposals to close, amalgamate or expand her Department's presence in County Louth; and if she will make a statement on the matter. [28849/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department does not have staff employed in County Louth.



### Public Service Review.

74. **Deputy Richard Bruton** asked the Tánaiste and Minister for Enterprise, Trade and Employment if her Department made submissions to the McCarthy group on potential savings in her Department; the contents of the submissions made; if the McCarthy group made proposals to her Department; the contents of the proposals; and if she will make a statement on the matter. [28895/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** At the commencement of its work, the special group on public service numbers and expenditure programmes, which is chaired by Mr. Colm McCarthy, invited my Department to submit an evaluation paper to the group, setting out the main areas of spending in my Department. This paper was submitted to the special group in January 2009 and included a number of options for potential savings within my Department's Vote. The group has recently submitted a report on its considerations of all Departmental Votes to the Minister for Finance, and the Minister will bring the report to Government in the near future. Decisions on the release of the report and associated documents will be made by Government in due course.

### Employment Levels.

75. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the breakdown of employment in each county on a full-time and part-time basis for 2009; the breakdown of employment in each county on a full-time and part-time basis for each of the past ten years; the breakdown of employment for each county by sector and in relation to the type of employment for 2009; the breakdown of employment for each county by sector and in relation to the type of employment for each of the past ten years; and if she will make a statement on the matter. [29235/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Data in respect of employment in agency assisted companies are collated by Forfás on an annual basis and accordingly data for 2009 will not be available until 2010.

The following tabular statements provide data for the period 1998 -2008 at regional and county level in respect of Permanent Full-Time employment and Temporary Part-Time Employment in enterprise agency assisted firms. In addition, tabular data is provided showing sectoral data at county and regional level. For reasons of confidentiality, it is not possible in some cases to provide the same level of detail at sectoral level for every county.

The data shows that at end 2008 the numbers employed in permanent full time employment, in enterprise agency assisted companies, stood at 297,098 which represents an increase of almost 4,000 in the ten year period. While we have seen a decrease of approximately 20,000 in the numbers employed in manufacturing, this has been more than offset by increases in the International and Financial Services sectors.

In addition to the Enterprise Agencies, the County Enterprise Boards play a pivotal role in stimulating local economic development and entrepreneurship and in developing, sustaining and growing the micro-enterprise sector (i.e. companies employing ten or less people). The boards can assist businesses in both the start-up and the expansion phases within this sector but they must, however, give priority to manufacturing and internationally traded services. The total net full-time jobs created in CEB assisted companies for the period 1993 (when the CEBs were established) to end 2008 is 33,811.

Overall employment levels in agency assisted companies have been relatively stable during the past decade, increasing 7.5% from 1998 to 2008. Using output per employee as an indicator,

productivity increased two and a half times during the same period (2007 is the latest data available) demonstrating a significant shift toward higher value activities. In principle, higher productivity generates a higher return on investment. This positions Ireland well to attract business investment in the future, which in turn generates new employment opportunities and economic activity. This is borne out by the successes of IDA and EI client companies in 2008.

Strong, balanced regional development and a thriving culture of entrepreneurship in all parts of Ireland are key strategic objectives for my Department and the development agencies under its remit. I am satisfied that the policies and initiatives being pursued by the Industrial Development agencies and the CEBs will continue to bring about industrial development and employment opportunities for the regions.

Permanent Full-Time Employment in Enterprise Agency Assisted Companies by Region and County

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>All Regions</b>	<b>293,117</b>	<b>315,480</b>	<b>312,335</b>	<b>302,795</b>	<b>295,431</b>	<b>294,010</b>	<b>297,490</b>	<b>304,012</b>	<b>306,036</b>	<b>297,098</b>
<i>South East</i>	28,884	28,914	29,325	29,645	29,775	29,300	28,784	29,653	30,710	29,445
Carlow	3,728	3,697	3,778	3,629	3,606	3,395	3,255	3,284	2,933	2,784
Kilkenny	3,676	3,768	3,879	4,224	3,846	3,768	3,927	3,958	4,067	3,797
Tipperary South Riding	4,257	4,669	5,000	5,158	4,899	4,965	5,012	5,043	5,870	6,135
Waterford	10,865	10,519	10,878	11,121	11,619	11,277	10,645	11,363	11,814	10,796
Wexford	6,358	6,261	5,790	5,513	5,805	5,895	5,945	6,005	6,026	5,933
<i>Border</i>	34,174	34,078	32,931	32,082	31,135	31,262	32,314	32,257	32,694	31,456
Cavan	5,165	5,242	5,335	5,829	6,080	6,401	6,974	6,983	7,511	7,888
Donegal	9,389	9,184	9,011	8,420	7,670	7,544	7,595	7,277	7,513	7,341
Leitrim	1,328	1,271	1,604	1,583	2,095	2,182	1,996	1,875	1,794	1,747
Louth	8,873	8,798	7,813	7,081	6,407	6,470	6,749	6,923	6,942	6,389
Monaghan	5,042	5,157	4,906	4,929	4,813	4,589	4,855	5,014	4,972	4,230
Sligo	4,377	4,426	4,262	4,240	4,070	4,076	4,145	4,185	3,962	3,861
<i>Mid West</i>	31,483	33,243	32,055	29,535	28,720	28,540	28,466	29,388	29,271	28,290
Clare	10,444	10,927	10,703	9,997	9,945	10,011	9,842	9,865	9,827	9,960
Limerick	16,813	17,807	17,044	15,581	14,935	14,813	14,969	15,867	15,704	14,817
Tipperary North Riding	4,226	4,509	4,308	3,957	3,840	3,716	3,655	3,656	3,740	3,513
<i>South West</i>	40,044	45,129	45,567	45,028	44,373	45,270	45,629	45,473	44,763	45,088
Cork	33,321	37,621	37,884	37,923	37,529	38,712	39,154	39,185	38,484	39,041
Kerry	6,723	7,508	7,683	7,105	6,844	6,558	6,475	6,288	6,279	6,047
<i>Dublin</i>	92,957	103,370	101,778	97,248	92,110	90,222	90,877	94,905	97,287	95,351
Dublin	92,957	103,370	101,778	97,248	92,110	90,222	90,877	94,905	97,287	95,351
<i>West</i>	26,594	29,073	29,149	27,290	27,362	27,618	28,785	28,932	28,877	28,025
Galway	16,694	18,784	18,474	17,222	17,347	17,983	18,983	19,071	19,022	18,702
Mayo	6,795	7,242	7,566	7,190	7,145	6,828	6,953	7,155	7,124	6,900
Roscommon	3,105	3,047	3,109	2,878	2,870	2,807	2,849	2,706	2,731	2,423
<i>Mid East</i>	26,506	29,138	28,967	29,215	29,435	29,391	29,199	29,615	28,585	26,381
Kildare	13,535	15,496	15,014	15,148	15,223	15,534	16,111	16,309	15,599	14,478
Meath	5,730	6,101	6,245	5,886	5,523	5,608	5,847	6,211	5,943	5,577
Wicklow	7,241	7,541	7,708	8,181	8,689	8,249	7,241	7,095	7,043	6,326

[Deputy Mary Coughlan.]

## Permanent Full-Time Employment in Enterprise Agency Assisted Companies by Region and County

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Midlands</i>	12,475	12,535	12,563	12,752	12,521	12,407	13,436	13,789	13,849	13,062
Laois	1,745	1,611	1,733	1,664	1,634	1,436	1,534	1,649	1,621	1,495
Longford	2,228	2,210	2,323	2,130	2,403	2,508	2,785	2,758	2,789	2,708
Offaly	4,350	4,070	3,631	3,912	3,884	3,912	4,095	4,382	4,302	4,147
Westmeath	4,152	4,644	4,876	5,046	4,600	4,551	5,022	5,000	5,137	4,712

## Temporary Part-Time Employment in Enterprise Agency Assisted Companies by Region and County

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>All Regions</b>	<b>34,390</b>	<b>36,084</b>	<b>32,791</b>	<b>33,151</b>	<b>34,337</b>	<b>36,512</b>	<b>36,500</b>	<b>36,350</b>	<b>35,230</b>	<b>30,871</b>
<i>South East</i>	3,641	3,851	3,732	3,887	3,564	3,748	4,019	2,912	3,297	3,174
Carlow	420	524	475	369	299	303	227	238	246	181
Kilkenny	426	404	447	478	442	535	526	604	559	515
Tipperary South Riding	483	538	539	516	549	484	648	515	751	744
Waterford	1,748	1,895	1,851	2,058	1,791	1,868	2,052	1,114	1,287	1,232
Wexford	564	490	420	466	483	558	566	441	454	502
<i>Border</i>	4,186	4,358	4,533	4,215	4,250	4,270	4,197	3,990	3,595	3,070
Cavan	479	581	691	639	513	477	336	318	451	463
Donegal	1,862	2,085	2,143	1,951	2,033	2,136	2,106	1,704	1,570	988
Leitrim	121	90	114	181	121	154	223	231	88	181
Louth	1,097	925	680	731	969	901	945	1,063	814	806
Monaghan	289	257	425	382	275	202	320	359	326	290
Sligo	338	420	480	331	339	400	267	315	346	342
<i>Mid West</i>	1,033	2,139	1,917	1,416	2,357	2,870	3,021	3,110	3,529	2,159
Clare	72	964	602	446	721	702	805	598	878	728
Limerick	873	934	1,163	875	1,347	2,038	2,056	2,292	2,433	1,162
Tipperary North Riding	88	241	152	95	289	130	160	220	218	269
<i>South West</i>	5,685	6,411	5,565	6,492	6,298	6,294	6,116	6,762	6,428	5,869
Cork	4,721	5,281	4,497	5,546	5,355	5,291	5,088	5,546	5,372	4,963
Kerry	964	1,130	1,068	946	943	1,003	1,028	1,216	1,056	906
<i>Dublin</i>	10,634	9,619	8,267	9,109	9,162	9,721	10,734	10,259	9,334	9,443
Dublin	10,634	9,619	8,267	9,109	9,162	9,721	10,734	10,259	9,334	9,443
<i>West</i>	5,288	5,401	4,813	4,821	5,516	6,204	5,171	5,701	5,842	3,986
Galway	3,738	3,520	3,321	3,393	4,021	4,761	3,925	4,269	4,476	2,906
Mayo	1,346	1,691	1,345	1,323	1,425	1,324	1,159	1,277	1,249	978
Roscommon	204	190	147	105	70	119	87	155	117	102
<i>Mid East</i>	2,764	2,759	2,534	2,265	2,309	2,418	2,387	2,664	2,312	2,228
Kildare	1,181	1,185	853	695	753	921	1,242	1,324	1,109	941
Meath	722	729	838	855	660	723	556	688	502	544
Wicklow	861	845	843	715	896	774	589	652	701	743

## Temporary Part-Time Employment in Enterprise Agency Assisted Companies by Region and County

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Midlands</i>	1,159	1,546	1,430	946	881	987	855	952	893	942
Laois	116	139	104	146	136	101	112	112	80	68
Longford	227	179	112	109	126	150	171	139	121	114
Offaly	400	492	664	315	303	294	271	308	261	348
Westmeath	416	736	550	376	316	442	301	393	431	412

## Permanent Full-Time Employment By Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>All Regions</b>	293,117	315,480	312,335	302,795	295,431	294,010	297,490	304,012	306,036	297,098
Manufacturing & Industry	227,621	236,955	229,632	219,897	213,747	210,260	210,856	211,409	208,698	197,165
International Services	51,139	62,423	65,683	64,104	62,078	62,710	63,967	67,327	69,164	70,418
Financial & Other Services	11,676	13,390	14,281	16,000	16,912	18,494	20,017	22,588	25,415	26,832
Agriculture, Forestry, Fishing and Mining	2,681	2,712	2,739	2,794	2,694	2,546	2,650	2,688	2,759	2,683
<b>South East</b>										
All Sectors	28,884	28,914	29,325	29,645	29,775	29,300	28,784	29,653	30,710	29,445
Manufacturing & Industry	27,082	27,020	27,125	26,845	26,386	25,717	25,161	25,570	25,739	24,481
International Services	1,030	1,163	1,410	1,807	1,993	2,059	2,045	2,334	2,906	2,797
Financial & Other Services	167	170	239	370	764	862	945	1,095	1,355	1,404
Agriculture, Forestry, Fishing and Mining	605	561	551	623	632	662	633	654	710	763
<i>Carlow</i>										
All Sectors	3,728	3,697	3,778	3,629	3,606	3,395	3,255	3,284	2,933	2,784
Manufacturing & Industry & Agri	3,607	3,545	3,589	3,461	3,433	3,225	3,091	3,091	2,781	2,626
International Financial & Other Services	121	152	189	168	173	170	164	193	152	158
<i>Kilkenny</i>										
All Sectors	3,676	3,768	3,879	4,224	3,846	3,768	3,927	3,958	4,067	3,797
Manufacturing & Industry	3,169	3,309	3,361	3,533	3,109	2,911	2,982	2,977	2,957	2,697
International Services	283	244	237	379	417	482	477	497	528	514
Financial & Other Services	15	17	90	137	143	207	288	305	398	401
Agriculture, Forestry, Fishing and Mining	209	198	191	175	177	168	180	179	184	185
<i>Tipperary South Riding</i>										
All Sectors	4,257	4,669	5,000	5,158	4,899	4,965	5,012	5,043	5,870	6,135
Manufacturing & Industry & Agri	4,073	4,442	4,777	4,876	4,615	4,709	4,825	4,892	5,719	6,007
International Services	144	189	186	241	243	215	142	105	105	83
Financial & Other Services	40	38	37	41	41	41	45	46	46	45
<i>Waterford</i>										
All Sectors	10,865	10,519	10,878	11,121	11,619	11,277	10,645	11,363	11,814	10,796
Manufacturing & Industry	10,474	10,033	10,196	10,225	10,588	10,191	9,457	9,832	9,652	8,668
International Services	277	380	580	779	939	981	1,072	1,363	1,912	1,847
Financial & Other Services	67	69	69	54	35	53	75	116	191	216

[Deputy Mary Coughlan.]

## Permanent Full-Time Employment By Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Agriculture, Forestry, Fishing and Mining	47	37	33	63	57	52	41	52	59	65
<i>Wexford</i>										
All Sectors	6,358	6,261	5,790	5,513	5,805	5,895	5,945	6,005	6,026	5,933
Manufacturing & Industry	5,933	5,870	5,395	5,007	4,891	4,934	5,074	5,063	4,933	4,869
International Services	220	213	232	254	235	211	190	216	257	245
Financial & Other Services	30	31	29	124	531	561	537	588	672	692
Agriculture, Forestry, Fishing and Mining	175	147	134	128	148	189	144	138	164	127
<b>Border</b>										
All Sectors	34,174	34,078	32,931	32,082	31,135	31,262	32,314	32,257	32,694	31,456
Manufacturing & Industry	32,049	31,680	29,979	28,560	26,751	26,494	27,022	26,288	25,832	23,761
International Services	1,033	1,284	1,859	1,995	2,745	3,029	3,180	3,376	3,576	3,763
Financial & Other Services	421	474	450	958	1,129	1,301	1,582	2,051	2,657	3,324
Agriculture, Forestry, Fishing and Mining	671	640	643	569	510	438	530	542	629	608
<i>Cavan</i>										
All Sectors	5,165	5,242	5,335	5,829	6,080	6,401	6,974	6,983	7,511	7,888
Manufacturing & Industry & Agri	5,084	5,155	5,264	5,310	5,414	5,590	5,984	5,749	5,883	5,752
International Services	54	60	46	48	48	42	36	35	33	23
Financial & Other Services	27	27	25	471	618	769	954	1,199	1,595	2,113
<i>Donegal</i>										
All Sectors	9,389	9,184	9,011	8,420	7,670	7,544	7,595	7,277	7,513	7,341
Manufacturing & Industry	8,502	8,050	7,559	6,865	5,911	5,660	5,339	4,916	4,977	4,639
International Services	337	545	861	937	1,125	1,229	1,523	1,558	1,704	1,795
Financial & Other Services	300	326	315	364	379	395	454	510	562	664
Agriculture, Forestry, Fishing and Mining	250	263	276	254	255	260	279	293	270	243
<i>Leitrim</i>										
All Sectors	1,328	1,271	1,604	1,583	2,095	2,182	1,996	1,875	1,794	1,747
Manufacturing & Industry & Agri	1,299	1,240	1,237	1,097	1,103	1,032	1,023	987	917	828
International Financial & Other Services	29	31	367	486	992	1,150	973	888	877	919
<i>Louth</i>										
All Sectors	8,873	8,798	7,813	7,081	6,407	6,470	6,749	6,923	6,942	6,389
Manufacturing & Industry & Agri	8,495	8,397	7,492	6,788	6,063	6,089	6,297	6,234	6,048	5,400
International Financial & Other Services	378	401	321	293	344	381	452	689	894	989
<i>Monaghan</i>										
All Sectors	5,042	5,157	4,906	4,929	4,813	4,589	4,855	5,014	4,972	4,230
Manufacturing & Industry	4,543	4,658	4,416	4,514	4,410	4,254	4,474	4,673	4,557	3,777
International Services	98	89	91	90	99	96	85	91	106	99



## Permanent Full-Time Employment By Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Financial & Other Services	72	100	97	91	97	96	98	80	86	98
Agriculture, Forestry, Fishing and Mining	329	310	302	234	207	143	198	170	223	256
<i>Sligo</i>										
All Sectors	4,377	4,426	4,262	4,240	4,070	4,076	4,145	4,185	3,962	3,861
Manufacturing & Industry	4,218	4,247	4,076	4,067	3,898	3,904	3,958	3,808	3,586	3,474
International Financial & Other Services	159	179	186	173	172	172	187	377	376	387
<b>Mid West</b>										
All Sectors	31,483	33,243	32,055	29,535	28,720	28,540	28,466	29,388	29,271	28,290
Manufacturing & Industry	27,353	28,652	27,009	24,434	23,879	23,723	23,603	24,198	23,806	22,945
International Services	2,450	2,723	3,017	2,997	2,666	2,708	2,728	3,020	3,267	3,082
Financial & Other Services	1,609	1,803	1,971	2,032	2,098	2,034	2,078	2,115	2,137	2,204
Agriculture, Forestry, Fishing and Mining	71	65	58	72	77	75	57	55	61	59
<i>Clare</i>										
All Sectors	10,444	10,927	10,703	9,997	9,945	10,011	9,842	9,865	9,827	9,960
Manufacturing & Industry	8,001	8,116	7,758	6,906	6,893	6,903	6,827	6,680	6,654	6,712
International Services	1,002	1,191	1,173	1,249	1,152	1,210	1,112	1,255	1,336	1,367
Financial & Other Services	1,373	1,572	1,733	1,786	1,844	1,846	1,864	1,892	1,811	1,855
Agriculture, Forestry, Fishing and Mining	68	48	39	56	56	52	39	38	26	26
<i>Limerick</i>										
All Sectors	16,813	17,807	17,044	15,581	14,935	14,813	14,969	15,867	15,704	14,817
Manufacturing & Industry & Agri	15,309	16,220	15,152	13,786	13,368	13,242	13,249	13,986	13,557	12,853
International Services	1,411	1,499	1,797	1,702	1,466	1,451	1,572	1,732	1,897	1,688
Financial & Other Services	93	88	95	93	101	120	148	149	250	276
<i>Tipperary North Riding</i>										
All Sectors	4,226	4,509	4,308	3,957	3,840	3,716	3,655	3,656	3,740	3,513
Manufacturing & Industry & Agri	4,046	4,333	4,118	3,758	3,639	3,601	3,545	3,549	3,630	3,413
International Financial & Other Services	180	176	190	199	201	115	110	107	110	100
<b>South West</b>										
All Sectors	40,044	45,129	45,567	45,028	44,373	45,270	45,629	45,473	44,763	45,088
Manufacturing & Industry	34,517	37,997	37,817	36,867	36,142	36,297	36,340	35,672	34,983	34,373
International Services	4,024	5,416	6,007	6,345	6,388	7,121	7,427	7,788	7,943	8,582
Financial & Other Services	1,266	1,459	1,490	1,565	1,588	1,615	1,643	1,805	1,686	2,028
Agriculture, Forestry, Fishing and Mining	237	257	253	251	255	237	219	208	151	105
<i>Cork</i>										
All Sectors	33,321	37,621	37,884	37,923	37,529	38,712	39,154	39,185	38,484	39,041
Manufacturing & Industry	29,274	32,268	31,940	31,591	31,133	31,563	31,709	31,238	30,415	30,093
International Services	3,474	4,709	5,275	5,620	5,653	6,390	6,683	7,074	7,189	7,798
Financial & Other Services	479	551	566	599	628	645	649	774	817	1,099

[Deputy Mary Coughlan.]

## Permanent Full-Time Employment By Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Agriculture, Forestry, Fishing and Mining	94	93	103	113	115	114	113	99	63	51
<i>Kerry</i>										
All Sectors	6,723	7,508	7,683	7,105	6,844	6,558	6,475	6,288	6,279	6,047
Manufacturing & Industry	5,243	5,729	5,877	5,276	5,009	4,734	4,631	4,434	4,568	4,280
International Services	550	707	732	725	735	731	744	714	754	784
Financial & Other Services	787	908	924	966	960	970	994	1,031	869	929
Agriculture, Forestry, Fishing and Mining	143	164	150	138	140	123	106	109	88	54
<i>Dublin</i>										
All Sectors	92,957	103,370	101,778	97,248	92,110	90,222	90,877	94,905	97,287	95,351
Manufacturing & Industry	49,600	51,130	47,057	43,672	41,519	39,202	37,681	37,777	37,960	35,044
International Services	36,289	43,903	45,868	43,855	40,698	40,112	41,303	43,700	43,922	44,778
Financial & Other Services	7,005	8,248	8,759	9,618	9,787	10,796	11,763	13,329	15,299	15,403
Agriculture, Forestry, Fishing and Mining	63	89	94	103	106	112	130	99	106	126
<i>West</i>										
All Sectors	26,594	29,073	29,149	27,290	27,362	27,618	28,785	28,932	28,877	28,025
Manufacturing & Industry	22,689	24,479	24,384	22,665	22,567	22,664	23,610	23,572	23,127	22,084
International Services	2,578	3,200	3,225	3,127	3,231	3,308	3,428	3,505	3,812	3,865
Financial & Other Services	750	764	848	830	906	1,048	1,085	1,135	1,225	1,395
Agriculture, Forestry, Fishing and Mining	577	630	692	668	658	598	662	720	713	681
<i>Galway</i>										
All Sectors	16,694	18,784	18,474	17,222	17,347	17,983	18,983	19,071	19,022	18,702
Manufacturing & Industry	13,679	15,324	14,931	13,853	13,885	14,388	15,149	15,163	14,914	14,370
International Services	2,139	2,556	2,550	2,423	2,512	2,532	2,729	2,782	2,942	3,060
Financial & Other Services	551	572	649	643	695	826	850	869	905	1,038
Agriculture, Forestry, Fishing and Mining	325	332	344	303	255	237	255	257	261	234
<i>Mayo</i>										
All Sectors	6,795	7,242	7,566	7,190	7,145	6,828	6,953	7,155	7,124	6,900
Manufacturing & Industry	5,988	6,264	6,491	6,068	5,979	5,670	5,824	5,903	5,726	5,539
International Services	385	565	606	640	648	694	612	649	750	688
Financial & Other Services	173	160	167	170	170	157	164	192	246	279
Agriculture, Forestry, Fishing and Mining	249	253	302	312	348	307	353	411	402	394
<i>Roscommon</i>										
All Sectors	3,105	3,047	3,109	2,878	2,870	2,807	2,849	2,706	2,731	2,423
Manufacturing & Industry & Agri	3,025	2,936	3,008	2,797	2,758	2,660	2,691	2,558	2,537	2,228
International, Financial & Other Services	80	111	101	81	112	147	158	148	194	195
<b>Mid East</b>										
All Sectors	26,506	29,138	28,967	29,215	29,435	29,391	29,199	29,615	28,585	26,381

## Permanent Full-Time Employment By Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Manufacturing & Industry	22,922	24,769	25,047	25,462	25,422	25,289	25,614	26,009	25,073	22,988
International Services	2,983	3,722	3,308	3,048	3,337	3,213	2,636	2,540	2,482	2,315
Financial & Other Services	406	429	408	428	434	631	702	812	794	889
Agriculture, Forestry, Fishing and Mining	195	218	204	277	242	258	247	254	236	189
<i>Kildare</i>										
All Sectors	13,535	15,496	15,014	15,148	15,223	15,534	16,111	16,309	15,599	14,478
Manufacturing & Industry	12,056	13,693	13,383	13,770	13,843	14,030	14,495	14,565	13,876	12,801
International Services	1,272	1,584	1,427	1,096	1,122	1,115	1,170	1,266	1,231	1,141
Financial & Other Services	126	140	136	140	146	273	337	368	385	438
Agriculture, Forestry, Fishing and Mining	81	79	68	142	112	116	109	110	107	98
<i>Meath</i>										
All Sectors	5,730	6,101	6,245	5,886	5,523	5,608	5,847	6,211	5,943	5,577
Manufacturing & Industry & Agri	5,284	5,514	5,692	5,343	5,017	4,995	5,136	5,451	5,236	4,830
International Services	274	423	412	383	329	398	500	470	442	460
Financial & Other Services	172	164	141	160	177	215	211	290	265	287
<i>Wicklow</i>										
All Sectors	7,241	7,541	7,708	8,181	8,689	8,249	7,241	7,095	7,043	6,326
Manufacturing & Industry & Agri	5,696	5,701	6,108	6,484	6,692	6,406	6,121	6,137	6,090	5,448
International Services	1,437	1,715	1,469	1,569	1,886	1,700	966	804	809	714
Financial & Other Services	108	125	131	128	111	143	154	154	144	164
International, Financial & Other Services	57	119	46	6	8	26	46	46	73	114
<i>Westmeath</i>										
All Sectors	4,152	4,644	4,876	5,046	4,600	4,551	5,022	5,000	5,137	4,712
Manufacturing & Industry & Agri	3,589	3,898	4,063	4,124	3,590	3,408	3,816	3,983	3,925	3,606
International Services	529	716	782	789	860	996	1,060	836	1,012	957
Financial & Other Services	34	28	28	130	148	144	143	178	197	147
<b>Midlands</b>										
All Sectors	12,475	12,535	12,563	12,752	12,521	12,407	13,436	13,789	13,849	13,062
Manufacturing & Industry	11,409	11,228	11,214	11,392	11,081	10,874	11,825	12,323	12,178	11,489
International Services	752	1,012	989	930	1,020	1,160	1,220	1,064	1,256	1,236
Financial & Other Services	52	43	116	199	206	207	219	246	262	185
Agriculture, Forestry, Fishing and Mining	262	252	244	231	214	166	172	156	153	152
<i>Laois</i>										
All Sectors	1,745	1,611	1,733	1,664	1,634	1,436	1,534	1,649	1,621	1,495
Manufacturing & Industry	1,554	1,409	1,472	1,409	1,409	1,213	1,299	1,386	1,355	1,229
International, Financial & Other Services	58	68	131	120	98	101	107	138	139	136
Agriculture, Forestry, Fishing and Mining	133	134	130	135	127	122	128	125	127	130

[Deputy Mary Coughlan.]

## Permanent Full-Time Employment By Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Longford</i>										
All Sectors	2,228	2,210	2,323	2,130	2,403	2,508	2,785	2,758	2,789	2,708
Manufacturing & Industry & Agri	2,102	2,086	2,205	2,046	2,291	2,408	2,702	2,646	2,692	2,641
International, Financial & Other Services	126	124	118	84	112	100	83	112	97	67
<i>Offaly</i>										
All Sectors	4,350	4,070	3,631	3,912	3,884	3,912	4,095	4,382	4,302	4,147
Manufacturing & Industry & Agri	4,293	3,951	3,585	3,906	3,876	3,886	4,049	4,336	4,229	4,033
International, Financial & Other Services	57	119	46	6	8	26	46	46	73	114
<i>Westmeath</i>										
All Sectors	4,152	4,644	4,876	5,046	4,600	4,551	5,022	5,000	5,137	4,712
Manufacturing & Industry & Agri	3,589	3,898	4,063	4,124	3,590	3,408	3,816	3,983	3,925	3,606
International Services	529	716	782	789	860	996	1,060	836	1,012	957
Financial & Other Services	34	28	28	130	148	144	143	178	197	147

## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>All Regions</b>										
All Sectors	34,390	36,084	32,791	33,151	34,337	36,512	36,500	36,350	35,230	30,871
Manufacturing & Industry	23,085	24,391	21,423	21,180	21,130	22,160	22,577	22,053	21,275	17,762
International Services	7,695	7,558	7,196	7,680	8,761	9,608	8,928	9,287	8,628	9,269
Financial & Other Services	1,973	2,324	2,398	2,554	2,706	3,090	3,338	3,411	4,037	3,156
Agriculture, Forestry, Fishing and Mining	1,637	1,811	1,774	1,737	1,740	1,654	1,657	1,599	1,290	684
<b>South East</b>										
All Sectors	3,641	3,851	3,732	3,887	3,564	3,748	4,019	2,912	3,297	3,174
Manufacturing & Industry	3,410	3,478	3,292	3,203	2,852	3,074	3,312	2,389	2,683	2,297
International Services	153	296	329	540	555	481	512	304	453	713
Financial & Other Services	16	18	40	57	73	110	87	103	79	65
Agriculture, Forestry, Fishing and Mining	62	59	71	87	84	83	108	116	82	99
<i>Carlow</i>										
All Sectors	420	524	475	369	299	303	227	238	246	181
Manufacturing & Industry & Agri	349	433	388	290	244	286	211	224	236	170
International Financial & Other Services	71	91	87	79	55	17	16	14	10	11

## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Kilkenny</i>										
All Sectors	426	404	447	478	442	535	526	604	559	515
Manufacturing & Industry	396	365	369	329	314	352	361	375	353	337
International Services	18	29	19	62	15	82	79	110	110	91
Financial & Other Services	2		32	45	66	58	31	43	50	38
Agriculture, Forestry, Fishing and Mining	10	10	27	42	47	43	55	76	46	49
<i>Tipperary South Riding</i>										
All Sectors	483	538	539	516	549	484	648	515	751	744
Manufacturing & Industry & Agri	454	499	497	477	513	442	620	493	718	704
International Services	28	37	37	34	31	39	25	21	32	39
Financial & Other Services	1	2	5	5	5	3	3	1	1	1
<i>Waterford</i>										
All Sectors	1,748	1,895	1,851	2,058	1,791	1,868	2,052	1,114	1,287	1,232
Manufacturing & Industry	1,679	1,709	1,645	1,675	1,355	1,519	1,671	928	979	652
International Services	19	129	168	340	401	267	291	98	259	526
Financial & Other Services	13	14	2	4	1	48	52	58	24	23
Agriculture, Forestry, Fishing and Mining	37	43	36	39	34	34	38	30	25	31
<i>Wexford</i>										
All Sectors	564	490	420	466	483	558	566	441	454	502
Manufacturing & Industry	541	478	400	437	428	480	460	378	407	450
International Services	17	10	18	25	53	76	101	61	45	49
Financial & Other Services		2	1	3	1	1	1	1	1	
Agriculture, Forestry, Fishing and Mining	6		1	1	1	1	4	1	1	3
<b>Border</b>										
All Sectors	4,186	4,358	4,533	4,215	4,250	4,270	4,197	3,990	3,595	3,070
Manufacturing & Industry	3,321	3,430	3,539	3,307	3,224	2,993	2,839	2,528	2,149	1,856
International Services	226	168	248	234	325	522	570	669	505	607
Financial & Other Services	355	462	446	389	413	475	513	587	793	492
Agriculture, Forestry, Fishing and Mining	284	298	300	285	288	280	275	206	148	115
<i>Cavan</i>										
All Sectors	479	581	691	639	513	477	336	318	451	463
Manufacturing & Industry & Agri	428	537	645	624	498	457	313	295	271	193
International Services	30	22	23							1
Financial & Other Services	21	22	23	15	15	20	23	23	180	269

[Deputy Mary Coughlan.]

## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Donegal</i>										
All Sectors	1,862	2,085	2,143	1,951	2,033	2,136	2,106	1,704	1,570	988
Manufacturing & Industry	1,232	1,335	1,362	1,276	1,317	1,284	1,202	806	716	571
International Services	30	47	85	70	71	154	198	211	176	162
Financial & Other Services	322	426	413	344	367	424	440	493	548	171
Agriculture, Forestry, Fishing and Mining	278	277	283	261	278	274	266	194	130	84
<i>Leitrim</i>										
All Sectors	121	90	114	181	121	154	223	231	88	181
Manufacturing & Industry & Agri	119	87	77	163	82	121	147	138	74	76
International Financial & Other Services	2	3	37	18	39	33	76	93	14	105
<i>Louth</i>										
All Sectors	1,097	925	680	731	969	901	945	1,063	814	806
Manufacturing & Industry & Agri	945	848	608	600	762	587	635	690	515	498
International Financial & Other Services	152	77	72	131	207	314	310	373	299	308
<i>Monaghan</i>										
All Sectors	289	257	425	382	275	202	320	359	326	290
Manufacturing & Industry	274	230	401	354	258	189	309	339	310	266
International Services	1	2	5	8	5	4	5	7	10	4
Financial & Other Services	9	8	6	5	2	3	3	7	2	6
Agriculture, Forestry, Fishing and Mining	5	17	13	15	10	6	3	6	4	14
<i>Sligo</i>										
All Sectors	338	420	480	331	339	400	267	315	346	342
Manufacturing & Industry	324	397	450	299	307	355	239	266	277	269
International Financial & Other Services	14	23	30	32	32	45	28	49	69	73
<b>Mid West</b>										
All Sectors	1,033	2,139	1,917	1,416	2,357	2,870	3,021	3,110	3,529	2,159
Manufacturing & Industry	918	1,672	1,294	761	1,568	2,108	2,245	2,588	2,899	1,656
International Services	115	215	438	440	524	488	513	406	410	353
Financial & Other Services		235	173	211	260	272	250	104	209	138
Agriculture, Forestry, Fishing and Mining		17	12	4	5	2	13	12	11	12



## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Clare</i>										
All Sectors	72	964	602	446	721	702	805	598	878	728
Manufacturing & Industry	72	666	395	179	316	423	484	485	603	583
International Services		85	68	78	154	28	95	42	98	61
Financial & Other Services		208	128	185	246	249	223	70	175	82
Agriculture, Forestry, Fishing and Mining		5	11	4	5	2	3	1	2	2
<i>Limerick</i>										
All Sectors	873	934	1,163	875	1,347	2,038	2,056	2,292	2,433	1,162
Manufacturing & Industry & Agri	758	779	749	513	963	1,555	1,613	1,899	2,096	823
International Services	115	129	369	361	370	460	418	364	310	291
Financial & Other Services		26	45	1	14	23	25	29	27	48
<i>Tipperary North Riding</i>										
All Sectors	88	241	152	95	289	130	160	220	218	269
Manufacturing & Industry & Agri	88	239	151	69	289	130	158	215	209	260
International Financial & Other Services		2	1	26			2	5	9	9
<i>South West</i>										
All Sectors	5,685	6,411	5,565	6,492	6,298	6,294	6,116	6,762	6,428	5,869
Manufacturing & Industry	4,347	4,993	4,016	5,122	4,649	4,605	4,491	4,788	4,376	3,827
International Services	893	876	930	758	985	1,033	918	1,216	1,343	1,375
Financial & Other Services	328	411	483	489	511	524	576	632	641	620
Agriculture, Forestry, Fishing and Mining	117	131	136	123	153	132	131	126	68	47
<i>Cork</i>										
All Sectors	4,721	5,281	4,497	5,546	5,355	5,291	5,088	5,546	5,372	4,963
Manufacturing & Industry	3,677	4,294	3,425	4,646	4,228	4,081	3,958	4,209	3,905	3,441
International Services	857	809	821	683	859	942	849	1,047	1,201	1,299
Financial & Other Services	148	140	206	189	220	212	225	238	253	217
Agriculture, Forestry, Fishing and Mining	39	38	45	28	48	56	56	52	13	6
<i>Kerry</i>										
All Sectors	964	1,130	1,068	946	943	1,003	1,028	1,216	1,056	906
Manufacturing & Industry	670	699	591	476	421	524	533	579	471	386
International Services	36	67	109	75	126	91	69	169	142	76
Financial & Other Services	180	271	277	300	291	312	351	394	388	403
Agriculture, Forestry, Fishing and Mining	78	93	91	95	105	76	75	74	55	41

[Deputy Mary Coughlan.]

## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Dublin</b>										
All Sectors	10,634	9,619	8,267	9,109	9,162	9,721	10,734	10,259	9,334	9,443
Manufacturing & Industry	4,534	4,266	3,634	3,858	3,466	3,287	4,405	3,754	3,289	3,062
International Services	5,403	4,809	4,087	4,619	5,024	5,561	5,353	5,471	4,786	5,080
Financial & Other Services	690	538	540	621	657	860	964	1,021	1,250	1,293
Agriculture, Forestry, Fishing and Mining	7	6	6	11	15	13	12	13	9	8
<i>West</i>										
All Sectors	5,288	5,401	4,813	4,821	5,516	6,204	5,171	5,701	5,842	3,986
Manufacturing & Industry	3,301	3,107	2,445	2,376	2,947	3,374	2,803	3,274	3,414	2,592
International Services	461	509	590	647	778	1,015	524	552	559	586
Financial & Other Services	467	532	579	638	654	721	762	783	921	429
Agriculture, Forestry, Fishing and Mining	1,059	1,253	1,199	1,160	1,137	1,094	1,082	1,092	948	379
<i>Galway</i>										
All Sectors	3,738	3,520	3,321	3,393	4,021	4,761	3,925	4,269	4,476	2,906
Manufacturing & Industry	2,199	1,769	1,543	1,667	2,268	2,664	2,193	2,511	2,579	1,772
International Services	424	460	527	512	504	788	370	358	452	486
Financial & Other Services	311	367	395	418	449	545	600	633	663	348
Agriculture, Forestry, Fishing and Mining	804	924	856	796	800	764	762	767	782	300
<i>Mayo</i>										
All Sectors	1,346	1,691	1,345	1,323	1,425	1,324	1,159	1,277	1,249	978
Manufacturing & Industry	910	1,165	779	618	623	607	539	621	732	735
International Services	30	43	56	123	260	211	138	184	95	87
Financial & Other Services	151	155	169	220	205	176	162	149	256	79
Agriculture, Forestry, Fishing and Mining	255	328	341	362	337	330	320	323	166	77
<i>Roscommon</i>										
All Sectors	204	190	147	105	70	119	87	155	117	102
Manufacturing & Industry & Agri	192	174	125	93	56	103	71	144	103	87
International, Financial & Other Services	12	16	22	12	14	16	16	11	14	15
<b>Mid East</b>										
All Sectors	2,764	2,759	2,534	2,265	2,309	2,418	2,387	2,664	2,312	2,228
Manufacturing & Industry	2,203	1,983	1,939	1,736	1,681	1,868	1,790	1,976	1,802	1,748
International Services	374	619	435	364	482	418	438	541	402	365
Financial & Other Services	114	123	133	126	116	102	132	115	86	95

## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Agriculture, Forestry, Fishing and Mining	73	34	27	39	30	30	27	32	22	20
<i>Kildare</i>										
All Sectors	1,181	1,185	853	695	753	921	1,242	1,324	1,109	941
Manufacturing & Industry	1,037	868	768	583	555	745	973	1,015	926	756
International Services	91	266	50	55	146	121	207	261	149	150
Financial & Other Services	10	21	15	23	25	28	38	23	18	18
Agriculture, Forestry, Fishing and Mining	43	30	20	34	27	27	24	25	16	17
<i>Meath</i>										
All Sectors	722	729	838	855	660	723	556	688	502	544
Manufacturing & Industry & Agri	542	564	633	655	555	573	413	542	331	422
International Services	149	137	168	170	84	126	108	112	128	103
Financial & Other Services	31	28	37	30	21	24	35	34	43	19
<i>Wicklow</i>										
All Sectors	861	845	843	715	896	774	589	652	701	743
Manufacturing & Industry & Agri	654	555	545	503	574	553	407	426	551	573
International Services	134	216	217	139	252	171	123	168	125	112
Financial & Other Services	73	74	81	73	70	50	59	58	25	58
<b>Midlands</b>										
All Sectors	1,159	1,546	1,430	946	881	987	855	952	893	942
Manufacturing & Industry	1,051	1,462	1,264	817	743	851	692	756	663	724
International Services	70	66	139	78	88	90	100	128	170	190
Financial & Other Services	3	5	4	23	22	26	54	66	58	24
Agriculture, Forestry, Fishing and Mining	35	13	23	28	28	20	9	2	2	4
<i>Laois</i>										
All Sectors	116	139	104	146	136	101	112	112	80	68
Manufacturing & Industry	87	133	88	118	105	72	84	88	35	36
International, Financial & Other Services	4	4	6	14	17	22	22	24	45	31
Agriculture, Forestry, Fishing and Mining	25	2	10	14	14	7	6			1
<i>Longford</i>										
All Sectors	227	179	112	109	126	150	171	139	121	114
Manufacturing & Industry & Agri	216	167	102	92	119	140	156	125	110	108
International, Financial & Other Services	11	12	10	17	7	10	15	14	11	6

[Deputy Mary Coughlan.]

## Temporary Part-Time Employment in Agency Assisted Companies by Region County and Sector

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Offaly</i>										
All Sectors	400	492	664	315	303	294	271	308	261	348
Manufacturing & Industry & Agri	390	487	658	293	281	271	220	260	208	308
International, Financial & Other Services	10	5	6	22	22	23	51	48	53	40
<i>Westmeath</i>										
All Sectors	416	736	550	376	316	442	301	393	431	412
Manufacturing & Industry & Agri	368	685	428	327	252	380	234	284	311	275
International Services	48	48	119	46	63	58	62	96	109	133
Financial & Other Services		2	2	2	1	3	4	12	10	4

**Employment Rights.**

76. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of fully trained and deployed labour inspectors with the National Employment Rights Authority; the number of inspectors currently in training; and if she will make a statement on the matter. [29250/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The National Employment Rights Authority (NERA) currently has in place a team of 77 Inspectors. One of these is currently on maternity leave and is not, therefore, available for inspections and associated duties.

All new inspectors are required to complete the NERA Inspection Services Introductory Training Programme and to undertake further training, including on-the-job training with experienced inspectors. This involves working with experienced Inspectors in carrying out inspections and other associated enquiries at places of work with a view to determining compliance with certain employment rights legislation. All Inspectors have completed the Introductory Training Programme and are fully operational.

**Public Service Staff.**

77. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of staff in her Department, including all authorities, agencies or other institutions under the aegis of her Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if she will make a statement on the matter. [29309/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** There have been 32 applications for the incentivised career break scheme within my Department. There have been 21 applications so far for the incentivised scheme for early retirement (ISER) within my Department; however, the closing date for applications for this scheme is 1 September 2009. No staff of the Department have been made redundant in the past 12 months.

The following information is in respect of applications received to date within the agencies under the aegis of my Department.

Agency/Body	Career Break Scheme	ISER
FÁS	23	20
Enterprise Ireland	0	1
Forfás	1	1
IDA Ireland	4	4
National Standards Authority of Ireland	3	0
Science Foundation Ireland	0	0
Shannon Free Airport Development Co. Ltd.	0	2
Irish Auditing and Accounting Supervisory Authority	0	0
County Enterprise Boards	1	2
The Health and Safety Authority	6	0
The Competition Authority	4	0
The National Consumer Agency	2	0
Personal Injuries Assessment Board	0	1
*Intertrade Ireland	0	0

\*No information was received from Intertrade Ireland on the uptake of either scheme.

### Redundancy

#### FÁS

42 fixed-term contract staff had their contracts terminated early in January 2009, 11 of the 42 received redundancy payments.

### Community Employment Schemes.

78. **Deputy Joan Burton** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will provide a breakdown for 2005 to date in 2009, on a county basis, of the number of recipients of one parent family allowance from the Department of Social and Family Affairs on employment schemes and the type of scheme; if she will further provide, in respect of community employment schemes, an analysis of the time spent on schemes by participants registered in each year between 2005 to 2009; and if she will make a statement on the matter. [29324/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** FÁS as an agency of my Department operates the Community Employment (CE) and Job Initiative (JI) schemes. Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons (including those with a disability) with an opportunity to engage in useful work within their communities on a fixed term basis.

The Job Initiative Programme (JI) was launched in July 1996 and provides full time employment for people who are 35 years of age or over, unemployed for five years or more, and in receipt of social welfare payments over that period.

The main purpose of the programme is to assist long-term unemployed people to prepare for work opportunities by providing participants with work experience, training and development opportunities. The programme is sponsored by voluntary organisations and public bodies involved in not-for-profit activities.

The number of recipients of One Parent Family Payment (OPFP) on both Community Employment (CE) and Job Initiative (JI) are provided in the following tables:

[Deputy Dara Calleary.]

## Number of OPFP Participants on Community Employment, by Location

Location	07/07/2009	Y/E 2008	Y/E 2007	Y/E 2006	Y/E 2005
Dublin	1,819	1,949	2,100	2,171	2,413
Carlow	75	82	73	67	73
Cavan	38	39	31	32	32
Clare	103	107	123	108	116
Cork	413	451	426	471	514
Donegal	185	195	193	175	172
Galway	197	183	161	148	176
Kerry	183	197	186	159	177
Kildare	136	133	135	134	146
Kilkenny	78	78	75	81	70
Laois	59	55	51	57	62
Leitrim	13	14	24	24	21
Limerick	246	236	245	270	303
Longford	64	70	69	66	65
Louth	209	209	208	200	232
Mayo	113	121	112	128	115
Meath	90	80	88	93	96
Monaghan	57	65	78	58	59
Offaly	56	63	67	73	63
Roscommon	33	37	40	37	36
Sligo	72	70	82	92	95
Tipperary	177	180	182	178	179
Waterford	112	112	141	141	157
Westmeath	86	94	103	99	122
Wexford	181	175	158	159	173
Wicklow	157	155	143	133	159
Total	4,952	5,150	5,294	5,354	5,826

## Number of OPFP Participants on Job Initiative, by Location

Location	07/07/2009	Y/E 2008	Y/E 2007	Y/E 2006	Y/E 2005
Dublin	193	196	208	222	245
Carlow	2	2	2	2	2
Cavan	5	5	6	6	7
Clare	10	12	13	13	13
Cork	15	17	17	17	21
Donegal	13	13	13	15	17
Galway	9	9	9	1	9
Kildare	7	7	7	7	7
Limerick	41	43	44	45	45
Louth	16	16	18	23	26
Mayo	1	1	1	1	2
Monaghan	7	7	7	9	10
Offaly	2	2	2	2	2



Location	07/07/2009	Y/E 2008	Y/E 2007	Y/E 2006	Y/E 2005
Sligo	2	2	2	2	3
Tipperary	1	1	1	1	1
Waterford	3	4	4	4	4
Westmeath	10	10	10	10	10
Wexford	4	3	3	0	3
Wicklow	2	2	2	2	2
Total	343	352	369	382	429

An analysis of the time spent on schemes by participants registered in each year between 2005 and 2009 is provided in the following CE Completed Years Duration table.

This table has been compiled based on those participants present on the system as at year-end (except where otherwise stated). Persons who have not exhausted their maximum duration on CE and who continue for a further year (or years) will show in the next calendar year's figures i.e. a person listed as having completed less than one year in 2006 and who continues on CE to date will be shown in the 1+ years' row of the 2007 column and the 2+ years' row of the 2008 column.

Figures for 2005 are unavailable at such short notice and will be provided to the Deputy at a later date.

#### CE Completed Years Durations

Completed Years	Y/E 2006	Y/E 2007	Y/E 2008	30/06/2009
<1	8,078	7,927	6,524	6,772
1+	5,745	5,283	5,078	5,352
2+	4,642	3,903	4,108	3,745
3+	1,271	2,385	2,411	2,288
4+	654	709	1,469	1,296
5+	385	428	857	849
6+	79	209	638	473
7+	17	57	381	327
Grand Total	20,871	20,901	21,466	21,102

CE Figures excluding Supervisors.

#### FÁS Training Programmes.

79. **Deputy Tom Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the additional FÁS courses and post leaving certificate courses that have been organised in south Tipperary in order to handle the huge increase of people who are unemployed in the area. [29370/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** Unemployment is increasing across the country due to the downturn in the economy and this has impacted on South Tipperary area also. This situation is unwelcome and I share the Deputy's concern in the matter.

This year the Government has almost doubled the number of FÁS activation training and work experience places for the unemployed to over 129,000. This is a substantial increase on the 66,000 places, which were available at the end of last year. The majority of these additional

[Deputy Dara Calleary.]

places are on short courses and will be delivered through three core-training initiatives, short courses, night courses and online courses. These courses are designed to develop new skills and competencies for the unemployed to assist them in securing employment.

Other new programmes which have been rolled out for the unemployed are the Work Placement Programme and the Short time Training Programme. The Work Placement Programme is a six-month work experience programme for 2,000 individuals who are currently unemployed. Under this programme individuals will retain their social welfare entitlements. The Short Time Working Training Programme will provide two days training a week for 277 workers over a 52-week period who are on systematic short time. Participants on this programme will also continue to receive their existing social welfare entitlements.

FÁS is currently providing a number of up-skilling and employment programmes in South Tipperary which is resulting in over 920 people receiving training. Between now and the end of the year FÁS anticipates that a further 12 training courses will commence in South Tipperary, varying in duration from 5 to 27 weeks. This represents a substantial training commitment in the region.

The Department of Education and Science has responsibility for governing post leaving certificate courses. The Department recently announced that it would be providing an additional 1,500 post leaving certificate (PLC) places, which will be available from September, 2009. Of these, ten additional PLC places were allocated to South Tipperary VEC. That brings the total allocation of PLC places for South Tipperary VEC to 280 and demonstrates the Government's continuing priority to support those who have lost their jobs through retraining and education.

### **EU Regulations.**

80. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reviews that her Department has undertaken of the application of the EU Regulation 2064/97 in respect of EU funding grants; and if her Department has made reference to the case of a person (details supplied); and if she will make a statement on the matter. [29379/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** My Department has not undertaken any reviews of the application of EU Regulation 2064/97.

### **Redundancy Payments.**

81. **Deputy Tom Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the length of time employers have to wait to receive their rebate of payment of statutory redundancy; the maximum waiting time for payment; the number of staff that are allocated to this task; and if she will make a statement on the matter. [29381/09]

88. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment her target for the payment of redundancy rebates to employers following the receipt of a correctly completed return in writing and electronically; and if she will make a statement on the matter. [29595/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** I propose to take Questions Nos. 81 and 88 together.

Currently, the average time it takes to process rebate applications from employers filed online is six months while claims submitted by post are taking seven months. The Redundancy Payments Section of my Department is currently processing applications filed online from

December 2009 and, those submitted by post from November 2009. In respect of lump sum payments paid directly to employees in instances where employers are unable to pay the statutory redundancy entitlements, the current processing time, assuming all of the necessary supporting documentation is filed, is between six to eight weeks.

Given the unprecedented increase in redundancy payment claims lodged with my Department in late 2008 and, to date in 2009, it has proved impossible to maintain the customer service targets that previously obtained. The scale of the challenge is evident from the statistics for the first half of 2009 showing the number of new claims lodged with my Department at 42,724 which exceeds the claims lodged for the full year 2008 (40,607) and 2008 was, of itself, an exceptional year as compared with earlier years when claims received were of the order of 25,000 or less.

Efforts have and continue to be made by the Tánaiste and I to deliver acceptable turnaround processing times for redundancy payments given the difficulties that this gives rise to for both individual employees and the business community. Measures already taken include:

- the reassignment of 19.7 additional staff (full time equivalents) from other areas of the Department to the Redundancy Payments area since early 2009 with ongoing review of trends and demands; the current number of staff serving in the Redundancy Payments Section in terms of full time equivalents is 40.2;
- the prioritisation of the Department's overtime budget towards staff in Redundancy Payments Section to tackle the backlog outside normal hours;
- the establishment of a special call handling facility to deal with the huge volume of telephone calls from people and businesses who are naturally concerned about their payments, using the facilities and cooperation of the National Employment Rights Authority (NERA);
- the provision of better quality information relating to current processing times on the Department's website;
- engagement with the Revenue Commissioners to facilitate the offset of redundancy rebate payments by employers against outstanding tax liabilities with the Revenue Commissioners.

The Tánaiste and I are arranging for the urgent reallocation within the Department of further additional resources to the area as well as the possibility of securing additional resources from other Government Departments.

### **Employment Support Services.**

82. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will report on her meeting with Employment, Social Affairs and Equal Opportunities Commissioner Spidla to discuss accessing funds from the European Globalisation Fund to help retrain workers from two companies (details supplied) who have lost their jobs; the total level of funding available per worker; the way it will be allocated to workers; and when these workers will be able to access this funding; and if she will make a statement on the matter. [29386/09]

105. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the amount of funding that has been secured from the European Globalisation Fund to help retrain workers from a company (details supplied) at Dublin Airport; the amount of funding that will be allocated in total and per worker; the mechanism that will be

[Deputy Thomas P. Broughan.]

used to allocate funding to employees; when the funding will be disbursed; and if she will make a statement on the matter. [29827/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 82 and 105 together.

At our meeting last week Commissioner Spidla reiterated that the Commission would give applications submitted from Ireland for support from the European Globalisation Fund every consideration.

In line with the revised eligibility conditions that now govern funding provided from the European Globalisation Fund, the possibilities of making an application in respect of workers from SR Technics and Waterford Crystal is also being assessed.

Independently of considerations to do with support from the European Globalisation Fund, both IDA Ireland and Enterprise Ireland continue to work with management and interested parties to encourage companies to establish viable operations and so to maximise the number of jobs at Dublin Airport to replace those lost as a result of the closure of SR Technics.

### **Departmental Agencies.**

83. **Deputy Tom Hayes** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of taskforces that have been created by her Department in the past five years; the recommendations of the taskforce created in the aftermath of the announcement of a company (details supplied) to close; and if she will make a statement on her Department's attempts to organise EU funding for the Limerick and south Tipperary area. [29390/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Mid-West Task Force is the first such task force in the last five years. For some years a range of co-ordinated structures have been in place at regional level, through arrangements such as those for the National Spatial Strategy, County Development Boards and enterprise agency co-ordination, and recent regional industrial development issues have more often been addressed through these structures than through Task Forces.

The Mid-West Task Force, which I established under the Chairmanship of Mr. Denis Brosnan, has now completed an interim report. The report was presented to me by Mr. Brosnan on 2 July and is currently being considered by Government.

At the time Dell announced on 8 January last its intention to reduce its workforce by 1,900 at its plant in Limerick, I also established a group of the relevant State agencies to prepare for a major job loss situation. Since then, FÁS has had in place a Mid West team to specifically deal with the needs of workers made redundant in Dell and other companies in the Region.

At the same time, IDA, Enterprise Ireland and Shannon Development have been working diligently to secure new investments for the region. During the past year companies like Vistakon, Zimmer, Intel, Cook, DTS and Microsemi have had announcements in the Mid West. Further agency-supported investments are currently under consideration and the agencies will continue to do everything possible to speed up such development in the region.

I submitted an application to the European Commission on 19 June 2009 under the European Globalisation Fund (EGF) seeking co-financing assistance for jobsearch, training and education supports for workers being made redundant at the DELL plant in Limerick, and in other local companies that have experienced consequential redundancies.

The EGF application must be assessed by Commission experts and thereafter approved by the full European Commission whereupon it will be forwarded for sanction for payment of the

approved level of co-financing to the European Council and the European Parliament. This process will take some months to complete in full.

The amount of funding to be allocated from the Fund will be decided by the European Commission, while the final amount accruing to the Exchequer will be determined by the numbers availing of training under the scheme.

#### **Departmental Funding.**

84. **Deputy Richard Bruton** asked the Tánaiste and Minister for Enterprise, Trade and Employment the funding allocated to the National Training Fund for 2008 and 2009; if she expects all funding will be spent in 2009; if the remainder will be carried over; the amount allocated to training schemes to date in 2009; and if she will make a statement on the matter. [29526/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The total income of the National Training Fund in 2008 was €419.2 million. For 2009 the income is estimated to be €405 million.

A total of €381.5 million has been allocated to training schemes for 2009 and it is expected that all of this will be spent during the year. Under the terms of the National Training Act 2000, any surplus remains in the accounts of the National Training Fund for investment in eligible training activity. The surplus projected for end 2009 in the Revised Estimates Volume was approximately €204.7 million.

*Question No. 85 answered with Question No. 67.*

#### **IDA Properties.**

86. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the breakdown by area of Industrial Development Authority properties; if, in each instance, the property is IDA owned or leased; if each property is currently occupied or vacant; if leased, the initial length of the lease and the remaining period of same; and if she will make a statement on the matter. [29584/09]

**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.

I have been informed that the IDA building portfolio currently consists of 139 units, of which 65 are owned by IDA and 74 are leased from private landlords (known as Private Finance).

Because of the necessity for IDA to have available a range of buildings for promotion to FDI's and E.I clients throughout the country, IDA entered into leases with private investors in the 1980's as part of the Private Finance Scheme. 83 units were provided in this scheme nationally. During the past number of years IDA has commenced a programme to exit such facilities.

In the time available it has not been possible to provide a detailed breakdown of the information requested by the Deputy, but I hope to be in a position to forward it to him by the end of next week.

#### **Departmental Funding.**

87. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number and amount of grants approved for dispersal under the CORD enterprise platform programme scheme for 2009; the amount dispersed to date; the reason for

[Deputy Leo Varadkar.]

delays in the dispersal of such grants; and if she will make a statement on the matter.  
[29585/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** **CORD** (Commercialisation Of Research and Development) The aim of the Campus Enterprise Programme is to support the development of third level campus-based companies and support towards assessing the commercial viability of innovative technologies. The programme also provides specifically designed business development and mentor facilities under the Enterprise Platform Programme. Those eligible to apply for this initiative include:

- knowledge-based campus companies;
- academic entrepreneurs;
- researchers associated with PATs and Technology Centres Programmes;
- non academics interested in establishing campus companies.

Nationally it is anticipated that 12-15 Enterprise Platform Programmes would take place in 2009 with up to 150 participants. To date four programmes have started, a further two just commencing, with an additional six due to start in the latter part of the year. Three programmes are still at the planning stage, however, Enterprise Ireland is confident these will commence in late 2009.

In regard to the number of participants which have been approved to date:

- Typically (based on past experience) Enterprise Ireland approves 40% of CORD projects in the first half of the year, with 60% being approved in the latter half.
- Earlier this year, seven participants were approved a total of €248,000 of which €71,500 has been paid out to date.
- In recent weeks, a large number of applicant interviews have been completed and the total number of participants approved by EI has increased to 31, which have been approved a total of €930,000 as of today's date. As stated, EI expects the total number of participants to increase significantly in the coming months.

*Question No. 88 answered with Question No. 81.*

### **Work-Life Balance.**

89. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the members of the National Framework Committee for Work Life Balance; the way in which they have been selected; and if she will make a statement on the matter.  
[29596/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The National Framework Committee for Family Friendly Policies was established by the Social Partners in 2000 under the Programme for Prosperity and Fairness. The committee was continued and renamed in 2003, under Sustaining Progress, as the National Framework Committee for Work Life Balance Policies. The remit of the Framework Committee has been continued under the current national partnership agreement, Towards 2016.

Representatives from the following eight organisations participate on the committee, IBEC, ICTU, the Equality Authority, the Departments Social and Family Affairs, an Taoiseach, Fin-



ance, Justice, Equality and Law Reform and Enterprise, Trade and Employment. My Department provides the chairperson and the secretariat for the Committee.

None of the committee members are personally appointed by me. It is a matter for each of the bodies participating on the committee as to who should represent them and, in practice, different people may attend from time to time depending on the issues being discussed.

### **Ministerial Appointments.**

90. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the appointments made by her to public bodies, committees, agencies, boards, and so on since her appointment; the appointee in each case and their qualifications for the appointment; and if she will make a statement on the matter. [29597/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Below is a list of appointments as requested by the Deputy.

#### *Registrar of Friendly Societies (RFS)*

Paul Farrell was reappointed as Registrar of Friendly Societies for a period of two years from 1 May 2008. A senior civil servant, he has been Registrar of Companies for some years and was originally appointed Registrar of Friendly Societies in 2003 on an interim basis pending decision on the future of the Registry of Friendly Societies.

#### *Sales Law Review Group*

The group was set up by the Tánaiste in November 2008 to review the legislation governing the sale of goods and supply of services.

#### *Membership:*

Robert Clark, Chair, is an associate professor in the School of Law, University College Dublin. He is a barrister and a consultant to Arthur Cox, Solicitors, where he specialises in commercial law, technology and life sciences issues.

Tony Burke, nominee of the Irish Exporters' Association, Head of commercial Department Mason, Hayes and Curran Solicitors.

Caterina Gardiner, LL.B (Dub.), LL.M (NUI), lecturer in law NUI Galway.

Michael Kilcoyne, nominee and Vice-Chairman of the Consumers' Association of Ireland.

Roderick Maguire, LL.B., LL.M. (Lond.), M.A., B.L., nominee and Honorary Secretary of the Bar Council of Ireland.

Sean Murphy, legal adviser to, and nominee of, the National Consumer Agency.

Richard Nesbitt S.C., Chairman of Arnotts Limited, nominee of IBEC.

Kevin O'Higgins, solicitor, nominee of the Incorporated Law Society.

Nathan Reilly, LL.B (Dub.), LL.M. (Cantab.), barrister.

Fidelma White, B.C.L., LL.B., LL.M (NUI), LL.M (Lond.), Senior Lecturer in Law University College Cork.

#### *FÁS*

Mr. Dermot Nolan, a Principal Officer in the Department of Finance.

Ms Anne Forde, Principal Officer in the Department of Education and Science.

[Deputy Mary Coughlan.]

Ms Deirdre Shanley, Principal Officer in the Department of Social and Family Affairs.

In each case these appointments followed a reorganisation of responsibilities within each Department. Each appointee and the Department represented is provided for under section 7 (1) of the Schedule, Part 1 covering Membership and Procedure of An Foras, of the Labour Services Act 1987.

### *Skillnets*

There has been one person appointed to the Board of Skillnets since my appointment. Mr. John McDermott was appointed as the representative of the Department of Enterprise, Trade and Employment. Mr. McDermott is an Assistant Principal Officer in the Department and membership of the Board of Skillnets and tasks related to that membership form part of his job specification

### *Expert Group on Future Skills Needs (EGFSN)*

Una Halligan — Chairperson.

Ms Halligan is the Government and Public Affairs Director for Hewlett Packard, Ireland, with responsibility for Government Affairs, Community Relations and PR for the Manufacturing Site. She is on the Discover Science and Engineering Taskforce and was appointed to the National Centre for Technology Development by the Minister for Education and Science. She works in an advisory capacity with a number of Government Departments and Agencies.

Ms Halligan has also served on the Board of the American Chamber of Commerce and Junior Achievement. She was appointed by the Minister for Foreign Affairs to the Chair of the Fulbright Commission and was appointed by the Taoiseach to the Board of FIT (Fast-track to IT), she also participates in a number of focus groups in ICT Ireland and IBEC.

Margaret Cox Director I.C.E. Group and Pitman Training.

Dip. H.R (UOL). Dip. Accounting & Finance. (ACCA) Dip. Systems Analysis, (NUIG). MSc. Strategic Sales Management (year 1 — UCD Smurfit Business). JEB Diploma in Education, Registered on FAS National Trainers Register.

Ms Cox was appointed a Director of I.C.E. Group in 1995. She is responsible for the strategic sales management and direction of the company. I.C.E. Group is a business solutions provider, working in the areas of Recruitment, Training and Development and out sourced IT services. Ms Cox also owns and manages Pitman Training in Galway, Sligo and Limerick. Ms Cox has over 28 years business experience and in addition to her role in I.C.E. Group she served for ten years as member of Seanad Eireann.

Ms Cox is a FÁS registered Trainer, she has professional educational qualifications in Finance, HR, Strategic Sales Management, and IT. She has participated as a mentor, business consultant and HR consultant with many organisations over the past 20 years. Additionally she has participated as a Board Member of Galway Chamber of Commerce, Galway City Enterprise Board, NESF, WHB, and Galway City Partnership.

Inez Bailey, Director, National Adult Literacy Agency

Inez Bailey has been the Director of the National Adult Literacy Agency (NALA) since 1997. NALA is an independent membership organisation, concerned with developing policy, advocacy, research and offering advisory services in adult literacy work in Ireland. Its mission is to ensure all people with literacy and numeracy difficulties can fully take part in society and have access to learning opportunities that meet their needs.

Inez joined NALA in 1995 as Programme Manager of a research and development project, funded under the EU EMPLOYMENT initiative. She co-authored the resulting research publication *Access and Participation in Adult Literacy Schemes* in 1998. As Director of NALA, Inez has been responsible for initiating the development of a quality framework, including an assessment framework for the adult literacy service, devising a major basic education distance learning project on TV and radio and mainstreaming workplace literacy programmes.

#### *IDA Ireland*

There have been two appointments to the IDA Board since my appointment. Mr. Brian Whitney, Assistant Secretary, Enterprise and Agencies Division, Department of Enterprise, Trade and Employment. Mr. Henry Garvey, Managing Director, Pramerica Systems Ireland Limited.

#### *Personal Injuries Assessment Board*

The qualifications for the appointment of members to the board are as set out in the Personal Injuries Assessment Board Act 2003. Appointments made to the PIAB Board are as follows:

Dorothea Dowling, Chairperson.

Senator Joe O'Toole, Vice-Chairperson, Nominee of Irish Congress of Trade Unions.

Patricia Byron, Chief Executive Officer.

John Fay, Nominee of Irish Congress of Trade Unions.

Tom Noonan, Nominee of Irish Business and Employers Confederation.

Jerry Fitzpatrick, Nominee of Irish Insurance Federation.

Mary O'Dea, Consumer Director, Financial Regulator.

Tanya Holly, Legal Adviser, Department of Enterprise and Employment.

Frank Cunneen, Former Chairperson, Health and Safety Authority.

Professor Denis A Cusack, Department of Forensic Medicine, UCD.

#### *Rights Commissioner Service*

John Tierney: Mr Tierney has significant experience in industrial relations/human resources. He has the required skills and competencies, and was nominated by ICTU in accordance with legislation.

Peter O'Brien: Mr O'Brien has significant experience in industrial relations/human resources. He has the required skills and competencies, and was nominated by IBEC in accordance with legislation.

#### *Science Foundation Ireland*

The following three appointments were made to the Board of Science Foundation Ireland:

Professor Pat Fottrell — re-appointed as Chairperson of the SFI Board.

Dr. Jim Mountjoy — re-appointed as Deputy Chairperson and member.

Mr. Peter MacDonagh — re-appointed as a member of the Board. The three appointments were made on the basis of the individuals' background in and experience of scientific research, corporate governance, industrial experience, higher education and public policy.

[Deputy Mary Coughlan.]

*Tyndall National Institute*

Mr. Ian Quinn was appointed to the Board of Tyndall National Institute in Cork on 30 January 2009 as my nominee from the Information and Communications Technology industry. Mr. Quinn is Chairman of Craiganna and is very much involved with enterprise and entrepreneurship in the medical devices market, and has a solid track record in business in the Life Sciences Interface area and he has an excellent knowledge of the Irish system.

*Enterprise Feedback Group*

On 3 December, 2008 I announced the establishment of an Enterprise Feedback Group (EFG) on the implementation of the Government's Strategy for Science, Technology and Innovation (SSTI) 2006-2013. I established the EFG to enable a group of stakeholder representatives with a wide spread of business expertise have a sustained dialogue with the Interdepartmental Committee (IDC) on STI; the intention being to incorporate feedback from the EFG into the continuing development of policy and programmes for achievement of the targets in SSTI. The members of the EFG are as follows:

Lionel Alexander, (Chair) Vice President and General Manager, Hewlett Packard Ireland.

Sean Baker, IT Consultant.

William Carty, Finance Director, Abbott Ireland.

Dr. Gabriel Dennison, Director, Golder Associates.

Aidan Fitzsimons, Commercial Director, Dairygold Cooperative Society.

Michael Gallagher, Managing Director, Swan Net-Gundry Ltd.

Eleanor Garvey, General Manager, Pfizer Ireland Pharmaceuticals.

Tony Golden, Managing Director, Citi Ireland.

Cathy Kearney, Managing Director, Apple Computer International.

Henry McGarvey, Managing Director, Pramerica Systems Ireland Ltd.

Sean McGrath, Chief Technical Officer, Propylon Ltd.

Martin McVicker, Managing Director, Combilift Ltd.

Julie O'Neill, General Manager, Gilead Sciences Ltd.

John O'Dea, Managing Director, Crospon.

*Enterprise Ireland*

The following persons were appointed to the Board of Enterprise Ireland since my appointment as Tánaiste and Minister for Enterprise, Trade and Employment.

Mr. Hugh Cooney (Chairman), Partner, BDO Simpson Xavier.

Ms. Máire Ní Thuathail, founder and Managing Director of EO Teilifís.

Mr. Michael McLoone, County Manager of Donegal County Council.

*Forfás*

Mr. Paul O'Toole, Director General of FÁS was appointed to the Board of Forfás.

*Shannon Development*

The following persons were appointed to the Board of Shannon Development since my appointment as Tánaiste and Minister for Enterprise, Trade and Employment.

Mr. Bob Keane, Principal Officer, DETE.

Mr. John Brassil, Brassils Pharmacy.

*High Level Action Group on Green Enterprise*

The High Level Action Group on Green Enterprise was launched by myself and the Minister for Communications, Energy and Natural Resources launched in May 2009 following on from a commitment in the Government's Framework for Sustainable Economic Renewal, Building Ireland's Smart Economy. The group is chaired by Joe Harford and is made up of representatives of industry as well as relevant senior Government Departments and Agencies:

Joe Harford as Chair;

Dr. Rosheen McGuckian;

Martin Eves;

Richard Kennedy;

Eddie O'Connor;

Declan Murphy

Claire O'Grady-Walsh;

Colin Gordon;

Brendan Touhy;

John Fitzgerald;

Clare Dunne — Department of Enterprise, Trade and Employment;

Mary Doyle — Department of the Taoiseach;

David Moloney — Department of Finance;

Sara White (Deputy Secretary General) — Department of Communications, Energy and Natural Resources;

Colm Lavery (PO as the relevant Assistant Secretary was recently promoted) — Department of Environment, Heritage and Local Government;

Declan Hughes — Forfás;

Denis Molumby — IDA Ireland;

Mike Feeney — Enterprise Ireland;

Prof J Owen Lewis — Sustainable Energy Ireland.

A number of other Departments and agencies will be invited to take part in joint meetings to enable them to contribute to the development of the Action Plan and contributions may be sought from other organisations.

**Training and Advisory Services.**

91. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the way the allocation to ICTU for education, training and advisory services has

[Deputy Leo Varadkar.]

been used for each of the past five years; and if she will make a statement on the matter. [29598/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** An annual grant is paid to assist the Irish Congress of Trade Unions in meeting the cost of providing its “Education, Training and Advisory Service” (ETAS), which provides training for union officials and activists in affiliated unions. The ETAS supports a diverse range of courses including Health and Safety, Pensions, Activist development, conflict resolution and degree courses in Business Studies. The ETAS also involves the provision of all-year-round advisory services to affiliated trade unions. The grants paid by the Department to meet costs incurred by the ICTU in the operation of the Education, Training and Advisory Services may cover up to 80% of expenditure on training and advisory services for union officials and activists. The grant drawn down in each of the past five years was:

2004 — €1,080,000;

2005 — €1,773,000;

2006 — €1,801,000;

2007 — €1,876,332;

2008 — €1,510,000.

#### **Trades Union Sector.**

92. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the way the Trade Union Amalgamation Fund has been used for each of the past five years; the trade unions which have been amalgamated; and if she will make a statement on the matter. [29599/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The Trade Union Act 1975 is designed to facilitate amalgamations and transfers of undertakings among trade unions by simplifying merger procedures and by making grants available from the Exchequer towards the costs incurred by unions in the process. The payment of grants is governed by section 15 of the Act, as amended by section 22 of the Industrial Relations Act 1990. The grants were paid in only two of the past five years as follows:

Year	Unions involved	Grant paid
		€
2008	Independent Workers Union and Seamen’s Union of Ireland (merger arrangements still in train)	9,737.05
2007	Impact and Federated Union of Government Employees (merger complete)	42,936.68

#### **Departmental Expenditure.**

93. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the breakdown of her €350,000 advertising and information budget for 2009; and if she will make a statement on the matter. [29600/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Department’s Advertising and Information Resources budget for 2009 is €351,000 which may be broken down into the following elements:



Elements of Department's Advertising and Information Resources Budget	Approximate Breakdown
	€
Advertising by the Department in newspapers for statutory and non-statutory purposes.	245,700
Subscriptions to magazines, journals etc. for official purposes for Department officials.	77,220
Photography expenses associated with the publication of major Department documents and with visits of senior EU officials and international political figures to the Tánaiste and 3 Ministers of State in the Department..	14,040
Purchase of books and other specialised media products (DVDs etc) for official purposes for Department officials.	14,040

### Proposed Legislation.

94. **Deputy Liz McManus** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding the implementation of the recommendations from the report on media mergers; and if she will make a statement on the matter. [29607/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In 2008, my predecessor, Deputy Micheál Martin, initiated a review of the legislative provisions applying to media mergers. This was aimed at examining the criteria and arrangements for considering and assessing how a proposed merger might affect the diversity of views and the concentration of ownership within and across media businesses.

The Media Merger Advisory Group was established to assist in this review, which was undertaken as part of my Department's wider review of the operation and implementation of the Competition Act 2002. It is my intention to bring forward legislation during the course of 2009, which will reform aspects of competition law, including in relation to media mergers, and which will also implement the merger of the National Consumer Agency and the Competition Authority as announced last October.

### County Enterprise Boards.

95. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment the funding to each county and city enterprise board in each of the past five years; the funding available in 2009; if similar restrictions apply to the allocation of the funding by boards as is the case of the public sector; and if she will make a statement on the matter. [29676/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** Details of the funding available to each County and City Enterprise Board for the past five years and the allocations made available to the Boards in 2009 are as follows.

The CEBs will use their 2009 funding to assist existing micro-enterprises in the survival and growth of their businesses, to assist new start-ups to the greatest extent possible and to continue to focus on the promotion and stimulation of entrepreneurship at local level. Support to the micro-enterprise sector will be provided through both direct grant aid and through the provision of business advice and mentoring and the delivery of management capability training programmes aimed at improving the skills of owner managers so as to assist the survival rate amongst micro businesses and to facilitate their future growth.

The allocation of individual budgets to the thirty-five County and City Enterprise Boards is carried out by the CEB Central Coordination Unit (CCU), which has been set up within Enterprise Ireland to carry out a number of functions in respect of the CEBs, which have been previously undertaken by this Department. In determining the 2009 allocations for individual

[Deputy Billy Kelleher.]

CEBs the CCU adopted a systematic approach to ensure the maximum degree of objectivity and equity of treatment. It is a matter for individual CEBs to determine how they will use allocated funds in the most effective manner possible (subject to meeting appropriate eligibility criteria and a number of limits and thresholds that are in place).

It is a basic expectation of boards that they will manage the delivery of their support Programmes on the basis of their allocated amount over the year as a whole. As with all State-funded assistance CEBs are expected to prioritise and manage available funding in a targeted and effective manner.

County and City Enterprise Boards Total Funding 2004 to 2009

	2004	2005	2006	2007	2008	2009
	€	€	€	€	€	€
Carlow	679,157.00	912,405.73	966,884.00	972,463.00	906,850.00	875,452
Cavan	691,983.35	919,119.87	979,413.50	1,044,086.39	961,637.00	919,699
Clare	892,506.00	948,769.75	958,638.00	895,582.00	916,340.00	925,869
Cork City	781,113.00	826,059.11	917,044.00	845,800.00	898,245.00	932,445
Cork North	431,000.00	246,789.42	264,000.00	315,700.00	347,572.00	548,480
Cork South	908,889.00	979,000.99	1,205,300.00	1,215,751.82	1,170,836.00	1,158,108
Cork West	746,819.37	1,026,662.05	885,515.42	849,711.56	929,949.00	906,769
Donegal	1,318,941.01	1,311,326.36	1,527,415.51	1,277,243.00	1,243,607.00	1,184,051
Dublin City	1,179,566.00	1,619,367.67	1,760,380.00	1,895,116.00	1,657,406.00	1,460,056
Dublin Fingal	1,231,505.00	1,220,603.88	1,367,692.00	1,203,289.00	1,167,916.00	1,037,511
Dun Laoghaire/Rathdown	1,318,232.00	1,462,915.66	1,432,724.00	1,336,994.00	1,196,658.00	1,145,011
Galway	1,078,687.01	1,111,395.79	1,107,206.59	926,098.00	1,031,292.00	1,054,658
Kerry	740,768.00	990,467.64	1,116,073.00	827,390.00	942,795.00	961,530
Kildare	683,147.00	965,003.53	1,041,886.00	1,016,498.00	941,613.00	967,770
Kilkenny	824,076.00	1,035,826.93	992,593.00	847,387.82	917,422.00	931,614
Laois	665,418.00	637,191.00	942,949.18	843,264.61	764,996.00	885,737
Leitrim	688,914.00	755,384.00	894,275.00	798,125.00	835,671.00	827,050
Limerick City	723,783.00	884,755.87	999,616.00	807,771.00	865,816.00	811,074
Limerick County	797,463.00	971,164.37	981,152.00	854,891.00	851,117.00	865,926
Longford	627,524.00	724,000.00	860,000.00	805,223.00	768,014.00	878,352
Louth	723,487.00	940,885.00	1,011,303.00	1,127,500.00	1,045,516.00	779,711
Mayo	714,514.01	957,256.79	1,195,937.51	906,960.42	972,937.00	942,754
Meath	867,574.00	1,122,236.12	960,240.00	921,194.57	1,037,750.00	939,039
Monaghan	707,681.00	681,293.00	875,442.00	963,599.00	878,291.00	1,022,617
Offaly	635,859.00	955,554.00	1,067,731.00	860,289.00	909,267.00	814,465
Roscommon	635,795.00	863,197.00	953,802.00	845,345.67	819,199.00	853,782
Sligo	798,390.00	891,433.00	1,079,606.00	995,412.00	957,270.00	770,592
South Dublin	1,169,922.00	1,052,242.21	1,283,012.00	1,144,549.00	1,201,771.00	896,499
Tipperary NR	723,070.00	884,682.02	875,389.00	866,833.00	832,404.00	877,304
Tipperary SR	682,506.00	777,779.97	920,971.00	832,181.00	836,008.00	873,241
Waterford City	653,940.00	799,978.60	772,342.00	798,069.21	772,268.00	758,765
Waterford County	709,612.00	786,132.90	794,062.00	759,054.00	740,551.00	768,099
Westmeath	777,834.00	983,771.00	1,195,939.00	1,161,611.00	925,937.00	916,374
Wexford	1,013,653.00	1,184,985.72	1,190,509.00	1,106,987.00	1,014,873.00	983,319
Wicklow	747,085.00	900,074.57	985,590.00	1,032,312.58	1,031,095.00	998,946
Totals	28,570,413.75	33,329,711.52	36,362,632.71	33,900,282.65	33,290,889.00	32,472,670

### Departmental Expenditure.

96. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason payroll costs are estimated to rise by almost €1 million in 2009 in her Department; and if she will make a statement on the matter. [29716/09]

97. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason payroll costs are estimated to rise in 2009 in the Company Registration Office, the Competition Authority, FÁS, Science Foundation Ireland and Enterprise Ireland. [29717/09]

98. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason that payroll costs are estimated to rise in 2009 even though staff numbers will fall in the Office of the Director of Corporate Enforcement, the Labour Court and the National Employment Rights Authority; and if she will make a statement on the matter. [29718/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I propose to take Questions Nos. 96 to 98, inclusive, together.

The 2009 Revised Estimates for Public Services, which were published by the Department of Finance on 23 April 2009, include details of estimated pay costs and staff numbers for 2009 for my Department, its Offices and agencies. The published Estimates also show the provisional outturn figures for 2008.

The allocation for my Department's central pay costs for 2009, under Subhead A1 of my Department's Vote, is €36.040 million. The outturn under this Subhead for 2008 was €35.554 million, a difference of €486,000.

During the early part of 2008, my Department was carrying a significantly higher number of vacancies than usual, largely arising from the turnover of staff as a result of the decentralisation process. The pay outturn for my Department for 2008 was therefore lower than expected. By the end of the year, a significant number of the vacancies had been filled and, consequently, the full year cost of these posts has been factored into the 2009 Estimate. This results in the 2009 Estimate being higher than the 2008 outturn.

The trend in funding in my Department's Vote can be more readily appreciated if the 2009 Revised Estimate provision is compared with the 2008 Revised Estimate provision rather than the 2008 outturn. The 2008 Revised Estimate for Subhead A1 in my Department's Vote was €36.364 million. The 2009 Revised Estimate for the Subhead, at €36.040 million, is €324,000 lower than the comparable 2008 figure.

Notwithstanding the reduction in the Estimate, the lower 2009 pay allocation for my Department must meet the full-year cost of pay increases awarded from 1 March 2008 and 1 September 2008 under *Towards 2016*. During 2008, my Department had to pay only ten months and four months respectively of these increases.

The same general principles outlined above apply in respect of the Offices and agencies referred to by the Deputy in his questions. To assist the Deputy in making comparisons, the following table shows the pay provision as published in the 2008 Revised Estimate Volume for each of the Offices and agencies referred to, and the comparable pay provision as published in the 2009 Revised Estimates Volume.

It will be seen that with the exception of Enterprise Ireland and Science Foundation Ireland, there has been a decrease in the pay funding provided for these bodies in 2009 compared to

[Deputy Mary Coughlan.]

the 2008 Estimates provision. This is consistent with the Government's decision in July 2008 to reduce the public sector pay bill.

The increased pay allocation for Enterprise Ireland under Subhead D1 of my Department's Vote relates to the full-year cost of additional posts sanctioned in 2008 for the Central Coordination Unit which liaises with the County and City Enterprise Boards, as well as the cost of posts which transferred to Enterprise Ireland from Shannon Development. There were corresponding reductions in the Exchequer's Capital grant to Shannon Development in 2009 in recognition of this transfer.

In the case of Science Foundation Ireland, an additional 10 posts were sanctioned with Department of Finance approval in 2008 and the full-year pay cost of these staff has been factored into the 2009 Estimate provision under Subhead F of my Department's Vote.

Finally, I would point out that the staff numbers published in the 2009 Revised Estimates Volume in relation to the Office of the Director of Corporate Enforcement (ODCE), the Labour Court and the National Employment Rights Authority present a snapshot of staff serving at a point in time and do not reflect the fact that actual numbers serving vary from month to month in line with normal staff turnover. Furthermore, staff numbers in individual Offices of my Department can vary as a result of redeployment of resources to meet work demands. For example, I have recently assigned additional staff to the ODCE because of the increased demands on that Office as a result of the investigation into the affairs of Anglo Irish Bank. However, numbers elsewhere in my Department will reduce as a consequence.

The Deputy will also appreciate that so far during 2009, the Government has introduced a range of measures to reduce public service numbers. These include a moratorium on the filling of vacancies, an Incentivised Scheme of Early Retirement, and other flexible working initiatives. These schemes are only now beginning to have effect and we will not see the full impact on the Public Service pay bill until 2010 and later years. In general, however, I fully expect that the initiatives I have referred to will lead to an overall reduction in numbers beyond those indicated in the Revised Estimates Volume.

Pay provision for certain Offices and agencies of the Department of Enterprise, Trade and Employment:

Comparison of 2009 Revised Estimates provision with 2008 Revised Estimates provision

Subhead	Description	2008 Revised Estimates Volume	2009 Revised Estimate Volume	2009 Changeover 2008 Estimate
		€'000	€'000	€'000
A1	Departmental Salaries, Wages & Allowances	36,364	36,040	-324
A9	ODCE Pay	2,681	2,655	-26
A10	Labour Court Pay	2,696	2,670	-26
A11	National Employment Rights Authority Pay	6,933	6,437	-496
D1	Enterprise Ireland Pay	65,630	65,998	368
F	Science, Technology and Innovation	10,954	11,113	159
	— of which:			
	Enterprise Ireland	6,107	6,048	-59
	Science Foundation Ireland	4,847	5,065	218
K1	FAS Pay and Pensions	114,455	113,523	-932
Q	Competition Authority Pay	4,764	4,378	-386
S1	Companies Registration Office Pay	5,953	5,713	-240

### State Agencies.

99. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the reason FÁS administration costs will rise by more than €0.25 million in 2009 according to the revised estimates; and if she will make a statement on the matter. [29719/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** FÁS administration costs and general expenses are comprised of a pay element (staff salaries and pensions) and a non-pay element (administration costs and overheads). An increase of 0.24% in 2009 was granted to FÁS to cover increases in fixed costs in areas such as insurance, rent, rates, telecoms and security, which support the basic infrastructure needed to run the organisation. These items are non-discretionary and the costs are generally outside the control of FÁS.

### Banking Sector.

100. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she has read the county and city enterprise boards' second half yearly survey; her views on its finding that credit availability has worsened in the past six months; and if she will make a statement on the matter. [29755/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I am aware of the survey carried out by the county and city enterprise boards (CEBs). The results of individual surveys, from State agencies, the enterprise sector and the banking sector can all be useful in highlighting the generality of the credit supply issue but they must all be examined in the context in which they are carried out and the methodologies applied.

The banks' recapitalisation package was about securing the long-term health of the economy and about enabling our banks to get back to the business of lending to viable projects and about saving jobs. The package includes many supports for SMEs.

- The recapitalised banks have committed to increasing their lending capacity to SMEs by 10% over 2008. This should ensure that sound businesses will receive support from their banks.
- A €100 million environmental and clean energy innovation fund is also being established by each bank as well as a further €15m each to new or existing seed capital funds. Much of this funding will flow to small and medium enterprises.
- SMEs are also covered by the Code of Conduct on Business Lending to SMEs. This code which was published by the Financial Regulator came into effect from 13 March 2009. The application of the code will promote fairness and transparency in the treatment of SMEs by the banks and should facilitate access to credit for sustainable and productive business propositions.
- Allied Irish Bank, Bank of Ireland and Ulster Bank will also provide funding for SMEs on foot of €300 million facilities provided by the European Investment Bank to assist developing SMEs.
- The recapitalised banks agreed to pay for and co-operate with the carrying out of an independent review of bank lending to SMEs. Additional banks have now participated in this review with the result that the five major lending banks are now included. The



[Deputy Billy Kelleher.]

purpose of the review is to ascertain the position on credit availability to SMEs here and to recommend appropriate action to improve credit availability. The independent review has now been submitted to my colleague, the Minister for Finance, and will be published shortly. I welcome the completion of this review as it should allow all stakeholders have an objective view of the state of lending from the banks to SMEs and provide some clarity on the level of credit being declined.

Arising from the Recapitalisation Package, the Minister for Finance, and the Tánaiste also established a Credit Supply Clearing Group with bank, business (including ISME and SFA) and State representation. This group is responsible for identifying patterns of events where the flow of credit to viable businesses appears to be blocked and for seeking to identify credit supply solutions relating to these patterns. The group is however, not an appeals mechanism for cases where credit has been refused by the banks. Individual business decisions remain the responsibility of the banks. The Credit Supply Clearing Group is being chaired by the Department of Enterprise, Trade and Employment and will work to provide a clear picture of any emerging lending patterns while facilitating direct discussion by all the relevant interests in addressing problems.

To assist and complement the work of the Credit Supply Clearing Group, I have held seven regional meetings beginning in Cork on Monday 29 June to discuss with representatives of business, banks and the State sector, their experience of gaining access to bank credit at local and regional level. To date, meetings have been held in Cork, Waterford, Dublin, Bundoran, Shannon, Galway and Athlone. The last meeting will be held in Dundalk on Monday next 13 July. In the course of these meetings, I met with local representatives of the major banks, business representatives from local Chambers of Commerce, ISME, SFA, IFA and the Irish Hotels Federation. Local representatives from the various State Agencies such as Enterprise Ireland, City and County Enterprise Boards and Fáilte Ireland, also attended. The outcome of these meetings should facilitate a greater understanding of the issue at both regional and national levels.

Outside of the banking sphere, the Department's continuous support for enterprises arises through maintaining a positive business environment and through particular interventions from the State development agencies such as Enterprise Ireland, FÁS and the County and City Enterprise Boards. The significant allocations in the Department's Estimates for 2009 for the development agencies ensures that we can continue to build on this strategy for the future.

The Government has also introduced formal arrangements to reduce the payment period by central Government Departments to their business suppliers from 30 to 15 calendar days. This commitment has effect on all valid invoices received on and from 15 June 2009 and should help ease cash flow difficulties for SMEs.

### **FÁS Training Programmes.**

101. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment when she received the last report from FÁS on the extent of waiting time and the number of people waiting for a FÁS training course. [29798/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The most recent information from FÁS indicates that the waiting time for FÁS training courses very much depends on the course type and location of the course. For example, there is a very short waiting time for FÁS E-College blended on-line training courses and the average waiting period for night courses would be for two or three weeks. For other courses



there would be a longer waiting period, partly depending on when the next course is due to begin.

### State Agencies.

102. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the funding provided to each of the local employment services in 2009; and the way in which this compares with the funding in 2008. [29805/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** In 2008 the total budget provided by FÁS, to the Local Employment Service was €19,500,000 while the expenditure amounted to €19,279,125. The budget for 2009 is €20,404,000, an increase of €1,124,875 on 2008 expenditure. Details of the funding provided to each of the Local Employment Services in 2008 and 2009 is provided in the following table:

		Expenditure	Budget
		€	€
LES01	LES Ballyfermot	738,793	779,071
LES02	LES Ballymun	1,037,177	1,032,251
LES03	LES Blanchardstown	944,541	1,004,620
LES05	LES Canal Inchicore	638,539	685,151
LES06	LES Clondalkin	882,820	907,269
LES07	LES Cork	947,129	1,031,866
LES08	LES DICP (Dublin Inner City)	1,129,020	1,152,083
LES09***	LES Drogheda	645,523	1,058,455
LES10***	LES Dundalk	387,987	
LES11	LES Finglas/Cabra	818,728	856,541
LES12	LES Galway	624,863	620,856
LES14	LES Limerick	1,477,433	1,481,180
LES15	LES Mayo	786,747	850,256
LES16	LES Monaghan	577,297	681,523
LES17	LES Northside	1,025,414	1,129,429
LES18	LES South Kerry	464,516	488,320
LES19	LES Southside (Dublin)	778,863	786,227
LES20	LES Tallaght	952,500	1,121,638
LES21	LES Tralee	647,008	654,507
LES22	LES Waterford City	591,340	665,154
LES23	LES Co. Waterford	333,637	314,936
LES24***	LES Wexford County	601,189	865,280
LES30***	LES Wexford Town	204,448	
LES26	K W C D LES (Kimmage, Walkinstown, Crumlin, Drimnagh)	609,553	609,437
LES31	Bray Partnership	516,100	600,377
LES40	LES Kildare	901,853	995,567
	LES Central Budget	16,108	28,000
		19,279,125	20,404,000

\*\*\*These LES merged as a result of a cohesion process for Partnerships undertaken in 2009. Drogheda and Dundalk have merged to Louth Partnership and Wexford Town and Wexford County have merged to Wexford Integrated Partnership.

### **FÁS Training Programmes.**

103. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment the implications for training and education opportunities for participants of the decision in relation to the provision of 400 additional community employment places which FÁS are required to provide from its existing community employment budget. [29808/09]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher):** I provided €6.6 million to FÁS in 2009 to provide an additional 400 Community Employment places. This therefore does not affect the number of activation training and work experience places for the unemployed which have been increased by 66,000 to 128,000 in 2009. This includes 92,000 training places delivered by FÁS.

### **Retail Sector.**

104. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Enterprise, Trade and Employment if, in view of the increasing concentration of the Irish supermarket retail sector and the delisting of many Irish food products, she has satisfied herself that a dominant position is not being abused; her plans to limit market share to a maximum of 20% in order to ensure real and sustained competition in the market, while maintaining a range of outlets for food producers; and if she will make a statement on the matter. [29809/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Section 5 of the Competition Act 2002 prohibits abuse of a dominant position. The creation or existence of a dominant position does not breach the Competition Acts, rather it is the abuse of that position that constitutes the breach. Should the Deputy have any evidence of undertakings in the retail sector engaging in the abuse of a dominant position, I would urge them to bring such evidence to the attention of the Competition Authority in order that it may be investigated fully.

I should point out that section 5 does not set out indicative percentages of market share for such investigations. The Competition Authority treats each case on its own merits. Therefore I have no proposals to introduce a limitation threshold.

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 particularly more pressing in these difficult economic times. Nevertheless, I do appreciate 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.

In this regard, the Government is anxious to ensure that we continue to have vibrant and successful food and retail sectors, given the important role these sectors play in the national economy. The Government accepts the importance of ensuring that there is a balance in the relationship between the various players in the grocery goods sector, which takes account of the interests of all the various parties, including the interests of consumers. My Department is currently working on the details of a Code of Practice in this area which will have as its key objective the need to achieve a balance in the relationships between grocery goods undertakings, taking into account the need to enhance consumer welfare and the need to ensure that there is no impediment to the passing-on of lower prices to consumers.

It is my intention to seek the views of all stakeholders in relation to the details of the provisions of the code, which I hope to bring forward in the coming weeks. The code in setting out the framework in which the different elements of the retail chain can enter into negotiations

and agree contractual arrangements between themselves will help to ensure that those arrangements are balanced and fair and ultimately ensure that interests of all parties, including consumers, are respected.

*Question No. 105 answered with Question No. 82.*

#### **Public Service Contracts.**

106. **Deputy Michael D’Arcy** asked the Tánaiste and Minister for Enterprise, Trade and Employment the companies which have been successful in tendering for contracts for her Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if she will make a statement on the matter. [29832/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the time available, it has not been possible to compile the information requested by the Deputy in relation to my Department and the Offices of my Department. This information is currently being compiled by my Department and I will be in touch with the Deputy shortly about the matter. However, ascertaining the information requested by the Deputy over the last 20 years would be impracticable and in my response to the Deputy I will be providing appropriate material since the formation of the current Government viz, from 2007 to date.

107. **Deputy Michael D’Arcy** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she contracted a company (details supplied) to build facilities on behalf of the State; if she is satisfied that sub-contractors were paid for works carried out; and if she will make a statement on the matter. [29846/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** Since my appointment as Tánaiste and Minister for Enterprise, Trade and Employment in May 2008, neither my Department nor the Offices of my Department have contracted the company in question to undertake any work on behalf of the Department or the Offices of the Department. The additional information requested by the Deputy is, therefore, not relevant.

*Question No. 108 answered with Question No. 68.*

#### **Fuel Costs.**

109. **Deputy Thomas Byrne** asked the Tánaiste and Minister for Enterprise, Trade and Employment the steps she will take along with her colleagues in the EU concerning oil price manipulation and its impact on the price of motor fuel. [30074/09]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** As Minister for Enterprise, Trade and Employment, my concerns in relation to fuel and oil are based on consumer and competition aspects of their markets.

From a consumer angle, the House will recall that during 2008, I requested the National Consumer Agency to undertake a survey into the underlying reasons as to why pump prices for petrol and diesel were appearing not to fall in line with the drop in the wholesale price of oil. As part of its work, the Agency benchmarked movements in prices in Ireland against those in other EU countries and it examined the frequency and the timeliness in which changes in the wholesale price were being passed on to consumers. The agency’s report on this matter was published on 19 December 2008. The report’s overall finding was that, at national level, price changes for refined petroleum products are being passed on to consumers in a relatively timely fashion. The report noted in particular, that the prices that Irish retailers charge for oil

[Deputy Mary Coughlan.]

products relate to the refinery price rather than to the price of crude oil. The refinery price for oil products varies with demand and does not always move in line with crude oil prices. There is a time lag between movements in crude prices and refined prices.

The agency's report also identified the need to improve the manner in which information on petrol and diesel prices in Ireland is collected, analysed and publicised. Currently, the vertically integrated oil companies provide oil price statistics to the Department of Communications, Energy and Natural Resources on a monthly basis. These prices are published by the European Commission in its weekly Oil Bulletin.

The timeliness and quality of oil price statistics reported by all member states has been the subject of consultation by the Commission, who concluded that the current regime did not facilitate proper comparisons between member states. I understand that the Department of Communications, Energy and Natural Resources is working with the European Commission and the Irish oil industry to improve the transparency and relevance of price statistics both in Ireland and as published in the EU oil price bulletin.

From a competition point-of-view, as the Deputy is aware, the Competition Authority is the statutory body responsible for the enforcement of competition law in the State. Section 29(3) of the Competition Act 2002 provides that the Competition Authority is independent in the performance of its functions. Under section 30(1)(b) of that Act, the Competition Authority is responsible for investigating any breach of the Act. As investigations are part of the day-to-day operational work of the Authority I have no direct function in the matter.

If the Deputy has evidence of anti-competitive practices in this or in any other sector I urge him to bring this evidence to the attention of the Competition Authority.

#### **EU Treaties.**

110. **Deputy Leo Varadkar** asked the Minister for Finance his views on whether the Maastricht criteria for entry into the euro could be relaxed to allow one or more of the Baltic states or Iceland to come into the euro area in the event of a major devaluation or debt default; and if he will make a statement on the matter. [29592/09]

**Minister for Finance (Deputy Brian Lenihan):** The conditions for participation in the euro area are defined in the Treaty and are part of the common legal framework. The criteria defined by the Treaty for adopting the euro are essential to ensure a high degree of sustainable convergence for countries entering the euro area. In the run-up to potential euro adoption, EU member states stand to benefit from a policy strategy focused on macroeconomic stability and nominal convergence. Economic and financial stability of the euro area is a common asset both for current and future members of the euro area.

The question of a non-member state joining the euro area does not arise as there is no provision in the Treaty for such a situation.

#### **Customs Service.**

111. **Deputy John O'Mahony** asked the Minister for Finance the number of private planes searched at Ireland West Airport, Knock, since 1 January to date in 2009; and if he will make a statement on the matter. [29601/09]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that a decision on whether or not to search private aircraft at Ireland West Airport Knock is taken following profiling, review of intelligence and interview with the crew/passengers.

In line with best practice in customs administration worldwide, Revenue regards the development of information and intelligence as critical to the detection of evasion and smuggling, including drug smuggling. This is very important in the case of Ireland and other EU Member States where the operating environment for Customs has been shaped to a significant degree by the introduction of the Internal Market and the related principles of freedom of movement within the EU. Of specific relevance are the abolition of routine and systematic Customs checks on goods and passengers moving within any part of the EU. The approach has of necessity been to balance the freedom of movement principle in regard to people and goods with the need to control smuggling.

A selection of private aircraft has been targeted in the period in question, involving Customs staff assembling a profile of the aircraft, undertaking covert surveillance and interviewing connected persons. However, it is not the policy of the Revenue Commissioners to publish precise details of such enforcement activities as this could prejudice current or future operations.

112. **Deputy John O'Mahony** asked the Minister for Finance when full time customs staff were assigned to Ireland West Airport Knock; and if he will make a statement on the matter. [29602/09]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that, although there are no full time Customs staff assigned to Ireland West Airport Knock, attendance is risk based and undertaken by mobile Customs enforcement staff from other nearby locations.

Attendance by Customs officers is selective and targeted and is based on analysis and evaluation of national and international seizure trends, traffic frequency, routes and other risk indicators. Attendance can also be as a result of specific intelligence. A drugs detector dog is frequently used. Flights with origins and destinations with a high-risk rating attract particular interest. Attendances by Customs officers cover the full range of flight times and are kept under constant review, in particular to take account of emerging smuggling trends and any traffic increases at the Airport.

#### **Social Insurance.**

113. **Deputy Róisín Shortall** asked the Minister for Finance his estimate of the revenue to the State if PRSI at the class A rate and at the class S rate was applied to rental income regardless of the PRSI class status of the person but once they were over the minimum thresholds. [29801/09]

**Minister for Finance (Deputy Brian Lenihan):** While PRSI primarily relates to income derived from insurable employment or self-employment, significant progress has been made over the years in expanding the scope of the social insurance system. As the Deputy is aware, at present, self employed contributors pay PRSI on rental income. In addition while employed contributors are not generally subject to PRSI on investment income and rental income there is a liability where the individual concerned also has trade, professional or partnership income in which case they are chargeable to PRSI as a self employed contributor on rental income. Therefore, a significant amount of rental income is already subject to PRSI but, in cases where it is not, it is not possible to provide an accurate estimate of the potential yield at this time.

#### **Betting Industry.**

114. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance the legislation, ministerial

[Deputy Aengus Ó Snodaigh.]

orders and departmental policies which govern betting offices; and if he will make a statement on the matter. [29874/09]

115. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance the number of investigation for breaches of the Betting Act 1931, which have taken place during each of the past ten years; the number of these investigations which resulted in convictions; and if he will make a statement on the matter. [29879/09]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 114 and 115 together.

Bookmaking and the operation of bookmaking offices are regulated in accordance with the Betting Act 1931, as amended.

I am informed by the Revenue Commissioners that detailed information is not available concerning the number of investigations undertaken for breaches of the Betting Act. The numbers of convictions in respect of offences under the Act in each of the years from 2000 to 2008 are set out in the following table:

Year	Convictions
2000	3
2001	4
2002	1
2003	2
2004	2
2005	1
2006	1
2007	0
2008	1
Totals	15

There has been one conviction to date this year.

#### **Tax Yield.**

116. **Deputy Olwyn Enright** asked the Minister for Finance the revenue which would be raised from applying income tax to child benefit; and if he will make a statement on the matter. [29901/09]

**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 times 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.

The saving expected from taxing or means testing child benefit would depend on the scheme selected. However, preliminary analysis would indicate that a yield in the region of €400 million in a full year could be achieved.



117. **Deputy James Reilly** asked the Minister for Finance the number of people who have benefited from health expenses relief per annum since 2002; the cost of same; the estimated number who will benefit from health expenses relief in 2009; the cost of same; and if he will make a statement on the matter. [30008/09]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the most recent year for which final information is available on the cost to the Exchequer, and the numbers of taxpayers availing, of tax relief for health expenses is the income tax year 2006. These figures are contained in the following table:

Health Expenses Relief

Year	Estimated cost to the Exchequer	Estimated numbers availing
	€m	
2002	65	144,000
2003	80	173,000
2004	110	218,000
2005	135	261,000
2006	165	349,000

Projections for income tax receipts are based on assumed movements in macro-economic parameters and not by reference to the costs of individual tax reliefs. Accordingly, I am not in a position to provide the data requested by the Deputy for the years 2007 to 2009 in relation to the above mentioned relief.

The numbers availing represent income earners who were in a position to absorb at least some of the tax relief and thereby give rise to an Exchequer cost. They do not include the numbers of potential claimants whose entitlements to other tax reliefs were sufficient to reduce their liability to tax to nil without reference to the specific relief. The numbers availing are rounded to the nearest thousand as appropriate.

A married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

### Faoiseamh Cánach.

118. D'fhiafraigh **Deputy Richard Bruton** den Aire Airgeadais an leasóidh sé alt 476 den Acht Comhdhlúite Cánacha 1997 ionas go mbeidh faoiseamh cánach ar fáil i leith chaiteachas an fhoghlaimeora ar chúrsaí teagaisc Gaeilge; agus an ndéanfaidh sé ráiteas ina thaobh. [28776/09]

**Minister for Finance (Deputy Brian Lenihan):** Tá faoiseamh cánach ar fáil faoi alt 476 den Acht Comhdhlúite Cánacha 1997 i gcás táillí a íocann daoine ar chúrsaí oiliúna sa teicneolaíocht faisnéise agus i dteangacha eachtracha. Caithfidh na cúrsaí oiliúna, a fhéadfaidh maireachtáil suas go dtí dhá bhliain, bheith faofa ag FÁS. Tá an faoiseamh cánach, a thugtar ar an ráta caighdeánach cánach, ar fáil do tháillí suas go dtí €1,270, faoi réir íosmhéid de €315. Chun bheith cáilithe faoi choinne an fhaoisimh ní mór do dhuine teastas inniúlachta a fháil ar chríochnú an chúrsa.

In alt 476 ciallaíonn 'teanga eachtrach' teanga seachas teanga oifigiúil an Stáit. Tá faoiseamh cánach faoin alt srianta do chúrsaí oiliúna i dteangacha eachtracha, mar soláthraíonn an Stát tacaíocht fhairsing cheana féin i gcás an Bhéarla agus na Ghaeilge do mhicléinn bhunleibhéil agus do mhicléinn ar an dara leibhéal. I bhformhór na gcúinsí bíonn na hábhair seo éigeantach

[Deputy Brian Lenihan.]

do mhicléinn bhunscoile agus do mhicléinn dara leibhéal. Os a choinne sin ní bhíonn teangacha eachtracha agus teicneolaíocht faisnéise éigeantach ag an dara leibhéal.

Tá faoiseamh cánach breise ar fáil faoi alt 473A ar tháillí a íoctar ar chúrsaí faofa oideachais tríú leibhéal i gcoláistí faofa. Níl aon sriantaí ar na teangacha atá ináirithe faoin alt seo.

Bheadh sé deacair leasú ar alt 476 chun cúrsaí i dteanga na Gaeilge a thabhairt san áireamh a chosaint nuair a chuirtear na tacaíochtaí uile Stáit atá ann don teanga Ghaeilge cheana féin san áireamh.

### Stádas na Gaeilge.

119. D'fhiafraigh **Deputy Richard Bruton** den Aire Airgeadais an gcuirfidh sé iallach ar na bainc eile a bhain leas as barántas €400 billiún agus athchaipitealú fial an Stáit rogha na Gaeilge a chur ar fáil do na custaiméirí a úsáideann na seirbhísí baincéireachta ar-líne agus na hinnill airgid acu, i bhfianaise an tiomantais don teanga atá léirithe ag banc (sonraí tugtha) cheana féin trí rogha na Gaeilge a chur ar fáil ar gach uathmheaisín bainc dá chuid, agus ós amhlaidh go ndéanann na bainc freastal ar an bpobal de bhun ceadúnais agus le cabhair ón Stát anois; agus an ndéanfaidh sé ráiteas ina thaobh. [28777/09]

**Minister for Finance (Deputy Brian Lenihan):** Is cinneadh don bhanc féin é an chaoi a gcuireann aon institiúid a seirbhísí ar fail.

Tugaim faoi deara, áfach, go bhfuil rogha Gaeilge curtha ar fáil ar uathmheaisíní ar iarratas ó chustaiméirí ag an institiúid dar thagair an Teachta. Ba mhaith liom a rá go bhfáiltím i gcónaí roimh thionscnaimh ó chomhlachtaí corpartha a chuireann an teanga náisiúnta chun cinn.

### Departmental Staff.

120. **Deputy Fergus O'Dowd** asked the Minister for Finance the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part-time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Departments presence in County Louth; and if he will make a statement on the matter. [28851/09]

**Minister for Finance (Deputy Brian Lenihan):** There are no staff employed by my Department in Co. Louth. However, I am advised by the Revenue Commissioners that the following staff numbers are employed as of 1 July (full time equivalents) and shown in the following table:

Location	Permanent	Temporary	Sub-totals
Dundalk	243.47	2	245.47
Drogheda	5.20	0	5.20
Greenore	1.55	0	1.55
Totals	250.52	2	252.22

The OPW has indicated that it is not in a position to provide all details requested within the timeframe available, but will endeavour to provide the information directly to the Deputy as soon as possible.

### Public Service Review.

121. **Deputy Richard Bruton** asked the Minister for Finance if his Department made sub-

missions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to his Department; the contents of the proposals; and if he will make a statement on the matter. [28897/09]

**Minister for Finance (Deputy Brian Lenihan):** At the commencement of its work, the *Special Group on Public Service Numbers and Expenditure Programmes* requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. Such papers were prepared in respect of the Finance Group of Votes. The Special Group met the Secretary General of the Department of Finance, Chairman of the Revenue Commissioners and the Chairman of Commissioners of Public Works in the course of its deliberations.

I have recently received the Report of the Special Group, and I will be bringing the Report to Government in the near future. Decisions on the release of the Report and associated documents will be made by Government in that context.

### **Flood Relief.**

122. **Deputy Richard Bruton** asked the Minister for Finance if his attention has been drawn to a second incident within ten months on which houses (details supplied) in Dublin 5 have been flooded; his assessment of the causes and of he will commit to undertake remedial works. [28909/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Clanmoyle Road in Donnycarney is among a number of areas in Dublin, where homes were badly flooded by the recent stormwaters. At present, Dublin City Council is making an assessment, and a report will outline some of the options for dealing with the flood risk in this area. At a scheduled meeting between Dublin City Council and the Office of Public Works, the issue will be discussed further to plan how best to proceed.

### **Banking Sector.**

123. **Deputy Ciarán Lynch** asked the Minister for Finance if, in view of the public attention surrounding the examinership of a company (details supplied) and the issues relating to depositors and the potential that finances required to fund the scheme of arrangement proposed by the examiner will emanate from Anglo Irish bank, he will ensure that the bank and the company will act in the wider public interest and with due regard to persons who paid deposits for dwellings which will not be built; and if he will make a statement on the matter. [29237/09]

**Minister for Finance (Deputy Brian Lenihan):** As the Deputy is aware Anglo Irish Bank is being run on a commercial basis and at arms length from Government. Decisions of a commercial nature, such as this, are a matter for the Bank. Further, as the matter which the Deputy refers is subject of Court proceedings it would not be appropriate for me to comment.

### **Tax Yield.**

124. **Deputy Ciarán Lynch** asked the Minister for Finance the amount of revenue which has been raised from the sale of bioethanol fuels; the way the revenues raised compare with the targets set in the programme for Government; and if he will make a statement on the matter. [29238/09]

**Minister for Finance (Deputy Brian Lenihan):** It is assumed that the Deputy is referring to the Biofuels Mineral Oil Tax Relief Scheme provided for in the Finance Act 2006. Under that Scheme, biofuel produced under projects approved by the Department of Communications, Energy and Natural Resources are exempt from mineral oil tax (excise duty). This serves to reduce the additional costs associated with the production of biofuels and consequently allows

[Deputy Brian Lenihan.]

them to compete with conventional fossil fuels. This fiscal incentive was designed to help kick-start the domestic biofuels industry. Long-term general excise reliefs are not anticipated. I am advised by the Revenue Commissions that any deliveries of bioethanol have taken place in the context of the above Scheme and have not, therefore, been liable to mineral oil tax.

Under the Biofuels Mineral Oil Tax Relief Scheme, while the take-up has been slower than had been anticipated especially during the early part of the Scheme, over 50 million litres of bioethanol has been delivered to date, resulting in over €23 million in mineral oil tax being relieved.

The Programme for Government does not as such contain specific targets in relation to the sale of bioethanol or indeed biofuels generally. However, the Government did signal its intention to move to a Biofuels Obligation Scheme. In that regard, I understand my colleague, the Minister for Communications, Energy and Natural Resources will be bringing proposals to Government concerning the legislation required in order that the Biofuels Obligation Scheme can be introduced in 2010. The introduction of the obligation will require all fuel suppliers to ensure that biofuels represent a certain percentage of their annual fuel sales. The obligation is designed to provide a long-term market based framework for the development of a biofuels sector and delivery of biofuels targets to 2020.

### **EU Directives.**

125. **Deputy Denis Naughten** asked the Minister for Finance when he will enact the payment services directive into law; if it is intended to include provisions covering direct debit charges and penalties for consumers not using such a payment mechanism; and if he will make a statement on the matter. [29259/09]

**Minister for Finance (Deputy Brian Lenihan):** I refer to my answer to Question No. 297 of 27 January 2009.

EU Member States are required to transpose the Payment Services Directive into national law before 1 November 2009. Regulations to give effect to the Directive in Irish law will be made under the European Communities Acts 1972 to 2007 and I intend that these regulations will be made in good time to enable prospective payment institutions to become authorised or registered in accordance with the Directive by 1 November 2009.

Prior to the making of the regulations, my Department will consult on the draft text of the transposing regulations. Final decisions on the use of the various national discretions available in the Directive will be taken following the consultation.

Article 52(3) of the Directive prohibits payment service providers from preventing merchants applying a surcharge or offering a reduction for the use of a given payment instrument, in order to ensure that the costs of efficient and inefficient payment instruments are transparent. While Article 52(3) contains an optional provision for Member States to forbid or limit the right to request such surcharges for the use of a particular payment instrument, a substantive case, consistent with the objectives of the Directive, has not been made to me that would lead me to consider availing of this option.

### **Banking Sector Regulation.**

126. **Deputy Joan Burton** asked the Minister for Finance if he will introduce a code of practice in respect of lending by financial institutions to their senior staff including requirements for the institution to monitor and regulate such lending, particularly where such lending becomes impaired; if his attention has been drawn to the problems in the impairment of such lending at institutions covered by the bank guarantee or other financial institutions; and if he will make a statement on the matter. [29300/09]

**Minister for Finance (Deputy Brian Lenihan):** The Financial Regulator has the statutory authority and responsibility to regulate and supervise credit institutions. The Financial Regulator recently carried out a review of loans to directors in financial institutions and is imposing conditions on banks and building societies following this review.

With regard to staff, the Financial Regulator has informed me that it expects the Board and management of financial institutions to ensure that proper controls and procedures are in place in relation to staff lending. In a situation where the Regulator became aware of staff in senior positions who may be, or may be seen to be, compromised because the value of lending or because of the impairment of such lending from that institution, the Regulator would seek to ensure that the position was rectified.

127. **Deputy Joan Burton** asked the Minister for Finance if he has examined the regulation of the Irish Financial Services Centre based companies, particularly those involved in the insurance and re-insurance sectors; if he is satisfied that the potential negative impact on the Exchequer in the event that one or more of these companies failed is not unsustainable; and if he will make a statement on the matter. [29301/09]

**Minister for Finance (Deputy Brian Lenihan):** All insurance and reinsurance undertakings, including those undertakings transacting international business, are obliged under EU rules to hold assets to cover their liabilities as well as a solvency margin, which acts as a buffer against adverse developments. In Ireland, insurance and reinsurance undertakings operate at a level above the EU minimum standard as an additional safety measure. The combination of these requirements together with close monitoring of solvency by the Financial Regulator is designed to minimise the risk of failure.

However, in the case of a threat of failure of a non-life insurance company, a life insurance company or a reinsurance company, a company is required to submit a financial recovery plan and ultimately an Administrator could be appointed to manage the business with a view to placing it on a sound commercial and financial footing. Also, provisions in insurance legislation protect the interests of policyholders in the event of insolvency. Consequently, the above measures act to mitigate any potential negative impact on the Exchequer in the event of a failure of an insurance or reinsurance company.

Finally, it should be noted that any new applications for business in Ireland are rigorously assessed from a regulatory viewpoint and are also considered by the Central Bank from a financial stability perspective where this is relevant.

#### **Public Service Staff.**

128. **Deputy Joan Burton** asked the Minister for Finance the number of civil and public servants as at end 2008 and at present, broken down by Department and, within each Department, by authority, agency or other institution under the aegis of that Department; and if he will make a statement on the matter. [29302/09]

**Minister for Finance (Deputy Brian Lenihan):** The number of people employed in the public service at the 31 December 2008 and the most recent available information, as reported to my Department, is presented in the following table. The public service is composed of the civil service, the education sector, the justice sector, the health sector, the local authorities and the non-commercial agencies. With regard to the 2009 numbers, the reported numbers for the civil service, defence sector and justice sector are for May 2009, the local authority and education sector numbers are for March 2009 and the health sector numbers are for April 2009. The updated numbers of people employed in the non-commercial agencies are currently being compiled and are not available at this time.

[Deputy Brian Lenihan.]

Public Service Numbers for Departments/Offices, Sectors and Agencies — Whole Time Equivalents (figures rounded to nearest whole number)

	Dec-08	May-09
<b>DEPARTMENT OF AGRICULTURE, FISHERIES AND FOOD</b>		
<i>Civil Service</i>	4,289	4,160
<i>NCSSBs</i>		
Bord Bia	96	—
Bord Iascaigh Mhara	143	—
Marine Institute	196	—
National Milk Agency	6	—
Sea Fisheries Protection Authority	101	—
Teagasc	1,574	—
<b>DEPARTMENT OF ARTS, SPORTS &amp; TOURISM</b>		
<i>Civil Service</i>	174	161
<i>NCSSBs</i>		
Arts Council	62	—
Bord Scannan na hÉireann — Irish Film Board	16	—
Chester Beatty Library	36	—
Fáilte Ireland	389	—
Irish Museum of Modern Art	68	—
Irish Sports Council	29	—
National Concert Hall	68	—
National Library of Ireland	122	—
National Museum of Ireland	181	—
National Sports Campus Development Authority	4	—
SFADCo (Tourism)	31	—
Tourism Ireland	162	—
<b>NATIONAL GALLERY</b>	59	57
<b>DEPARTMENT OF COMMUNICATIONS ENERGY &amp; NATURAL RESOURCES</b>		
<i>Civil Service</i>	301	292
<i>NCSSBs</i>		
Broadcasting Commission of Ireland	38	—
Central Fisheries Board	85	—
Commission for Communication Regulation	120	—
Commission for Energy Regulation	68	—
Digital Hub Development Authority	15	—
Eastern Regional Fisheries Board	53	—
Foyle, Carlingford and Irish Lights Commission	53	—
National Oil Reserves Agency	5	—
Northern Regional Fisheries Board	43	—
North-Western Regional Fisheries Board	50	—
Shannon Regional Fisheries Board	53	—
Southern Regional Fisheries Board	40	—
South-Western Regional Fisheries Board	39	—



	Dec-08	May-09
Sustainable Energy Ireland	59	—
Western Regional Fisheries Board	61	—
DEPARTMENT OF COMMUNITY, RURAL & GAELTACHT AFFAIRS		
<i>Civil Service</i>	273	270
<i>NCSSBs</i>		
Boord o Ulster-Scotch (An Foras Teanga)	16	—
Foras na Gaeilge (An Foras Teanga)	50	—
Údarás na Gaeltachta	113	—
Waterways Ireland	343	—
Western Development Commission	17	—
DEPARTMENT OF DEFENCE		
<i>Civil Service</i>	408	397
<i>Defence Sector</i>	11,265	11,109
<i>NCSSBs</i>		
Coiste an Asgard	0	
DEPARTMENT OF EDUCATION & SCIENCE		
<i>Civil Service</i>	1,681	1,681
<i>Education Sector</i>	93,409	93,508
<i>NCSSBs</i>		
Dublin Institute for Advanced Studies	65	—
Further Education and Training Awards Council (FETAC)	53	—
Grangegorman Development Agency	6	—
Higher Education and Training Awards Council (HETAC)	30	—
Higher Education Authority	59	—
Irish Research Council for Science, Engineering and Technology	6	—
Irish Research Council for the Humanities and Social Science	7	—
National Education Welfare Board	103	—
National Qualifications Authority of Ireland	24	—
Royal Irish Academy	67	—
Royal Irish Academy of Music	70	—
DEPARTMENT OF ENTERPRISE, TRADE & EMPLOYMENT		
<i>Civil Service</i>	1,105	1,089
<i>NCSSBs</i>		
City and County Enterprise Boards	122	—
Competition Authority	48	—
Enterprise Ireland	903	—
Foras Áiseanna Saothair	2,242	—
Forfás	130	—
Health and Safety Authority	200	—
IDA Ireland	282	—
InterTrade Ireland	43	—
Irish Auditing and Accounting Supervisory Authority	11	—
National Consumer Agency	54	—
National Standards Authority of Ireland	157	—

[Deputy Brian Lenihan.]

	Dec-08	May-09
Personal Injuries Assessment Board	75	—
Science Foundation Ireland	48	—
SFADCo Ltd (Industrial)	132	—
DEPARTMENT OF ENVIRONMENT, HERITAGE AND LOCAL GOVERNMENT		
<i>Civil Service</i>	1,218	1,183
<i>Local Authorities</i>	35,008	34,179
<i>NCSSBs</i>		
Affordable Homes Partnership	11	—
An Bord Pleanála	167	—
Dublin Docklands Authority	47	—
Environmental Protection Agency	358	—
Heritage Council	16	—
Housing Finance Agency	12	—
Irish Water Safety Association	6	—
Limerick Northside Regeneration Agency	7	—
Limerick Southside Regeneration Agency	9	—
Local Government Computer Services Board	94	—
Local Government Management Services Board	30	—
National Building Agency	61	—
Private Residential Tenancies Board	23	—
Radiological Protection Institute of Ireland	48	—
DEPARTMENT OF FINANCE		
<i>Civil Service</i>	631	619
<i>NCSSBs</i>		
Special EU Programmes Body	62	
COMMISSION FOR PUBLIC SERVICE APPOINTMENTS		
COMPTROLLER & AUDITOR GENERAL	12	12
OFFICE OF PUBLIC WORKS	154	151
OMBUDSMAN	722	703
PRESIDENTS ESTABLISHMENT	94	92
PUBLIC APPOINTMENTS SERVICE	21	21
REVENUE COMMISSIONERS	146	142
STATE LABORATORY	6,659	6,535
VALUATION OFFICE	91	97
DEPARTMENT OF FOREIGN AFFAIRS	158	158
DEPARTMENT OF HEALTH & CHILDREN		
<i>Civil Service</i>	1,245	1,301
<i>Health Sector</i>		
<i>NCSSBs</i>		
An Bord Altranais — The Nursing Board 1985	522	524
Children's Act Advisory Board	111,493	111,642
	49	—
	14	—

	Dec-08	May-09
Crisis Pregnancy Agency	15	—
Dental Council 2001	5	—
Food Safety Authority of Ireland	90	—
Food Safety Promotion Board	26	—
Health & Social Care Professionals Council 2007	1	—
Health Information and Quality Authority	74	—
Health Insurance Authority	9	—
Health Research Board	84	—
Irish Medicines Board	245	—
Mental Health Commission	32	—
National Cancer Registry Board	47	—
National Cancer Screening Service	259	—
National Council for the Professional Development of Nursing and Midwifery	12	—
National Council on Ageing and Older People	8	—
National Paediatric Hospital Development Board	1	—
National Social Work Qualifications Board	7	—
National Treatment Purchase Fund	46	—
Office of Tobacco Control	9	—
Opticians Board 1956	19	—
Pharmaceutical Society of Ireland 1875	19	—
Postgraduate Medical and Dental Board	16	—
Pre-Hospital Emergency Care Council	16	—
Women's Health Council	5	—
<b>DEPARTMENT OF JUSTICE, EQUALITY AND LAW REFORM</b>		
<i>Civil Service</i>	9,176	9,023
<i>Justice Sector</i>	15,384	15,300
<i>NCSSBs</i>		
Human Rights Commission	20	—
National Disability Authority	41	—
<b>COURTS SERVICE</b>	1,098	1,077
<b>DEPARTMENT OF SOCIAL &amp; FAMILY AFFAIRS</b>		
<i>Civil Service</i>	4,610	4,793
<i>NCSSBs</i>		
Citizens Information Board	86	—
Combat Poverty Agency	24	—
Family Support Agency	39	—
Pensions Board	42	—
<b>DEPARTMENT OF THE TAOISEACH</b>		
<i>Civil Service</i>	235	231
<i>NCSSBs</i>		
National Economic and Social Development Office	19	—
<b>ATTORNEY GENERAL</b>	128	127
<b>CENTRAL STATISTICS OFFICE</b>	847	818

[Deputy Brian Lenihan.]

	Dec-08	May-09
CHIEF STATE SOLICITOR	245	242
DIRECTOR OF PUBLIC PROSECUTIONS	197	198
DEPARTMENT OF TRANSPORT		
<i>Civil Service</i>	581	572
<i>NCSSBs</i>		
Commission for Aviation Regulation	19	—
Commission for Taxi Regulation	37	—
Medical Bureau of Road Safety	34	—
National Roads Authority	144	—
Railway Safety Commission	8	—
Road Safety Authority	319	—
OIREACHTAS	497	498

129. **Deputy Joan Burton** asked the Minister for Finance the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29311/09]

**Minister for Finance (Deputy Brian Lenihan):** The following table sets out the position in relation to staff in my Department and bodies under its aegis who have applied for the Incentivised Early Retirement Scheme, the Incentivised Career Break Scheme and who have been made redundant in 2009 to date.

Department/Office	Incentivised Early Retirement Scheme	Incentivised Career Break Scheme	Redundancies
Department of Finance	17	6	0
National Treasury Management Agency	2	0	0
Revenue Commissioners	150	106	1
Office of Public Works	8	33	0
Public Appointments Service	0	3	0
State Laboratory	1	2	0
Valuation Office	0	1	0
Commission on Public Service Appointments	0	1	0
Comptroller & Auditor General	8	2	0
Office of the Appeals Commissioner	0	0	0
Ombudsman's Office	0	1	0
IPA	0	0	0
ESRI	0	0	1

### Tax Yield.

130. **Deputy Joan Burton** asked the Minister for Finance the total revenue in each month

since their introduction to date from the income levy and the pension levy; and if he will make a statement on the matter. [29318/09]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the estimated amounts of Income Levy collected in each month to date in 2009 are contained in the following table:

Month	Income Levy
	€m
February	53
March	57
April	61
May	56
June	103

The figure for the month of June is provisional and subject to revision.

The latest available detailed receipts for the pension related-deduction on public service remuneration are to end-May and total to just under €200 million. The table below shows the receipts for each month since the introduction of the pension-related deduction on 1 March 2009. These figures do not include receipts from the employees of Local Authorities.

Month	Pensions Related Deduction
	€m
March	10.5
April	84.6
May	100.0

The overall yield for 2009 is anticipated to be in line with the latest published estimates, which take account of the changes to arrangements introduced in the April 2009 Supplementary Budget.

### **Insurance Industry.**

131. **Deputy Joan Burton** asked the Minister for Finance if he will support the general regulation of insurance companies through an EU regulatory framework which addresses the issue of burden sharing; and if he will make a statement on the matter. [29319/09]

**Minister for Finance (Deputy Brian Lenihan):** The 2008 EU Memorandum of Understanding (MoU) on co-operation between the Financial Supervisory Authorities, Central Banks and Finance Ministries of the European Union on cross-border financial stability commits all signatories to cooperate across borders between relevant authorities, both in normal times, in order to ensure preparedness for the management of a potential cross-border crisis situation; and in crisis situations. It should be noted that the MoU is not legally binding.

The MoU contains a commitment on burden-sharing which recognises that issues related to the sharing of potential burdens must be sufficiently addressed before any crisis.

The voluntary nature of burden sharing arrangements is important, in line with the European Council conclusions of 18/19 June 2009 which note that “Recognizing the potential or contingent liabilities that may be involved for Member States, the European Council stresses that

[Deputy Brian Lenihan.]

decisions taken by the European Supervisory Authorities should not impinge in any way on the fiscal responsibilities of Member States”.

### Tax Code.

132. **Deputy Joan Burton** asked the Minister for Finance the number of claims made for one-parent family credit, under section 462, Taxes Consolidated Act 1997 in each year from 2000 to 2009 inclusive; if he will provide an analysis of claims made by status of the claimant, such as widow-widower, lone parent, separated parent or divorced; and if he will make a statement on the matter. [29320/09]

133. **Deputy Joan Burton** asked the Minister for Finance the number of claims made for one parent family credit, under section 462, Taxes Consolidated Act 1997 in each year from 2000 to 2009 inclusive, broken down by sex of the claimant; and if he will make a statement on the matter. [29321/09]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 132 and 133 together.

I am informed by the Revenue Commissioners that the estimated numbers of income earners availing of the one parent family credit, under section 462, Taxes Consolidated Act 1997, broken down by personal status and by gender for the income tax years 2000/01 to 2009 inclusive are set out in the following tables to the extent to which they are available.

#### Breakdown by personal status

Income Tax Year	Widow/Widower	Other Lone Parent	Total one parent families
2000/01	10,350	90,850	101,200
2001	9,850	87,750	97,600
2002	9,950	92,800	102,750
2003	10,200	99,000	109,200
2004	9,300	92,400	101,700
2005	9,300	115,600	124,900
2006	10,650	112,450	123,100
2007*	9,900	126,800	136,700
2008*	9,700	126,650	136,350
2009*	9,250	123,000	132,250

#### Breakdown by gender

Income Tax Year	Male	Female	Total one parent families
2000/01	28,950	72,250	101,200
2001	29,000	68,600	97,600
2002	32,400	70,350	102,750
2003	35,650	73,550	109,200
2004	38,300	63,400	101,700
2005	43,200	81,700	124,900
2006	44,600	78,500	123,100
2007*	47,200	89,500	136,700
2008*	47,050	89,300	136,350
2009*	45,650	86,600	132,250

\*Provisional and likely to be revised.



Figures in the tables are rounded to the nearest fifty.

The numbers availing of the credit represent income earners who were in a position to absorb at least some of the one parent family tax credit and thereby give rise to an Exchequer cost. They do not include the numbers of potential claimants whose entitlements to other tax credits were sufficient to reduce their liability to tax to nil.

The figures for the years 2000/01 to 2006 inclusive are based on incomes data derived from income tax returns held on Revenue records and have been grossed up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data was extracted for analytical purposes. For the years 2007 to date the figures are estimates from the Revenue tax forecasting model using actual data for the year 2005 adjusted as necessary for income growth for the years in question.

The breakdown requested in relation to separated and divorced parents either could not be obtained or could not be obtained without conducting a protracted examination of the Revenue Commissioners' records.

134. **Deputy Joan Burton** asked the Minister for Finance the number of the claims made for one-parent family credit, under section 462, Taxes Consolidated Act 1997 in each year from 2000 to 2009 that were audited; the proportion of the claims examined that were rejected in each year; and if he will make a statement on the matter. [29322/09]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that credit claims and requests for refunds from PAYE taxpayers are checked on a tiered basis based on value. Larger claims are subject to a higher proportion of examination as they are thought to be higher risk. I am further advised that overall, about 1% of claims for all tax credits, including One Parent Family Credit, are verified in this way. Some claims may subsequently be selected for a verification check. Where it seems from the checks carried out that the claim is not valid, the credit will be withdrawn. Results of claims checked are recorded at case level, not centrally and are not credit specific. Consequently, it is not possible to provide the information requested.

I am also advised by the Revenue Commissioners that in taking this approach to PAYE credit claims, they are applying the principles of presumption of honesty and self-assessment to PAYE workers that have worked successfully for business taxpayers since 1988. Where credits (including one parent family credit) are claimed by self-employed taxpayers, this is done on the standard return of income. These returns are all subject to audit and compliance checks in the normal way.

135. **Deputy Joan Burton** asked the Minister for Finance the amount of tax forgone by the granting of a deduction for interest against rents assessable under case V, schedule D in the years 2001 to date in 2009. [29325/09]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that based on personal income tax returns filed by non-PAYE taxpayers for the years 2003 to 2007, the latest year for which this information is available, the estimated amount of tax foregone by allowing a deduction for interest on borrowings to be offset against rental income assessable under Case V, Schedule D is set out in the following table.

[Deputy Brian Lenihan.]

Year	Estimated Tax Forgone
	€m
2003	222
2004	284
2005	393
2006	594
2007	877

The estimates are based on assuming that tax relief was allowed at the top income tax rate of 42% (up to 2006) and 41% (2007) the figures provided could therefore be regarded as the maximum Exchequer cost in respect of those taxpayers.

Corresponding suitable data is not available for the years 2001 and 2002. I am advised by the Revenue Commissioners that data for the tax year 2008 is not yet available as the appropriate income tax returns for that year are not due for filing until October and November 2009. It should be noted that any corresponding data returned by PAYE taxpayers in the income tax return form 12 is not captured in the Revenue computer system. However, any PAYE taxpayer with non-PAYE income greater than €3,174 is required to complete an income tax return form 11. This return is the source of the figures provided in this reply. Projections for income tax receipts are based on assumed movements in macro-economic parameters and not by reference to the costs of individual tax reliefs. Accordingly, I am not in a position to provide the data requested by the Deputy for the year 2009 in relation to this relief.

#### Customs Service.

136. **Deputy Joe McHugh** asked the Minister for Finance the date on which the new cutter vessel to patrol the north-west coast will be delivered in accordance with the contract worked out with the suppliers of same; the County Donegal port in which the vessel will be based; the number of custom coastal patrols carried out at the coastline in Donegal since 1 May 2009; the number of joint patrols carried out with Irish coastguards since 1 January 2009; the number of visits from customs and excise to community groups in Donegal to inform and advise these groups of the increased demand for all types of drugs; and if he will make a statement on the matter. [29337/09]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that they will be taking delivery of the new cutter at the end of September 2009. Following normal sea-trials the cutter will be brought into service in mid October 2009. This will bring the number of Revenue Customs cutters to two.

Both cutters will have a national remit, to include the Donegal coastline. Either or both vessels can and will be deployed to patrol and carry out operations in Donegal as and when required. Apart from routine patrolling any such deployment will be risk-driven. Neither of the cutters will be based exclusively in Co. Donegal.

The existing cutter was continuously deployed to the North West Region from May 14 to June 12, 2009, and was available for deployment at short notice to Donegal if required during all of that period. As part of that deployment the cutter operated exclusively off the Donegal coastline during the continuous period from June 7 to June 12.

The Revenue Customs Service does not carry out joint patrols with the Irish Coastguard Service. In this context it should be noted that the Irish Coastguard Service is not a law enforcement agency for the purposes of drugs interdiction and has no legal competence in such matters.

Revenue personnel are tasked with drugs detection on the coastline or at the borders. Gardaí are tasked with drugs interdiction within the State. On the introduction of the “Drugs Watch” scheme, Revenue Customs personnel gave a number of presentations to community groups in Donegal. More recently the Gardaí have taken over this function, as it is seen to fall more within their remit and they now regularly speak at schools and to community groups. Revenue personnel involved in drugs interdiction run a stand at the Fish Ireland event in Killybegs and maintain ongoing contact with locals along the Donegal coastline, fishermen, marina owners, coastguard personnel and harbour masters.

Revenue is a participant in the National Drugs Strategy and works closely with the other agencies involved in implementing that Strategy. Last year Revenue launched its own internal Strategic Plan for Drugs Interdiction. It recognises the fact that Revenue Customs officers and other agencies (national and international) and community groupings must work in co-operation with each other in the fight against smuggling of narcotics. It also recognises the increasing importance of interaction with community groups in coastal areas, which is effected through our Drugswatch programme. That Strategic Plan is being operated across the organisation.

### **National Flag.**

137. **Deputy Lucinda Creighton** asked the Minister for Finance when a response to Parliamentary Question No. 77 of 28 May 2009 will be forthcoming. [29350/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Arrangements are being put in place to exercise the right to fly the national flag at the premises mentioned, which right, while not exercised for some time, has not lapsed.

### **Financial Services Regulation.**

138. **Deputy Tom Hayes** asked the Minister for Finance the agreement between his Department and the Financial Regulator on the high costs to consumers of opting out of fixed-rate mortgages; if a final decision has been made regarding these payments; if the Financial Regulator has finished consulting with the various banking institutions on this matter; the steps he will take on same; and if he will make a statement on the matter. [29366/09]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy’s question refers to the commitment I gave in this House on 26 March 2009 to request the Consumer Director in the Financial Regulator — which has a statutory mandate to safeguard customers’ interests — to examine the level of redemption fees charged by banks to customers wishing to exit from fixed rate mortgages. My Department received a copy of the Financial Regulator’s report on this matter on 29 June 2009.

The report sets out that the Financial Regulator requested specific information from 26 lenders on how early redemption fees quoted to customers are calculated. Of the 26 lenders, 25 confirmed to the FR that they did not impose any fees in respect of the early redemption of a fixed rate home loan other than those which would arise in the context of a normal redemption of any mortgage. In one case a €95 fee approved under the Consumer Credit Act, 1995 is charged by the lender for breaking a fixed rate mortgage.

The FR’s report states that independent actuarial confirmation was also sought from all of the lenders to substantiate the case that the formulae applied by them to calculate redemption fees were restricted to the recovery cost of the funding of particular fixed rate mortgage arrangements in place.

On the basis of the information supplied by the lenders including worked examples and the actuarial confirmations submitted, the FR concluded and has confirmed to my Department that its analysis indicates that:

[Deputy Brian Lenihan.]

- the early redemption fee calculation in all cases appears to seek to recover the costs; and
- lenders do not generally apply additional fees in the case of early redemption.

The Financial Regulator has advised my Department in its report that since its findings are based on a review of material provided by lending institutions that it will carry out on-site inspections to verify the accuracy of the information that it has received at this time. In this regard a programme of on-site inspections has already commenced in relation to the application of early redemption charges. The Financial Regulator plans to conduct inspections in at least 6 institutions. The Financial Regulator has also advised me that while it has identified issues that it will be separately following up with individual institutions, the preliminary findings from those inspections conducted to date support the findings contained in the report.

Lenders do not therefore seem to be applying financial penalties in order to dissuade borrowers from early redemption of fixed rate mortgages. However, if the additional work to be undertaken by the Financial Regulator brings to light any information that does not support the findings and the conclusions contained in its report, the Financial Regulator has confirmed that this information will be made available in the public domain.

### **Tax Code.**

139. **Deputy Terence Flanagan** asked the Minister for Finance the reason a person (details supplied) in Dublin 13 is not receiving mortgage interest relief; and if he will make a statement on the matter. [29385/09]

**Minister for Finance (Deputy Brian Lenihan):** This is a matter for the Revenue Commissioners. I am advised by the Revenue Commissioners that the mortgage holder in question has been in receipt of mortgage interest relief since 2006 as a first-time buyer and will continue to be entitled to claim mortgage interest relief until the end of 2012.

I am also advised that the mortgage interest relief in this instance is on a joint mortgage where there is a combination of first and non-first-time buyers.

In order to implement the change to the mortgage interest relief rules announced in the recent Budget, the joint interest ceiling used to calculate the entitlement was reduced from €13,000 to €11,000 (this is a combination of the maximum €10,000 interest ceiling in respect of the first-time buyer and €1,000 interest ceiling in respect of the non first time buyer, the latter being the amount eligible for relief as a proportion of the maximum interest ceiling of €3,000 available prior to the Supplementary Budget change). As a result the mortgage holders may have noticed a reduction in the relief now being paid.

At present the Revenue Commissioners are reviewing all entitlements to mortgage interest relief where a combination of first and non-first time buyers are party to a mortgage and an absence of adequate information exists to determine the exact amount of relief due. Any unpaid relief identified from this review will be granted where there continues to be entitlement.

140. **Deputy Bernard J. Durkan** asked the Minister for Finance when it is expected that the tax issue in the case of a person (details supplied) in County Kildare will be resolved; the reason it has taken so long to conclude matters; the further reason it has not been determined as to whether their employer deducted emergency tax in this case; if he will expedite the process in order to calculate the level of refund in this case if the employer has provided the information sought by the Revenue Commissioners; and if he will make a statement on the matter. [29487/09]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that the matter is still ongoing as the issues involved are complex and the person concerned has not to date provided proof that tax was deducted from the payments made to him.

The nature or status of Revenue's enquiries into the tax affairs of other parties is confidential. Therefore it not possible to make any comment on the position concerning the other party referred to above.

### **Financial Services Regulation.**

141. **Deputy Finian McGrath** asked the Minister for Finance the safeguards in place for mortgage holders whose mortgages are sold to a third party. [29560/09]

**Minister for Finance (Deputy Brian Lenihan):** When a regulated firm has assigned its rights and responsibilities under a contract which is subject to the Consumer Credit Act 1995 (CCA), to a third party, this will not negate the application of the CCA to that agreement. It is important to note that a consumer's statutory right cannot be set aside or contracted out of by the assignee of an agreement.

No new rights are created, and the debt collector must proceed on the same basis as the creditor could lawfully proceed under the Consumer Credit Act 1995.

Furthermore, section 40 of the Consumer Credit Act, 1995 provides that "Where a creditor's or owner's rights under an agreement are assigned to a third person, the consumer shall be entitled to plead against that third person any defence which was available to him against the original creditor including set-off".

For guidance purposes for credit institutions (Banks, Building Societies and Designated Credit Institutions) the Central Bank has a Code of Practice on the Transfer of Mortgages. This Code of Practice which is available on the Financial Regulator's website provides amongst other things that a loan secured by the mortgage of residential property may not be transferred without the written consent of the borrower.

### **Public Sector Salaries.**

142. **Deputy Leo Varadkar** asked the Minister for Finance the amount of money that would be saved by imposing a 10% pay cut on all public sector salaries over €100,000, only applying to the proportion of income over that level; and if he will make a statement on the matter. [29574/09]

**Minister for Finance (Deputy Brian Lenihan):** It is estimated that a saving of approximately €25m would be achieved through the application of a percentage cut of 10% on that element of public service salaries over €100,000. The figure does not include the local authority area which is outside of the public service pay and pensions bill.

As the Deputy is aware Members of the Government, Ministers of State, Secretaries General of Government Departments and holders of some posts at similar levels have already agreed to make a voluntary surrender of 10% of their pay.

### **Fiscal Policy.**

143. **Deputy Leo Varadkar** asked the Minister for Finance his views on the proposal details supplied; if he will request that an independent assessment be carried out on the proposal; and if he will make a statement on the matter. [29586/09]

**Minister for Finance (Deputy Brian Lenihan):** The Taoiseach gave an undertaking in the Dáil last week to provide a considered response on behalf of Government to the proposals in



[Deputy Brian Lenihan.]

Fine Gael's NewEra document. I understand that the Government's response is currently being prepared and I expect that it will issue to Deputy Kenny shortly.

144. **Deputy Leo Varadkar** asked the Minister for Finance his views on Fine Gael's banking policy alternative; if he will request that an independent assessment be carried out of the proposal; and if he will make a statement on the matter. [29588/09]

**Minister for Finance (Deputy Brian Lenihan):** In formulating policy responses to the impact of the financial crisis on the Irish financial system, I have welcomed all constructive observations, comments or advices that have been offered.

The Government examined a number of ways to deal with the risky assets on the balance sheets of Irish banks, which were preventing banks from lending into the economy and thereby supporting economic recovery. Taking account of Dr Peter Bacon's report on options for resolving property loan impairments, and the consensus amongst the Government's advisors including the Central Bank, the Financial Regulator and the NTMA, the Government concluded that the establishment of an asset management agency was the best means of ensuring that the banks were freed up to lend to the real economy. As the Deputy will be aware, a Steering Group established by me is overseeing the preparation of the NAMA legislation in parallel with the practical preparations for the establishment of NAMA. The legislation will be published before the end of the month and will be fully debated in the Oireachtas.

#### **Capital Investment.**

145. **Deputy Leo Varadkar** asked the Minister for Finance if he will respond to the construction industry council's proposal to use private pension funds to bolster capital spending; and if he will make a statement on the matter. [29589/09]

**Minister for Finance (Deputy Brian Lenihan):** I would refer the Deputy to my reply to Question No. 29 from Deputy Richard Bruton on Wednesday 8 July which provides an update in relation to this issue.

#### **Decentralisation Programme.**

146. **Deputy Leo Varadkar** asked the Minister for Finance his long-term plans for the Ordnance Survey office building in the Phoenix Park if the office is moved to Dungarvan, County Waterford; and if he will make a statement on the matter. [29590/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** In 2008, the Government announced that the decentralisation of Ordnance Survey Ireland to Dungarvan was to be deferred pending a review in 2011. The future of the Ordnance Survey's existing Headquarters will be considered as part of this review.

147. **Deputy Thomas Byrne** asked the Minister for Finance the status of an application for employment transfer made by a person (details supplied) under the decentralisation programme. [29620/09]

**Minister for Finance (Deputy Brian Lenihan):** You will be aware that I identified in the Budget last October the priority elements agreed by Government under the decentralisation programme which could proceed at this time. The Government's preference would have been not to delay any aspect of the Programme but, in light of the deterioration in the public finances, it has been necessary to defer other projects pending an overall review of the programme in 2011.



I understand from enquiries made by my Department that the person concerned has changed his preferences on the Central Applications Facility (CAF) on a number of occasions and that a move to the Department of Communications, Energy and Natural Resources in Drogheda is his first preference at present. That Department's investigative functions have transferred to the Department of Transport in the interim but this would not impact adversely on the person's application status. Regrettably the move of the marine investigation functions to Drogheda has been deferred pending the overall review in 2011. The move of the headquarters of the Department of Social and Family Affairs remains within the priority elements of the programme. While property acquisition is at an advanced planning phase in respect of the move by that Department, it is likely that it will be several years before the construction phase is completed and the physical moves take place.

More broadly, the Government's moratorium on recruitment across the public service is likely to result in a substantial slow down of assignments to vacancies arising across the system as a whole, including vacancies arising in Drogheda. In the last few months however, the Department of Social and Family Affairs has filled vacancies arising in a number of posts across the country and is likely to continue to do so, to some extent, for the present. Details of the person concerned have been forwarded to that Department, with a request that they contact him in the event that suitable vacancies arise in the Louth/Meath area. However, it is likely that any such vacancies would be filled in accordance with priority rules agreed in relation to the CAF and an offer would be dependent on the number of higher priority applicants also interested in any post.

#### **Financial Services Regulation.**

148. **Deputy Denis Naughten** asked the Minister for Finance his plans to raise new procedures introduced by a bank (details supplied) with the Financial Regulator; and if he will make a statement on the matter. [29621/09]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy will appreciate that the issue he raises is one that falls within the remit of the Financial Regulator in its on-going engagement with the various financial institutions. I am advised by the Financial Regulator that, at this time, they are unaware of the proposal mentioned. It needs to be borne in mind that a balance must be struck between the influence the Government brings to bear on banks through the bank guarantee scheme and other financial support incentives while allowing such institutions the scope to run their operations on a strictly commercial basis.

#### **Tax Code.**

149. **Deputy Emmet Stagg** asked the Minister for Finance if he will ensure that the details requested by a person (details supplied) in County Kildare for a variation in their refund of tax will issue to them. [29628/09]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that a further explanation regarding the issue of the 2004 reviews issued to the person concerned on 8th July 2009.

#### **Flood Relief.**

150. **Deputy Emmet Stagg** asked the Minister for Finance if the detailed designs for the flood alleviation works in Johnstown village, County Kildare have been completed; and if funding has been provided to carry out the work. [29650/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Commissioners of Public Works have agreed to allocate funding to complete a programme of flood

[Deputy Martin Mansergh.]

alleviation works in the Johnstown area, provided Kildare County Council is successful in obtaining planning approval in accordance with Part 8 of the planning and development regulations for the scheme. It is also a prerequisite that the Local Authority resolve outstanding matters in relation to the detailed design, land ownership and environmental issues to the satisfaction of OPW.

### Public Service Contracts.

151. **Deputy Richard Bruton** asked the Minister for Finance if his attention has been drawn to the fact that in tendering for debt recovery work, the Revenue Commissioners disqualify any applicant who does not already have an income of €200,000 per year from debt recovery work; and if he will access if this represents an unfair barrier to entry and result in unduly favouring incumbent providers when a more competitive bidding process should be encouraged. [29687/09]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that they have entered into contracts with six firms of external solicitors to provide legal services associated with debt collection and the enforcement process. These contracts will cease, for new referrals, on 31 December 2009. Revenue is currently undertaking an open tendering process in order to select the most suitable firms of solicitors to award contracts to carry out this work commencing on 1 January 2010.

I am assured by the Revenue Commissioners that they have taken considerable care to ensure that the open tender process fully adheres to public procurement guidelines. The tender requirements do set out certain requirements on firms. The rationale for these requirements is to ensure that firms that progress to the evaluation stage in the tender process have clearly demonstrated, *inter alia*, their capability in terms of their track record and experience in this specific area of work and their capacity to handle large volumes of referrals, often involving complexity. It is essential that each firm that is awarded a contract will immediately be in a position to effectively and efficiently carry out both the nature and volume of work that Revenue will refer to the successful tenderers from 1 January 2010. In this context the requirement to have a debt recovery turnover of at least €200,000 per annum, on average, in the preceding three years is both reasonable and necessary.

The table below sets out the total number of referrals to the existing solicitors, the cost of their operations and the yield recovered over the last five years. This provides an indication of both the quantum of work involved and the important role of the solicitor referral process as part of Revenue's overall collection enforcement programme.

Year	Expenditure	Number of referrals	Yield
	€m		€m
2004	3.5	6,723	63.9
2005	3.6	6,485	59.6
2006	4.7	7,018	70.9
2007	4.4	6,143	75.2
2008	4.4	6,578	65.1

### Tax Code.

152. **Deputy Richard Bruton** asked the Minister for Finance the circumstances in which persons will be able to withdraw money from an under-performing pension fund; and if he will make a statement on the matter. [29688/09]

**Minister for Finance (Deputy Brian Lenihan):** The rationale for giving various tax reliefs to statutory and Revenue-approved pension savings schemes is to encourage and promote savings over the long term in order that individuals will have an adequate replacement income in old age. 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 is given on the basis, essentially, that benefits may only be paid at the point of retirement (usually from age 60) or on earlier death. I have no plans to amend these provisions. However, employees may take “early retirement” benefits from a pension scheme anytime from age 50.

It is the case that pension funds have been negatively impacted by the turbulence in global financial markets. The value of a pension fund can increase or decrease depending on the performance of the investments chosen. There are actions which individuals may be able to take with a view to managing and minimising this impact.

Members of pension schemes or individuals with personal pension plans should regularly review the performance of their pension fund with the fund administrator or provider to see what actions can be taken to improve performance. Individuals may also have the option to choose the type of investments into which their pension funds are placed or, more generally, to influence the investment strategy to be followed by the pension fund administrators and providers. It might be expected, for example, that most of a pension fund would be invested in higher-risk funds in the early-to-mid years of a contributor’s working life, moving to middle-risk funds in later years and lower-risk funds as an individual nears retirement. Individuals may also be able to transfer between investment funds or to move future contributions into different funds. These are matters on which individuals can obtain further information from their pension fund administrator or provider.

153. **Deputy Richard Bruton** asked the Minister for Finance the most recent estimate of the cost of the tax exemption; the number of beneficiaries; and the details of the classifications of beneficiaries by range of income exempted from tax. [29690/09]

**Minister for Finance (Deputy Brian Lenihan):** I understand that the Deputy’s question relates to the tax exemption of certain earnings of writers, composers and artists.

I am informed by the Revenue Commissioners that the relevant available information relates to the overall cost to the Exchequer of the exemption and the total numbers of claimants as included in income tax returns filed for the income tax year 2006, the latest year for which the necessary detailed information is available. In that year an estimated number of 2,890 claimants availed of the artists’ exemption scheme at an estimated cost to the Exchequer of €66 million.

An income distribution by reference to bands of exempt income is set out in the attached table. This information is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 93% of all returns expected from claimants for this exemption.

A married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

A breakdown of these figures by artistic category is not available but the Deputy may wish to know that under Freedom of Information legislation, the Revenue Commissioners publish details on their website of individuals who have been granted a determination allowing them to claim the Artists Exemption in respect of income earned from the sale of their works. The names of those qualifying for the relief with effect from 21 April 1998 are available and the

[Deputy Brian Lenihan.]

list is set out in alphabetical order in each of the five categories of work covered by the exemption, viz. (a) a book or other writing, (b) a play, (c) a musical composition, (d) a painting or like picture, (e) a sculpture. The list is updated on a quarterly basis. This information can be found on the Revenue website at [www.revenue.ie](http://www.revenue.ie).

#### INCOME TAX 2006

##### Artist Exemption — by range of exempt income

Range of Exempt Income		Number of cases	Exempt Income Amount	Tax Forgone
From	To			
€	€		€	€
—	10,000	1,366	5,123,132	1,050,138
10,000	20,000	490	7,096,360	1,494,554
20,000	30,000	207	5,110,398	1,172,504
30,000	40,000	138	4,771,973	1,251,739
40,000	50,000	91	4,082,507	1,158,554
50,000	100,000	178	12,458,772	4,133,515
100,000	250,000	129	19,660,830	7,518,437
250,000	500,000	27	9,251,623	3,776,753
500,000	1,000,000	21	14,348,972	5,947,594
Over	1,000,000	28	77,931,694	32,605,442
Totals		2,675	159,836,261	60,109,230

#### Departmental Properties.

154. **Deputy Leo Varadkar** asked the Minister for Finance his plans for the Magazine Fort and Thomas Hill in the Phoenix Park, Dublin; and if he will make a statement on the matter. [29696/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Office of Public Works undertakes maintenance and repairs to the Magazine Fort, including security works to preserve the fabric of the Fort on an on-going basis.

The Office of Public Works wishes to develop and restore the Magazine Fort in the Phoenix Park at a future date. No definitive decision has been made as to the nature of any future restoration, bearing in mind the status of the Phoenix Park as a National Historic Park, and no funding is in place.

The OPW is open to realistic suggestions for the appropriate future use of this heritage site.

155. **Deputy Leo Varadkar** asked the Minister for Finance his plans for the disused pavilions to the south of the Fifteen Acres in the Phoenix Park, Dublin; and if he will make a statement on the matter. [29697/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The OPW plans to demolish these pavilions as soon as possible.

156. **Deputy Leo Varadkar** asked the Minister for Finance the purpose of the hexagonal building at the Knockmaroon Gate of the Phoenix Park, Dublin; his plans for its future use; and if he will make a statement on the matter. [29698/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The building was originally a nature study centre. It has been occupied for a number of years by an artist in residence. Following essential health and safety works, it is hoped that it will be taken over by a voluntary body for artistic and creative purposes.

#### **National Parks.**

157. **Deputy Leo Varadkar** asked the Minister for Finance the various sports clubs which have pavilions or grounds in the Phoenix Park, Dublin; if he is satisfied in each case that the buildings and grounds are being used to their full potential; and if he will make a statement on the matter. [29699/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The following bodies have grounds or pavilions within the Phoenix Park:

The All Ireland Polo Club

The Army Athletic Club

Phoenix Cricket Club

Civil Service Cricket Club

Dublin County Board Camogie Club

Oliver Plunkett's GAA Club

Eoghan Ruadh Hurling Club

GAA County Board

Leinster Football League

Park management is reviewing the current usage of the sports grounds and pavilions within the Park in the context of the draft Phoenix Park Conservation Management Plan (2009).

#### **Departmental Offices.**

158. **Deputy Lucinda Creighton** asked the Minister for Finance the number and percentage of light bulbs in his Department which are energy saving light bulbs; and if he will make a statement on the matter. [29734/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** It has been the practice for many years in the public sector, and most notably in the Office of Public Works, to utilise energy saving lighting. It is not possible to give a precise number or percentage for the OPW managed buildings, including the Department of Finance, on the use of energy saving lighting. Fluorescent lighting is used for internal lighting throughout all OPW buildings, except in the most unusual circumstances. Such circumstances are due to technical or aesthetic reasons where there is no low energy lighting appropriate to the application. Practically all external lighting is low energy.

Even in the small number of circumstances where efficient lighting is not in use, and the change-over to such lighting is prohibitively expensive, it is expected that, with new lamps coming to the market, mostly based on LED technologies, there is likely to be an economic replacement for relatively inefficient lighting over the next few years.

159. **Deputy Lucinda Creighton** asked the Minister for Finance the number and percentage of light bulbs in the Office of Public Works managed buildings which are energy saving; and if he will make a statement on the matter. [29741/09]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** It has been the practice for many years in the public sector, and most notably in the Office of Public Works, to utilise energy saving lighting. It is not possible to give a precise number or percentage for the OPW managed buildings on the use of energy saving lighting. Fluorescent lighting is used for internal lighting throughout all OPW buildings, except in the most unusual circumstances. Such circumstances are due to technical or aesthetic reasons where there is no low energy lighting appropriate to the application. Practically all external lighting is low energy.

Even in the small number of circumstances where efficient lighting is not in use, and the change-over to such lighting is prohibitively expensive, it is expected that, with new lamps coming to the market, mostly based on LED technologies, there is likely to be an economic replacement for relatively inefficient lighting over the next few years.

**Public Sector Staff.**

160. **Deputy Lucinda Creighton** asked the Minister for Finance the number of people who have been employed in the public service on 1 June for each of the past five years including 2009; and if he will make a statement on the matter. [29742/09]

**Minister for Finance (Deputy Brian Lenihan):** The number of people employed in the public service at the 31 December for the last five years is presented, as reported to my Department, in the attached table. The numbers employed in the public service is constituted by the numbers of whole time equivalents employed in the civil service, the education sector, the justice sector, the health sector, the local authorities and the non-commercial agencies. While a new quarterly system for collecting public sector numbers has been introduced in the last few months, and numbers for the end of the first quarter are currently being compiled, I am reporting end-December numbers because of the systems that were in place and for comparative purposes.

	2004	2005	2006	2007	2008
Public Service Numbers	284,788	292,129	304,512	312,131	316,559

**Public Sector Salaries.**

161. **Deputy Lucinda Creighton** asked the Minister for Finance the average yearly wage of persons employed in the public service for each of the past five years including 2009; and if he will make a statement on the matter. [29743/09]

**Minister for Finance (Deputy Brian Lenihan):** Factors such as differences in staff work patterns present difficulties in compiling meaningful average figures on earnings.

However, the Central Statistics Office publishes statistics on average weekly earnings in the public sector. These are available on the website of the Central Statistics Office [www.cso.ie](http://www.cso.ie).

These figures produced by the Central Statistics Office relate to the public sector, including commercial state-sponsored bodies, but exclude the health sector. Average earnings on this basis, expressed in annual terms and rounded to the nearest €100, for the past five years are shown as follows. The figure available for 2009 covers the period to March 2009 only.



2005	2006	2007	2008	2009 (to March 2009)
€44,000	€46,000	€48,100	€49,500	€50,800

The latest report by the CSO indicates that the increase in average earnings in the year from March 2008 to March 2009 was 3.4%. This would take account of increases payable with effect from March and September 2008 under the pay agreement associated with the Towards 2016 Social Partnership Agreement. It should be noted that the figures shown relate to gross earnings and do not reflect the impact of the public service pensions-related deduction introduced earlier this year.

### Public Service Recruitment.

162. **Deputy Lucinda Creighton** asked the Minister for Finance if the number of people employed in the public service has increased or decreased since budget 2009; if so, the amount regarding same; and if he will make a statement on the matter. [29744/09]

163. **Deputy Lucinda Creighton** asked the Minister for Finance if the number of people employed in the public service has increased or decreased since the 7 April 2009 supplementary budget; if so, the number regarding same; and if he will make a statement on the matter. [29745/09]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 162 and 163 together.

The public service is composed of the civil service, the education sector, the justice sector, the health sector, the local authorities and the non-commercial agencies. While numbers for some areas within the public service are collected on a monthly basis, numbers for other areas are collected on a quarterly basis, and these are currently being collated.

However, based on information available to my Department, there was a net decline of 427 in the numbers of staff employed on a whole time equivalent (w.t.e.) basis in the public service between September/October 2008 and March/April 2009, excluding the non-commercial agencies. In particular, the numbers employed in the local authorities fell by 1,686, in the civil service by 484, in the defence sector by 225 and the justice sector by 65. These decreases were offset by increases in the numbers employed in the education sector of 1,219 and the health sector of 814.

In those areas of the public service where information is available for the period March/April 2009 and May 2009, there has been a net decrease in the numbers employed of 75 w.t.e. In particular, the numbers employed in the civil service have decreased by 102 (giving an overall net reduction for the civil service of 586 w.t.e. since September/October 2008), the defence sector decreased by 21 (giving an overall net reduction for the defence sector of 246 w.t.e), while the numbers employed in the justice sector increased by 48 (giving a net reduction for the justice sector of 17 w.t.e.).

Finally, in overall terms, based on the information currently available, between September/October 2008 and May 2009, there has been a net reduction in the numbers of staff employed in the public service of 502 w.t.e., as illustrated in the following table.

[Deputy Brian Lenihan.]

## Public Service Numbers — Whole Time Equivalents

	September/October 2008	March/April 2009	May 2009
Civil Service	37,810	37,326	37,224
Education Sector	92,289	93,508	*93,508
Health Sector	110,828	111,642	*111,642
Defence Sector	11,355	11,130	11,109
Justice Sector	15,317	15,252	15,300
Local Authorities	35,865	34,179	*34,179
Total	303,464	303,037	302,962

Public Service Numbers — Whole Time Equivalents\* As reported for March/April 2009.

164. **Deputy Lucinda Creighton** asked the Minister for Finance if the average wage of persons employed in the public service has increased or decreased since budget 2009; if so, the figures regarding same; and if he will make a statement on the matter. [29746/09]

165. **Deputy Lucinda Creighton** asked the Minister for Finance if the average wage of persons employed in the public service has increased or decreased since the 7 April 2009 supplementary budget; if so, the amount regarding same; and if he will make a statement on the matter. [29747/09]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 164 and 165 together.

Neither Budget 2009 nor the Supplementary Budget of 7 April 2009 made any changes in the gross salaries of public servants. However, the introduction of the new pension-related deduction has resulted in an average deduction of close to 7%.

**Tax Yield.**

166. **Deputy Michael McGrath** asked the Minister for Finance the amount of income tax received for each of the years 2000 to 2008 from self-employed persons. [29762/09]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the net receipt of income tax from self-employed persons for each of the years 2000 to 2008 are contained in the following table.

Calendar Year	Net Receipt of Income Tax
	€ million
2000	1,520
2001	1,710
2002	1,945
2003	1,715
2004	2,320
2005	2,415
2006	2,565
2007	2,745
2008	2,260

These figures include payments of withholding tax on professional fees and also include yields from special Revenue investigations relating to bogus non-resident accounts, offshore accounts and single premium insurance products (where applicable) but do not take account of receipts of deposit interest retention tax and dividend withholding tax for which a breakdown between particular classes of taxpayers cannot be ascertained. Also not reflected in these figures are repayments of tax other than tax paid by the self-employed such as, for example, repayments made to foreign residents of tax deducted at source under various arrangements.

The 2001 income tax year was a short transitional tax “year” running from 6 April to 31 December 2001 which preceded the first full calendar tax year 1 January 2002 to 31 December 2002. It should be noted that as self-employed taxpayers were assessed to tax for the short “year” on 74% of the profits earned in a 12-month accounting period, the tax figure shown for 2001 in the table will not be directly comparable with those of earlier or later years.

### **Public Service Contracts.**

167. **Deputy Michael D’Arcy** asked the Minister for Finance the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29834/09]

**Minister for Finance (Deputy Brian Lenihan):** While I am always anxious to respond to Deputies, I regret the information requested by the Deputy for the time period involved is not readily available and cannot be assembled without undue commitment of staff resources and administrative costs.

I hope, in the circumstances, that the Deputy will appreciate that I cannot provide the information sought. However, should the Deputy have a query in relation to a specific contract, I will have my officials provide any information requested.

168. **Deputy Michael D’Arcy** asked the Minister for Finance if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29848/09]

**Minister for Finance (Deputy Brian Lenihan):** My Department has not engaged in contracts with the company mentioned in the Deputy’s question.

I have been informed by the Office of Public Works that in the time available they are not in position to collate all the information to supply a full response to the Deputy. They expect to have the process completed and a response forwarded to the Deputy by 16 July 2009.

### **Budget Submissions.**

169. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance the proposals made to him on betting duty by sectors of the betting industry; and if he will make a statement on the matter. [29878/09]

**Minister for Finance (Deputy Brian Lenihan):** During the Finance Bill, I indicated that discussions would commence as to how best betting duty might be applied in the future, in the context of the 2010 Budget including looking at the UK’s gross profit tax model. A number of different proposals in that regard have been received from various sectors of the industry. I also indicated that it is my intention to widen if possible the tax base on which betting duty would be applied. My officials are continuing to explore all options on an ongoing basis.

### Children in Care.

170. **Deputy Denis Naughten** asked the Minister for Health and Children if she will provide in tabular format the number of unaccompanied children in Health Service Executive hostels annually since 2002 to date in 2009; the number of these children who have gone missing from each of these hostels annually; the number who remain missing; the number of children who have gone missing this year to date in 2009; and if she will make a statement on the matter. [29280/09]

171. **Deputy Denis Naughten** asked the Minister for Health and Children the number of unaccompanied children, categorised by age group, who are in foster care; and if she will make a statement on the matter. [29281/09]

172. **Deputy Denis Naughten** asked the Minister for Health and Children the number of Health Service Executive hostels for unaccompanied children; the funding allocated to each of these hostels annually since 2004 to date in 2009; the number run by the HSE directly; and the number of privately run hostels; the private contracts in place; and if she will make a statement on the matter. [29284/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I propose to take Questions Nos. 170 to 172, inclusive, together.

As these are service matters they have been referred to the HSE for direct reply.

### Health Services.

173. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite a decision on an application by persons (details supplied) in County Cork for appeal of domiciliary care allowance; and if she will make a statement on the matter. [29364/09]

**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.

### Youth Services.

174. **Deputy Brian Hayes** asked the Minister for Health and Children the progress made in regard to the commitment given in the programme for Government to provide extra resources to progress the implementation of the national youth work development plan and the Youth Work Act 2001 on a phased and prioritised basis; and if she will make a statement on the matter. [29456/09]

175. **Deputy Brian Hayes** asked the Minister for Health and Children the progress made in regard to the commitment given in the programme for Government to support a new youth work development plan for the period 2008 to 2012; and if she will make a statement on the matter. [29457/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The youth sector has received considerable financial support over the past number of years. Funding expanded from €35.5m in 2004 to €52m in 2008. This funding has allowed for expansion in the sector including the roll out of a number of sections of the Youth Work Act, 2001 and priority actions cited in the National Youth Work Development Plan. These include the development of a child protection training and awareness programme for the youth sector, the development and expansion of the Special Projects for Youth Scheme, the appointment of an Assessor of

Youth Work and the allocation of additional financial support, including the appointment of Youth Officers, to the VEC sector.

The 2009 Youth Affairs budget of over €48m will continue to focus on supporting existing youth programmes and services for young people including those with fewer opportunities. The National Youth Work Advisory Committee has reviewed the National Youth Work Development Plan and consideration is being given as to how matters can be progressed and developed further having regard to available resources.

### **Child Care Services.**

176. **Deputy Frank Feighan** asked the Minister for Health and Children when capital funding will be made available for a company (details supplied) to provide child care facilities; and if she will ensure that they are included on the new community hospital site as agreed with the Health Service Executive. [29568/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy will be aware, I have responsibility for the National Childcare Investment Programme (NCIP) 2000-2006 under which capital grant funding is made available to community and commercial childcare providers for the development of childcare facilities.

With the economic downturn Government expenditure, particularly in the area of new capital commitments, was reviewed earlier this year. As a result, with the exception of a limited number of projects, it was necessary to inform all NCIP capital grant applicants, including the applicant referred to by the Deputy, that no further applications were being approved and that the programme was closed to additional applications. Existing capital commitments will continue to be processed during 2009 and 2010.

I understand that three local childcare services amalgamated into the company referred to by the Deputy and applied for capital funding for a new purpose built childcare facility. As stated above, the decision not to approve funding in this case was made having regard to the constraints currently placed on new capital commitments under the NCIP and is not related to any developments which may be under consideration by the Health Service Executive.

The City and County Childcare Committees will be advised by my Office if and when additional capital funding becomes available to my Office in 2011 and 2012.

### **Mental Health Services.**

177. **Deputy James Reilly** asked the Minister for Health and Children the amount of money raised from the sale of psychiatric lands and buildings since January 2006; the amount of same which was retained by her Department ; the amount that was reinvested into the development of mental health services; and if she will make a statement on the matter. [29988/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** ‘*A Vision for Change*’ the Report on the Expert Group on Mental Health Policy recommended that a plan to bring about the closure of all psychiatric hospitals should be drawn up and implemented and that the resources released by these closures should be re-invested in the mental health service. The Departments of Finance and Health and Children have agreed in principle to the release of the proceeds of the disposal of properties prior to 2006 for reinvestment in mental health capital development.

The arrangements for property disposal require Department of Finance approval in each case, the lodging of the proceeds as Exchequer Extra Receipts and the re-voting of the funds for approved projects. Disposals to date amount to over €42m. A submission from the HSE,

[Deputy John Moloney.]

detailing the priority projects to be funded from these disposals, is currently under consideration in my Department with a view to submission to the Department of Finance.

### **Hospital Services.**

178. **Deputy Denis Naughten** asked the Minister for Health and Children her plans for the future of services (details supplied); if her attention has been drawn to the concerns of the consultants there; and if she will make a statement on the matter. [28782/09]

**Minister for Health and Children (Deputy Mary Harney):** I am indeed aware that not everyone is in agreement with the reorganisation of breast cancer services that is taking place under the National Cancer Control Programme. However, it is important to remember the goals of the Programme — improvements in cancer prevention, detection, treatment and survival through a national service based on evidence and best practice. To achieve this, we need to move from the present fragmented system of care to one which is consistent with international best practice in cancer control. As recommended in the *Strategy for Cancer Control in Ireland*, the HSE has designated 8 cancer centres, each serving a minimum population of 500,000. University Hospital Galway is the designated centre for Sligo.

Breast cancer diagnostic and surgical services are the first services to be transferred to the designated cancer centres. In this regard, it is important to note that the National Quality Assurance Standards for Symptomatic Breast disease provide that each specialist unit should manage a minimum number of 150 new breast cancer cases per annum. Sligo General Hospital carried out 86 procedures on women with a principal diagnosis of breast cancer in 2008 (79 such procedures in 2007). The roll-out of BreastCheck in Sligo, which commenced in March, will further reduce the numbers of breast cancer patients requiring access to symptomatic breast disease services, as women screened by BreastCheck who require follow-up will be referred to the BreastCheck static unit in Galway.

Accordingly, breast cancer diagnostic and surgical services at Sligo will transfer to UHG within the next couple of months. Work is ongoing in relation to this with the full cooperation of hospital management. Medical oncology will continue to be delivered at Sligo General as will outpatient radiation oncology clinics. Current arrangements to provide supportive or palliative care will not change.

The current volume of breast cancer patients at Sligo has been assessed and can be accommodated in UHG, where the symptomatic breast unit has expanded considerably in recent years and offers a multidisciplinary approach providing breast cancer surgery, specialised procedures such as immediate breast reconstruction, radiotherapy and chemotherapy including neoadjuvant therapy in a single team environment. Triple assessment clinics are available every day and each of the 5 consultant surgeons has weekly clinics Monday to Friday.

### **Service for People with Disabilities.**

179. **Deputy Denis Naughten** asked the Minister for Health and Children the funding made available to date in 2009 for the disability sector; the budget for this sector in 2009; and if she will make a statement on the matter. [28783/09]

**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.



### Hospital Services.

180. **Deputy Denis Naughten** asked the Minister for Health and Children when a site will be finalised for the sexual assault treatment unit in Galway; the progress made in relation to such a unit in Mullingar, County Westmeath; and if she will make a statement on the matter. [28787/09]

**Minister for Health and Children (Deputy Mary Harney):** As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

### Health Service Staff.

181. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 397 of 17 June 2008, if the staff referred to have been recruited; when the screening programme will commence in the west; and if she will make a statement on the matter. [28788/09]

**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.

182. **Deputy Denis Naughten** asked the Minister for Health and Children the waiting times for occupational therapy in County Roscommon; the steps she will take to address waiting times; and if she will make a statement on the matter. [28789/09]

**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.

183. **Deputy Joe McHugh** asked the Minister for Health and Children the number of persons waiting to receive a service and therapy under each category of service in the hospital and out-patient section of Donegal Health Service Executive in tabular form; the average length of wait in each category; and if she will make a statement on the matter. [28793/09]

**Minister for Health and Children (Deputy Mary Harney):** The management of waiting lists generally 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.

184. **Deputy James Reilly** asked the Minister for Health and Children the savings and the changes made to the 2009 Health Service Executive budget in the four regional administrative areas of the HSE Dublin north east, Dublin mid Leinster, south and west on an item basis in tabular form outlining the services which have been reduced or varied; and if she will make a statement on the matter. [28815/09]

185. **Deputy James Reilly** asked the Minister for Health and Children the savings and the changes made to the 2009 Health Service Executive budget in respect of each hospital and each hospital Department in the four regional administrative areas of the HSE Dublin north east, Dublin mid Leinster, south and west on an item basis in tabular form outlining the services which have been reduced or varied; and if she will make a statement on the matter. [28816/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 184 and 185 together.

[Deputy Mary Harney.]

As the Deputy is aware, the National Service Plan 2009 which I approved in December contained a number of economic and cost avoidance measures for 2009 (in addition to a continuation of value for money measures from 2008). Subsequently a range of potential exposures (some of which were identified in the Service Plan) materialised.

The Government made significant decisions on spending, revenue raising and employment control in the Supplementary Budget. Those decisions, along with measures previously identified by the HSE and a series of measures which I approved obviated the need to amend the Service Plan. The HSE is now implementing these measures in order to deliver the Service Plan within its existing allocation.

The level of service originally planned by the HSE and set out in the 2009 Service Plan is continuing to be delivered. Indeed, in a number of areas planned service levels have been exceeded so far this year. Maintaining this level of performance will demand close attention to value for money and ongoing modernisation of service delivery in line with best practice.

With regard to specific issues relating to the four regional administrative areas, I have referred the matter to the HSE for direct reply.

#### **Health Service Staff.**

186. **Deputy James Reilly** asked the Minister for Health and Children the number of staff in the four regional administrative areas of the Health Service Executive Dublin north east, Dublin mid Leinster, south and west on maternity leave whose positions have not been filled in their absence in 2009; the grades and areas these staff are in; and if she will make a statement on the matter. [28817/09]

**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.

187. **Deputy James Reilly** asked the Minister for Health and Children the contracts which have not been renewed in the Health Service Executive in the four regional administrative areas of the HSE Dublin north east, Dublin mid Leinster, south and west since 1 January 2009; the further contracts which will not be renewed for the remainder of 2009; and if she will make a statement on the matter. [28818/09]

**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.

188. **Deputy James Reilly** asked the Minister for Health and Children the number of staff on sick leave in the four regional administrative areas of the Health Service Executive Dublin north east, Dublin mid Leinster, south and west of more than one weeks duration whose positions have not been filled in their absence in 2009; the grades and areas these staff are in; and if she will make a statement on the matter. [28819/09]

**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.

#### **Hospital Accommodation.**

189. **Deputy James Reilly** asked the Minister for Health and Children the number of beds in each hospital and nursing unit of all types (details supplied) in the four regional administrative areas of the Health Service Executive Dublin north east, Dublin mid Leinster, south and

west that have been closed or are currently not open in tabular form; and if she will make a statement on the matter. [28822/09]

367. **Deputy James Reilly** asked the Minister for Health and Children the number of beds closed nationally; the breakdown of these beds per hospital; and if she will make a statement on the matter. [30003/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 189 and 367 together.

As this is a service matter, it has been referred to the HSE for direct reply.

#### **Health Services.**

190. **Deputy James Reilly** asked the Minister for Health and Children the service reviews currently being carried out by the Health Service Executive in the four regional administrative areas of the HSE Dublin north east, Dublin mid Leinster, south and west; the purpose of these reviews; when they were initiated; and if she will make a statement on the matter. [28823/09]

**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 Service Staff.**

191. **Deputy James Reilly** asked the Minister for Health and Children the number of speech and language therapists who were to be employed under the Dublin north east, Dublin mid Leinster, south and west service plan; the number in place; the number whose contracts have not been renewed or who are on leave whose posts have not been filled; the number of unfilled vacancies; and if she will make a statement on the matter. [28824/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

192. **Deputy James Reilly** asked the Minister for Health and Children the number of hours of speech and language therapy delivered in the four regional administrative areas of the Health Service Executive Dublin north east, Dublin Mid Leinster, south and west, in the first six months of 2008 and of 2009; and if she will make a statement on the matter. [28825/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

#### **Health Services.**

193. **Deputy James Reilly** asked the Minister for Health and Children the number of people waiting to receive a service or therapy under each category of service in the community care

[Deputy James Reilly.]

section of the Health Service Executive in the four regional administrative areas of the HSE Dublin north east, Dublin mid Leinster, south and west in tabular form; the average length of wait in each category; and if she will make a statement on the matter. [28826/09]

223. **Deputy Joe McHugh** asked the Minister for Health and Children the number of people waiting to receive a service and therapy under each category of service in the community care section of Donegal Health Service Executive in tabular form; the average length of wait in each category; and if she will make a statement on the matter. [28927/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 193 and 223 together.

As the Deputies' questions relate to service matters they have been referred to the Health Service Executive for direct reply.

### **Hospital Waiting Lists.**

194. **Deputy James Reilly** asked the Minister for Health and Children the number of people waiting to receive a service or therapy under each category of service in the hospital in-patient and out-patient section of the Health Service Executive in the four regional administrative areas of the HSE Dublin north east, Dublin mid Leinster, south and west in tabular form; the average length of wait in each category; and if she will make a statement on the matter. [28827/09]

**Minister for Health and Children (Deputy Mary Harney):** The management of waiting lists generally 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.

### **Medical Aids and Appliances.**

195. **Deputy James Reilly** asked the Minister for Health and Children the amount of money she or Government agencies have spent on hearing aids by way of subsidisation; the manufacture cost of these hearing aids; the mark up on these aids; and if she will make a statement on the matter. [28828/09]

**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.**

196. **Deputy Finian McGrath** asked the Minister for Health and Children if the case of a person (details supplied) in Dublin 5 will be supported. [28832/09]

**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 Service Staff.**

197. **Deputy Arthur Morgan** asked the Minister for Health and Children if social workers have acted appropriately and in accordance with the Children First guidelines in the case of allegations against a person (details supplied); and if she will make a statement on the matter. [28838/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As this is a service matter it has been referred to the HSE for direct reply.

198. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the number of staff employed by her Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by her Department; the cost of same per annum; if leased, when such lease expires; her proposals to close, amalgamate or expand his Departments presence in County Louth; and if she will make a statement on the matter. [28853/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department does not have any office located in County Louth.

199. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the number of staff employed by the Health Service Executive in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and whether same is owned, leased or otherwise rented by her Department; the cost of same per annum; if leased when such lease expires; her proposals to close or amalgamate or expand her Departments presence at such location in County Louth; and if she will make a statement on the matter. [28858/09]

**Minister for Health and Children (Deputy Mary Harney):** I presume this question refers to Health Service Executive staff as there are no Department of Health & Children staff employed in County Louth. As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

#### **Hospital Waiting Lists.**

200. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Carlow will receive a date for an operation at Waterford Regional Hospital; and if she will make a statement on the matter. [28871/09]

**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 Service Staff.**

201. **Deputy Joe McHugh** asked the Minister for Health and Children the number of staff in County Donegal on sick leave of more than one week's duration whose positions have not been filled in their absence in 2009; the grades and areas these staff are in; and if she will make a statement on the matter. [28872/09]

**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.

#### **Mental Health Services.**

202. **Deputy Charlie O'Connor** asked the Minister for Health and Children her plans for the

[Deputy Charlie O'Connor.]

future of the Central Mental Hospital in Dundrum, Dublin; and if she will make a statement on the matter. [28875/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** In May 2006 the Government confirmed the decision to develop a new Central Mental Hospital (CMH) at Thornton Hall, County Dublin. Since then, a draft project brief has been prepared and a Cost Benefit Analysis has been completed. None of the work undertaken to date has been site specific but a number of difficulties have now emerged with the Thornton Hall site. The HSE has identified a need for an Intellectual Disability Forensic Mental Health Unit and a Child and Adolescent Forensic Mental Health Unit. Neither of these units would be viable as a stand alone facility and they should be co-located with the CMH, but the twenty acre site at Thornton Hall is not large enough to allow for these additional developments. Moreover, the construction of these additional units at a location separate to the CMH would incur increased capital and revenue costs.

The planning and design process for the CMH redevelopment project will soon need to become site specific and in these circumstances, all of the issues involved are currently being considered.

#### **Medical Cards.**

203. **Deputy Edward O'Keeffe** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Cork. [28878/09]

**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.**

204. **Deputy Edward O'Keeffe** asked the Minister for Health and Children the position regarding an application in the case of a person (details supplied) in County Cork. [28879/09]

**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 Service Allowances.**

205. **Deputy Edward O'Keeffe** asked the Minister for Health and Children the position regarding an application for domiciliary care allowance in the case of a person (details supplied) in County Cork. [28880/09]

**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.

206. **Deputy Noel Ahern** asked the Minister for Health and Children if she will provide details on the financial help for a person (details supplied) in Dublin 3; and the details of criteria required and level of payment made. [28881/09]

**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.



207. **Deputy Noel Ahern** asked the Minister for Health and Children the service that is available in respect of persons caring for mentally ill relatives; if there is an easily accessible point of contact within the Health Service Executive from whom the carer could seek professional advice by phone in order to deal with problems which may arise from one day to the next with the mentally ill person. [28882/09]

**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.

#### **Nursing Home Subventions.**

208. **Deputy Richard Bruton** asked the Minister for Health and Children her plans to prioritise applications for fair deal in the circumstances in which eligible applicants exceed the budget made available; or will the scheme be demand led? [28885/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** The Nursing Homes Support Scheme will be resource capped. This could give rise to waiting lists if resources run out in a given year. However, this potential for waiting lists to arise will be managed by means of the estimates process. The Government will have the opportunity in each financial year to allocate what it deems the appropriate amount required to meet the needs of applicants under the scheme.

All those who qualify for State support under the scheme will have been assessed as needing long-term residential care. In other words, all will have a recognised need. As such, the only equitable basis for managing the waiting list is on a first come, first served basis. First come in this case means the first applicant to avail of a nursing home place. In other words, an applicant who is seeking a particular nursing home cannot delay other applicants who have accepted a place.

#### **Vaccination Programme.**

209. **Deputy Maureen O'Sullivan** asked the Minister for Health and Children her views on the dangers attached to the use of the drug (details supplied). [28887/09]

210. **Deputy Maureen O'Sullivan** asked the Minister for Health and Children her views on the dangers attached to the use of the drug (details supplied). [28888/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 209 and 210 together.

The highest priority is attached to ensuring the safety of all vaccines administered as part of the public immunisation programme in Ireland. International evidence as to the safety profile and side-effects of vaccines is considered by the National Immunisation Advisory Committee (NIAC) in formulating its advice and is kept under constant review.

The Irish Medicines Board (IMB), together with its EU counterparts is responsible for monitoring national and international emerging evidence about the safety of medicines, including vaccine safety. The Irish Medicines Board is also represented on the National Immunisation Advisory Committee.

There are two vaccines licensed in Ireland to prevent Human Papilloma Virus (HPV). Cervarix was licensed in September 2006 and Gardasil was licensed in September 2007. The Department has been informed by the IMB of media reports in the US and EU that described some

[Deputy Mary Harney.]

cases with fatalities following vaccination with the HPV vaccine. These cases have been reviewed by the European Medicines Agency and the authorities responsible in the jurisdictions in which they occurred and a relationship between the HPV vaccine and these reported fatalities could not be established.

### **Public Service Review.**

211. **Deputy Richard Bruton** asked the Minister for Health and Children if her Department made submissions to the McCarthy group on potential savings in her Department; the contents of the submissions made; if the McCarthy group made proposals to her Department; the contents of the proposals; and if she will make a statement on the matter. [28899/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department submitted a report to the Special Group on Public Service Numbers and Expenditure Programmes regarding expenditure and staff numbers in the health area. This was prepared in respect of the Health Group of Votes. The Special Group met with the Secretary General and other senior officials from my Department and with the Chief Executive Officer and officials from the Health Service Executive in the course of its deliberations.

The Minister for Finance has recently received the Report of the Special Group, and will be bringing the Report to Government in the near future. Decisions on the release of the Report and associated documents will be made by Government in that context.

### **Services for People with Disabilities.**

212. **Deputy Richard Bruton** asked the Minister for Health and Children if there is scope for persons with a disability to change service provider in order to try alternative placements and experiences; her views on budget holding arrangements for clients so they search around for facilities which most suited their needs. [28910/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** Changing service provider is an operational service matter. Accordingly, I have arranged for this aspect of the question to be referred to the Health Service Executive for direct reply.

Personal social support services are designed to allow people with a disability to live a life of their choice to the greatest extent possible. As such, the nature, content and extent of such supports should depend upon the degree to which the individual needs them to participate as fully as possible in the social and economic life of their community. Currently, these supports are provided by the Health Service Executive and, more commonly, by voluntary agencies funded by the HSE. They would include, for example, day, respite and residential services.

Persons with a disability who require personal social supports, should have choice and control over the supports provided to them. This is being increasingly addressed through individual funding and individual budgets. Individual funding can ensure that the funding given to an agency for the provision of services to an individual, must be used to provide services for that individual. Individual budgets may involve a dedicated budget which is managed by the individual or by advocates on behalf of that individual.

This year, the Department of Health and Children will be reviewing disability service expenditure within the health sector as part of the Government's programme of Value for Money and Policy Reviews. The review will consider models of funding and budgets for those services

which are intended to enable people with a disability to participate in the social and economic life of their community.

In addition, the Minister for Health and Children has established an Expert Group on Resource Allocation in the Health Sector in April 2009. The Group will examine how the existing system of resource allocation within the Irish public health service can be improved to support better the aims of the health reform programme. As part of the terms of reference, the Minister has asked the Expert Group, in the light of its work, to take a view on the most appropriate financing mechanism for the Irish health service. The Group has been asked to report to the Minister for Health and Children and the Minister for Finance by April 2010.

### **Child Care Services.**

213. **Deputy Richard Bruton** asked the Minister for Health and Children if he will indicate the number of childcare providers and the number of places covered who have indicated their willingness to participate in the proposed early childhood subventions scheme; if such providers will be permitted to charge top-up fees both for the core hours covered by the subvention and for additional hours provided outside of the subvented hours; and if she will make a statement on the matter. [28911/09]

218. **Deputy Richard Bruton** asked the Minister for Health and Children the way the capitation grant for the new childcare and education scheme was drawn up given the cost of rent, rates, staff and so on; and if she took into account the higher cost environment in Dublin; if a national curriculum for the programme is being considered; the number of childcare services and Montessori schools who have volunteered to participate in the programme; the number of schools who have shown an interest in the programme; the number of pupils involved in Dublin and outside Dublin; when the deadline will be; and if she will make a statement on the matter. [28916/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I propose to take Questions Nos. 213 and 218 together.

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) with effect from January 2010.

It is a fundamental principle of the scheme that the free Pre-School Year will be available free of charge to parents. All participating services will have to meet the costs of the new pre-school year from the capitation provided under the scheme. However, services participating in the scheme may charge parents for additional services which they provide, including additional hours and additional activities or services provided these are offered on an optional basis to parents and provided appropriate programme based activities are provided to children not participating in an additional activity.

The level of capitation provided under the scheme takes into account a range of factors which contribute to the overall cost of providing the free pre-school year. It is considered that the capitation provided is sufficient to accommodate the majority of services both in Dublin and throughout the rest of the country.

All services will be required to provide an educational programme consistent with the principles of *Síolta*, the national quality framework for early childhood education in Ireland. *Síolta* comprises a set of nationally devised and evidenced based principles, standards and components of quality in all dimensions of practice in early childhood education in Ireland. It was developed

[Deputy Barry Andrews.]

through extensive consultation with all stakeholders in the early childhood care and education (ECCE) sector in Ireland and is applicable for all settings where children aged birth to six years. A national team of Síolta co-ordinators will assist services in meeting these standards. The City and County Childcare Committees and the National Childcare Voluntary Organisations are also expected to play key roles in implementing the scheme.

As part of the preparations for introducing the new scheme, the Childcare Directorate of my Office recently wrote to almost 5,000 private and voluntary pre-school service providers in the State, inviting them to participate. These included pre-school service providers which are notified to the Health Service Executive (HSE) or registered with the Irish Montessori Education Board (IMEB) and a number of persons who have expressed an interest in establishing a pre-school service and participating in the scheme. A number of schools already operate or facilitate pre-school services and some increase in their number is expected as a result of the new scheme.

At this point, some 2,500 applications to enter the scheme have been received from pre-school services of which more than 450 are from within the Dublin area. These services expect to provide an ECCE place to 42,000 children, although a number have greater capacity should the demand present itself to them. Given the current rate of applications being received, it is expected that the number of places which will be available in the Dublin area will be sufficient to meet demands in January. Services have been asked to forward applications to enter the scheme to their local City and County Childcare Committee by 10 July 2010.

The number of children who will participate in the free Pre-School Year and who are located in both the Dublin area and outside, will not be known until January 2010 when the scheme commences. At that point, participating services will make a return to my Office indicating the number of qualifying children enrolled and attending their services.

#### **Services for People with Disabilities.**

214. **Deputy Richard Bruton** asked the Minister for Health and Children the costings per week allowed to providers of services in respect of people with disabilities for five day care places, for full-time residential care, for respite care. [28912/09]

**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.

#### **Mental Health Services.**

215. **Deputy Richard Bruton** asked the Minister for Health and Children the mental health proposals developed for a number of catchment areas (details supplied); and if she will make a statement on the matter. [28913/09]

**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.

#### **Health Services.**

216. **Deputy Richard Bruton** asked the Minister for Health and Children if her attention has been drawn to the delayed discharge recorded at 18% at a hospital (details supplied) in April 2009; the steps she will take to reduce this rate; her views on whether there is a lack of conva-

lescent facilities in north Dublin for patients who have completed their acute phase of care; and if she will make a statement on the matter. [28914/09]

**Minister for Health and Children (Deputy Mary Harney):** The HSE is addressing the issue of delayed discharges through a combination of increased investment in alternatives to acute hospital stay and improvements in the discharge planning process at hospital level. There are many reasons for discharges being delayed including the need for long stay capacity, community based supports and, in some instances, a reluctance by families to allow their relative to be discharged until a publicly funded bed becomes available.

Hospitals are working to ensure that care is provided in a timely, appropriate and efficient manner. All patients are to be given an expected date of discharge within 24 hours of admission and patients will be discharged at weekends where appropriate.

The HSE National Service Plan for 2009 commits to a number of key steps which are designed to improve the efficiency of the hospital system including a reduction in the level of inappropriate admissions, reducing average length of stay, increasing elective surgical admissions on the day of surgery and shifting activity from in-patient to day procedures. The delivery of these measures and targets should ensure more efficient use of available capacity.

Following on from the launch of the Code of Practice for Integrated Discharge Planning last year, the HSE has initiated an “early transfer” pilot programme across 4 sites including Beaumont, Tallaght, Drogheda and Cork University Hospitals, which started on July 1st. Under the programme, patients can be transferred from the ED to a ward earlier than would normally be the case. The decision to transfer patients will be based on a prior analysis of the number of planned discharges each day. It is hoped that this will drive efficiencies in the wider hospital system, especially at ward level, and result in earlier access to in-patient beds.

The HSE’s funding for long-term residential care services for older people in 2009 is €909 million and it must operate within this resource. This funding currently supports the provision of public and contract beds and the payment of nursing home subventions. I understand that at the end of March 2009 there were a total of 29,000 beds in nursing homes. Of these approximately 25,985 are long stay beds. There are currently in the region of 23,000 people in long stay residential care in Ireland.(7,500 public,15,500 private). A monthly average of 9,161 beds were reported as subvented at the end of April 2009.

It will also be required to support the introduction of the new Nursing Homes Support Scheme, A Fair Deal, later this year. Under the Fair Deal, care will be more affordable for all who need it. Earlier this year, the HSE provided 235 additional contract beds, including 90 for HSE Dublin North East, to alleviate pressure on the acute hospital system by the numbers of patients whose discharges are delayed.

### **Hospital Accommodation.**

217. **Deputy Richard Bruton** asked the Minister for Health and Children the number of bed closures in Dublin hospitals; the reason for their closure in 2006, 2007, 2008 and to date in 2009; and if she will make a statement on the matter. [28915/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service issue, it has been referred to the Health Service Executive for direct reply.

*Question No. 218 answered with Question No. 213.*

219. **Deputy Joe McHugh** asked the Minister for Health and Children the number of beds in each hospital and nursing unit in Donegal of all types (details supplied) that have been closed or are currently not open in tabular form; and if she will make a statement on the matter. [28923/09]

**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.**

220. **Deputy Joe McHugh** asked the Minister for Health and Children the service reviews that are being carried out by the Health Service Executive in Donegal; the purpose of these reviews; when they were initiated; and if she will make a statement on the matter. [28924/09]

**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.

221. **Deputy Joe McHugh** asked the Minister for Health and Children the number of speech and language therapists that were to be employed under the Donegal service plan; the number actually put in place; the number whose contracts have not been renewed or who are on leave and whose posts have not been filled; the number of unfilled vacancies; and if she will make a statement on the matter. [28925/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

222. **Deputy Joe McHugh** asked the Minister for Health and Children the number of hours of speech and language therapists delivered in Donegal in the first six months of 2008 and in the first six months of 2009; and if she will make a statement on the matter. [28926/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

*Question No. 223 answered with Question No. 193.*

#### **National Treatment Purchase Fund.**

224. **Deputy Ciarán Lynch** asked the Minister for Health and Children the number of out-patients who have been referred to the National Treatment Purchase Fund in regard to each hospital in the Health Service Executive south area in 2008 and to date in 2009; and if she will make a statement on the matter. [29239/09]



**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.

### **Hospital Waiting Lists.**

225. **Deputy Ciarán Lynch** asked the Minister for Health and Children further to Parliamentary Question No. 279 of 9 June 2009 and the subsequent response from the Health Service Executive of 23 of June 2009, her views on whether it is acceptable that a 76 year old person should be put on a waiting list of 18 months approximately before being assessed for treatment; and if she will make a statement on the matter. [29240/09]

**Minister for Health and Children (Deputy Mary Harney):** The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's General Practitioner consider that his condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved.

### **Infectious Diseases.**

226. **Deputy Denis Naughten** asked the Minister for Health and Children the steps being taken to address the issue of hospital acquired infection; the number of such cases in each hospital in the past 12 months of suspected or confirmed infection; and if she will make a statement on the matter. [29247/09]

370. **Deputy James Reilly** asked the Minister for Health and Children the number of claims lodged with the State Claims Agency per year for compensation as a result of patients acquiring hospital infections since 2001; the number of cases settled to date in 2009; the settlement in each case; the amount paid in legal fees; the duration between lodging the claim and the judgement or settlement; and if she will make a statement on the matter. [30006/09]

385. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to significantly reduce hospital acquired infections in our hospitals and the need to guard against infection in the refurbishment of existing hospitals and the construction of new hospitals; and if she will make a statement on the matter. [30022/09]

386. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to establish a specific financial incentive which will reward hospitals that achieve excellence in hygiene standards; and if she will make a statement on the matter. [30023/09]

387. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to continue to carry out regular hygiene audits without notice, at minimum annually, and publish the results; and if she will make a statement on the matter. [30024/09]

388. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to introduce measures to help reduce the prescribing of antibiotics; and if she will make a statement on the matter. [30025/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 226, 370 and 385 to 388, inclusive, together.

Health Care Associated Infections (HCAIs) continue to be a challenge for healthcare systems worldwide. Ireland is not unique in this regard and tackling HCAIs here continues to be a priority for the government and for the Health Service Executive (HSE). In March 2007, the HSE launched a National Infection Control Action Plan. An Infection Control Steering Group is responsible for overseeing the implementation of the plan. Over the period of the Plan the HSE aims to reduce HCAIs by 20%, MRSA infection by 30% and antibiotic consumption by 20%. The Steering Group is supported by eight Local Implementation Teams which will ensure that all local facilities are focused on achieving the national targets.

A National Surveillance system was established by the HSE to collect data and provide information to monitor HCAIs in our health system. The number of MRSA bloodstream infections for the past three years are — 588 cases in 2006, 536 cases in 2007 and 436 cases in 2008. This shows a significant decrease of over 25% between 2006 and 2008. Below is a table showing the number of MRSA cases by acute public hospital for 2008 which is the most recent information of this detail available. Most of the variation between hospitals can be explained by differences in hospital size, activity and patient population. It should be noted that if a patient is diagnosed with a bloodstream infection at a given hospital it does not indicate that the infection was acquired at that hospital. Many bloodstream infections are acquired in the community, but only diagnosed upon admission to hospital.

In order to introduce measures to aid in the reduction of antibiotic prescribing, education campaigns for healthcare staff and the general public around the prudent use of antibiotics commenced last year. The HSE launched a three week awareness campaign in November 2008 to highlight the importance of using antibiotics properly. This coincided with the first European Antibiotic Awareness Day. The awareness campaign included radio ads and distribution of leaflets on the prudent use of antibiotics.

Earlier this year, new environmental guidelines to inform infection control policy in all new builds and refurbishments were published by the HSE. HIQA, since its establishment in 2007, has also taken significant steps in this area. A core function of the Authority is to set standards on safety and quality of health services and to monitor enforcement of those standards in an open and transparent way. In 2007, HIQA developed National Hygiene Standards and commenced a programme of audit against these Standards. The Authority undertook a comprehensive inspection and review of hygiene in our acute public hospitals in 2007 and again in 2008. This included unannounced visits by inspection teams. The reports, which were published, represent a thorough assessment of how hygiene services are provided and managed in HSE-funded acute care hospitals. HIQA noted that the standard of front line services which was already very high in 2007 had been maintained in 2008 and that corporate governance was significantly improved.

In May 2009, HIQA published its National Standards for the Prevention and Control of Healthcare Associated Infections to provide an overall framework for health and social care providers to prevent or minimise the occurrence of HCAIs. These Standards include all key areas of importance in the control of HCAIs namely governance, hygiene, microbiological services, antimicrobial resistance and surveillance systems as well as relevant aspects of the design of facilities. Six months will now be allowed for the development by the HSE of a self-assessment tool, gap analysis and implementation plan before HIQA commences its initial review against those Standards.

In relation to financial incentives for achieving excellence in hygiene standards, while it is a matter for the HSE to decide on funding priorities, I favour, of course, the allocation by the Executive of resources to best ensure the delivery of high quality services.

The State Claims Agency handles all HCAI claims against individual hospitals in the public sector, the HSE and/or the Minister for Health and Children. The Agency indicates that there were 114 HCAI claims lodged with them since inception of this scheme in 2004 and to date one case has been settled. The duration between lodging the claim and settlement was just over two years. It will be appreciated that each case has its own complexities and there are issues involved beyond HCAI. It is policy not to divulge either the details or amounts concerned in individual cases. I am satisfied that significant steps are being taken to reduce the rates of HCAs generally and to treat them promptly when they occur.

Data on Meticillin Resistant Staphylococcus Aureus (MRSA) bloodstream isolates by acute public hospital for 2008

Acute Public Hospital	Total number of isolates of MRSA 2008
Adelaide, Meath and National Children's Hospital, Tallaght, Dublin	27
Bantry General Hospital	1
Beaumont Hospital (including St. Joseph's Hospital, Raheny), Dublin	45
Cappagh National Orthopaedic Hospital, Dublin	0
Cavan General Hospital	3
Children's University Hospital, Temple Street, Dublin	2
Connolly Hospital, Blanchardstown, Dublin	8
Coombe Women's Hospital, Dublin	1
Cork University Hospital (inc Maternity)	25
Galway University Hospitals (inc UCHG and Merlin Park)	47
Kerry General Hospital, Tralee	13
Letterkenny General Hospital, Donegal	19
Lourdes Orthopaedic Hospital, Kilcreene	0
Louth County Hospital, Dundalk	4
Mallow General Hospital, Co. Cork	6
Mater Misericordiae University Hospital, Dublin	34
Mayo General Hospital, Castlebar	8
Mercy University Hospital, Cork	12
Midland Regional Hospital, Mullingar	6
Midland Regional Hospital, Portlaoise	1
Midland Regional Hospital, Tullamore*	1
Mid-western Regional Hospital, Ennis	2
Mid-western Regional Hospital, Nenagh	1
Mid-western Regional Hospital, Dooradoyle, Limerick	19
Mid-western Regional Maternity Hospital, Limerick	0
Mid-western Regional Orthopaedic Hospital, Limerick	0
Monaghan General Hospital	1
Naas General Hospital	6
National Maternity Hospital, Holles St., Dublin	0
Our Lady of Lourdes Hospital, Drogheda	2
Our Lady's Hospital for Sick Children, Crumlin,	6
Our Lady's Hospital, Navan	1
Portiuncula Hospital, Ballinasloe	7

[Deputy Mary Harney.]

Acute Public Hospital	Total number of isolates of MRSA 2008
Roscommon County Hospital	4
Rotunda Hospital, Dublin	0
Royal Victoria Eye and Ear Hospital, Dublin	0
Sligo General Hospital	10
South Infirmary — Victoria University Hospital, Cork	4
South Tipperary General Hospital, Clonmel	5
St. Colmcille's Hospital, Loughlinstown**	
St. James's Hospital, Dublin	31
St. John's Hospital, Limerick	0
St. Luke's General Hospital, Kilkenny	4
St. Luke's Hospital, Dublin	2
St. Mary's Orthopaedic Hospital, Gurranebraher, Cork	0
St. Michael's Hospital, Dun Laoghaire	0
St. Vincent's University Hospital, Dublin	28
Waterford Regional Hospital	19
Wexford General Hospital	5

It should be noted that 2008 data is provisional.

\*No data for quarters 3 and 4 of 2008.

\*\*No data for 2008.

### Health Service Staff.

227. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question Nos. 96 and 97 of 19 June 2008, the cost in 2008 for agency nursing staff; the corresponding figure to date in 2009; and if she will make a statement on the matter. [29248/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter it has been referred to the HSE for direct reply.

### Food Labelling.

228. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 112 of 18 December 2008, the number of inspections performed by environmental health officers on restaurants to date in 2009; the number planned for the remainder of 2009; the number of premises in breach of the beef labelling laws; and if she will make a statement on the matter. [29260/09]

**Minister of State at the Department of Health and Children (Deputy Trevor Sargent):** Responsibility for the enforcement of labelling legislation rests with the Food Safety Authority of Ireland (FSAI) and its official agents, which include the Health Service Executive, the Department of Agriculture, Fisheries and Food and the Local Authorities.

Some 44,000 inspections are planned for 2009. Inspection and food surveillance reports are submitted to the Authority every six months. The data for the first six months of 2009 will be available shortly. I have asked the Acting Chief Executive Officer of the FSAI to identify and to forward, directly to the Deputy, details on the number of inspections performed by environmental health officers on restaurants to date in 2009, the number planned for the remainder of 2009, and the number of premises in breach of the beef labelling laws.

### Hospital Staff.

229. **Deputy Denis Naughten** asked the Minister for Health and Children the steps she is taking to resource the staffing needs of the special care baby unit at Portiuncula Hospital, Ballinasloe, County Galway; when the new facilities will be fully commissioned and operational; and if she will make a statement on the matter. [29262/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### Vaccination Programme.

230. **Deputy Denis Naughten** asked the Minister for Health and Children the number of newborn babies who have been vaccinated with the BCG vaccine in each primary, community and continuing care area from October 2008 to date in 2009; the number in each PCCC born since October 2008 still to be vaccinated. [29263/09]

**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.

231. **Deputy Denis Naughten** asked the Minister for Health and Children when the Nursing Home Support Scheme Bill 2008 will be enacted; and if she will make a statement on the matter. [29265/09]

298. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding the implementation of a fair deal nursing home scheme. [29777/09]

332. **Deputy James Reilly** asked the Minister for Health and Children the date the nursing home support scheme will become operational; and if she will make a statement on the matter. [29967/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I propose to take Questions Nos. 231, 298 and 332 together.

The Nursing Homes Support Scheme Act 2009 was signed into law by the President on the 1st July. Certain sections of the Act were commenced last week to enable the National Treatment Purchase Fund to immediately begin price negotiations with private nursing homes. The Minister intends to implement the scheme as soon as these negotiations are concluded and no later than the final quarter of this year.

### Health Services.

232. **Deputy Denis Naughten** asked the Minister for Health and Children the Diabetes Expert Advisory Group work plan for 2009; the progress on the development of the national strategy; and if she will make a statement on the matter. [29267/09]

**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.

### Vaccination Programme

233. **Deputy Denis Naughten** asked the Minister for Health and Children if she will publish

[Deputy Denis Naughten.]

the report of the Vaccine Damage Steering Group; the reason for the delay in its publication; and if she will make a statement on the matter. [29268/09]

**Minister for Health and Children (Deputy Mary Harney):** I am currently considering the recommendations in the report of the Vaccine Damage Steering Group and it is my intention to publish the report when I have completed my deliberations. I expect to be in a position to do so shortly.

#### **Health Services.**

234. **Deputy James Reilly** asked the Minister for Health and Children the assistance which will be provided by way of allocation of a home care package to a person (details supplied) in County Dublin; when a suitable package will be put in place; and if she will make a statement on the matter. [29291/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service issue, it has been referred to the HSE for direct reply.

#### **Departmental Properties.**

235. **Deputy James Reilly** asked the Minister for Health and Children the buildings in her Department's or the Health Service Executive's control currently occupied; the space currently unoccupied in buildings under the control or ownership of her Department or the HSE; the rental liability of such unoccupied space in total and individually; and if she will make a statement on the matter. [29293/09]

236. **Deputy James Reilly** asked the Minister for Health and Children the properties and land, including size vested in the Health Service Executive and her Department; and if she will make a statement on the matter. [29294/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 235 and 236 together. Hawkin's House, Dublin 2 is currently the only building used by my Department and there is no unoccupied space in the building. The Department of Health and Children has no vested interest in any land or property. The position regarding the Health Service Executive is a matter for the HSE themselves. My Department is asking the HSE to reply directly to the Deputy in this regard.

#### **Mental Health Services.**

237. **Deputy James Reilly** asked the Minister for Health and Children if she will list the mental health institutions and lands here in her Departments ownership, Health Service Executive ownership or other ownership which the State has effective ownership of including long leasehold in tabular form; the footprint and size of the buildings; the bed capacity of each building; the occupancy rates and the land they are located on; and if she will make a statement on the matter. [29295/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** My Department does not own any lands or mental health care facilities. The lands of the Central Mental Hospital in Dundrum are the property of the Office of Public Works; the hospital has 93 in-patient beds and is currently operating at full capacity. The remainder of the question relates to lands and institutions in the ownership of the HSE and has therefore been referred to the HSE for direct reply.



### **Ambulance Service.**

238. **Deputy James Reilly** asked the Minister for Health and Children if she will report on the ambulance service in the Swords, County Dublin; if the Health Service Executive will fund the ambulance at Swords fire station; and if she will make a statement on the matter. [29296/09]

**Minister for Health and Children (Deputy Mary Harney):** Emergency ambulance services in Dublin have been provided by Dublin Fire Brigade for many years on behalf of the Health Service Executive. Ambulance services in the rest of the country are provided by the HSE.

It is important to ensure that all of our pre-hospital emergency services, including the service provided by the Dublin Fire Brigade, function as a high quality, integrated health service. The advice of the Health Information and Quality Authority on pre-hospital care issues will be a significant factor in determining how services should be organised so that they operate efficiently and that clinical governance, patient safety and quality standards are met.

The HSE and Dublin City Council are in discussion regarding a number of practical issues, including the nature and terms on which Dublin Fire Brigade provides emergency ambulance services in Dublin. The most appropriate approach to the service in Swords can be considered in this context.

### **Legislative Programme.**

239. **Deputy Jan O'Sullivan** asked the Minister for Health and Children when she expects the Adoption Bill 2009 to be signed into law; if couples who are on a list to adopt a child from Ethiopia when the Bill becomes law but who may not have received a referral or who may not have completed the adoption at that stage, will be able to proceed with the adoption; the other information with regard to progress; and if she will make a statement on the matter. [29297/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Adoption Bill, 2009, which will give force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption, was published on 23 January, 2009. The Bill, which recently passed all the stages in the Seanad, will continue to be prioritised by the Government for its passage through the Oireachtas.

Under the proposed new legislative regime, prospective adoptive parents will be able to adopt from countries that have ratified the Hague Convention as well as from those countries with which Ireland has a bi-lateral agreement based on Hague standards. Any applicant who is seeking to proceed with an adoption from a non-Hague country, or from a country with which Ireland does not have a bi-lateral agreement, should have regard to the likelihood of the adoption being completed in advance of the Adoption Bill being commenced.

As part of the preparations for the likely passage and entry into force of these new legislative arrangements, my Office has been liaising with the Department of Foreign Affairs to identify and negotiate with countries that continue to seek homes abroad for children in need of alternative care that cannot be provided domestically. We are working actively to assess the possibilities of entering into bi-lateral inter-country adoption agreements with a small number of countries, including with the Federal Democratic Republic of Ethiopia.

Ireland has no bi-lateral inter-country adoption agreement in place with the Federal Democratic Republic of Ethiopia. In June, 2008, Ethiopian officials stated their intention to ratify the Hague Convention. It is my understanding that a task force of relevant personnel drawn from the Ethiopian Ministries of Women's Affairs, of Justice and of Foreign Affairs was subsequently convened to discuss the ratification of the Hague Convention. However, the Ethiop-

[Deputy Barry Andrews.]

ian authorities acknowledged that these moves were only the beginning of what is likely to be a long process.

With regard to recent developments on the ground, my Office was advised by the Irish Embassy in Addis Ababa on 19 May, 2009, that the court in the city that deals with adoptions was not hearing cases involving abandoned children from all orphanages in Addis Ababa. Following a short period of suspension, the court has recently recommenced hearing cases involving abandoned children at State orphanages in Addis Ababa. However, cases involving abandoned children at private orphanages continue to be suspended.

The reason for the suspension of adoptions from private orphanages has, at its core, concerns over the increase in the number of abandoned children being brought for adoption and the possibility of the spread of unethical practices. The Ethiopian authorities are continuing to investigate the situation with a view to safeguarding the interests of the children concerned and, pending the conclusion of this investigation, the court is not accepting abandonment cases from private orphanages in Addis Ababa.

To date, no information has been forthcoming about a likely timeframe for the investigation. However, my Office, through its contacts in the Irish Embassy in Addis Ababa, will maintain contact with the Government of the Federal Democratic Republic of Ethiopia to keep abreast of developments, as and when they arise.

#### **Health Services.**

240. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if her attention has been drawn to moves by the Health Service Executive to use private contractors to provide home support services at weekends and holidays; if she will ensure that the kind of continuity and quality of care that the traditional home help service provides is maintained; and if she will make a statement on the matter. [29298/09]

**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 (HSE) for direct reply.

241. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if her attention has been drawn to the fact that cuts of 1,000 hours are being implemented in the home support service in County Donegal; if she will intervene to maintain this service at the current level here in accordance with Government policy of keeping people in their own homes where possible; and if she will make a statement on the matter. [29299/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** This matter has been brought to my attention. The HSE must live within current budgetary and economic restraints. As this is a service matter it has been referred to the Health Service Executive for direct reply.

#### **Public Service Staff.**

242. **Deputy Joan Burton** asked the Minister for Health and Children the number of staff in her Department, including all authorities, agencies or other institutions under the aegis of her Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if she will make a statement on the matter. [29313/09]

**Minister for Health and Children (Deputy Mary Harney):** To date a total of 19 staff in my Department have applied for early retirement under the incentivised scheme for early retirement. A further 1 member of staff has applied under this scheme in the Office of the Ombudsman for Children, whose staffing complement comes from within the overall Department of Health and Children staffing numbers. The scheme remains open for applications until 1st September 2009.

In addition 13 members of staff in my Department have applied under the incentivised career break scheme. This scheme is now closed. In the past twelve months 5 members of staff previously attached to Ministers of State were made redundant with effect from 22nd April, 2009, the date on which the Ministers of State ceased to hold that Office, in accordance with their contracts.

The information in relation to agencies under the aegis of my Department is currently being collated and will be forwarded to the Deputy when available. In relation to the number of applicants under both Schemes in the HSE, this is a matter directly for the HSE and accordingly, your Parliamentary Question has been referred to the Executive for attention and direct reply to the Deputy.

#### **Health Services.**

243. **Deputy Joe McHugh** asked the Minister for Health and Children the average waiting time in 2007, 2008, and to date in 2009 for ambulances and other emergency health services in County Donegal; and if she will make a statement on the matter. [29343/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

244. **Deputy Terence Flanagan** asked the Minister for Health and Children her plans to cover doctors who are on leave at Crumlin and Temple Street hospitals; if she will respond to the case of a person (details supplied) in Dublin 13; and if she will make a statement on the matter. [29367/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service issue, it has been referred to the HSE for direct reply.

#### **Child Protection.**

245. **Deputy Tom Hayes** asked the Minister for Health and Children the steps she will take to ensure that gardaí, social workers, Health Service Executive staff and education staff are working together in terms of child protection; the person whose responsibility it is to deal with child protection issues; the service that people should go to in order to highlight any specific concerns that they may have; the number of social workers that are assigned to families here; the ratio to the number of children here; and the way this compares to the OECD average. [29369/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The development of robust, responsive and appropriate child welfare and protection services is a priority for the Government. National over-arching guidelines for individuals and agencies dealing with children are set out in “Children First”.

The guidelines, which were published in 1999 and recently reviewed, offer guidance to health professionals, teachers, members of the Garda Síochána and the many people in sporting, cultural, community and voluntary organisations who come into regular contact with children.

[Deputy Barry Andrews.]

The objectives of the guidelines are: to improve the identification, reporting, assessment, treatment and management of child abuse; to facilitate effective child protection work by emphasising the importance of family support services and the need for clarity of responsibility between various professional disciplines; to maximise the capacity of staff and organisations to protect children effectively; to consolidate inter-agency co-operation based on clarity of responsibility, co-ordination of information, and partnership arrangements between disciplines and agencies; to clarify and promote mutual understanding among statutory and voluntary organisations about the contributions of different disciplines and professions to child protection.

The key message in “Children First” is that responsibility for protecting children must be shared by all adults. Anyone who works with, has responsibility for, or comes into contact with children should be aware of the signs of abuse, be alert to the possibility of abuse, and be familiar with the basic procedures to report their concerns. Chapter 4 of the Guidelines sets out in detail the reporting procedures for anyone who has a concern, with the principal point of contact being the HSE.

A good example of co-operation in this area is the recent initiative between the Gardaí and the HSE that has seen a nationwide system put in place whereby the Gardaí can access an appropriate place of safety for children at risk out of hours. This service aims to ensure that such children are provided with an appropriate emergency place of safety, thereby reducing or eliminating social admissions of children in an acute hospital setting. The additional operational questions raised by the Deputy have been referred to the HSE for direct reply.

#### **Medical Cards.**

246. **Deputy Terence Flanagan** asked the Minister for Health and Children the reason that a person (details supplied) in Dublin 5 does not qualify for a medical card; and if she will make a statement on the matter. [29384/09]

**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.**

247. **Deputy Terence Flanagan** asked the Minister for Health and Children the position regarding a site (details supplied) in Dublin 13; and if she will make a statement on the matter. [29387/09]

**Minister for Health and Children (Deputy Mary Harney):** Property management is a matter for the Health Service Executive. The question has been referred to the Executive for direct reply.

248. **Deputy Phil Hogan** asked the Minister for Health and Children the quality criteria included in awarding the contract to provide dialysis services in Kilkenny; and if she will make a statement on the matter. [29404/09]

310. **Deputy Phil Hogan** asked the Minister for Health and Children if, in respect of providing dialysis services to Kilkenny, the proposals made by both tendering companies in terms of staff and patient ratios were identical; and if she will make a statement on the matter. [29797/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 248 and 310 together.

As this is a service issue, it has been referred to the HSE for direct reply.

### Medical Cards.

249. **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 Kildare; and if she will make a statement on the matter. [29484/09]

**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.

250. **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 Kildare; and if she will make a statement on the matter. [29486/09]

**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 Contracts.

251. **Deputy Denis Naughten** asked the Minister for Health and Children the in-house cleaning costs and contract cleaning service costs for each hospital here for the year 2008; and if she will make a statement on the matter. [29543/09]

**Minister for Health and Children (Deputy Mary Harney):** As this question relates to a function of the HSE, it has been referred to the Executive for direct reply to the Deputy.

### Hospital Services.

252. **Deputy Denis Naughten** asked the Minister for Health and Children the number of operations cancelled at each acute hospital in 2008 and the figures to date for 2009; and if she will make a statement on the matter. [29544/09]

344. **Deputy James Reilly** asked the Minister for Health and Children the number of day cases and in-patient procedures cancelled per hospital as at end of June 2009; and if she will make a statement on the matter. [29979/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 252 and 344 together.

As this is a service matter, it has been referred to the HSE for direct reply.

253. **Deputy Denis Naughten** asked the Minister for Health and Children the budget for Roscommon County Hospital in 2007 and 2008; the service delivery level targets set for each year as outlined in the service plan; the corresponding out turn figures; and if she will make a statement on the matter. [29548/09]

254. **Deputy Denis Naughten** asked the Minister for Health and Children the budget for Portiuncula Hospital Ballinasloe, County Galway in 2007 and 2008; the service delivery level targets set for each year as outlined in the service plan; the corresponding out turn figures; and if she will make a statement on the matter. [29549/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 253 and 254 together.

As this is a service matter, it has been referred to the HSE for direct reply.

255. **Deputy Denis Naughten** asked the Minister for Health and Children the status of the transfer of the dermatology outreach clinic at Roscommon County Hospital; the number of adults who attended the clinic in the latest 12-month period available; the corresponding number of children; and if she will make a statement on the matter. [29550/09]

256. **Deputy Denis Naughten** asked the Minister for Health and Children the status of the planned improvements to the paediatric dermatology service in Portiuncula Hospital, County Galway; and if she will make a statement on the matter. [29551/09]

257. **Deputy Denis Naughten** asked the Minister for Health and Children the status of discussions between Roscommon County Hospital and Galway University Hospital regarding the development of an alternative service to replace the dermatology clinic; and if she will make a statement on the matter. [29552/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 255 to 257, inclusive, together.

As this is a service matter, it has been referred to the HSE for direct reply.

#### **Health Issues.**

258. **Deputy Denis Naughten** asked the Minister for Health and Children the steps she will take to implement the recommendations of the Diabetes Federation of Ireland Report, Adolescents' Views on Diabetes; and if she will make a statement on the matter. [29553/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I have not received a copy of the Diabetes Federation of Ireland Report Adolescents' Views on Diabetes. When I receive a copy of the report I will consider its recommendations in consultation with the Health Service Executive.

#### **Health Services.**

259. **Deputy Denis Naughten** asked the Minister for Health and Children the number of separated children who do not have a social worker allocated to them and who is dealing with their cases on an ongoing basis; and if she will make a statement on the matter. [29558/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As this is a service matter it has been referred to the HSE for direct reply.

260. **Deputy Frank Feighan** asked the Minister for Health and Children if she will ensure a bed in a public nursing home will be made available to a person (details supplied) who is currently in Sligo General Hospital. [29561/09]

**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.

#### **Hospitals Building Programme.**

261. **Deputy Frank Feighan** asked the Minister for Health and Children the position in respect of the proposed community hospital in Ballinamore, County Leitrim. [29566/09]

**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.



### Hospital Staff.

262. **Deputy James Reilly** asked the Minister for Health and Children the on-call rates for staff at public hospital labs and radiography; and if she will make a statement on the matter. [29571/09]

**Minister for Health and Children (Deputy Mary Harney):** On-call/Stand-by is defined as a period when an employee is scheduled for a designated period to be available for emergency work. An on-call stand-by payment is a fixed payment made for the designated period(s) for which the employee makes themselves available. Call-out arises when employees return to work after their normal working hours to cover any emergency situations arising. There are two payment systems for call-out; on-call with stand-by (where employees are in receipt of a stand-by fee) or on-call without stand-by (where there is no payment for being available but a higher fee per callout is paid).

The Deputy refers to an on-call rate from midnight to 9am and states that it may be 5 to 7 times the normal hourly rate. It appears that the Deputy is referring to one of the on-call fees payable to Radiographers, entitled *CT Scan On-Call* rate which applies from Midnight to 9.00am between Monday to Friday and from 12 noon on Saturday to 9.00am on Monday. It is important to clarify that this particular on-call rate is not an hourly rate, but rather a fee paid to a radiographer in the event that they are required to carry out a scan while on-call. This is paid on a fee-per-scan basis and it should be noted that such scans would only be carried out in emergency cases.

The nature of on-call work differs significantly from that of general shift work or overtime as referred to by the Deputy and as such is not directly comparable for work or pay purposes. The current on-call rates payable for the staff concerned are set out in the following table:

Medical Scientists	€
<i>Sessional Hospitals</i>	
<i>Emergency/On-Call Duty — Emergency Sessions</i>	
Fee Per Session	276.72
Fee per call/patient for service midnight-9 a.m. each night of the week	24.48
Standby (a) Monday to Friday	12.22
(b) Saturdays	15.95
(c) Sundays and Public Holidays	23.80
<i>Non-Sessional Hospitals</i>	
<i>I Hospitals up to 5 calls per week</i>	
Per call without standby	67.18
<i>II Hospitals over 5 calls per week</i>	
Payment for up to 60 calls per week per hospital	24.48
Payment for over 60 calls per week per hospital	16.53
Standby (a) Monday to Friday	24.48
(b) Saturdays	31.95
(c) Sundays and Public Holidays	47.78

[Deputy Mary Harney.]

Radiographers	€
<i>Sessional Hospitals</i>	
<i>Emergency/On-Call Duty</i>	
<i>I Standby Payment</i>	
From 10.00p.m. to 9.00a.m. Monday — Friday	17.50
Per hour on Saturday	1.80
Per hour on Sunday	2.64
<i>II Fee Per Call/Patient</i>	
Per Call / Patient	24.48
<i>III Sessions</i>	
Monday to Friday	197.68
Saturday	230.57
Sunday	276.72
<i>Non-Sessional Hospitals</i>	
<i>I On-Call with Standby*</i>	
Monday to Friday (each day)	24.48
Saturday	31.95
Sunday & Public Holidays	47.78
Fee Per Call	24.48
<i>II On-Call without Standby</i>	
Fee Per Call	67.18
<i>CT Scan On-Call Rates</i>	
Between normal finishing time and midnight Mon to Fri and from 9.00a.m. to 12 noon Sat	97.28
Midnight to 9.00a.m. Mon to Fri and from 12 noon Sat to 9.00a.m. Mon	129.59

NB: The total On-Call Standby fees paid by an individual hospital should not exceed €202.24 from 1/09/08 for any week except for a week which includes a public holiday.

### Adoption Services.

263. **Deputy James Reilly** asked the Minister for Health and Children the waiting times for persons waiting to be assessed by the Health Service Executive for assessment for suitability to be adoptive parents; the provisions in place to deal with those waiting for these assessments; her plans to upgrade the service and to provide additional staff to help reduce current waiting times; and if she will make a statement on the matter. [29572/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I acknowledge that persons applying for inter-country adoption are experiencing delays as regards waiting times for assessment. Requests for assessment for inter-country adoption are continuously increasing and Ireland currently has one of the highest rates for inter-country adoption in Europe.

When an enquiry is received by the Health Service Executive regarding an application for inter-country adoption, the prospective applicants are invited to attend an information meeting within 4 weeks. Applicants currently wait 20 months before their application is activated. Section 8(1) of the Adoption Act, 1991, provides that a Health Board shall carry out an assess-

ment, whenever so requested and as soon as practicable, of a person or persons intending to adopt from abroad. No such right to an assessment exists with respect to domestic adoption.

Assessment involves a number of stages and would generally include an initial assessment, a considerable level of education/preparation work (including an exploration with prospective adoptive parents of the challenges and issues that are likely to arise when undertaking adoption) and a home study assessment. The length of the assessment process can vary between applicants depending on the particular circumstances of each case, bearing in mind at all times the best interests of the child. Applicants found to be suitable to be adoptive parents are granted a Declaration of Eligibility and Suitability by the Adoption Board and may then pursue the adoption of a child abroad with the selected sending country.

Steps are being taken to improve the process. Monthly information meetings are assisting prospective applicants in self-selecting if they are suitable adoptive parents and have resulted in reduced waiting lists. More significantly, they are ensuring that those applicants who are eligible and suitable are being given a more expedient service. In 2006, 2,450 prospective applicants who made enquiries were invited to these information meetings and 300 new applications were made, while in 2007, 1,974 prospective applicants were invited and 275 new applications were made. In 2008, 1,083 prospective applicants were invited and 234 new applications were made.

The Health Service Executive has also introduced a nationwide system of application to reduce the waiting lists by over 35% in the coming 12 months. Under this new system, which was introduced in Dublin, Kildare and Wicklow in September, 2008, prospective applicants are invited to provide their complete pack of documentation at the point of application and these are then screened by the administration and social work teams with a view to highlighting any areas of concern as quickly as possible. This affords suitably motivated prospective applicants the opportunity to progress their application while others who are less suitable are fully informed before proceeding. The results collected in the last 10 months in the Dublin, Kildare and Wicklow region point to a reduction in waiting times from the current 20 months to 11 months by June, 2010.

My Office is continuing to work to create the appropriate legislative, policy and administrative frameworks to ensure a well regulated regime of adoption. The aim is to support children for whom adoption services are devised and provided and, also, to protect prospective adoptive parents. Furthermore, the Adoption Bill, 2009, which has now passed all of the stages in the Seanad, provides for a new regime for the accreditation of a range of agencies that offer adoption services. This modernised regime more fully recognises the phenomenon of inter-country adoption and makes provision for the accreditation of agencies to provide both assessment and mediation services. Furthermore, the Bill proposes changes to the regulation of the activities, the management and the financial arrangements of such agencies. If enacted, there will be opportunity for the development of new agencies to assist in the reduction of waiting times in those areas where the waiting times are longest.

### **Medicinal Products.**

264. **Deputy James Reilly** asked the Minister for Health and Children the pricing for the medications of Prozac, Losec and Risperidal and their generic equivalents here; if she will confirm that the generic equivalents in the UK and Northern Ireland are cheaper than here; if she will supply the figures for each jurisdiction, Ireland, UK, Scotland, Northern Ireland, for the cost of these drugs and their cheapest generic equivalents. [29573/09]

**Minister for Health and Children (Deputy Mary Harney):** The prices paid by the State for drugs and medicines are governed by the terms of the agreements between the Health Service Executive (HSE) and pharmaceutical manufacturers. I have asked the HSE to respond directly to the Deputy with regard to the prices of the products mentioned above and their generic equivalents.

### **Departmental Bodies.**

265. **Deputy Leo Varadkar** asked the Minister for Health and Children further to Parliamentary Question No. 190 of 28 of April 2009, the status of each of the individual proposals which were not completed as per her reply; the date by which she expects each of the proposals to be fully completed; and if she will make a statement on the matter. [29579/09]

**Minister for Health and Children (Deputy Mary Harney):** The legislative programme is being actively progressed by the Department to dissolve the agencies concerned and to provide for the transfer and amalgamation of their functions with existing bodies as appropriate. In parallel, discussion with the agencies concerned is ongoing with a view to progressing the programme. Given the nature of the legislative process generally, it is not possible to give a date of completion for each aspect of the programme. The following is an update on the current position in respect of the legislative programme:

*Subsume the National Council on Aging & Older People and the Women's Health Council into the Department of Health and Children —* The Health (Miscellaneous Provisions) Bill 2009 was passed by the Dail on 24 June. Seanad second stage took place on 2 July 2009 and Seanad committee and final stages are scheduled for 8 July 2009.

*Subsume Children Acts Advisory Board into Department of Health & Children —* The Government approved the inclusion of provisions in the Child Care (Amendment) Bill 2009 to disestablish the Children Acts Advisory Board (CAAB) and to subsume some of its functions into the Office of the Minister for Children and Youth Affairs on an administrative basis. These provisions were drafted and the Bill has been circulated to Government Departments for observations in advance of bringing the Bill to Government for approval to publish. Subject to the approval of the Government it is intended to publish the Bill immediately thereafter.

*Merge National Cancer Screening Services Board, National Cancer Registry Board, Crisis Pregnancy Agency & Drug Treatment Centre into HSE —* All bar the National Cancer Registry Board will be dissolved by the Health (Miscellaneous Provisions) Bill 2009 (see above). The draft Heads of the Health Information Bill have been circulated to Government Departments for observations. Approval to draft the Bill was received from Government on 16th June. The dissolution of the NCR and the transfer of its staff to the HSE will be dealt with under the Health Information Bill.

*Subsume the National Social Work Qualifications Board, the Pre-Hospital Emergency Care Council and the Opticians Board —* The Health and Social Care Professionals Act, 2005 provides for the subsuming of the NSWQB but the Act will have to be amended to provide for the latter two. This is currently under discussion within the Department in the context of finding the most appropriate fit for the various functions of PHECC and the Opticians Board.

*Merge the National Council for the Professional Development of Nursing and Midwifery into the HSE & An Bord Altranais* — The draft general scheme has been approved by Government for the drafting of the Nurses and Midwives Bill, 2009. The Attorney General has assigned a Parliamentary Counsel to draft the Bill. It is anticipated that the Bill will be introduced in the Oireachtas in the Autumn.

*Amalgamate the Food Safety Authority of Ireland, the Office of Tobacco Control and the Irish Medicines Board* — This is a complex undertaking requiring primary legislation for the dissolution of three statutory agencies and their establishment as one statutory Authority with an extensive range of powers and duties. Discussions will have to take place with a wide range of stake holders prior to the preparation of legislation.

#### **Health Services.**

266. **Deputy James Reilly** asked the Minister for Health and Children if correspondence from a person (details supplied) in County Mayo has been responded to; if the children first guidelines are being applied in this case; and if she will make a statement on the matter. [29615/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As this is a service matter it has been referred to the HSE for direct reply.

#### **Health Service Executive Expenditure.**

267. **Deputy Leo Varadkar** asked the Minister for Health and Children the level of funding provided by the Health Service Executive to a company (details supplied); and if she will make a statement on the matter. [29623/09]

**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.

#### **Hospital Negotiations.**

268. **Deputy Leo Varadkar** asked the Minister for Health and Children if she will report on discussions between Beaumont Hospital and Connolly Hospital on forming an academic medical centre; and if she will make a statement on the matter. [29624/09]

**Minister for Health and Children (Deputy Mary Harney):** This is a matter appropriate to the Health Service Executive and has been referred by my Department to the Executive for direct reply.

#### **Health Services.**

269. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of people in County Kildare awaiting admission to a long-term care bed in public nursing homes in County Kildare and their circumstances, such as in acute beds, living at home or in private nursing homes. [29632/09]

**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.

270. **Deputy Emmet Stagg** asked the Minister for Health and Children his plans to provide additional public nursing homes in County Kildare. [29633/09]

**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.

271. **Deputy Emmet Stagg** asked the Minister for Health and Children if she expects additional people to be awarded home care packages in County Kildare in 2009; or if this scheme will be wound down. [29634/09]

**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.

272. **Deputy Emmet Stagg** asked the Minister for Health and Children when the primary care team planned for the health centre for Kilcock, County Kildare, will be in place; and the range of services that will be available at the health centre. [29636/09]

**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.

#### **Hospitals Building Programme.**

273. **Deputy Emmet Stagg** asked the Minister for Health and Children if phase 3C of Naas General Hospital is included in the Health Service Executive capital plan for the remainder of the national development plan; and if so, when will construction commence. [29647/09]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive is currently reviewing its capital programme proposals to take account of the reduced capital allocation available to it following the Supplementary Budget and the adjustments to the Public Capital Programme. The capital envelope available for the health sector building and equipping programme for the remainder of the National Development Plan 2007-2013 has been reduced. Information on the extent and timing of commitments already entered into is being updated as part of this review process. It is clear at this stage that expenditure in 2009 and future years will need to be managed carefully within the available limits and that further commitments will require prioritisation within the expected funding envelope for future years. When the review is completed, the Executive is required to submit its proposed capital investment programme for my approval with the agreement of the Minister for Finance.

#### **Health Services.**

274. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of people availing of home help services in Kildare and in west Wicklow; and the number assessed as requiring home help but who have no service at present. [29654/09]

**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.

275. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of children and adults awaiting assessment for occupational therapy in Kildare and in west Wicklow. [29655/09]

**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.



276. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of occupational therapists working in the Kildare and in west Wicklow service; the number of vacant posts which remain unfilled; and the number of occupational therapists who should be in the Kildare and in west Wicklow service based on population levels. [29656/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

277. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of children awaiting assessment for orthodontic treatment in Kildare; and the number of children awaiting orthodontic treatment in Wicklow. [29657/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter it has been referred to the HSE for direct reply.

278. **Deputy Emmet Stagg** asked the Minister for Health and Children the number of speech and language therapists working in the Kildare service; the number of posts which remain unfilled; the number of speech and language therapists who should be in the Kildare west Wicklow service based on population levels. [29658/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

279. **Deputy Emmet Stagg** asked the Minister for Health and Children the waiting time for eye tests for children in health centres (details supplied) in County Kildare. [29659/09]

**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.

280. **Deputy Emmet Stagg** asked the Minister for Health and Children the waiting times for hearing tests for children in County Kildare in health centres (details supplied). [29660/09]

**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.**

281. **Deputy Denis Naughten** asked the Minister for Health and Children the number of staff in each hostel for separated migrant children; the number which are fully vetted with Garda clearance and three written references in each facility; the capacity of each facility and the current numbers; and if she will make a statement on the matter. [29665/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As this is a service matter it has been referred to the HSE for direct reply.

### Health Repayment Scheme.

282. **Deputy Denis Naughten** asked the Minister for Health and Children the funding paid to date in 2009 to the nursing home scheme administrator; the total number of files on hand; the timetable for completion of the assessments; and if she will make a statement on the matter. [29666/09]

285. **Deputy Denis Naughten** asked the Minister for Health and Children the position regarding the issues raised in Parliamentary Question Nos 108 and 109 of 30 April 2009; and if she will make a statement on the matter. [29674/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 282 and 285 together.

The Health Service Executive (HSE) has responsibility for administering the health repayment scheme in conjunction with the appointed scheme administrator KPMG/McCann Fitzgerald. The Health (Repayment Scheme) Act 2006 provides a clear legal framework to repay recoverable health charges for publicly funded long term residential care. Recoverable health charges are charges which were imposed on persons with full eligibility under the Health (Charges for In-patient Services) Regulations 1976 as amended in 1987 or charges for in-patient services only, raised under the Institutional Assistance Regulations 1954 as amended in 1965. All applications received under the scheme are processed within this legal framework and specific details on certain cohorts of applicants, such as those outlined by the Deputy are not currently available. The Act provides for the HSE to submit an application on behalf of patients in care who due to a physical or mental disability or ill health are unable to apply themselves and have no other connected person to apply on their behalf.

Over 35,000 completed applications have been received by the Scheme Administrator and 7,600 of these applications were submitted by the HSE on behalf of patients. Approximately 7,250 HSE applications have been concluded, 350 HSE claims remain to be concluded and approximately 1,100 of these HSE claims have been appealed. The procedure employed to have an offer accepted or reviewed when HSE staff make an application is in accordance with the legislative provisions of the Act. If the applicant disagrees with the repayment amount offered an appeal is lodged under section 16 of the Act which provides for the process for those who wish to appeal the decision of the Scheme Administrator. When HSE staff accept an offer of repayment on behalf of a patient, the repayment is made directly to the relevant patient private property account. The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006.

Up to the 26 June 2009, the Health Repayment Scheme Appeals Office has received 1,618 completed appeal forms from all claimants who had received an offer from the Scheme Administrator. Decisions have been made in 878 of these appeals and 406 of these decisions have disagreed with the amounts offered by the Scheme Administrator. The Health Repayment Scheme Appeals Office has received 4,038 completed appeal forms from all claimants whose claim had been rejected by the Scheme Administrator. Decisions have been made in 2,687 of these appeals and 322 of these decisions have disagreed with the decision of the Scheme Administrator.

17,605 payments totalling in excess of €390 million have issued while over 20,400 offers of repayment totalling over €408 million have been made up to 26 June 2009. Approximately 1,000 claims are currently outstanding and these claims are being concluded on an ongoing basis. The time taken to process each application is dependent on the complexity of the appli-

cation and the availability of accurate records. In addition an offer of repayment cannot be completed until the statutory 28 appeal period has elapsed and a completed form of acceptance returned to the Scheme Administrator. In addition claimants must be given the opportunity to appeal the decision of the Scheme Administrator and the appeals process will impact on the overall timeframe for the completion of repayments under the Scheme. A total of €13 million has been paid to the Scheme Administrator to date including €1.3 million which has been paid in 2009.

### **Food Safety Standards.**

283. **Deputy Denis Naughten** asked the Minister for Health and Children the number of inspections performed by environmental health officers in the retail and service sector to date in 2009; the number of premises in each category found in breach of the beef labelling laws; and if she will make a statement on the matter. [29668/09]

**Minister of State at the Department of Health and Children (Deputy Trevor Sargent):** Responsibility for the enforcement of labelling legislation rests with the Food Safety Authority of Ireland (FSAI) and its official agents, which include the Health Service Executive, the Department of Agriculture, Fisheries and Food and the Local Authorities. 44,000 inspections are planned for 2009. Inspection and food surveillance reports are submitted to the Authority every six months. The data for the first six months of 2009 will be available shortly.

I have asked the Acting Chief Executive Officer of the FSAI to identify and to forward, directly to the Deputy, the number of inspections performed by environmental health officers in the retail and service sector to date in 2009 and the number of premises in each category found in breach of the beef labelling laws.

### **Hospital Services.**

284. **Deputy Denis Naughten** asked the Minister for Health and Children the number of bed days lost in each acute hospital due to delayed discharge in 2008 and to date in 2009; and if she will make a statement on the matter. [29669/09]

343. **Deputy James Reilly** asked the Minister for Health and Children the number of bed days lost at each hospital as at the end June 2009 due to delayed discharges; and if she will make a statement on the matter. [29978/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 254 and 343 together.

As this is a service issue, it has been referred to the Health Service Executive for direct reply.

*Question No. 285 answered with Question No. 282.*

### **Health Repayment Scheme.**

286. **Deputy Dan Neville** asked the Minister for Health and Children when a result for an oral hearing (details supplied) which was held on 17 June 2009 will be available. [29680/09]

**Minister for Health and Children (Deputy Mary Harney):** The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006. In this instance an oral hearing with an Appeals Officer was arranged for 17 June 2009 and as a result of this hearing the Appeals Officer has requested additional information from the Scheme Administrator. This additional information is currently awaited

[Deputy Mary Harney.]

and is necessary as part of the overall review of the appeal. When the Appeals Officer has made a decision regarding this appeal, the claimant will be notified of the decision together with the reasons for that decision.

### **Health Services.**

287. **Deputy Dan Neville** asked the Minister for Health and Children the position regarding the application for domiciliary care allowance in respect of a person (details supplied) in County Cork. [29681/09]

**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.

### **Accident and Emergency Services.**

288. **Deputy Leo Varadkar** asked the Minister for Health and Children her plans to reduce 24-hour accident and emergency services in Connolly Hospital, Blanchardstown, Dublin, or to remove the intensive care unit or the critical care unit from the hospital; and if she will make a statement on the matter. [29693/09]

**Minister for Health and Children (Deputy Mary Harney):** The 2009 Health Service Executive National Service Plan includes a provision for a review of the existing arrangements whereby 8 hospitals in Dublin provide adult emergency department services. A working group has been established by the HSE to undertake a study of emergency department activity across the 8 sites. This study will provide detailed information on attendance patterns and a profile of patients attending. These findings will inform the work of the review. My Department has requested the HSE to reply directly to the Deputy in relation to the specific service issues raised.

### **Pharmacy Regulations.**

289. **Deputy Leo Varadkar** asked the Minister for Health and Children her plans to engage in service level agreements with pharmacies to provide new services such as INR monitoring, health screening and so on; and if she will make a statement on the matter. [29694/09]

**Minister for Health and Children (Deputy Mary Harney):** I am generally supportive of the possibility of pharmacists being more pro-active in the area of health promotion and screening as part of the development of primary care services generally. Having regard to the economic difficulties that we face, any such developments would have to contribute to an overall reduction in health spending.

### **Health Services.**

290. **Deputy Ciarán Lynch** asked the Minister for Health and Children when a decision will be made in respect of a person (details supplied) in County Cork who has lodged an appeal in regard to disability payments; and if she will make a statement on the matter. [29702/09]

**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.

### Services for People with Disabilities.

291. **Deputy Lucinda Creighton** asked the Minister for Health and Children the reason a person (details supplied) following the recommendation from the occupational therapist has not been supplied with the appropriate assisted technology by their local health service. [29720/09]

**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.

### State Compensation Payments..

292. **Deputy Ruairí Quinn** asked the Minister for Health and Children if she has reached a final agreement with the Irish Thalidomide Association and its representatives regarding an enhanced compensation package for the less than 40 surviving victims, who are now facing complex health problems, due to age and related factors; her views on whether Government negligence in the past was a contributory factor in the extent of the damage done to Irish citizens by thalidomide; and if she will make a statement on the matter. [29723/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** As I outlined in my reply to the Deputy on 13th May 2009 the matter is under consideration by the State Claims Agency. The Irish Thalidomide Association will be kept informed of progress on the matter.

### Child Care Services.

293. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding the operation of the free preschool year under the early childhood care and education scheme and the options open to parents under this scheme. [29772/09]

**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 ECCE is being introduced from January 2010 as a free scheme to benefit children in the key developmental period prior to commencing school. To enable the maximum number of parents to avail of the free pre-school year a number of options for the delivery of the service is provided for under the scheme. A full or part-time day-care service will be required to provide a pre-school service for 2 hours 15 minutes per day, five days a week for 50 weeks (241 days) per year, in return for the capitation fee of €48.50 per week. A playschool sessional service will be required to provide a pre-school service for 3 hours per day, five days a week for 38 weeks (183 days) per year, in return for a capitation fee of €64.50 per week.

Where for good reason a sessional service is unable to operate over 5 days, consideration will be given to allowing it to participate in the scheme on the basis of providing the pre-school year for 3 hours 30 minutes per day for 4 days per week. In such cases, a service will be required to provide the pre-school year over 41 weeks (157 days). In addition, in certain circumstances full or part-time services can apply to provide the pre-school year for 3 hours 45 minutes for 3 days a week over 50 weeks. Full or part-time service may also choose to provide a sessional service over 38 weeks of a year (or 2 sessional services each day) while sessional services may choose to provide 2 hours 15 minutes per day over 50 weeks.



[Deputy Barry Andrews.]

From September 2010, except in the case of children with special needs for whom not more than 3 days per week of pre-school provision may be appropriate, services participating in the scheme will be required to allocate a full pre-school place for each child enrolled. During January to August 2010, transitional arrangements will apply to accommodate parents who have entered into a shorter week arrangement with a pre-school service. During this period services may continue to accommodate children on a pro-rata basis and receive a capitation grant set by reference to the number of children attending each day rather than the total number of children in a week.

Children will be eligible to avail of the scheme where they are aged between 3 years 3 months and 4 years 6 months on 1 September each year. The scheme is being introduced in January 2010 and children aged between 3 years 7 months and 4 years 10 months on the 1st January 2010 will be eligible to avail of the free pre-school provision. To provide additional flexibility for parents, children will be accepted as qualifying for the scheme where they have not yet reached the age of 4 years 7 months during the month of September each year.

As part of the preparations for introducing the new scheme, the Childcare Directorate of my Office recently wrote to almost 5,000 private and voluntary pre-school service providers in the State, inviting them to participate. These included pre-school service providers who are notified to the Health Service Executive (HSE) or registered with the Irish Montessori Education Board (IMEB) and a number of other persons who expressed an interest in establishing a pre-school service and participating in the scheme. Application forms and other relevant information regarding the scheme were included in this correspondence and applicants are now returning forms to their local City or County Childcare Committees. The closing date for response is 10 July 2009. It is expected that the application process will be completed by the end of September 2010 and following this a list of all participating services will be available to parents from their local the City and County Childcare Committee.

### **Adoption Services.**

294. **Deputy Michael McGrath** asked the Minister for Health and Children her plans to secure a bilateral adoption agreement with Russia which meets the Hague Convention standards; her views on whether such an agreement can be put in place prior to the enactment of the Adoption Bill 2009, in order that Irish people can continue to adopt children from Russia. [29773/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As the Deputy is aware, the Adoption Bill, 2009, which will give force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption, was published on 23 January, 2009. The Bill, which recently passed all the stages in the Seanad, will continue to be prioritised by the Government for its passage through the Oireachtas.

Under the proposed new legislative regime, prospective adoptive parents will be able to adopt from countries that have ratified the Hague Convention as well as from those countries with which Ireland has a bilateral agreement based on Hague standards. As part of the preparations for the likely passage and entry into force of these new legislative arrangements, my Office has been liaising with the Department of Foreign Affairs to identify and negotiate with countries that continue to seek homes abroad for children in need of alternative care that cannot be provided domestically. We are working actively to assess the possibilities of entering into bilateral inter-country adoption agreements with a small number of countries, including with the Russian Federation.



Ireland has no official bilateral inter-country adoption agreement in place with the Russian Federation. However, preparatory work to consider the contents of a draft agreement with the Russian authorities is currently being undertaken. Officials in both my Office and the Department of Foreign Affairs have been taking soundings in relation to inter-country adoption in the Russian Federation since April, 2008. This has included contacts with the Irish Embassy in Moscow and legal and other preparatory work on the possibility of a draft bilateral inter-country adoption agreement between the two countries. A first formal meeting, arranged with the assistance of the Department of Foreign Affairs, was held on 7 May, 2009, between officials from my Office and from the Embassy of the Russian Federation in Ireland. I will continue to advance this matter with the assistance of my colleague Minister Martin and of his officials in both Dublin and Moscow.

While every effort will be made to conclude a bilateral inter-country adoption agreement with the Russian Federation, it must be acknowledged that this matter will be partly determined by the Government of the Russian Federation.

Any applicant who is seeking to proceed with an adoption from a non-Hague country, or from a country with which Ireland does not have a bilateral agreement, should have regard to the likelihood of the adoption being completed in advance of the Adoption Bill being commenced.

#### **Medical Cards.**

295. **Deputy Michael McGrath** asked the Minister for Health and Children the number of medical card renewal applications processed by the Health Service Executive south to date in 2009; the number of these renewal applications that were approved; and the number that were refused. [29774/09]

**Minister for Health and Children (Deputy Mary Harney):** The information sought by the Deputy is not provided as a matter of routine by the HSE to my Department. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

#### **Youth Services.**

296. **Deputy Michael McGrath** asked the Minister for Health and Children the financial supports that are available in terms of both start-up costs and running costs for community groups who wish to establish youth cafes in their community. [29775/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** My Office has been allocated €750,000 from Dormant Accounts for the development of a structured programme of youth cafes in 2009. Final decisions on the operation in 2009 of the programme, including those regarding the level and priority of financial supports, are still under consideration.

At this stage, the focus of my Office is to bring greater coherence to the approach taken to date, retaining the strong inter-agency element and identifying appropriate models for the future development of youth cafés. Since September 2007 my Office has undertaken a small survey of some of the existing cafés looking at mission/objectives, management and organisation, service levels and the role of young people.

Following that survey the National Children's Advisory Council (NCAC) was requested to advise on the development of a youth café model. Research was carried out by the National University of Ireland Galway (NUIG) and a draft report has been forwarded to me for my

[Deputy Barry Andrews.]

consideration. This work will ensure that funding is targeted and co-ordinated most effectively on a model or models of youth cafés which meet the needs of young people themselves. It will also ensure that any funding that may be available will augment without displacing existing inter-agency resources.

The NUIG has also been requested to prepare a toolkit and guide to support groups setting up youth cafés. This will be a “how to” guide which will deal with issues such as guiding principles, practical operational matters and provide advice and tips on the day to day management and ongoing development of a café as well as setting up cafes. A draft of the ‘toolkit’ is currently being finalised. I intend to make an announcement on advancing the youth café programme, in addition to launching the NUIG Youth Café Report and Toolkit, in the near future.

### **Medicinal Products.**

297. **Deputy Michael McGrath** asked the Minister for Health and Children the policy of the Health Service Executive with regard to the use of generic medicines as opposed to branded or patented medicines; the HSE’s research on the cost of implications of using generic versus branded medicines; and if she will make a statement on the matter. [29776/09]

330. **Deputy James Reilly** asked the Minister for Health and Children her plans to introduce reference pricing on the pricing of medicines; and if she will make a statement on the matter. [29965/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 297 and 330 together.

Generic drugs are available in Ireland for many medicines. In 2008, 18% of prescription items under the GMS scheme and 11% of items under the Drugs Payment Scheme and Long Term Illness Scheme were dispensed generically. My Department and the HSE supports the increased use of generics where this is appropriate.

In 2008, expenditure on proprietary drugs where there was an equivalent generic available under the GMS, Drugs Payment Scheme and Long Term Illness Scheme was €227 million. The HSE estimates that there is a price differential of approximately 10% between off-patent proprietary drugs and their generic equivalents. This suggests that approximately €23 million in savings per annum could be made if there were full substitution of products supplied under the GMS, Drugs Payment Scheme and Long Term Illness Scheme. Greater savings would, of course, arise if the prices of generic products on the Irish market were to be reduced. The HSE is in discussion with the Association of Pharmaceutical Manufacturers of Ireland (APMI) representing the generic manufacturers, to examine ways in which efficiencies in the generic supply chain can be passed on to the State and to consumers through lower prices.

A group, chaired by Dr Michael Barry, and comprising of representatives of my Department, the Health Services Executive and the Irish Medical Organisation, is currently overseeing the implementation of specific measures that would deliver more cost effective prescribing by GPs, greater use of generic preparations and quality prescribing indicators.

My Department and the HSE are continuing to examine all options for containing pharmaceutical expenditure, including the introduction of a system of reference pricing.

*Question No. 298 answered with Question No. 231.*

**Eating Disorders.**

299. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of public beds in the health service that are devoted to the treatment of adults with eating disorders; and if she will make a statement on the matter. [29782/09]

300. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of public beds in the health service devoted to the treatment of persons under 18 years of age with eating disorders; and if she will make a statement on the matter. [29783/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 299 and 300 together.

As this is a service matter the question has been referred to the HSE for direct reply.

301. **Deputy Olwyn Enright** asked the Minister for Health and Children if she subsidises private beds for the treatment of adults with eating disorders here; the number of same; and if she will make a statement on the matter. [29784/09]

302. **Deputy Olwyn Enright** asked the Minister for Health and Children if she subsidises private beds for the treatment of persons under 18 years of age with eating disorders here; the number of same; and if she will make a statement on the matter. [29785/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 301 and 302 together.

The Department of Health and Children does not directly subsidise the cost of private treatment for persons with an eating disorder. However, the HSE works with the independent sector to provide specialist care, on both an in-patient and outpatient basis, for persons with an eating disorder and, on occasion, persons are referred for specialist treatment in the independent psychiatric sector.

303. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of adults who have been treated in public beds devoted to eating disorders each year for the past three years, broken down by each Health Service Executive area; the average of duration of each stay; and if she will make a statement on the matter. [29786/09]

304. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of persons under 18 years of age who have been treated in public beds devoted to eating disorders each year for the past three years, broken down by each Health Service Executive area; the average of duration of each stay; and if she will make a statement on the matter. [29787/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 303 and 304 together.

As this is a service matter the question has been referred to the HSE for direct reply.

305. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of adults sent abroad for the treatment of eating disorders each year for the past three years, broken down by each Health Service Executive area; and if she will make a statement on the matter. [29788/09]

306. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of persons under 18 years of age sent abroad for the treatment of eating disorders each year for the past three years, broken down by each Health Service Executive area; and if she will make a statement on the matter. [29789/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 305 and 306 together.

As this is a service matter the question has been referred to the HSE for direct reply.

307. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of adults awaiting admission to a hospital bed for the treatment of an eating disorder in each Health Service Executive area; and if she will make a statement on the matter. [29790/09]

308. **Deputy Olwyn Enright** asked the Minister for Health and Children the number of persons under 18 years of age awaiting admission to a hospital bed for the treatment of an eating disorder in each Health Service Executive area; and if she will make a statement on the matter. [29791/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 307 and 308 together.

As this is a service matter the question has been referred to the HSE for direct reply.

#### **Hospital Infections.**

309. **Deputy Phil Hogan** asked the Minister for Health and Children the number of patients who have been readmitted to hospital with infection following treatment in private clinics in Dublin and Limerick where cross-infection resulting from reduced staff numbers or use of dialysis lines rather than fistulas was the cause; and if she will make a statement on the matter. [29796/09]

**Minister for Health and Children (Deputy Mary Harney):** It is not possible to extract the information requested by the Deputy from the current Hospital Inpatient Enquiry (HIPE) system. In that system, it is only possible to identify re-admissions to the same hospital. Also, full HIPE coverage exists for publicly funded acute hospitals only. Data on private hospitals and facilities are not available except in two cases where the data is not sufficiently complete for reporting purposes.

HIPE allows for recording of a principal diagnosis and 19 additional (secondary) diagnoses. These diagnoses are coded using the Australian Modification of the International Classification of Diseases 10th Revision (ICD-10-AM). This data does not include specific information on whether an infection was caused by cross infection resulting from reduced staff numbers or use of dialysis lines rather than fistulas.

*Question No. 310 answered with Question No. 248.*

#### **Hospital Services.**

311. **Deputy Róisín Shortall** asked the Minister for Health and Children further to Parliamentary Question Nos. 120 of 30 October 2008 and 129 of 12 March 2009, the reason a person (details supplied) in Dublin 9 has been denied the necessary treatment since March 2008;

and when they will be called for stereotactic radiotherapy in view of the seriousness of their condition. [29803/09]

**Minister for Health and Children (Deputy Mary Harney):** I presume the second parliamentary question mentioned by the Deputy refers to parliamentary question no 272 of 24th March 2009. I understand that the Health Service Executive (HSE) replied to the Deputy in relation to this question on 6th April 2009 and replied to the Deputy in relation to parliamentary question 120 of 30th October 2008 on 20th November 2008.

My Department has requested the HSE to reply directly to the Deputy in relation to the further issue raised in respect of the person concerned.

#### **Health Service Staff.**

312. **Deputy Róisín Shortall** asked the Minister for Health and Children if her attention has been drawn to difficulties in the processing of medical cards for persons over 70 in the primary care reimbursement service in Finglas; the number of staff and their grades provided to this service; the training which has been provided to staff; and the steps she will take to ensure that this service is provided in a speedy, efficient and comprehensive manner. [29806/09]

**Minister for Health and Children (Deputy Mary Harney):** The HSE has the operational responsibility for the General Medical Services (GMS) Scheme. Accordingly, my Department has asked the Parliamentary Affairs Unit of the Executive to address the issues raised, and to have a reply issued directly to the Deputy.

#### **Medical Cards.**

313. **Deputy Róisín Shortall** asked the Minister for Health and Children if, in respect of the consideration of applications of medical cards, she will provide a copy of the guidelines followed by staff in respect of applications from terminally ill patients. [29807/09]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) has the operational responsibility for the General Medical Services (GMS) Scheme which includes the medical card and GP visit card benefits.

Terminal illness itself is not a qualifying condition for receipt of a medical card. However, it is an indicator that a person may have exceptional medical expenses and all such expenses and associated costs are considered under the discretionary powers of the HSE to grant cards in exceptional circumstances.

The HSE provides guidance and training for staff on the use of discretionary power to assist staff in providing a consistent and sensitive approach to such cases throughout the country.

The HSE have provided an extract from the National Assessment Guidelines, which is attached below, for the Deputy's information.

#### **Extract from National Assessment Guidelines:**

##### *Assessment Process and Discretion:*

Where the HSE invokes this discretion they do so in a consistent manner and be cognisant of the potential myriad of circumstances that might prevail in individual cases. The following guidelines have been developed to ensure that fairness and equity is applied to all applicants seeking either a Medical Card or a GP Visit Card.

[Deputy Mary Harney.]

If a person's means are in excess of the relevant income guidelines then a decision must be taken to grant or refuse either a Medical Card or GP Visit Card. In this context the issues taken into account are additional and exceptional circumstances as outlined as follows.

The process involved in deciding eligibility is as follows:

1. If the applicant's means is in excess of the Medical Card income guidelines the deciding officer must consider whether to refuse would cause undue hardship.
2. If after such consideration the applicant fails to qualify for a Medical Card the deciding officer must consider the applicant for a GP Visit Card.
3. If the applicant's means is in excess of the GP Visit Card guidelines the deciding officer must consider whether it would be unduly burdensome for the applicant to provide for GP Services for him/her self from his/her own resources.

#### *Relevant Factors in Assessing Hardship*

The exercise of discretion by the HSE, in favour of the applicant, should be considered where meeting the costs of services covered by a Medical Card or a GP Visit Card compromises the applicant's or his/her family's ability to meet the essential costs associated with:

- maintenance of employment
- provision of reasonable housing
- provision of appropriate nurturing and care for children or dependants
- provision of adequate heating, nutrition and clothing, or
- coping with exceptional personal and financial burdens arising from medical or social circumstances.

The decision makers must act in a reasonable fashion, and take into account only bona fide and relevant considerations.

A decision should only be taken after a sufficient and reasoned assessment of all the circumstances of an individual case to include the nature and extent of personal, medical or social circumstances of the applicant and/or his/her family. A Medical Card/GP Visit Card should be issued, if, having had due regard to all the relevant circumstances, it is considered that “**undue hardship**” would occur or that it would be “**unduly burdensome**” to provide GP, medical or surgical services. Where a Medical Card has been granted to a person to prevent undue hardship or where a GP Visit Card is granted because it would be unduly burdensome, eligibility should normally be extended to all dependents of that person. If in the assessment it is obvious that the predominant costs factor for the applicant is the cost associated with GP visits, the case may be dealt with by granting a GP Visit Card.

A number of issues, such as the following, shall be taken into account in making a decision:

- Illness or medical circumstances which results in financial hardship.
- The cost of providing general medical and surgical services.
- The cost associated with the provision of medical, nursing and dental treatment.



- The cost of physiotherapy and speech and language therapy.
- Transport cost to hospitals and clinics.
- Addictions such as drink, drugs and gambling.
- Poor money management.
- Social deprivation — including poor home management.
- The cost of medical aids and appliances.

The decision makers may seek advice from other sources to may include:

- The Applicant's Doctor(s).
- The HSE's Medical Officers.
- The Public Health Nurse.
- The Community Welfare Officer.
- Social Worker.
- The Therapy Services.
- Money Advice and Budgeting Service (MABS).

*Please Note:* The decision maker must get the prior expressed approval of the applicant before any of the above persons are contacted.

When all of the factors pertinent to a case are taken into account, a decision to grant or refuse a Medical Card or a GP Visit Card is made.

By following the approach provided for in these guidelines, the HSE will ensure that the system is adequate enough to respond to the myriad of circumstances and hurdles faced by a diverse group of individuals in society.

### **Community Care.**

314. **Deputy Thomas Byrne** asked the Minister for Health and Children the funding available for the start up of a community care business. [29810/09]

**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.

### **Health Services.**

315. **Deputy Thomas Byrne** asked the Minister for Health and Children if she will investigate the case of a person (details supplied) in County Meath. [29813/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service issue, it has been referred to the HSE for direct reply.

### **Departmental Contracts.**

316. **Deputy Michael D'Arcy** asked the Minister for Health and Children the companies which have been successful in tendering for contracts for her Department in the past 20 years;

[Deputy Michael D'Arcy.]

the other companies which tendered for the same contracts; the tender prices for these contracts; and if she will make a statement on the matter. [29836/09]

**Minister for Health and Children (Deputy Mary Harney):** As discussed with the Deputy, the available information in respect of companies which have been awarded contracts by my Department, and the cost of those contracts, from 1997 to 2009 is provided in the following tables. The remainder of the information sought by the Deputy is not readily available within my Department and it would not be possible to provide this information without the redeployment of significant resources within my Department.

Contracts awarded in 1997

Name of Company	Final cost of contract
	€
Clare Clarke Event Management	30,727
QMP Publicis	1,578
Target Health	33,000

Contracts awarded in 1998

Name of Company	Final cost of contract
	€
Drury Communications	25,600
Drury Communications	213,092
Fleishman-Hilliard	9,000
Grayling Gilmore	38,500
Megan Carter Bouris	2,879
Mercer Human Resource Consulting Ltd	400,000
MR Data Management Ltd	3,941
NCC Birmingham	8,070
QMP Publicis	47,788
Document Strategies Ltd	36,346
Target Health	35,000

Contracts awarded in 1999

Name of Company	Final cost of contract
	€
Admiral Management Services	27,828
Brunswick Press	29,520
Brunswick Press	13,248
Cahill Printers	10,806
Deloitte & Touche	82,343
Drury Consultants	17,755
Eprint	1,036
Europus	1,396
Government Supplies Agency	1,955

Name of Company	Final cost of contract
	€
FOR Design Ltd	3,349
Grayling Gilmore	43,000
Institute of Public Administration	50,790
Mercer Ltd.	31,000
QMP Publicis	69,734
Slick Fish Design	8,425
Slick Fish Design	20,237
Social Information Systems Ltd	18,436
Target Health	38,100

## Contracts awarded in 2000

Name of Company	Final cost of contract
	€
Admiral Management Services	7,528
Alpha Consulting	7,781
Anne Colgan & Associates	54,734
Astutec	16,592
Brunswick Press	5,273
Brunswick Press	23,737
Cap Gemini Ernst & Young	174,456
Carr Communications	26,100
Deloitte & Touche	616,000
Dillon Consultants	165,000
Eprint	1,053
Government Supplies Agency	2,610
Grayling Gilmore	38,000
Information Consultants Pty	2,327
Institute of Public Administration	19,390
Institute of Public Administration	104,753
Institute of Public Administration/Royal College of Surgeons	21,707
Institute of Public Health	190,000
Jefferson Training	79,969
Marsh Consulting	245,821
Mercer Ltd	11,350
Peter Bacon & Associates	38,092
Prospectus Strategy Consultants	15,212
Public Communication Centre	70,000
QMP Publicis	214,673
R.C.C. Consultants Ltd	26,060
Slick Fish Design	32,000
Slick Fish Design/ Colourman the Printer	23,652
Stationery Office	11,213
Target Health	25,400
Walsh Public Relations	16,110
Slickfish Design	5,717

[Deputy Mary Harney.]

Name of Company	Final cost of contract
	€
Target Health	25,400
Walsh Public Relations	16,110

## Contracts awarded in 2001

Name of Company	Final cost of contract
	€
Arline Ltd	13,440
Axis Ltd.	19,277
Brunswick Press	2,410
Cap Gemini Ernst & Young	51,043
Cap Gemini Ernst & Young	50,128
Carr Communications	186,374
Carr Communications	156,700
Carr Communications	100,724
Change Management Training Company	137,938
CIRCA Healthcare Consulting	979,012
Colorprint	17,000
Colgan & Associates	124,980
Conall Devine	31,743
Convenience Advertising	110,700
Corporate Graphics	102,440
Davy Corporate Finance Ltd/William Fry	553,493
Dillon Consultants	63,486
Eprint	1,145
Government Supplies Agency	4,322
Grayling Gilmore	43,500
Hudson Killeen	34,257
Information Consultants Pty	2,285
Institute of Public Administration	8,126
Institute of Public Administration	18,982
Irish Marketing Surveys Ltd	99,040
James Doran & Associates	6,095
Marsh Consulting	187,159
McDonald Glennon	45,000
Mercer Ltd	121,000
QMP Publicis	193,039
Red Dog/Brunswick Press	22,674
RGC Technologies	124,793
Slickfish Design	18,652
Target Health	42,200
The Mazars Group	40,606
Walsh Public Relations	19,401
Social Information Systems Ltd.	62,737

## Contracts awarded in 2002

Name of Company	Final cost of contract
	€
Booz/Allen/ Hamilton	64,230
Blue Wave Technology	205,559
Blue Wave Technology	64,230
Cahill Printers	81,848
Cahill Printers	10,936
Cahill Printers	35,047
Carr Communications	3,448
Carr Communications	112,753
Carr Communications	156,600
Carr Communications	23,255
Carr Communications	5,445
Carr Communications	16,973
Carr Communications	24,405
Convenience Advertising	163,800
Deloitte & Touche	106,398
Deloitte & Touche	130,584
Grayling Gilmore	13,000
Hosca Consultants	22,990
Indecon International Economic Consultants	65,400
Indecon International Economic Consultants	83,901
Jefferson Training	98,419
KPMG	106,480
Languages Unlimited	1,554
Marsh Consulting	106,658
Prospectus Strategy Consultants	533,131
QMP Publicis	327,726
Red Dog Design Consultants	5,039
Report Ltd.	2,970
Rooney Graphics	16,000
Slick Fish Design	2,759
Slick Fish Design	4,005
Social Information Systems Ltd	30,000
Target Health	63,600
The Mazars Group	61,440
Ultragraphics	54,085
Wilson Hartnell	212,960

[Deputy Mary Harney.]

## Contracts awarded in 2003

Name of Company	Final cost of contract
	€
Abbey Translations	10,134
Brunswick Press	13,608
Brunswick Press	8,725
Cahill Printers	3,141
Cahill Printers	5,158
Cahill Printers	15,207
Cahill Printers	10,758
Cahill Printers	32,864
Carr Communications	12,810
Carr Communications	14,232
Carr Communications	130,600
Carr Communications	23,667
Convenience Advertising	193,200
Corporate Graphics	5,929
Deloitte & Touche	146,152
Deloitte & Touche	134,421
Farrell-Grant Sparks	2,299
Gibney Communications	39,840
Grayling Gilmore	260,000
Information Consultants Pty	2,500
Institute of Public Administration	20,000
JR Pinkerton	7,074
K McKeown Limited	66,000
K McKeown Limited	207,869
Marsh Consulting	344,331
Marsh Consulting	608,460
Mercer Human Resource Consulting Ltd	348,082
PMI Software Ltd	243,339
QMP Publicis	530,291
Slick Fish Design	8,675
Slick Fish Design	16,480
Speciality Print/Design Ltd	4,800
Speciality Print/Design Ltd	5,000
Target Health	68,300



## Contracts awarded in 2004

Name of Company	Final cost of contract
	€
Accenture Ltd	1,216,346
Business 2 Enterprise	60,000
Cahill Printers	9,700
Capita Consulting	64,100
Capita Consulting	81,700
Capita Consulting	96,331
Carr Communications/ Irish Advocacy Network	152,542
Convenience Advertising	165,300
Designit	7,899
Designit	4,349
Europus	4,452
First Impressions	20,700
Government Supplies Agency	8,293
Government Supplies Agency	5,508
Grayling Gilmore	520,000
Hay Group (Ireland) Limited	49,247
Hay Group (Ireland) Limited	1,331
Hay Group (Ireland) Limited	42,592
Hay Group (Ireland) Limited	2,662
Languages Unlimited	2,200
Marsh Consulting	27,951
McGrath Associates	37,207
Mercer Human Resource Consulting Ltd	4,719
Murray Consultants	75,456
New Oceans	5,053
New Oceans	18,524
Nixon Consulting	2,437
Pricewaterhouse Coopers	25,833
Purchasing Solutions	28,137
QMP Publicis	366,841
Quantum EMB	226,536
Red Dog Design	8,673
Rooney Graphics	16,000
HR Development Canada	24,775
Secta Consulting Ltd	172,450
Slattery PR	15,589
Slick Fish Design	20,000
Slick Fish Design	17,882
Social Information Systems Ltd	120,127
Sopra Newell & Budge	40,177
Sureskills	51,922
Target Health	75,800
Tillinghast Towers Perrin	15,488

[Deputy Mary Harney.]

## Contracts awarded in 2005

Name of Company	Final cost of contract
	€
Blue Wave Technology	70,104
Carr Communications	5,515
Carr Communications/ Pricewaterhouse Coopers	129,519
Catalysto	18,310
Eneclann Ltd	2,856
E-teams	5,883
First Impression	22,480
First Impression	21,800
Grayling Gilmore	113,000
Hay Group Ltd	2,420
Hay Group Ltd	9,680
Hunter Red Cell	120,000
Indecon Economic Consultants	101,821
Information Consultants Pty	4,050
IPPA and Súgradh	135,235
McBrinn Printing	140,000
McGrath Associates	16,335
Mercer Human Resource Consulting Ltd	83,025
New Oceans	13,228
PBAS	5,140
Peter Cassells Consultants Ltd	9,075
Pricewaterhouse Coopers	45,746
Prospectus	29,403
QMP Publicis	389,629
Renaissance Contingency Services	26,257
Rita Burtenshaw & Associates	13,600
Slick Fish Design	23,889
Slick Fish Design	42,000
Slick Fish Design	59,000
Target Health	113,400
Turners Printing	15,136

## Contracts awarded in 2006

Name of Company	Final cost of contract
	€
Brunswick Press	4,795
Cahill Printers	7,538
Carr Communications	48,400
Catalysto	16,507
Catalysto	18,704
Farrell Grant Sparks/ Trinity College Dublin	47,389
Fitzpatrick Associates	76,109

Name of Company	Final cost of contract
	€
Indecon	60,500
Information Consultants Pty	2,700
Languages Unlimited	3,371
Marsh Consulting	24,011
Mercer Human Resource Consulting Ltd	176,940
Penhouse Design	1,210
RCSI Consortium	847,568
Slickfish Design	3,165
William Fry Solicitors	50,802

## Contracts awarded in 2007

Name of Company	Final cost of contract
	€
Bearing Point	26,252
Cnag ar an Doras Consultancy and Life Coaching	9,680
Cnag ar an Doras Consultancy and Life Coaching	30,093
Cnag ar an Doras Consultancy and Life Coaching	12,152
Collier Broderick Management Consultation Ltd	10,000
Life Strategies Ltd	203,250
Mercer Human Resource Consulting Ltd	109,959
Prospectus Strategy Consultants	57,500
SLAN 07 Consortium	755,233
Raymond Burke Consulting	2,995

## Contracts awarded in 2008

Name of Company	Final cost of contract
	€
Accenture	84,700
Bearing Point	24,011
Cnag ar an doras, Consultancy and Life Coaching	22,447
Cnag ar an doras, Consultancy and Life Coaching	15,727
Cnag ar an doras, Consultancy and Life Coaching	43,170
Cnag ar an doras, Consultancy and Life Coaching	39,603
Collier Broderick Management Consultants	24,000
Coyle Hamilton Willis	4,659
CRA International	98,365
HR Development Canada	16,127
Halley and Associates	29,437
IPPA	16,971
Life Strategies Ltd	97,844
Mercer HR	121,222
Mr Peter Cassells Consulting Ltd	18,150
Oral Care Consulting	30,000

[Deputy Mary Harney.]

Name of Company	Final cost of contract
	€
PA Consulting Group	72,296
Prospectus Strategy Consultants	99,180
York Health Economics Consortium	166,519
Collier Broderick Management Consultants	24,000
HSE/PA Consulting	29,741

## Contracts awarded in 2009

Name of Company	Final cost of contract
	€
Halley and Associates	4,250 to date
Digiscan	Estimated cost 75,000 ex VAT
Abacus Systems	Estimated cost 37,000 ex VAT
Europus	Estimated cost 8,450 ex VAT
Vodafone	65,000 to date

317. **Deputy Michael D’Arcy** asked the Minister for Health and Children if she contracted a company (details supplied) to build facilities on behalf of the State; if she has satisfied herself that sub-contractors were paid for works carried out; and if she will make a statement on the matter. [29850/09]

**Minister for Health and Children (Deputy Mary Harney):** The provision of accommodation for my Department, including any major capital works, are a matter for the Office of Public Works. However, the only facility-related contracts concluded on behalf of my Department in recent years were for minor refurbishment works to my Department’s Hawkin’s House Headquarters and these did not involve the company in question.

**Departmental Strategy Statements.**

318. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the policy and strategy documents published by her in respect of domestic and sexual violence during the past five years; the policy and strategy documents she will publish during the coming year; and if she will make a statement on the matter. [29854/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department published a report entitled Sexual Assault Treatment Services — A National Review in 2006. This report identified the key areas for the development of sexual assault treatment services.

I do not propose to publish any policy or strategy documents on this issue during the coming year

319. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the policy and strategy documents published by her in relation to treatment of sex offenders; the policy and strategy documents she will publish during the coming year; and if she will make a statement on the matter. [29856/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department has published no such documents nor is it intended to publish any during the coming year. However, earlier this year, the Department of Justice, Equality and Law Reform published a discussion document entitled ‘The Management of Sex Offenders’ and, at the request of my Department, the HSE is examining those aspects of this document that relate to the health services.

#### **Domestic Violence.**

320. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the amount of funding she has allocated to combating domestic and sexual violence for each of the past ten years; and if she will make a statement on the matter. [29858/09]

**Minister for Health and Children (Deputy Mary Harney):** This information is being assembled and will be forwarded to the Deputy as soon as possible.

#### **Child Protection.**

321. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the amount of funding she has allocated to child protection initiatives during each of the past ten years; and if she will make a statement on the matter. [29860/09]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** As this is a service matter it has been referred to the HSE for direct reply.

#### **Departmental Expenditure.**

322. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if she has carried out, during 2008 and during the first six months of 2009, advertising campaigns to promote policies or programmes being implemented by her; the name of the campaign or relevant programme; the cost of advertising in publications, broadcast advertising, outdoor advertising and consultancy or production costs; and if she will make a statement on the matter. [29872/09]

**Minister for Health and Children (Deputy Mary Harney):** The information requested by the Deputy is being collated within my Department and will be forwarded as soon as it is available.

#### **Health Services.**

323. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the supports available to people suffering from gambling addictions; and if she will make a statement on the matter. [29875/09]

**Minister for Health and Children (Deputy Mary Harney):** As the Deputy’s question relates to a service matter it has been referred to the HSE for direct reply.

324. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the level of funding which has been allocated to combating or treating gambling addictions for each of the past ten years; and if she will make a statement on the matter. [29876/09]

**Minister for Health and Children (Deputy Mary Harney):** As the Deputy’s question relates to a service matter it has been referred to the HSE for direct reply.

#### **Domestic Violence.**

325. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the adjusted

[Deputy Aengus Ó Snodaigh.]

remit of the new regional planning committees on domestic violence; and if she will make a statement on the matter. [29877/09]

**Minister for Health and Children (Deputy Mary Harney):** As the Deputy's question relates to a service matter it has been referred to the HSE for direct reply.

### Health Services.

326. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if she will make arrangements for more full-time permanent speech and language therapist to be employed; and if she will offer temporary contracts to clear the waiting list backlog for speech and language assessments and treatment which in some areas stands in excess of two years. [29885/09]

**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 health care 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 health care 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 has written 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 front line 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. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. With regard to the recruitment of speech and language therapists on temporary contracts, as this is a service matter it has been referred to the HSE for direct reply.

### **Community Pharmacy Services.**

327. **Deputy Willie Penrose** asked the Minister for Health and Children her views, in view of the fact that community pharmacists have indicated their willingness to negotiate reductions in their payments in the present economic situation, on employing mediation machinery, to ensure an equitable solution is achieved for all parties concerned; and if she will make a statement on the matter. [29892/09]

**Minister for Health and Children (Deputy Mary Harney):** Before I made decisions on the reduction in payments to community pharmacists under the Financial Emergency Measures in the Public Interest Act 2009 a public consultation process was conducted and all interested stakeholders were invited to make submissions. The Irish Pharmacy Union, as the representative body for pharmacists, made both a written and an oral submission to my Department. In addition, 104 other written submissions were received largely from community pharmacists.

Reductions are absolutely necessary for two reasons. Firstly, the cost of the community drugs schemes has doubled since 2002 to over €1.6 billion in 2008: and fees and other income earned by pharmacists have doubled accordingly. Secondly, it cost an exorbitant €640 million to get €1 billion of drugs from the factory gate to the patient in the community in 2008. This level of expenditure on delivery and dispensing is no longer sustainable, given the current financial circumstances of the country and the other priorities for spending in the health sector.

The Government recognises that these measures will pose a challenge for the pharmacy sector. However, *not* making these savings would be even more challenging for health services, and would mean significant, immediate cuts in hospital and home-based services for patients.

### **Hospital Accommodation.**

328. **Deputy James Reilly** asked the Minister for Health and Children if she has made inquiries from the Health Service Executive, or the major hospitals, regarding the extent to which existing day beds are being used for inpatients; if she has sought information on the number of day cases cancelled, in 2009, due to day beds being occupied by inpatients; if she has had communication with the HSE on this matter; and if she will make a statement on the matter. [29963/09]

**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.**

329. **Deputy James Reilly** asked the Minister for Health and Children the number of health professionals who are currently on paid leave for more than six months; the date on which each of them was placed on paid leave; the amounts paid to each of them since they were placed on paid leave; and if she will make a statement on the matter. [29964/09]

**Minister for Health and Children (Deputy Mary Harney):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service

[Deputy Mary Harney.]

Plan for the delivery of health and personal social services to the public. As this is a service matter it has been referred to the HSE for direct reply.

*Question No. 330 answered with Question No. 297.*

### **Care of the Elderly.**

331. **Deputy James Reilly** asked the Minister for Health and Children the number of applications received under the nursing home repayment scheme; the number of applicants issued offers to date in 2009; the number of appeals made against offers; the number of appeals decided; the number of appeals which have received an increased offer; the number of appeals officers employed by the scheme; the number of payments made to date; the cost of same; the total cost to administer the scheme; the average waiting time to process an application; the number of applications that have to be decided upon; when the scheme will complete its work; and if she will make a statement on the matter. [29966/09]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive (HSE) has responsibility for administering the health repayment scheme in conjunction with the appointed scheme administrator KPMG/McCann Fitzgerald. Since the commencement of the scheme 35,000 applications have been received by the Scheme Administrator. To date 34,000 of these applications have been concluded which has resulted in 20,440 offers of repayment. 1,800 applications have been completed in 2009 resulting in 1,159 offers of repayment. Payments have issued to over 17,600 claimants to a value totalling in excess of €390million. In the region of 1,000 applications remain to be determined. The vast majority of the remaining offers will issue over the coming months. The delay in completing these outstanding applications is due to the quality of available records, probate issues and difficulties in determining eligibility status of claimants. The time taken to process each application is dependent on the complexity of the application and the availability of accurate records. In addition an offer of repayment cannot be completed until the statutory 28 appeal period has elapsed and a completed form of acceptance returned to the Scheme Administrator. In addition claimants must be given the opportunity to appeal the decision of the Scheme Administrator and the appeals process will impact on the overall timeframe for the completion of repayments under the Scheme.

The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the Scheme Administrator under the Health (Repayment Scheme) Act 2006. Two Appeals Officers have been appointed to consider appeals. Up to 26 June 2009 the Health Repayment Scheme Appeals Office had received 5,656 appeals, of which 1,618 relate to appeals made against amount offers to claimants. The Appeals Office has issued 3,565 appeal decisions and of these appeal decisions, 367 decisions have resulted in an increased offer to claimants and 322 decisions have resulted in an initial offer to claimants. The total cost of the Scheme is expected to be in the region of €458million. This figure includes overhead costs of €25m which includes payments to the Scheme Administrator, the pay and non pay costs associated with the appeal function, advertising costs, probate service and legal costs, HSE pay costs and general office expenses.

*Question No. 332 answered with Question No. 231.*

### **Health Services.**

333. **Deputy James Reilly** asked the Minister for Health and Children if she will arrange for the Health Service Executive to collect national data on waiting times for hospice services; and if she will make a statement on the matter. [29968/09]

**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.

334. **Deputy James Reilly** asked the Minister for Health and Children when the Health Service Executive national action plan for palliative care services 2009 to 2013, which was recently submitted to her Department, will be published; and if she will make a statement on the matter. [29969/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** The Health Service Executive was asked to prioritise palliative care service developments in the context of a framework over the next five years. A ‘Palliative Care Services Medium Term Framework’ has recently been submitted to the Department by the HSE. This document details the required actions and initiatives necessary to address the gaps in palliative care service provision, against the recommendations set out in the National Advisory Committee on Palliative Care 2001. The Department has been considering the Framework and has been in discussion with the HSE in this regard and I now understand that the HSE intends to publish the Framework within the next month.

335. **Deputy James Reilly** asked the Minister for Health and Children the progress that has been made on the programme For Government commitment to allow orthodontic cases to be referred to the National Treatment Purchase Funds by creating an orthodontic fund to treat persons who have been waiting longest; and if she will make a statement on the matter. [29970/09]

336. **Deputy James Reilly** asked the Minister for Health and Children the progress that has been made on the programme for Government commitment to ensure that any child under five waiting more than three months for occupational or speech and language therapy, will be able to access these services automatically through the National Treatment Purchase fund; and if she will make a statement on the matter. [29971/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 335 and 336 together.

The National Treatment Purchase Fund currently arranges hospital-based treatment and, in some cases, diagnostic procedures for public patients. Therefore the type of services to which the Deputy refers do not fall within the remit of the Fund at present.

#### **National Treatment Purchase Fund.**

337. **Deputy James Reilly** asked the Minister for Health and Children the annual budget made available to the National Treatment Purchase Fund since its inception; and if she will make a statement on the matter. [29972/09]

**Minister for Health and Children (Deputy Mary Harney):** The allocations to the National Treatment Purchase Fund (NTPF) in each year since 2002 are as follows:

2002	2003	2004	2005	2006	2007	2008	2009
€5m	€30m	€44m	€64m	€78m	€91.75m	€104.64m	€90.30m

To date almost 150,000 public patients had been facilitated by the NTPF with either in-patient procedures or out-patient appointments. A significant reduction in the number of people waiting for surgical procedures has been achieved over the years, from 7.4 per 1,000 population in

[Deputy Mary Harney.]

2002 to 4.3 per 1,000 in 2008. At May 2009 the median waiting time for both medical and surgical patients nationally was 2.7 months.

The Fund's activity targets for 2009 involve a total of 18,875 inpatients, 2,000 MRIs and 5,600 outpatient appointments. At my request, the NTPF, working with the HSE, will maintain a particular focus on the issue of people waiting for more than twelve months for treatment. I am pleased to say that, as a result of co-operation between the two organisations during 2008 on validation of waiting lists, the numbers of persons waiting over 12 months for treatment was reduced by 66%, from 4,637 to 1,576, between December 2007 and December 2008. The number of people waiting over 12 months at the end of May was further reduced to 1,167.

In each year to date, 95% to 96% of NTPF funding has been spent on direct patient care. The balance relates to the administration of the scheme with 2% to 2.5% of this relating to expenditure on wages and salaries.

### Health Service Staff.

338. **Deputy James Reilly** asked the Minister for Health and Children the number of staff employed in the Health Service Executive by grade category for the past six years to date; the numbers employed per HSE area; and if she will make a statement on the matter. [29973/09]

**Minister for Health and Children (Deputy Mary Harney):** I wish to advise that the numbers of staff employed in the Health Service Executive by grade category, per annum since 2004, are as follows:

	31/12/04	31/12/05	31/12/06	31/12/07	31/12/08	31/5/09
Medical & Dental	7,013	7,266	7,712	8,005	8,109	8,104
Nursing	34,313	35,248	36,737	39,006	38,108	38,450
Health & Social Care Professionals	12,830	13,952	14,913	15,705	15,980	15,962
Management/Admin	16,157	16,699	17,262	18,043	17,967	17,866
General Support Staff	13,771	13,227	12,910	12,900	12,631	12,425
Other Patient & Client Care	14,640	15,586	16,739	17,846	18,230	18,433
<b>Total</b>	<b>98,723</b>	<b>101,978</b>	<b>106,273</b>	<b>111,505</b>	<b>111,025</b>	<b>111,240</b>

*Note 1:* Excludes home helps.

*Note 2:* Management/Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

*Note 3:* The methodology under which employment figures are compiled changed during the course of 2007 with the addition of personnel not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/ Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information. As a result of this change year-on-year figures are not comparable.

*Note 4:* Caution should be exercised in making grade category comparisons due to changes in category composition over time.

*Note 5:* Student nurses are included in the 2007 and 2008 employment ceilings on the basis of 3.5 students equating to 1 whole-time equivalent. The employment levels adjusted for student nurses on the above basis are 110,664 WTE (Dec 07) and 111,001 WTE (Dec 08).

*Note 6:* Data source — Health Service Personnel Census.

The numbers of staff employed in each HSE area, per annum since 2004, are as follows:

	31/12/2004	31/12/2005	31/12/2006	31/12/2007	31/12/2008	31/5/2009
National	581	559	554	857	914	952
Dublin/Mid-Leinster	28,637	29,965	31,664	33,368	33,254	33,337
Dublin/North-East	22,241	22,964	23,410	24,335	24,321	24,362
South	22,411	22,977	24,245	25,258	25,100	25,080
West	24,853	25,513	26,400	27,687	27,436	27,509
Total	98,273	101,978	106,273	111,505	111,025	111,240

*Note 1:* Excludes home helps.

*Note 2:* Management/Administrative includes staff who are of direct service to the public and include Consultant's Secretaries, Out-Patient Departmental Personnel, Medical Records Personnel, Telephonists and other staff who are engaged in front-line duties together with staff in the following categories Payroll, Human Resource Management (including training), Service Managers, IT Staff, General Management Support and Legislative and Information requirements.

*Note 3:* The methodology under which employment figures are compiled changed during the course of 2007 with the addition of personnel not previously included in subsumed agencies such as the Health Service Executive-EA (HSEA), the Primary Care Reimbursement Service (GMSPB), Health Boards Executive (HeBe) and the Office for Health Management (now part of the HR function) together with many other posts in projects or post previously excluded such as HRBS/PPARS and Value-for-Money posts (all of which are largely in the Management/ Administrative stream) together with the inclusion of student nurses and chaplains. This change was undertaken to represent health service employment on a like-for-like basis with employment ceilings and to more accurately represent a reconfigured health service's employment information. As a result of this change year-on-year figures are not comparable.

*Note 4:* Caution should be exercised in making grade category comparisons due to changes in category composition over time.

*Note 5:* Student nurses are included in the 2007 and 2008 employment ceilings on the basis of 3.5 students equating to 1 whole-time equivalent. The employment levels adjusted for student nurses on the above basis are 110,664 WTE (Dec 07) and 111,001 WTE (Dec 08).

*Note 6:* Data source — Health Service Personnel Census.

339. **Deputy James Reilly** asked the Minister for Health and Children the job description of each Health Service Executive national director and each assistant national director; and if she will make a statement on the matter. [29974/09]

**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.

340. **Deputy James Reilly** asked the Minister for Health and Children if she will publish the Health Service Executive prospectus report on the needs assessment of bed capacity requirements in the areas of long stay, dementia specific and respite care beds for the period 2006 to 2036; and if she will make a statement on the matter. [29975/09]

341. **Deputy James Reilly** asked the Minister for Health and Children her plans to deliver 860 long stay beds; the number that were built in 2007 and 2008; the location of these beds by county and Health Service Executive area; and if she will make a statement on the matter. [29976/09]

342. **Deputy James Reilly** asked the Minister for Health and Children her plans to deliver 860 long stay beds; the number delivered to date in 2009; the location of these beds by county and Health Service Executive area; if contracts have been signed and construction begun on these beds; and if she will make a statement on the matter. [29977/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I propose to take Questions Nos. 340 to 342, inclusive, together.

In 2006 the HSE, in conjunction with Prospectus, undertook a Needs Assessment of bed capacity requirements in the areas of long-stay, dementia-specific and respite care beds for the period 2006-2036. This report was submitted to the Department of Health and Children in September 2006 and has informed proposals to expand capacity through the provision of 860 additional public beds under the Fast Track Bed Initiative.

The work is the subject of ongoing deliberations between the Department and the HSE and feeds into the development of future policy and infrastructure in the area of long-term care services for older people. The report was commissioned by, and remains the property of, the HSE. I also understand that it is commercially sensitive. For these reasons, I am not in a position to publish the report.

By end-2008, 273 additional beds had opened under the Fast-Track Initiative. These were located in the following areas:

Area	2007-2008
<i>Dublin Mid-Leinster</i>	
Cherry Orchard	94
Athy	6
Leopardstown Park	7
St. Vincent's, Mountmellick	8
Total DML	115
<i>Dublin North East</i>	
St. Mary's, Phoenix Park	100
Total DNE	100
<i>South</i>	
St. Finbarr's	31
Total South	31
<i>West</i>	
Carndonagh	16
Mayo	5
St. Francis CNU, Galway	6
Total West	27
Total HSE 2007-2008	273

A further 10 beds have opened to date this year, 6 in St. Finbarr's, Cork and 4 in Aras Mac-Dara, Galway. The remaining beds under the Fast-Track Initiative will be delivered over the remainder of 2009 and 2010, subject to the HSE's overall budgetary position.

The signing of contracts and ongoing monitoring of construction progress is a matter for the HSE and I am asking the Executive to reply directly to the Deputy on those issues.

*Question No. 343 answered with Question No. 284.*

*Question No. 344 answered with Question No. 252.*



### Departmental Expenditure.

345. **Deputy James Reilly** asked the Minister for Health and Children the details on the capital budget made available to the Health Service Executive per year since 2004 to 2008; the amount spent per year; and if she will make a statement on the matter. [29980/09]

346. **Deputy James Reilly** asked the Minister for Health and Children if she has received the revised Health Service Executive capital plan for the period 2009 to 2013; when her Department's review of the capital plan will be completed; the date she will publish the revised capital plan; and if she will make a statement on the matter. [29981/09]

347. **Deputy James Reilly** asked the Minister for Health and Children the impact plans to put all new capital projects on hold, due to reduced financial allocation, will have on Health Service Executive capital plans; the number of developments affected by this per county; and if she will make a statement on the matter. [29982/09]

379. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the Programme for Government commitment to implement the €2.4 billion acute hospital capital programme outlined in the National Development Plan; and if she will make a statement on the matter. [30016/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 345 to 347, inclusive, and 379 together.

Details of the capital allocation for the Health Boards / Authority in 2004 and the Health Service Executive for the period 2005 to 2008 with corresponding expenditure, is set out in the following table.

All Capital Subheads	2004	2005	2006	2007*	2008	Total
	€m	€m	€m	€m	€m	
Capital Allocation	509.069	564.063	574.556	524.951	593.720	2,766.359
Capital Expenditure	496.841	506.605	450.146	520.427	575.066	2,549.085

\*The allocation shown for 2007 includes a reduction of €20.999m on Capital ICT made as part of a Supplementary Estimate Adjustment.

The Health Service Executive is currently reviewing its capital programme proposals to take account of the reduced capital allocation available to it following the Supplementary Budget and the adjustments to the Public Capital Programme.

The capital envelope available for the health sector building and equipping programme for the remainder of the National Development Plan 2007-2013 has been reduced. Information on the extent and timing of commitments already entered into is being updated as part of this review process. It is clear at this stage that expenditure in 2009 and future years will need to be managed carefully within the available limits and that further commitments will require prioritisation within the expected funding envelope for future years.

When the review is completed, the Executive is required to submit its proposed capital investment programme for my approval with the agreement of the Minister for Finance.

The Executive has made considerable progress since 2007 in delivering capital projects under the acute capital programme as outlined in the National Development Plan and the Programme for Government. While it is not possible to outline details of all infrastructural developments completed or in progress, the following indicates the progress achieved since 2007.

[Deputy Mary Harney.]

At Cork University Hospital, the new amalgamated Maternity Hospital has been completed and construction is nearing completion on an €80m project to provide new cardiac/renal facilities which will include 114 replacement inpatient beds, 27 additional inpatient CCU and HDU beds. Major developments have been completed at Tullamore (€142m) and Mullingar (€25m). In the MidWest, an extension to A&E, Radiology and Pathology at Nenagh General Hospital has been completed, the fit-out and commissioning of an additional theatre and the provision of additional theatre space is underway at the MWRH Limerick. Construction is underway on a project to provide CT scanner facilities at Ennis General Hospital. In the NorthEast, two modular theatres have been provided at Louth General Hospital, an additional theatre and 21 additional beds (including 6 HDU beds and a 6 bed Medical Assessment Unit have been provided at Cavan General Hospital, where construction of an MRI facility is underway. At Monaghan General the upgrade and refurbishment of 2 x 25 beds wards is completed. A new oncology day care unit at Wexford General is at equipping stage and a new OPD including consulting rooms and associated facilities was completed in 2008. At South Tipperary General Hospital the fit-out of 23 additional in-patient beds was recently completed. Completed projects are University College Hospital Galway include an extensions to the oncology department, x-ray, orthopaedic and out-patients and refurbishment of the biochemistry department.

About twenty Medical Assessment Units /Admission Lounges were opened over a two year period in 2007 and 2008 to relieve pressures on Accident and Emergency Units. Construction of the new A&E at OLOL Drogheda and the extension to the Mater A&E have been completed. Construction is underway on the new A&E & associated Medical Assessment Unit at Letterkenny General Hospital and is nearing completion on the development at Portiuncula Hospital.

The HSE's programme to replace and update its ambulance fleet resulted in the purchase of 67 new ambulances in 2007. Delivery of a further 65 new ambulances commenced in the last quarter of 2008.

Rapid developments are taking place in field of diagnostic imagining which helps to provide a better biological and molecular understanding of diseases. Positron Emission Tomography (PET scan) enables more advanced imaging of tumours, organs and tissues. Two PET scan projects are nearing completion at St James's Hospital and Cork University Hospital.

The National Plan for Radiation Oncology (NPRO) is being delivered and will provide sufficient capacity to fully meet national population cancer incidence requirements. Work on the National Paediatric Hospital is continuing with a public procurement tendering process currently underway to appoint an Integrated Design Team to design the hospital and carry out the required architectural, engineering and environmental work in advance of submitting a planning application. Work has commenced on the redevelopment of the Mater Hospital which when completed will provide 120 replacement beds, 12 new theatres, A&E, CSSD and radiology.

This Government's commitment to the health services is demonstrated by the delivery of the range of projects outlined above together with further developments to be progressed based upon further capital allocations in future years.

#### **Health Service Staff.**

348. **Deputy James Reilly** asked the Minister for Health and Children the number and percentage of permanent and temporary posts per grade category as at December 2008; and if she will make a statement on the matter. [29983/09]

**Minister for Health and Children (Deputy Mary Harney):** The numbers (expressed in whole-time equivalent terms) and percentage, of staff employed in the public health service, in each grade category by contract type as recorded in the health service personnel census are as follows:

Grade Category	WTE Part-Time	WTE Sessional	WTE Permanent	WTE Job-Sharing	WTE Temporary	WTE Locum	WTE Training	Total WTE excl. Career Break
Medical/Dental	361.58	112.59	2,316.04	239.9	1,652.98	225.85	3,200.54	8,109.48
% of total	4.46%	1.39%	28.56%	2.96%	20.38%	2.79%	39.47%	100%
Nursing	6,128.55	124.86	24,746.28	1,474.92	4,190.51	743.69	699.11	38,107.92
% of total	16.08%	0.33%	64.94%	3.87%	11.00%	1.95%	1.83%	100%
Health & Social Care Professionals	1,528.98	79.88	11,255.78	311.58	2,325.57	311.71	166.23	15,979.73
% of total	9.57%	0.50%	70.44%	1.95%	14.55%	1.95%	1.04%	100%
Management/Admin	1,596.09	29.41	13,700.93	551.28	1,699.47	265.39	124.9	17,967.47
% of total	8.88%	0.16%	76.25%	3.07%	9.46%	1.48%	0.70%	100%
General Support Staff	2,145.35	32.67	8,057.45	206.22	1,713.98	453.11	21.77	12,630.55
% of total	16.99%	0.26%	63.79%	1.63%	13.57%	3.59%	0.17%	100%
Other Patient & Client Care	2,632.02	90.28	11,311.24	338.63	2,501.54	1,061.48	294.96	18,230.15
% of total	14.44%	0.50%	62.05%	1.86%	13.72%	5.82%	1.62%	100%

### Departmental Expenditure.

349. **Deputy James Reilly** asked the Minister for Health and Children the amount her Department and the Health Service Executive spent on the use of taxis in 2006, 2007, 2008 and to date in 2009; and if she will make a statement on the matter. [29984/09]

**Minister for Health and Children (Deputy Mary Harney):** The amounts spent by the Department of Health and Children on taxis for the years 2006, 2007, 2008 and to date in 2009 are €22,205, €21,280, €15,238 and €6,142 respectively. My Department has requested the Parliamentary Affairs Division of the Health Services Executive to have a reply issued directly to the Deputy in relation to HSE expenditure.

350. **Deputy James Reilly** asked the Minister for Health and Children the amount her Department and the Health Service spent on legal fees in 2006, 2007, 2008 and to date in 2009; and if she will make a statement on the matter. [29985/09]

**Minister for Health and Children (Deputy Mary Harney):** Payments made by my Department in respect of legal fees, the legal costs associated with awards/settlements and similar payments made on behalf of the Hepatitis C and HIV Compensation Tribunal in the years 2006 to date in 2009 are set out in tabular form.

	2006	2007	2008	2009
	€m	€m	€m	€m
Department of Health & Children	3.931	4.412	4.711	2.782
Hepatitis C and HIV Compensation Tribunal	11.962	8.345	9.372	5.234

[Deputy Mary Harney.]

My department has requested the Parliamentary Affairs Division of the Health Services Executive to have a reply issued directly to the Deputy in relation to HSE expenditure.

#### **Departmental Expenditure.**

351. **Deputy James Reilly** asked the Minister for Health and Children the amount spent by the Health Service Executive on the hospitality budget in 2006, 2007, 2008 and to date 2009; and if she will make a statement on the matter. [29986/09]

**Minister for Health and Children (Deputy Mary Harney):** The detailed information sought by the Deputy has been referred to the HSE for direct reply.

#### **Medical Cards.**

352. **Deputy James Reilly** asked the Minister for Health and Children the number of full medical cards issued as at 30 June 2009; the number of GP cards issues as at 30 June 2009; and if she will make a statement on the matter. [29987/09]

**Minister for Health and Children (Deputy Mary Harney):** Details of the number of medical cards and GP visit cards are provided to my Department each month by the Health Service Executive (HSE). The figures are provided on a net basis, showing the balance after new cards have been issued and other cards, as appropriate, have been deleted from the Executive's database, e.g. following a review of a person's circumstances. The most recent figures provided to my Department by the HSE reflect the position as at 1st June 2009. As at 1st June 2009, the number of full medical cards issued was 1,398,686 and the number of GP visit cards issued was 90,037.

#### **Health Service Staff.**

353. **Deputy James Reilly** asked the Minister for Health and Children the number of the 52 infection-control staff announced by her in 2006 that have been recruited to date; the details of the category of staff to be recruited; when this recruitment process will be completed; and if she will make a statement on the matter. [29989/09]

**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.**

354. **Deputy James Reilly** asked the Minister for Health and Children the average waiting time for a speech and language assessment for children per Health Service Executive area; the average waiting time per county; the minimum and maximum waiting time per county; and if she will make a statement on the matter. [29990/09]

355. **Deputy James Reilly** asked the Minister for Health and Children the average waiting time for access to speech and language therapy after assessment for children per Health Service Executive area; the average waiting time per county; the minimum and maximum waiting time per county; and if she will make a statement on the matter. [29991/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 354 and 355 together.

As the Deputy's questions relate to service matters I have arranged for the questions to be referred to the Health Service Executive for direct reply.

356. **Deputy James Reilly** asked the Minister for Health and Children the average waiting time for orthodontic assessment for children per Health Service Executive area; the average waiting time per county; the minimum and maximum waiting time per county; and if she will make a statement on the matter. [29992/09]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter it has been referred to the HSE for direct reply.

357. **Deputy James Reilly** asked the Minister for Health and Children the average waiting time for orthodontic treatment for children per Health Service Executive Area; the average waiting time per county; the minimum and maximum waiting time per county; and if she will make a statement on the matter. [29993/09]

**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.**

358. **Deputy James Reilly** asked the Minister for Health and Children the levels of absenteeism in 2005, 2006, 2007, 2008 and to date 2009; the breakdown of absenteeism among staffing categories; the associated cost of agency staff as a result of this absenteeism; the action the Health Service Executive has taken to reduce absenteeism; and if she will make a statement on the matter. [29994/09]

**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.

#### **Hospital Accommodation.**

359. **Deputy James Reilly** asked the Minister for Health and Children the number of hospital beds in each hospital from 2000 to 2008 and to date 2009; and if she will make a statement on the matter. [29995/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department in conjunction with the HSE will endeavour to compile the data sought by the Deputy in relation to acute public hospital beds and I will be in communication with him in due course.

360. **Deputy James Reilly** asked the Minister for Health and Children the progress in regard to the commitment given in the Programme for Government to increase the number of dedicated public only hospital beds by 1,500; and if she will make a statement on the matter. [29996/09]

380. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the Programme for Government commitment to carry out an independent review of the co-location policy; and if she will make a statement on the matter. [30017/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 360 and 380 together.

The Government in 2001 made a commitment, in the context of the Health Strategy *Quality and Fairness*, to increase public acute hospital bed numbers by 3,000 over ten years. This commitment included both acute in-patient beds and day places. The most recent data available indicates that average available number of acute hospital beds (including day places) increased by 1,380 between 2001 and 2006. Since then, investment under NDP has continued to allow for

[Deputy Mary Harney.]

the provision of further new acute beds in the acute hospital system. In some instances these have replaced existing facilities which were no longer appropriate for modern purposes.

In 2007 the HSE commissioned PA Consulting to undertake an independent review of acute bed capacity requirements until the year 2020. The consultants' report reaffirmed the need to develop an integrated health system, with a strong emphasis on the provision of hospital care on a day basis and as much as possible of people's care needs being met at primary and community care level. The review forms a basis for discussion with key stakeholders on how best to plan for the provision of public health care to 2020.

In addition, a number of measures are being taken in the context of the commitment in the Programme for Government to reform the use of beds in hospitals. The new hospital consultants' contract is being implemented and additional hospital consultants are being appointed. Furthermore, the HSE's National Service Plan contains performance targets for the current year in relation to reduction of average length of stay and increasing the proportion of surgery undertaken on a day basis. Improved efficiency under these headings enables a greater patient throughput to be achieved for a given complement of beds. The aim of the co-location initiative is to make approximately 1,000 additional beds available for public patients in Acute Hospitals. The intention is to transfer private activity to the co-located sites, thereby freeing up capacity for public patients. Significant progress has been made in advancing individual co-location projects and the necessary arrangements will be made to commission an independent review of the co-location policy in due course.

361. **Deputy James Reilly** asked the Minister for Health and Children the cost of co-located private hospitals to the Exchequer with a breakdown of the cost for each of these hospitals; the amount of tax relief involved with these hospitals; and if she will make a statement on the matter. [29997/09]

**Minister for Health and Children (Deputy Mary Harney):** It is an essential requirement that each co-location project demonstrates clear value for money to the taxpayer. However it is the responsibility of the successful bidders to arrange the financing of the individual co-location projects. The Finance Act 2009 provides that the schemes of capital allowances for private hospitals and certain other health facilities will be terminated, subject to transitional arrangements for projects already in development. Provided that a co-located private hospital project conforms to the requirements of these transitional arrangements, and otherwise satisfies the general requirements of the scheme of capital allowances, the tax relief will apply. The value of the tax relief in each case will depend on the level of qualifying capital expenditure. I do not accept that, relative to its value, a high proportion of tax would be forgone by the Exchequer in respect of co-location projects as additional revenues would accrue to the Exchequer from the extra activity generated by the construction of the hospitals, the employment arising and the related services provided on which taxes will be paid.

As regards the costs incurred by the HSE on its legal and other expenses in respect of the co-location initiative, there is a requirement on each of the preferred bidders to pay a non-refundable deposit to the HSE on the signing of the project agreement. The intention of this requirement is to allow the HSE to recoup the expenses that it has incurred in this context.

#### **Mental Health Services.**

362. **Deputy James Reilly** asked the Minister for Health and Children in relation to the Vision for Change strategy, the number of catchment area teams that have been established; the number that are fully staffed; the geographic area covered by these catchment areas; the



population of each of the catchment areas; the name of the person with managerial responsibility for mental health services in each of the catchment areas; and if she will make a statement on the matter. [29998/09]

**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.

#### **Health Service Staff.**

363. **Deputy James Reilly** asked the Minister for Health and Children the number of consultant posts approved since April to December 2008; the number of consultant posts approved to date in 2009; the number of consultants posts that are new and the number that are replacement posts; the number that have been appointed; the speciality of consultants appointed; and if she will make a statement on the matter. [29999/09]

364. **Deputy James Reilly** asked the Minister for Health and Children the number of existing hospital consultants as per speciality and location; and if she will make a statement on the matter. [30000/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 363 and 364 together.

As the approval and appointment of medical consultant posts are a matter for the Health Service Executive, I have asked the Executive to examine the issues raised and to respond directly to the Deputy.

#### **Mental Health Services.**

365. **Deputy James Reilly** asked the Minister for Health and Children the number of child and adolescent community mental health teams that have been established in relation to the Vision for Change strategy per location in tabular form; the breakdown of the number and speciality of staff employed in each team; the details on the number and speciality of positions that remain to be filled on each team; the population area of each team; and if she will make a statement on the matter. [30001/09]

366. **Deputy James Reilly** asked the Minister for Health and Children the number of adult community mental health teams that have been established in relation to the Vision for Change strategy per location in tabular form; the breakdown of the number and speciality of staff employed in each team; the number and speciality of positions that remain to be filled on each team; the population area of each team; and if she will make a statement on the matter. [30002/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 365 and 366 together.

As this is a service matter the question has been referred to the HSE for direct reply.

*Question No. 367 answered with Question No. 189.*

#### **Health Services.**

368. **Deputy James Reilly** asked the Minister for Health and Children the number of planned primary care centres; the proposed location for these centres; the number that are operational; the number that have contracts for construction signed; the number that are in planning stage

[Deputy James Reilly.]

but do not have contracts signed; the funding available for these centres; and if she will make a statement on the matter. [30004/09]

369. **Deputy James Reilly** asked the Minister for Health and Children if she will provide in tabular form the number of primary care teams that have been established to date per location in tabular form; the number and speciality of staff employed in each team; the details on the number and speciality of positions that remain to be filled on each team; the population area of each team; and if she will make a statement on the matter. [30005/09]

376. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to improve general practitioner cover by developing primary health centres in socially deprived areas; and if she will make a statement on the matter. [30013/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 368, 369 and 376 together.

As the Deputy's questions relate to a service matter they have been referred to the Health Service Executive for direct reply.

*Question No. 370 answered with Question No. 226.*

#### **Hospital Charges.**

371. **Deputy James Reilly** asked the Minister for Health and Children the amount of hospital fees collected and the corresponding amount which remains uncollected for 2006, 2007, 2008 and to date 2009; the steps she will take to recover these moneys; and if she will make a statement on the matter. [30007/09]

**Minister for Health and Children (Deputy Mary Harney):** The detailed information sought by the Deputy has been referred to the HSE for direct reply. I wish to advise that my Department has recently initiated a review of the economic costs and charges associated with the treatment of patients on a private and semi private basis in public hospitals. The review is being undertaken as part of the Government's programme of Value For Money and Policy Reviews. The Steering Group for this review is independently chaired and has recently held its first meeting. The scope of the review will include examination of the efficiency of the processes used to collect fees for private and semi private patients. It is intended that this review and wider consideration by the HSE of the procedures used to collect fees due will assist in improving income collection.

#### **Cancer Screening Programme.**

372. **Deputy James Reilly** asked the Minister for Health and Children if her attention has been drawn to the reduced BreastCheck mammography screening services at Waterford Regional Hospital; if her further attention has been drawn to the fact that women are not being referred to have a mammogram unless they present with a lump and are waiting more than two years to be screened; her views on whether waiting lists are unacceptable, particularly for the high risk patients and that this is in complete contravention of the purpose of the scheme; and if she will make a statement on the matter. [30009/09]

**Minister for Health and Children (Deputy Mary Harney):** At the outset, I wish to clarify that BreastCheck, the National Breast Screening Programme, does not provide mammography

screening services at Waterford Regional Hospital. Mammography services are among the services provided at Waterford Regional Hospital for women who have symptoms of breast disease.

BreastCheck provides free mammograms to women aged between 50 and 64, who are not symptomatic, approximately every two years (the programme is designed to offer repeat screening within an interval of 21-27 months). Screening takes place from mobile screening units. Follow-up care for women in the Waterford area in whom breast cancer is detected takes place at the BreastCheck static unit in Cork.

Symptomatic breast services are provided at Waterford Regional Hospital for women with symptoms of breast disease. Current figures show that 98% of urgent referrals to the symptomatic breast service at Waterford are seen within the target waiting time of two weeks (May figures). Screening is not provided by the symptomatic breast services, the priority of which is to provide services for women who do have symptoms.

### **Departmental Programmes.**

373. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the implementation of the programme for Government commitment to develop a freely available and personalised national programme to provide for the prevention and early detection of illnesses for both men and women; if the expert group has been established; the members of this group; if the expert group has reported; if this report will be published; and if she will make a statement on the matter. [30010/09]

**Minister for Health and Children (Deputy Mary Harney):** The Programme for Government intended that guidelines should be developed for a Personal Health Check based on best available national and international evidence of what works well, with structured call and recall arrangements during a person's life and provision for appropriate clinical follow up where required.

My Department undertook a preliminary examination of a range of issues in relation to this commitment. However, planning for a Personal Health Check did not proceed in light of the strategies which have been or are being developed on cardiovascular and other chronic disease and the many competing priorities for health service development. The commitment will fall to be addressed in the forthcoming review of the programme in light of the current economic circumstances.

### **Patients' Rights.**

374. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the implementation of the programme for Government commitment to implementing an advisory charter of patients rights similar to the European charter of patient rights; and if she will make a statement on the matter. [30011/09]

**Minister for Health and Children (Deputy Mary Harney):** In January 2007, as part of the Government's commitment to ensuring patient safety and quality in our health service, I established a Commission on Patient Safety and Quality Assurance to develop clear and practical recommendations to ensure that quality and safety of care for patients is paramount within the health care system. The Commission's Report — *Building a Culture of Patient Safety* - was published in August 2008. The Commission recommended that there should be a mandatory licensing system in Ireland to cover both public and private health care providers. It further endorsed the proposals in the National Strategy for Service-User Involvement in the Irish Health Service published by my Department with the HSE in 2008 and made a series of recom-

[Deputy Mary Harney.]

mentations on patient, carer and service-user participation in the planning, delivery and review of our health services.

The Government recently accepted the Commission's report and also supported the establishment of a Steering Group, chaired by the Chief Medical Officer of my Department, to drive the implementation of all the report's recommendations including those relating to what patients can expect from the health service. This Steering Group, which itself includes a representative of patients, has now been established. Its first meeting took place on 4 June and it has begun its work on an overall implementation plan to be completed within 18 months of establishment.

### **Health Services.**

375. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the implementation of the programme for Government commitment to extend the general practitioner out of hours service nationwide to ensure that patients can be seen within one hour of their call; and if she will make a statement on the matter. [30012/09]

**Minister for Health and Children (Deputy Mary Harney):** Out of hours co-operatives are now in place in all Health Service Executive (HSE) areas, providing coverage in all or in part of all counties. The total number of contacts with out of hours GP services in 2008 was over 920,000. Expenditure on the scheme amounted to a total of €102 million in 2008. The HSE is continuing with the development of out of hours GP services to ensure that the commitment in the Programme for Government that patients be seen within one hour is met to the greatest extent possible.

*Question No. 376 answered with Question No. 368.*

### **Medical Cards.**

377. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to index the income thresholds for medical cards to increases in the average industrial wage; and if she will make a statement on the matter. [30014/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department is currently reviewing all legislation relating to eligibility for health and personal social services with a view to making the system as fair and transparent as possible. As part of this exercise, a review of the eligibility criteria for medical cards in the context of financial, medical and social need is being undertaken and is expected to be completed in the coming months.

378. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to double the income limit eligibility of parents of children under six years of age and treble them for parents of children with an intellectual disability under 18 years of age; and if she will make a statement on the matter. [30015/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department is currently reviewing all legislation relating to eligibility for health and personal social services with a view to making the system as fair and transparent as possible. As part of this exercise, a review of the eligibility criteria for medical cards in the context of financial, medical and social need is being undertaken and is expected to be completed in the coming months.

*Question No. 379 answered with Question No. 345.*

*Question No. 380 answered with Question No. 360.*

### **Patient Treatment Register.**

381. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to ensure that the patient treatment register is operated for all in and out patient referrals; and if she will make a statement on the matter. [30018/09]

**Minister for Health and Children (Deputy Mary Harney):** All targeted hospitals are now submitting details to the Patient Treatment Register, which covers public in-patient and day-case waiting lists. Out-Patient waiting list data is currently collected by the Performance Monitoring Unit of the HSE.

### **Accident and Emergency Services.**

382. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to further increase the number of accident and emergency consultants available round the clock in accident and emergency departments; and if she will make a statement on the matter. [30019/09]

383. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to further develop chest pain and respiratory clinics to ease pressure on accident and emergency departments; and if she will make a statement on the matter. [30020/09]

384. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to establish a national network of local injury clinics; the number and location of those that are operational; the number and location of those that are in planning stage; the cost of same; and if she will make a statement on the matter. [30021/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 382 to 384, inclusive, together

Improving the delivery of Accident and Emergency services continues to be a high priority for this Government. The Programme for Government contains a number of commitments designed to further improve the delivery of Accident & Emergency services including:

- Further increase the number of A & E consultants available around the clock in A & E Departments,
- Further develop chest pain and respiratory clinics to ease pressure on A & E,
- Establish a national network of Local Injury Clinics.

There are currently 60 Emergency Medicine Consultants in post. An additional 28 Consultants in Emergency Medicine have been approved to support the delivery of A & E services since 2003. This represents an increase of 85% over the past five years in the emergency consultant numbers. The HSE has made financial provision within its 2009 Service Plan for the recruitment of additional consultants, including appointments under the 100 plus scheme.

In line with the new contractual arrangements agreed with Medical Consultants and to provide for a consultant delivered service, the number of hospital consultants will be increased

[Deputy Mary Harney.]

but there will need to be compensatory savings by suppressing Non-Consultant Hospital Doctor posts.

In addition, the new Consultant Contract provides for greater flexibility in the rostering of Consultants in Emergency Medicine and the consequent availability of consultant-provided services in line with clinical need. The new Contract includes provision for an extended working day to 12 hours Monday to Friday (8 am to 8 pm), provision for rostering on-site at weekends and public holidays and by agreement, more flexible arrangements, including 24/7 rostering.

Chest pain assessment and respiratory services are provided at existing Emergency Departments. There are dedicated practice examples where GP referrals are assessed by cardiology services in units such as the chest pain assessment units in the Mater Hospital, Connolly Hospital, Cork University Hospital and South Infirmery. Dedicated respiratory clinics are, for example, conducted at the Mater Hospital and Connolly.

A number of the new A&E Departments have provision for minor injury clinics, including Connolly Hospital, Blanchardstown, Cork University Hospital, St Vincent's Hospital, St James's Hospital and South Tipperary General Hospital. The new hospital at Tullamore now has a designated area for the treatment of minor injuries. Minor injuries services have been expanded at St. John's Limerick, and a minor injuries unit is operating at Waterford Regional Hospital.

In line with the recommendations of the Teamwork Report "Improving Safety and Achieving Better Standards", the HSE is also committed to the development of Minor Injury Units in local hospitals in the North East. The first of these units has been developed at Monaghan Hospital which opened earlier this year. Other units are to open at Our Lady's Hospital, Navan and Louth County Hospital, Dundalk.

Following on from the reconfiguration of services in the Mid-West, including A & E and surgery, local emergency care centres have been established at Nenagh and Ennis.

My Department has asked the HSE to communicate directly to the Deputy on the additional operational issues raised.

*Questions Nos. 385 to 388, inclusive, answered with Question No. 226.*

389. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the Programme for Government commitment to implement the key recommendations of the National Cancer Strategy and prioritise development of hospice services; and if she will make a statement on the matter. [30026/09]

### **Cancer Control Strategy.**

**Minister for Health and Children (Deputy Mary Harney):** The goals of the National Cancer Control Programme are better cancer prevention, detection, treatment and survival through a national service based on evidence and best practice. This involves significant re-alignment of cancer services to move from a fragmented system of care to one which is consistent with international best practice in cancer control.

In line with the recommendations of the 2006 Cancer Control Strategy, eight hospitals have been designated by the Health Service Executive (HSE) as cancer centres. These eight hospitals will operate within four managed cancer control networks, within which cancer diagnosis and surgery is to be located. 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. Diagnosis and treatment planning is or will be directed and managed by multi-dis-



ciplinary teams based at the cancer centres, but much of the treatment other than surgery may be delivered in local hospitals. In this context, chemotherapy and support services will continue to be delivered locally.

The reorganisation of breast cancer services, which has been the highest priority for the Cancer Programme, is almost complete with services remaining to be transferred from only three hospitals — Tallaght, Sligo and South Infirmary. The service at both Sligo and Tallaght will transfer this summer while the transfer from South Infirmary to Cork University Hospital (CUH) is expected to take place later in 2009 on completion of a €5 million refurbishment project at CUH. The NCCP has at all times stated that it only transfers services when it is satisfied that adequate resources are in place.

Priorities in 2009 in relation to other site-specific cancers include services for prostate, lung, rectal and pancreatic cancers, brain tumours and head and neck reconstructive surgery and the development of community oncology. Additional development funding of €15 million was allocated to the NCCP for all of these initiatives, along with 100 new posts.

Recent achievements include the opening of two Rapid Access Diagnostic Clinics for Prostate Cancer at St. James's Hospital, Dublin and at University Hospital Galway in June 2009, the first of eight such clinics. Rapid Access clinics are also to be established for lung cancer. A single national programme for the management of brain tumours and other central nervous system tumours is being created on two sites — Beaumont and Cork University Hospital — and funding has been allocated this year to recruit a neuro-oncology trained neurosurgeon to lead this programme. St Vincent's University Hospital will become the national centre for pancreatic cancer surgery by the end of 2009. A single centre is also to be established for reconstructive surgery for head and neck cancer while the number of hospitals performing rectal cancer surgery is to be reduced.

The NCCP has also developed a separate Community Oncology office which is working closely with the Irish College of General Practitioners to train and educate GPs in oncology and also to enhance nursing capability in oncology care within communities and primary care teams. Early diagnosis and appropriate referral is critical to improving cancer care, so the successful development of this programme is a key strategic initiative.

The implementation of all of these initiatives represents significant progress towards the goal of improving our cancer services and, ultimately, outcomes for cancer patients.

In regard to palliative care service developments, the HSE was asked to prioritise these in the context of a framework over the next five years. A Palliative Care Services Medium Term Development Framework has recently been submitted to my Department by the HSE. This document details the required actions and initiatives necessary to address the gaps in palliative care service provision, against the recommendations set out in the National Advisory Committee on Palliative Care 2001. The HSE and my Department are considering how this can be rolled out within existing resources.

### **Cancer Screening Programme.**

390. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the Programme for Government commitment to complete the national roll out of BreastCheck; and if she will make a statement on the matter. [30027/09]

391. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the Programme for Government commitment to extend BreastCheck to women not covered at present; and if she will make a statement on the matter. [30028/09]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 390 and 391 together.

BreastCheck commenced roll-out in the Western and Southern regions in 2007 and is now screening in all but three of the 26 counties. Of these three remaining counties, the consent process has already begun in Co Clare and will begin in Co Donegal in September and in Co Leitrim in October with appointments being issued following the consent process. The programme is designed to offer repeat screening within an interval of 21-27 months. The priority of BreastCheck is to screen women who have not yet been screened and accordingly it is fully focussed at present on the completion of the first round of screening in the West and South.

The expert advice from BreastCheck and from the National Cancer Forum, as contained in the National Strategy for Cancer Control, is that following the national roll out of the programme to women between the ages of 50 and 64 years, the upper age limit should be extended to women aged 69 years.

I will consider extending the age limit as recommended when the national roll-out of the programme is sufficiently developed and it is assured that a quality service is being delivered. Any woman irrespective of her age who has immediate concerns or symptoms should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

#### **Cancer Control Strategy.**

392. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to progress a national network for radiation oncology services over the past five years; the progress of same; and if she will make a statement on the matter. [30029/09]

**Minister for Health and Children (Deputy Mary Harney):** Under the National Plan for Radiation Oncology (NPRO), the Health Service Executive (HSE) will develop a network of radiotherapy centres consisting of four large centres, in Dublin (St James's and Beaumont), Cork and Galway, and two satellite centres in Limerick and Waterford. The Plan's implementation is a key deliverable for the HSE National Cancer Control Programme and the NPRO Project Board is chaired by the Director of the Programme. Considerable progress has been made on all aspects of the NPRO.

Phase 1 of the NPRO (new radiotherapy centres at St. James's Hospital and Beaumont) is funded by the HSE through its capital programme using traditional procurement. Contracts for the construction and equipping of these two new centres were signed in August 2008 and site preparation work is continuing, with a target date of September 2010 for completion of this phase, which will result in 4 new linear accelerators at St James's Hospital and 4 also at Beaumont Hospital. In order to provide additional capacity in the intervening period, two new linear accelerators were provided at St Luke's in 2008 to bring the total there to eight. Two replacement linear accelerators were also provided at St Luke's in 2008.

In relation to the Phase 2 of the Plan, which will deliver new linear accelerators on the remaining sites, the detailed planning for each hospital site is now under way. A Public Sector Benchmark will be undertaken shortly for Phase 2 of the Project and if Public Private Partnership (PPP) is judged to be cost-effective, the tendering process will then commence with an expected completion date for Phase 2 of 2014.

#### **Cancer Screening Programme.**

393. **Deputy James Reilly** asked the Minister for Health and Children the progress made on

the programme for Government commitment to introduce screening for prostate and other cancers as recommended by experts; and if she will make a statement on the matter. [30030/09]

**Minister for Health and Children (Deputy Mary Harney):** Screening programmes are a key aspect of cancer prevention and early detection. I established the National Cancer Screening Service (NCSS) in January 2007 following the launch of the strategy for Cancer Control in Ireland (2006). The NCSS encompasses BreastCheck, the national breast screening programme and CervicalCheck, the national cervical screening programme. BreastCheck provides free mammograms to women aged 50 to 64 years. The national roll-out of BreastCheck, which commenced in 2007, is almost complete. Screening has now reached 23 counties. The necessary consent process has begun in Co Clare and following this process appointments for screening in August will be issued. The consent process is scheduled to begin in Co Donegal in September and in Co Leitrim in October. In 2008, over 90,000 women were screened by BreastCheck and the target for 2009 is to screen 140,000 women.

CervicalCheck, the National Cervical Screening Programme, was launched nationally in September 2008 and provides free smear tests to women aged 25 to 60 who are eligible for screening. The programme has been very successful so far in terms of uptake, with nearly 65,000 women screened in 2008 and around 240,000 women to be screened in 2009. A successful national cervical screening programme has the potential to result in a reduction of up to 80% in deaths from this disease.

With regard to colorectal screening, I am very anxious, notwithstanding the current budgetary situation, to introduce such a programme as soon as possible. Accordingly, I have requested the Health Information and Quality Authority (HIQA) to explore different ways of delivering a high quality colorectal cancer screening programme within existing resources, based on the range of advice contained in the two expert reports recently published by HIQA and the NCSS.

While my Department and the NCSS are keeping emerging international evidence in relation to prostate screening under review, including the results of randomised trials that are currently being conducted internationally, there is currently insufficient evidence in favour of a population based prostate screening programme. Rather, the focus is on improving services for those with prostate cancer and in this regard, Rapid Access Prostate Cancer Diagnostic Clinics are being established by the National Cancer Control Programme in each of the eight designated cancer centres. This development will enhance access to early diagnosis and multidisciplinary decision making for prostate cancer, with patients at higher risk based on agreed high risk criteria being fast tracked directly to these Clinics. These patients will have a definitive diagnosis established within two weeks of referral and, if confirmed as cancer, will have immediate access to a multidisciplinary specialist cancer consultation regarding appropriate management. The first two Rapid Access clinics have opened at University Hospital Galway (UHG) and St. James's Hospital, Dublin, with two more to be established in 2009 and a further four in 2010.

### **Mental Health Services.**

394. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to invest in and fully implement the Vision for Change strategy; if she will provide further additional funding to support the recovery model of mental health service provision; and if she will make a statement on the matter. [30031/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The estimated additional cost of the implementation of 'A Vision for Change' the Report of the Expert Group on Mental Health Policy is €150 million over 7-10 years. Substantial resources are invested in mental health services; overall spending on these services amounts to an esti-

[Deputy John Moloney.]

mated €1 billion. Implementing 'A Vision for Change' is essentially about the reallocation and remodelling of these resources.

Additional funding was provided in 2009 for the recruitment of 35 therapy posts for the child and adolescent mental health service. In addition, once-off funding of €1.75 million was provided for suicide prevention initiatives and for mental health projects supporting service users and carers.

395. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to ringfence funds from the sale of existing mental hospitals, estimated to be approximately €800 million, to fund community based services; and if she will make a statement on the matter. [30032/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** 'A Vision for Change' the Report on the Expert Group on Mental Health Policy recommended that a plan to bring about the closure of all psychiatric hospitals should be drawn up and implemented and that the resources released by these closures should be re-invested in the mental health service. The Departments of Finance and Health and Children have agreed in principle to the release of the proceeds of the disposal of properties prior to 2006 for reinvestment in mental health capital development.

The arrangements for property disposal require Department of Finance approval in each case, the lodging of the proceeds as Exchequer Extra Receipts and the re-voting of the funds for approved projects. Disposals to date amount to over €42 million. A submission from the HSE, detailing the priority projects to be funded from these disposals, is currently under consideration in my Department with a view to submission to the Department of Finance.

396. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to ensure that multidisciplinary community mental health teams provide services based on need in the community, the home and through assertive outreach; and if she will make a statement on the matter. [30033/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** 'A Vision for Change' the Report of the Expert Group on Mental Health Policy which has been adopted as Government policy, says that to provide an effective community based service, community mental health teams should offer home based treatment and assertive outreach and a comprehensive range of medical psychological therapies relevant to the need of the services users and their families.

In April 2009, the HSE adopted an implementation plan for 'A Vision for Change' for the five year period 2009-2013. In addition, a joint research initiative between the Mental Health Commission, the University of Limerick and the HSE to examine the functioning and effectiveness of Community Mental Health Teams (CMHTs) is under way. The HSE will shortly appoint a national lead for mental health which will bring a new impetus to the implementation of 'A Vision for Change'.

### **Medical Training.**

397. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to increase the number of postgraduate training places for clinical psychologists; and if she will make a statement on the matter. [30034/09]

**Minister for Health and Children (Deputy Mary Harney):** To qualify as a clinical psychologist, a post-graduate qualification in clinical psychology must be completed after an initial undergraduate degree in psychology. Students are sponsored by health agencies and spend time over three years in clinical placements in different specialties; course work and a thesis must be also satisfactorily completed.

The number of training places in clinical psychology is dependent on the availability of clinical placements.

A Working Group to undertake a National Review of Clinical Psychology Training Places is in place within the Health Service Executive and accordingly I am referring the Deputy's question to the Executive for attention and direct reply.

### **Mental Health Services.**

398. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to provide community alternatives to psychiatric inpatient care for young people with special education needs; and if she will make a statement on the matter. [30035/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** *A Vision for Change*'- the Report of the Expert Group on Mental Health Policy, provides a framework for action to develop a modern, high quality mental health service over a 7 to 10 year period. Recommendations in the Report are consistent with commitments in the Programme for Government.

The Report proposes a holistic view of mental illness and recommends an integrated multi-disciplinary approach to addressing the biological, psychological and social factors that contribute to mental health problems. It recognises that responding to children's mental health needs can be conceptualised at different levels, ranging from early intervention and health promotion programmes, to primary and community care services and specialist mental health services for the treatment of complex disorders.

Implementation of '*A Vision for Change*' is primarily the responsibility of the HSE, and in this regard, the development of child and adolescent mental health services has been prioritised in 2009. At present there are 55 Child and Adolescent Mental Health Teams in place throughout the country. The Service Plan 2009 provides that an additional 8 consultant led child psychiatry teams to further support the provision of child and adolescent psychiatric services will be developed. In addition, funding was provided in Budget 2009 for the provision of 35 additional therapy posts for the child and adolescent mental health service. This funding will enable the HSE to further increase the number of Child and Adolescent Mental Health Teams by the end of 2009.

### **Suicide Prevention.**

399. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to implement the recommendations of reach out — the national strategy for action for suicide prevention — and the recommendations of the Oireachtas sub-committee on the high level of suicide; and if she will make a statement on the matter. [30036/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The recommendations of the Joint Committee on Health and Children regarding the '*High Level of Suicide in Irish Society*' published in 2006 and the Committee's recent updated Report are



[Deputy John Moloney.]

consistent with the actions identified in *'Reach Out' the National Strategy for Action on Suicide Prevention 2005 -2014*. The HSE, through the National Office for Suicide Prevention (NOSP), oversees the implementation of the strategy.

Initiatives which have been progressed by the NOSP include developing and implementing national training programmes; the development of a training strategy under the direction of a Training and Development Officer; progressing the availability of self-harm services through Hospital Emergency departments; developing a standardised approach to deliberate self harm presentations at Hospital Emergency departments; implementing recommendations arising from a review of bereavement services; dedicated suicide officers; supporting voluntary organisations working in the field of suicide prevention and developing mental health awareness campaigns.

In addition to the €8 million available for suicide prevention initiatives, once-off funding of €1 million was provided in 2009 to further develop services for those bereaved by suicide and to develop an information and awareness campaign aimed at young people. Consultations with young people were arranged under the auspices of the Office of the Minister for Children and Youth Affairs to inform the campaign and a report on the outcomes of this process — *'Teenage Mental Health: What helps? and What hurts?'* was launched on 15th June 2009.

400. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to adopt a target of reducing the rate of suicide by 20% by 2012; and if she will make a statement on the matter. [30037/09]

401. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to develop initiatives to target those most at risk of suicide, to promote well being, raise awareness and reduce stigma; and if she will make a statement on the matter. [30038/09]

403. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to increase the range of supports to families and communities affected by suicide and bereavement; and if she will make a statement on the matter. [30040/09]

404. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to collate accurate data on suicide and conduct and fund research on prevention methods; and if she will make a statement on the matter. [30041/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Questions Nos. 400, 401, 403 and 404 together.

*'Reach Out'* — A National Strategy for Action on Suicide Prevention, provides a policy framework for suicide prevention activities in Ireland. The HSE, through the National Office for Suicide Prevention (NOSP), oversees the implementation of the strategy.

Initiatives which have been progressed by the NOSP include developing and implementing national training programmes; the development of a training strategy under the direction of a Training and Development Officer; progressing the availability of self-harm services through Hospital Emergency departments; developing a standardised approach to deliberate self harm presentations at Hospital Emergency departments; implementing recommendations arising from a review of bereavement services; dedicated suicide officers; supporting voluntary organisations working in the field of suicide prevention; developing mental health awareness cam-



paings; the provision of funding to the National Suicide Research Foundation (NSRF) to conduct a pilot project for a national confidential enquiry into suspected suicide deaths and developing a pilot project with coroners to collect relevant data.

In addition to the €8 million available for suicide prevention initiatives, once-off funding of €1 million was provided in 2009 to further develop services for those bereaved by suicide and to develop an information and awareness campaign aimed at young people. Consultations with young people were arranged under the auspices of the Office of the Minister for Children and Youth Affairs to inform the campaign and a report on the outcomes of this process — *'Teenage Mental Health: What helps? and What hurts?'* was launched on 15th June 2009.

An interim target to achieve a 10% reduction in suicide by 2010 has been agreed with the National Office for Suicide Prevention. Targets to reduce deliberate self-harm (DSH) have also been agreed. The aim is to reduce the incidence of repeated DSH by 5% by 2010 and a further 5% by 2016. These targets are in line with those adopted by Northern Ireland, Scotland and England.

### **Mental Health Services.**

402. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to improve services and supports for marginalised groups, particularly those with mental health difficulties; and if she will make a statement on the matter. [30039/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The Government is committed to a coherent strategy for social inclusion based on the lifecycle approach set out in the national partnership agreement *Towards 2016*. In addition, the *National Action Plan for Social Inclusion (NAPinclusion)*, complemented by the social inclusion elements of the *National Development Plan 2007-2013: Transforming Ireland — A Better Quality of Life for All*, sets out how the social inclusion strategy will be achieved over the period 2007-2016.

In January 2008, the Government established the Office for Disability and Mental Health as a cross-cutting Government Office with a remit across four Government Departments: Health and Children, Education and Science, Enterprise, Trade and Employment and Justice, Equality and Law Reform. The Office was assigned four key priorities one of which is to bring a new impetus to the implementation of *'A Vision for Change'* working in partnership with the HSE and other stakeholders including other Government Departments to achieve implementation of agreed targets. The Office aims to bring about improvements in the manner in which services respond to the needs of people with disabilities and mental health difficulties, by working to develop person-centred services, focusing on the holistic needs of clients and service users and actively involving them in their own care. Bilateral meetings with officials from other Government Departments to discuss progressing recommendations in *'A Vision for Change'* and *'Reach Out' the National Strategy for Action on Suicide Prevention* take place within this context.

With regard to information on specific services and supports available to marginalised groups, the question has been referred to the HSE for direct reply.

*Questions Nos. 403 and 404 answered with Question No. 400.*

### **Care of the Elderly.**

405. **Deputy James Reilly** asked the Minister for Health and Children the progress made on

[Deputy James Reilly.]

the programme for Government commitment to implement measures to ensure the availability of real alternatives to hospital for those who require lengthy convalescence; and if she will make a statement on the matter. [30042/09]

407. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment that all older people have the opportunity to stay in their home for as long as possible; and if she will make a statement on the matter. [30044/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I propose to take Questions Nos. 405 and 407 together.

Government policy in relation to older people is to support people to live in dignity and independence in their own homes and communities for as long as possible. Where this is not possible the health service supports access, as appropriate, to quality long-term residential care.

Additional funding of just over €200 million was provided to develop various community services and supports for older people over the period 2006-8. This additional funding related, for example, to Home Care Packages, Home-Help, Meals-on-Wheels, and Day/Respite care.

The Home Help Service is a well established and successful component of the overall strategy to enable older people to remain in their own homes and communities for as long as possible.

Funding of €211 million is provided for Home Help Services in 2009 (including €55.6 million in development funding over the period 2006-08). The number of home help hours provided each year has increased from 10.8 million hours in 2006 to 11.78 million hours in 2007 and 11.96 million hours in 2008 and an estimated 11.98 million hours in the full year of 2009. Over the same period the numbers benefiting increased from 41,400 to 54,500, an increase of 13,100 people.

In relation to service provision in 2009, the HSE Service Plan is seeking to deliver the same quantity and quality of Home Help services as delivered in 2008. The capacity of the HSE to provide approved levels of Home Help services continues to be reviewed in the context of overall resources available to the HSE.

Home Care Packages are a relatively new initiative, introduced in 2006, and developed in the meantime across the country through investment which in 2009 stands at €120 million. A package comprises a number of community-based services and supports, provided in a way to best meet the needs of an older person. The person will have significant medical, nursing and/or therapy requirements and may be recently discharged from hospital, or at-risk of admission to hospital, if such needs are not met in a planned way. The HSE Service Plan 2009 envisages around 8,700 people benefitting from packages at any one time, or over 11,000 people benefitting over the course of the year. It is a matter for the HSE to provide Home Care Packages at local level, including as appropriate, delivery on a partnership basis with the voluntary sector or through private providers.

It is clear that the Government has made considerable improvements in recent years to enhance Home Care provision generally across the country. There is no doubt that demand can at times exceed resources. However, the HSE has responsibility to deliver services both nationally and locally, in the context of Government priorities and its overall resources, while at the same time taking account of the need to maximise services to the most vulnerable in our society. The HSE undertakes reviews of its wide range of services, to ensure that such services are provided in the best possible manner.

**National Treatment Purchase Fund.**

406. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to increase funding to the National Treatment Purchase Fund on an annual basis over the lifetime of the Government to secure long-term care, step down beds and rehabilitation services for patients; the amount for same; and if she will make a statement on the matter. [30043/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I would firstly like to address the matter of rehabilitation services. A key Government initiative in the area of rehabilitation is the commitment by the Department of Health & Children and the HSE to develop a national strategy for the provision of medical rehabilitation services. A Working Group was established in July 2008 to develop the policy/strategy.

The Working Group consists of key stakeholders and experts in the field of rehabilitation and is chaired by James O'Grady, Policy Advisor to the Office for Disability and Mental Health. Its terms of reference are to consider the rehabilitation needs at acute and community levels of people at all stages of the lifecycle with static and progressive neurological conditions; traumatic and non-traumatic brain injury; and other physically disabling conditions who may benefit from medical, psychological and/or social rehabilitation service provision.

The objectives of this process are the development of an appropriate policy framework; a strategy for service provision; and a preferred model of care. A report describing same will be prepared by the Working Group for submission to the Secretary General of the Department of Health and Children and the CEO of the Health Service Executive. The Working Group has met on a number of occasions to date and is due to report later this year.

The commitment to provide funding to the National Treatment Purchase Fund (NTPF) to secure rehabilitation services would have to be considered in the context of the strategy.

With regard to long-term care, the Nursing Homes Support Scheme Act 2009, A Fair Deal, was signed into law by the President on the 1st July. Certain sections of the Act were commenced last week to enable the NTPF to immediately begin price negotiations with private nursing homes and earlier this week the NTPF placed an advertisement in the national newspapers advising private nursing home owners what to do if they wish to participate in the scheme. The Minister intends to implement the scheme as soon as these negotiations are concluded and no later than the final quarter of this year.

Under the scheme, the NTPF will have responsibility for agreeing prices for long-term residential care with private nursing homes owners for the purposes of the scheme. However, the HSE will remain the budget holder for the scheme.

*Question No. 407 answered with Question No. 405.*

**Care of the Elderly.**

408. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to provide ten new 50 bed community nursing units in the next five years; and if she will make a statement on the matter. [30045/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** There has been a significant capital investment in infrastructure to support services for older people since 2007. The outturns for 2007 and 2008 were approximately €86 million and €115 million respectively. This includes the construction of new units and the upgrade of existing premises.

[Deputy Áine Brady.]

The Executive's delivery of Community Nursing Units (CNU) and the upgrading of existing facilities are informed by the Prospectus Report which identified and prioritised the areas of greatest need and developed a programme of additional and replacement long stay residential places. This is also reflected in the HSE's Capital Plan.

The public Fast-Track Initiative aims to provide 860 new public long-stay beds over the period 2007-2010. By end-2008, 273 additional long-stay beds had been provided under the Initiative. The Health Service Executive National Service Plan 2009 sets out the HSE's plan for the management and configuration of public long-term residential care services during 2009. As part of this plan, it will provide for a number of additional and replacement long-term residential care beds over the course of 2009.

The latest information from the HSE indicates that 715 additional beds and 371 replacement beds will become operational during 2009, subject to the availability of resources. This includes beds being provided under the Capital Plan and beds being provided under the Fast-Track Initiative. The HSE have indicated that 10 additional beds were provided under the Fast-Track Initiative to date this year.

### **Palliative Care.**

409. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to ensure that the needs of all people who require palliative care are met whether at home, in the community or in a specialised hospice; if she will remove the regional disparities in the provision and funding of palliative care within five years; and if she will make a statement on the matter. [30046/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** Overall spending on palliative care by the HSE in 2008 was €78 million. Last year 2,655 people were treated in specialist in-patient palliative care units. 7,575 people received home based specialist care. 729 people received intermediate palliative care and a further 1,865 received day care services.

Additional in-patient palliative care beds have been opened in the past few years in existing hospices including 6 in Blackrock, an additional 10 beds opened in Milford Hospice and 4 additional beds in Galway in 2008. My Department is also working with the HSE to open 4 Beds in Athlone hospice later this year.

The Health service Executive was asked to prioritise palliative care service developments in the context of a framework over the medium term. A 'Palliative Care Services Medium Term Development Framework' was recently submitted to the Department by the HSE. This document details the required actions and initiatives necessary to address the gaps in palliative care service provision, against the recommendations set out in the National Advisory Committee on Palliative Care 2001. The HSE and the Department are considering how this can be rolled out within existing resources.

### **Nursing Profession.**

410. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to see the further development of the nursing profession; and if she will make a statement on the matter. [30047/09]

**Minister for Health and Children (Deputy Mary Harney):** The further development of the nursing profession has been progressed in several different ways under this Government.

The 2007-2012 Programme for Government's commitment to further the development of the nursing profession sought to increase both the status of nurses and midwives and the number of nursing and midwifery posts. It also gave a commitment to keeping the Benchmarking process open to nurses.

The HSE has recognised the status of the nursing profession and has established the office of the Nursing Services Director at national level. This is a dedicated office which has a priority to provide leadership, support excellence and build capacity in nursing and midwifery in order to enhance patient care and service delivery.

At the end of May 2009 there were 38,450 whole time equivalent nurses and midwives employed, which is an increase of 366 (or just under 1%) on the December 2008 figure of 38,084.

There are currently 120 approved Advanced Nurse Practitioner posts and 2,069 approved Clinical Nurse Specialist posts. These posts are created to meet specific service needs, are spread across the country and across the nursing and midwifery disciplines, and these type of posts are continuously being developed.

Nursing and midwifery led services are provided across a number of areas. For example, Accident and Emergency, Diabetes, Respiratory, Care of the Older Person, Midwifery, and Mental Health.

The development and modernisation of the nursing profession requires a new legislative framework for nurses and midwives from that set out in the Nurses Act 1985. My Department is currently preparing new legislation in this regard. The new legislation will enhance the protection of the public in its dealings with the professions and ensure the integrity of nursing and midwifery through the continued promotion of high standards of professional education, training and practice and professional conduct. The legislation is consistent with the Government's commitment to strengthen and expand the provisions of the statutory regulation of health professionals and is aligned with the provisions of the Medical Practitioners Act 2007.

My Department undertook an extensive public consultation on the proposed legislation and received 213 written submissions from individuals, groups and organisations as part of this process. Following consideration of the submissions and meeting with key stakeholders, the draft Heads of Bill were revised. The Government approved the revised draft Heads of Bill in March 2009 and the Attorney General has assigned a Parliamentary Counsel to draft the Bill. I plan to introduce the Bill into the Houses of the Oireachtas later this year.

Management and unions have been working to introduce a 37½ hour week for nurses on a cost neutral basis and without diminution of services to patients as provided in the recommendation of a National Implementation Body (NIB) statement in May 2007. This entails a more efficient use of the nursing resource and it is being introduced on a site by site basis. To date the reduced working week has been introduced in sites covering over 31,000 nurses and midwives (approximately 81% of the total).

The Commission on Nursing Hours was established as a result of a recommendation of the NIB to produce an independent assessment of how a further reduction to a 35 hour week for nurses and midwives can be achieved. As part of its work the Commission undertook an extensive national consultation process with nurses, midwives, staff groups and other stakeholders. It also made a public call for submissions and commissioned research which included a review of international best practice with regard to the deployment of the nursing resource. The Commission completed its deliberations earlier this year and subsequently presented its Report to me. I am examining the Commission's findings with a view to bringing its Report to Government for its consideration.



[Deputy Mary Harney.]

The commitment to keeping the Benchmarking process open to nurses was honoured. Nursing issues were considered and addressed by the Benchmarking Body and included in its report dated December 2007.

A number of initiatives have been introduced in recent years which facilitate nurses and midwives expanding their roles and improving the services provided to patients and clients. I have amended the relevant legislation and introduced new regulations to allow for the introduction of nurse prescribing. Currently 295 nurses and midwives have commenced or completed the education programme for nurse/midwife prescribing. These programmes are conducted in University College Cork and the Royal College of Surgeons in Ireland. There are currently 84 registered Nurse Prescribers from a diversity of health service providers and clinical areas throughout the Health Service Executive with the authority to prescribe medicinal products.

I have introduced the necessary regulation to authorise nurses to refer an individual for medical ionising radiation (X-Ray). Currently the first post-registration nurse education programme for nurses to undertake this expanded practice has commenced. Thirty nurses from a range of hospitals around the country are taking part in this programme. The introduction of this expanded practice for nurses is a significant initiative in the Irish health service and will have implications for service users in terms of convenience, cost-effectiveness, improved access to radiology services and simplification of the patient journey.

A good example of the development of nursing services is in the sensitive area of providing a service to victims of sexual assault. Nurses are well placed to conduct forensic examinations on victims of sexual assault and following a review of the Sexual Assault Treatment Services in Ireland a number of nurses have undertaken forensic training to provide this service. The Higher Diploma in Nursing (Sexual Assault Forensic Examination) programme was established to support the role out and development of the Sexual Assault Treatment Units (SATUs) nationally. Eight students were sponsored by the HSE to undertake the Higher Diploma in Nursing (Sexual Assault Forensic Examination) in the RCSI.

All eight nurses have successfully completed the Higher Diploma in Nursing — Sexual Assault Forensic Examination programme. These nurses are now available to their sponsoring SATU areas and are equipped to provide appropriate care to victims, while contributing to and participating in an integrated team approach to service delivery.

The establishment of management and clinical career pathways for nurses and midwives has heralded the development of post-registration nursing and midwifery education programmes throughout the country. There exists a comprehensive programme of post-registration education which is widely availed of. A total of 286 nursing and midwifery specific post-registration courses were offered by 14 higher education institutes in the Autumn of 2006 and Spring 2007. The HSE in late 2008 completed a review of all nursing and midwifery post-registration education programmes. The recommendations of this review will provide a comprehensive strategic framework for the future development and delivery of nursing and midwifery post-registration education in Ireland. The HSE has established an Interim Education Advisory Committee to implement the recommendations of the Review.

A pilot Post Registration Psychiatric nursing programme for registered nurses wishing to become psychiatric nurses commenced in February 2008. A total of 46 students undertook this one-year post registration psychiatric programme in Dublin City University, which finished in February 2009, and have signed service commitments to work in their sponsoring mental health services including the Voluntary Services in Counties Dublin, Kildare and Wicklow for a further two year period following successful completion of the programme. A Report on the evaluation of this programme is currently in course of preparation.



While the above provides clear examples of this Government's commitment to the further development of the nursing and midwifery professions I believe that there is significant potential for the continued development of these professions and the more efficient use of the nursing and midwifery resources.

My Department and the HSE are committed to the expansion of the role of nurses and midwives so as to empower them to work in new ways, make better use of their skills and knowledge so as to provide an enhanced service for patients and clients. Towards this end my Department has recently established a Steering Group to provide policy direction and develop further areas of practice for the expanded role of nurses and midwives in a rapidly developing health and social care environment.

### **Health Service Staff.**

411. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to see a significant increase in doctor numbers in all parts of the system; and if she will make a statement on the matter. [30048/09]

**Minister for Health and Children (Deputy Mary Harney):** My Department together with the Department of Education and Science, and in conjunction with the Health Service Executive (HSE) and Higher Education Authority, will continue to steer the implementation of Government policy on medical education and training arising from its consideration of the recommendations in the Fottrell and Buttimer reports on undergraduate and postgraduate medical education and training.

Government policy is to have a consultant-delivered rather than a consultant-led service and to increase substantially the number of consultants in the public health service in order to re-balance the ratio between consultant and non-consultant hospital doctors subject to the full implementation of reformed work practices. The HSE has created approximately 180 new medical consultant posts since Consultant Contract 2008 was agreed. The creation and funding of further consultant posts will be driven by service priorities, as reflected in the HSE's Annual Service Plan, and the policy of achieving a better balance in the ratio of consultants to non-consultant hospital doctors.

There are twelve General Practitioner (GP) Specialist Training Programmes currently in operation in the State. They are all of four years duration — two years spent in hospital posts under the supervision of hospital consultants, and two years in an approved general practice under the supervision of a general practice trainer. The total number of places available is 120. The recently published report of the Expert Group on Future Skills Needs (EGFSN) predicts that this figure will not be sufficient to meet the demands of a growing and ageing population into the future. The Health Service Executive and the Irish College of General Practitioners are currently in discussion with a view to increasing the number of GP trainees by streamlining existing programmes in a cost effective manner. In addition, the College have identified a number of doctors who have not had formal training in general practice but who are interested in pursuing a career as a GP. The provision of a programme of training for these doctors is also being examined.

The data and analytical capacity for workforce planning has been improved with the publication of the EGFSN / FÁS Report on selected health occupations including medical consultants; general practitioners; and specialists in public health medicine.

A Workforce Planning Strategy which is being finalised by my Department and the HSE will propose greater coordination and integration of workforce planning with service and financial planning.

412. **Deputy James Reilly** asked the Minister for Health and Children the progress made on the programme for Government commitment to increase the supply of professionals needed to meet the plans to develop new services for persons with disabilities; if she will improve and sustain our primary healthcare and hospital services; and if she will make a statement on the matter. [30049/09]

**Minister for Health and Children (Deputy Mary Harney):** There has been a growing demand for, and investment in, physiotherapy, occupational therapy and 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.

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. 35 additional posts will be provided for child and adolescent mental health services, including clinical psychologists, occupational therapists and speech and language therapists for new and existing multi-disciplinary teams.

My Department has written 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 is vital to ensure continued progress in the development of community settings.

The HSE National Service Plan, which I approved in December, sets out the type and volume of services to be delivered in 2009. The HSE is reconfiguring many of its front line services. This is in keeping with the overall strategic direction as set out in the HSE Corporate Plan 2008-2011. The planned reconfiguration of frontline services set out in the Service Plan includes conversion of in-patient work to day case work, a focus on reducing in-patient length of stay in acute hospitals, reduction of in-patient bed numbers and associated costs and the provision of more services in community settings, thus reducing the dependency on in-patient beds.

My Department has agreed a monitoring framework with the HSE which includes the receipt of monthly performance reports from the HSE which provides information on the progression of the National Service Plan.

#### **Health Services.**

413. **Deputy James Reilly** asked the Minister for Health and Children the number of home

care packages delivered in 2006, 2007 and 2008 on a Health Service Executive area and per county basis; the funding provided per annum for same; the number of home care packages approved and the figure provided to date in 2009; the waiting list for assessment for home care packages; the number of recycled home care packages per annum since 2007; and if she will make a statement on the matter. [30050/09]

**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.

### **Eating Disorders.**

414. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Taskforce on Obesity, the steps the health services will take to promote a change in emphasis from the primacy of individual responsibility to environments that support healthy food choices and support healthy food choices and regular physical activity; and if she will make a statement on the matter. [30051/09]

415. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Taskforce on Obesity, the steps the health services and health care providers will take in supporting the population in healthy eating and active living in the prevention of overweight and obesity; and if she will make a statement on the matter. [30052/09]

416. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Taskforce on Obesity, the health services will introduce a measurement of height, weight, waist circumference and calculation of body mass index as part of a routine clinical healthcare practice in primary care and in hospitals; and if she will make a statement on the matter. [30053/09]

417. **Deputy James Reilly** asked the Minister for Health and Children the steps that will be taken by the Population Health Directorate to develop a national database of growth measurements for children and adults in view of the recommendations of the report of the National Taskforce on Obesity; and if she will make a statement on the matter. [30054/09]

418. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Taskforce on Obesity, an education and training programme for health professionals in the appropriate and sensitive management of overweight persons and obesity has been developed and implemented; if a practical framework for the implementation of the education and training programme will be developed; and if she will make a statement on the matter. [30055/09]

419. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, detection, prevention and treatment programmes have been evaluated and implemented; and if she will make a statement on the matter. [30056/09]

420. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, the curriculum for undergraduates and postgraduates in the relevant health sciences provide training in appropriate and sensitive obesity prevention and management; if not, the steps she will take to introduce such training; and if she will make a statement on the matter. [30057/09]

421. **Deputy James Reilly** asked the Minister for Health and Children the procedures which have been put in place by appropriate experts and relevant support groups to assess persons at risk of developing an eating disorder in view of the recommendations of the report of the National Task Force on Obesity; and if she will make a statement on the matter. [30058/09]

422. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, the north and south communication and public awareness programme on overweight persons and obesity has been developed; and if she will make a statement on the matter. [30059/09]

423. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, the Population Health Directorate has reviewed guidelines to physical activity, food and nutrition gender. [30060/09]

424. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, guidelines for physical activity, food and nutrition have been developed according to age and gender; if these guidelines have been independently proofed by the relevant authority; and if she will make a statement on the matter. [30061/09]

425. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, all overweight and obesity prevention and management strategies have been coordinated and reviewed by the Population Health Directorate; the regularity with which strategies have been reviewed; and if she will make a statement on the matter. [30062/09]

426. **Deputy James Reilly** asked the Minister for Health and Children the steps taken, in view of the recommendations of the report of the National Task Force on Obesity, to support parents attending ante-natal visits in developing skills which encourage healthy eating and active living; and if she will make a statement on the matter. [30063/09]

427. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, the proposed growth assessment for underweight or overweight children has been introduced nationally; the regularity with which assessments are carried out; and if she will make a statement on the matter. [30064/09]

428. **Deputy James Reilly** asked the Minister for Health and Children if, in view of the recommendations of the report of the National Task Force on Obesity, she has carried out formative research to ensure programmes are being implemented as planned; if this included stakeholder input at developmental, implementation and evaluation stages to ensure programs are being tailored to meet the needs of target population; and if she will make a statement on the matter. [30065/09]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I propose to answer Questions Nos. 414 to 428, inclusive, together.

Progress on the implementation of the recommendations contained in the report of the National Taskforce on Obesity is detailed in the first report of the Inter-sectoral Group on Obesity (ISGO), which was published in April 2009. The ISGO was established earlier this year to oversee and monitor implementation of the Taskforce recommendations on an ongoing basis. A copy of the ISGO report is being made available to the Deputy.

429. **Deputy Olwyn Enright** asked the Minister for Health and Children the organisations, dealing with both adults and persons under 18 years, with eating disorders, which are funded directly or indirectly by her Department; the breakdown by organisation of the amount of funding they receive; and if she will make a statement on the matter. [30071/09]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** My Department does not directly fund any organisations which provide services for people with eating disorders. The Deputy may however wish to note that Bodywhys, the Eating Disorder Association of Ireland, has applied for National Lottery Funding and a decision is expected to be made on this application shortly.

As the HSE provides funding to various voluntary organisations providing health and social services, the question has been referred to the HSE for direct reply.

### Regional Airports.

430. **Deputy Joe McHugh** asked the Minister for Transport the financial contributions made to Derry City Airport in 2002, 2003, 2004, 2005, 2006, 2007, 2008 and to date in 2009 in tabular form; the numbers of Republic of Ireland citizens who used the airport in these same years; and if he will make a statement on the matter. [28799/09]

**Minister for Transport (Deputy Noel Dempsey):** Financial contributions made by my Department to City of Derry Airport during the period in question are outlined in the following table. No payments were made from 2002 to 2007 inclusive.

2008	2009 (to date)
€ 5,059,011	€ 1,438,524

The payments refer to a runway safety project which is co-financed by the Irish and UK Governments under an agreement which recognises the benefits of the Airport to the North West region in general. The Irish contribution, which is capped at just under €11 million, is expected to be fully drawn down by the end of this year.

My Department does not hold information regarding the number of Irish citizens who use the airport.

### Harbours and Piers.

431. **Deputy Joe McHugh** asked the Minister for Transport the number of non-tidal ports in Counties Donegal and Galway; and if he will make a statement on the matter. [28801/09]

**Minister for Transport (Deputy Noel Dempsey):** I refer the Deputy to my answer to Dáil Question No. 313 on the same issue given to the Deputy on 7 July 2009.

### Departmental Staff.

432. **Deputy Fergus O'Dowd** asked the Minister for Transport the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Departments presence in County Louth; and if he will make a statement on the matter. [28857/09]



**Minister for Transport (Deputy Noel Dempsey):** There are no staff in my Department based in County Louth.

### **Public Service Review.**

433. **Deputy Richard Bruton** asked the Minister for Transport if his Department made submissions to the McCarthy Group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to his Department; the contents of the proposals; and if he will make a statement on the matter. [28902/09]

**Minister for Transport (Deputy Noel Dempsey):** I can confirm that my Department, in response to a request from the Special Group on Public Service Numbers and Expenditure Programmes, submitted a briefing document to the Group outlining the scope and nature of the Department's expenditure and work programmes.

I understand that my colleague the Minister for Finance will be bringing the Group's Report to Government in the near future. I expect that this report will include proposals relating to my Department.

### **Taxi Regulations.**

434. **Deputy Richard Bruton** asked the Minister for Transport if he has reviewed the conclusions of the recent economic study on the taxi sector by the Taxi Regulator; his views on the fact that an over supply has emerged in the sector; the policy options that have been put to him in the course of consultations on the sector; and if he will make a statement on the matter. [28918/09]

**Minister for Transport (Deputy Noel Dempsey):** The Commission for Taxi Regulation is preparing proposals for the further development and the improved regulation of the sector taking account of the response to the public consultation on the economic review commissioned by it. I understand that the Commission expects to finalise these proposals in consultation with the Advisory Council during August.

I will consider the outcome of this process and the views of the Oireachtas Committee on Transport, the official representatives of the taxi industry, consumers and consumer interest groups insofar as they relate to my statutory responsibilities.

### **Public Transport.**

435. **Deputy Richard Bruton** asked the Minister for Transport the timeframe for the establishment of the Dublin Transport Authority; the timeframe for the appointment of a chief executive officer; the organisational structures which will be put in place; the stated objectives of the DTO; the progress of introducing integrated ticketing and additional park and ride facilities; and if he will make a statement on the matter. [28919/09]

**Minister for Transport (Deputy Noel Dempsey):** The Dublin Transport Authority (DTA) will be established later this year. A competition for the appointment of a Chief Executive Officer (CEO) designate has been concluded and the outcome will be announced shortly. The Authority's organisational structures will be determined following the appointment of the CEO designate.

Section 10 of the Dublin Transport Authority Act 2008 requires the Authority to seek to achieve the following objectives:



- (a) the development of an integrated transport system which contributes to environmental sustainability and social cohesion and sustains economic progress,
- (b) the provision of a well-functioning, attractive, integrated and safe public transport system,
- (c) improved access to the transport system and, in particular, to public passenger transport services by persons with disabilities,
- (d) increased use of the public transport system,
- (e) increased recourse to cycling and walking as means of transport, and
- (f) value for money.

The integrated ticketing project is now firmly in its implementation phase and progress on the introduction of the single smartcard is set out in my response today to Question Number 437. Responsibility for the integrated ticketing project will be transferred to the DTA following its establishment.

With regard to park and ride facilities, a programme of works to upgrade parking facilities at mainline rail stations is underway in the Greater Dublin Area. Further park and ride facilities will be provided on the extended Luas network and the Metro as these projects become operational. There will also be a major park and ride facility at Pace on the first phase of the Navan rail line. Recently the upgrading of Hazelhatch train station included a significant increase in car parking numbers to 397 spaces.

The DTA will be given responsibility for securing the provision of park and ride facilities in the Greater Dublin Area following its establishment.

#### **State Agencies.**

436. **Deputy Richard Bruton** asked the Minister for Transport if he has issued any policy directives to agencies under his control requiring them to contain increases in any licence fees to no more than increases in the cost of living; and to set any increase in licence fee charges by agencies under his Department against this standard. [28920/09]

**Minister for Transport (Deputy Noel Dempsey):** I have not issued any policy directives to the agencies under my control with regard to increases in licence fees.

#### **Integrated Ticketing.**

437. **Deputy Denis Naughten** asked the Minister for Transport the status of the plans for integrated ticketing; when this facility will be rolled out throughout the public transport system; the estimated cost of the project; and if he will make a statement on the matter. [29249/09]

**Minister for Transport (Deputy Noel Dempsey):** The integrated ticketing system in the Greater Dublin Area (GDA) is being introduced on a phased basis, based on smartcard technology. A progressive approach is being adopted to allow customers to familiarise themselves with using the new system and to permit transport operators to undertake the necessary testing with the integration of the technologies involved. The project is now firmly in the implementation phase.

A smartcard has been available on all Luas services for some time. Smartcards have also been introduced by Dublin Bus in respect of a number of ticket products such as annual and monthly tickets, 5-day rambler tickets, and annual and monthly integrated bus and rail, and

[Deputy Noel Dempsey.]

bus and Luas tickets. The disposable smartcard is now being used by some 30% of Dublin Bus customers.

Irish Rail will launch its interim smartcard for its DART and Dublin commuter services from late Summer, initially with staff testing, and then being rolled out to the public. The progressive roll-out of smartcards is in line with good practice internationally.

Subject to successful in-house testing, the single smartcard system will be rolled out initially to a small number of customers for live testing of the Dublin Bus/Luas integrated annual ticket. The full roll-out will take place throughout 2010 on Dublin Bus, Luas and Irish Rail. This means that by end 2010, the smartcard will be available to the vast majority of public transport passengers in the GDA.

Bus Éireann will commence testing in 2010 with roll-out of its pilot phase planned for Q1 2011 on a number of its services. Private bus operators are expected to join the scheme over this timeframe.

The capital budget for the single smartcard project is €55.4 million.

While the current scope and focus of the single smart card scheme is the Greater Dublin Area, the mandate for the scheme is national in scope. Consideration will be given to the expansion of the scheme on a national basis after the completion and bedding in of the GDA scheme and subject to budget availability.

### **Capital Projects.**

438. **Deputy Fergus O'Dowd** asked the Minister for Transport if all transport agencies and companies will be able to complete all committed projects to date without having to raise more private debt of direct Government funding; if he has received representations from these agencies regarding this matter; and if he will make a statement on the matter. [29286/09]

**Minister for Transport (Deputy Noel Dempsey):** Existing contractual committed infrastructure projects under Transport 21 for the Railway Procurement Agency, CIE and the National Roads Authority can progress to completion without resource to raising additional private debt.

Under the Government's Ports Policy Statement, the State commercial port companies are expected to fund infrastructure projects without resource to Exchequer funding.

The Dublin Airport Authority (DAA) operates to a commercial mandate and meets its operational expenditure and capital investment requirements from a mix of airport charges, commercial revenues and borrowings. These are day-to-day commercial matters for the DAA in which I have no statutory function. I am aware that following the announcement of its annual results for 2008, which saw a drop in Group profit of 28% from 2007, the DAA has been reviewing all aspects of its business, with a particular focus on costs, including capital development and operational expenditure.

To date I have received no representations from the agencies or companies under my remit regarding further funding of projects.

### **Public Service Staff.**

439. **Deputy Joan Burton** asked the Minister for Transport the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29316/09]

**Minister for Transport (Deputy Noel Dempsey):** The table provides details in relation to applications for the incentive schemes and also redundancies, as requested by the Deputy.

Body	ISER*	Incentive Career Break	Redundancy
Department of Transport	17	17	2
Commission for Aviation Regulation	0	0	0
Commission for Taxi Regulation	0	1	0
National Roads Authority	0	0	0
Railway Safety Commission	0	0	0
Road Safety Authority	4	2	0
Dublin Transportation Office	0	4	0
Medical Bureau of Road Safety	0	0	0

\*ISER — Incentivised Early Retirement Scheme

### Road Network.

440. **Deputy Thomas P. Broughan** asked the Minister for Transport his views on the clause in the M3 toll road agreement which establishes guaranteed minimum traffic levels where the Irish Government will have to pay the concession company compensation if traffic falls below the established minimums; if he has been briefed by the National Roads Authority on this matter; the reason that there is no such guarantee in relation to the same company for the M4 and M6; and if he will make a statement on the matter. [29371/09]

**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 statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads is vested in the NRA under Part V of the Roads Act 1993 (as amended).

### Industrial Disputes.

441. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will report on the recent industrial dispute at Dublin Port terminal; if he has had any contact with Dublin Port management or workers' representatives on this matter; if all the industrial procedures of the state are fully utilised to bring about a resolution of this dispute; and if he will make a statement on the matter. [29372/09]

**Minister for Transport (Deputy Noel Dempsey):** I have no function in relation to industrial disputes.

### Road Network.

442. **Deputy Jack Wall** asked the Minister for Transport if a decision has been made in respect of funding for a road project (details supplied) in County Kildare; if he will clarify if it is he or the National Roads Authority that it responsible for the provision of funding; and if he will make a statement on the matter. [29399/09]

**Minister for Transport (Deputy Noel Dempsey):** The N78 is a national secondary route and, accordingly, any proposal to upgrade the road, or provide an alternative route, to relieve traffic congestion would be a matter for consideration by the National Roads Authority.

[Deputy Noel Dempsey.]

Kildare County Council has, however, applied to my Department seeking funding for the proposal under the Department's regional and local road strategic grants scheme. The proposal has been discussed with Kildare County Council and additional information, to assess whether it would qualify for funding under that scheme, is awaited from the Council before the proposal can be further considered.

### **Public Transport.**

443. **Deputy Bernard J. Durkan** asked the Minister for Transport his plans for an integrated transport policy; and if he will make a statement on the matter. [29489/09]

**Minister for Transport (Deputy Noel Dempsey):** I launched the Government's plan for an integrated transport policy in February of this year. Smarter Travel, A Sustainable Transport Future for Ireland sets out a vision for travel, which aims to reduce reliance on the private car and which offers a range of alternatives for people. It also links to other Government policies such as spatial planning, health promotion and education. Full details are available on [www.smartertravel.ie](http://www.smartertravel.ie)

### **Transport Projects.**

444. **Deputy Bernard J. Durkan** asked the Minister for Transport the extent to which he expects all elements of his Transport 21 plan to proceed as announced; and if he will make a statement on the matter. [29490/09]

**Minister for Transport (Deputy Noel Dempsey):** I refer the Deputy to my reply to similar Parliamentary Questions no. 20, 36 and 56 of today's date.

445. **Deputy Bernard J. Durkan** asked the Minister for Transport the full impact to which he expects Transport 21 to positively impact on commuter needs in the greater Dublin area in the next five years; and if he will make a statement on the matter. [29491/09]

**Minister for Transport (Deputy Noel Dempsey):** Transport 21 continues to provide the strategic framework guiding Government investment in transport up to 2015, for Ireland as a whole and in the Greater Dublin Area. The programme aims to expand the capacity of our transport network, and increase use and accessibility.

Great progress has been made since the beginning of Transport 21, both nationally and in the GDA, with a number of projects already delivered, many more currently under construction or being rolled out, and future projects being planned that will positively impact on commuter needs in the Greater Dublin Area.

On the roads side, the following projects have already been completed in the Greater Dublin Area:

- Dublin — Border section of the M1 motorway
- N7 Naas road widening
- M50 Dublin Port Tunnel
- M50 Upgrade Phase 1
- M50 Upgrade Phase 3 and introduction of barrier free tolling
- N4 Leixlip to M50 Junction.

Construction is continuing on the following major road projects (expected completion date in brackets):

- N3 Clonee to North of Kells (Q3/2010)
- M50 Upgrade Scheme Phase 2 (PPP) (Q4/2010)

Each of these schemes will improve traffic flows, reduce congestion and give greater certainty on journey times to commuters.

On the public transport side, the following projects have already been completed in the Greater Dublin Area:

- Docklands railway station
- 40% capacity enhancement on Luas Red Line.

A number of rail stations have also been delivered:

- Adamstown Station
- Parkwest and Cherry Orchard Station
- Clondalkin Fonthill Station
- Hazelhatch & Celbridge Station.

These stations allow commuters living in these areas to access Dublin city centre by public transport.

Dublin Bus has received 300 additional and replacement buses which were part-funded under Transport 21 and the majority of these have been delivered into service, increasing capacity for Dublin's commuters. Quality Bus Corridors at Pearse Street, South Clondalkin, Kilmacud Road Upper, the North Quays and Rock Road have improved priority for buses and led to improvements in bus journey times.

Construction is continuing on a number of public transport projects. Work continues on the Kildare rail line upgrade, due for completion in Q1/2010. This will see the four tracking of the rail line from Cherry Orchard to Hazelhatch allowing for separation of long distance and commuter services and will improve speed and capacity for commuter, regional and intercity services.

Phase 1 of the Navan Rail line from Clonsilla to Pace is due for completion in Q3/2010 and it will allow for 15 minute peak hour frequency commuter services into Docklands Station in Dublin city centre and a 30 minute frequency off-peak.

The Luas Extension to Docklands is expected to be completed in Q4/2009, and is expected to be in service in early 2010.

A Dublin rail resignalling project (Malahide-City Centre) is due for completion in Q4/2012 and will accommodate an additional five train paths per direction per hour (up from twelve at present to seventeen) in Dublin's city centre area.

Real time passenger information on Dublin Bus (Q4/2010) is part of an overall plan to address disruption caused by traffic congestion and ensure greater predictability of service by providing commuters with real time bus schedule information on-line, by mobile phone and at bus stops.

[Deputy Noel Dempsey.]

The College Green Bus Priority Scheme (July 2009) is a measure that will ease congestion and improve bus journey times through the city by permitting only public transport vehicles and bicycles to pass through the College Green area during peak times.

The Luas extension to Cherrywood is due for completion in Q3/2010. The Luas extension to Citywest is due to open in Q1/2011.

The integrated ticketing project is being implemented on a phased basis to Q1/2011. This project aims to have a single form of ticketing across all modes of public transport.

In addition, a number of key public transport projects will commence construction in the GDA in the coming years, subject to statutory and procurement processes. These include the Metro North project. A Bord Pleanála oral hearing commenced on 1 April 2009. Two consortia have been short listed to proceed to the second stage of the procurement process. The line will be capable of accommodating growth to over 100 million passengers per year. The estimated journey time from the City Centre to the Airport will be 20 minutes and to Belinstown in North Dublin, 30 minutes.

Applications for railway orders are expected to be made to An Bord Pleanála by end 2009 for:

- The DART Underground project, which addresses capacity constraints in the city centre and along with the Kildare Route Project and associated works, will facilitate a trebling of passenger carryings on the GDA rail network over time
- The cross-city Luas line BX/D, which will connect the existing Tallaght and Sandyford lines

### **Public Transport.**

446. **Deputy Bernard J. Durkan** asked the Minister for Transport if he has satisfied himself that the public bus transport sector is adequately funded to meet full service on all routes. [29492/09]

**Minister for Transport (Deputy Noel Dempsey):** Over the period 2000–2008 a total of €800m has been paid to Dublin Bus and Bus Éireann in compensation for the public services obligation services, which they provide. In 2009, this will amount to €127m — an increase of over 120% since 2000. Over the same period a total of over €300m in capital investment has been made available to the two bus companies towards the cost of new buses and better facilities. This represents a very substantial commitment by the Government to bus-based public transport services.

*Question No. 447 answered with Question No. 50.*

### **Transport Projects.**

448. **Deputy Bernard J. Durkan** asked the Minister for Transport if he will make new announcements in regard to extensions to public transport not contained in his Transport 21 policy; and if he will make a statement on the matter. [29494/09]

**Minister for Transport (Deputy Noel Dempsey):** Transport 21 is the capital investment framework under the National Development Plan through which the transport system in Ireland will be developed, over the period 2006 to 2015. This sets out a suite of projects to be completed and I have no plans to include additional projects in the Transport 21 programme.



I would also advise the Deputy that the start and completion dates of Transport 21 projects in planning will in each case be determined by the outcome of public consultation, the statutory planning approval process, the public procurement process and the availability of financial resources determined by the funding allocation available during the current difficult economic climate.

The Programme for Government contains a commitment to commence preparation of a successor to Transport 21. It is in the context of such a successor programme that consideration will be given to future transport investments.

449. **Deputy Bernard J. Durkan** asked the Minister for Transport the extent to which the Transport 21 capital costs may have reduced in the current economic climate; and if he will make a statement on the matter. [29495/09]

**Minister for Transport (Deputy Noel Dempsey):** The transport implementing agencies have indicated to the Department that there has been a general downward trend in tender prices and in the cost of land purchases in recent times. However, these changes are only of benefit for new projects going to tender or for which notices to treat in respect of the compulsory acquisition of land have not been issued.

A very high proportion of the expenditure in 2009 is in respect of existing contractual and legal commitments, particularly on the completion of the major inter-urban routes and on the construction of a number of large rail and light rail projects. As a result there has not been a sufficient number of tenders or land purchases in the transport sector to date in 2009 to draw firm conclusions as to the scale of the reductions.

#### **Rail Services.**

450. **Deputy Bernard J. Durkan** asked the Minister for Transport the daily passenger throughput in respect of each rail station in County Kildare; the extent to which this is expected to increase; and if he will make a statement on the matter. [29497/09]

**Minister for Transport (Deputy Noel Dempsey):** The information sought by the Deputy is a matter for Iarnród Éireann and I have asked the company to update the information that was provided to the Deputy in July 2008.

#### **Road Traffic Offences.**

451. **Deputy Denis Naughten** asked the Minister for Transport his plans to reduce the blood alcohol level for driving; and if he will make a statement on the matter. [29542/09]

**Minister for Transport (Deputy Noel Dempsey):** A Road Traffic Bill, which inter alia provides for a reduction in the Blood Alcohol Concentration (BAC) levels for drivers, is nearing completion. The Bill takes account of the BAC levels proposed by the Road Safety Authority last year.

#### **State Agencies.**

452. **Deputy Leo Varadkar** asked the Minister for Transport further to Parliamentary Question No. 242 of 28 April 2009, the status of this proposal; the expected date by which the proposal will be fully completed; and if he will make a statement on the matter. [29580/09]

**Minister for Transport (Deputy Noel Dempsey):** I have recently approved proposals for the amalgamation of the Air Accident Investigation Unit of my Department, the Railway Accident Investigation Unit of the Railway Safety Commission and the Marine Casualty Investigation

[Deputy Noel Dempsey.]

Board. These proposals entail the early co-location of the three Bodies in discrete office accommodation, and their administrative amalgamation to form an executive office within the Department of Transport. Office accommodation from existing OPW office stock has been identified and officials from my Department are working closely with officials from the OPW to make the necessary modifications with a view to occupation as soon as possible.

I will bring the necessary legislation before the Oireachtas at the earliest opportunity. In the meantime, each Body will continue to function under its existing legislative arrangements. This sequence is designed to more immediately achieve the operational and administrative savings which are demanded under general rationalisation proposals.

### Harbours and Piers.

453. **Deputy Fergus O'Dowd** asked the Minister for Transport the position in relation to previous correspondence regarding harbour pilots and the current retirement age of 60 years for pilots; and his plans to bring forward a legislative amendment which will result in the maximum retirement age for pilots being raised to 65 years with effect from its enactment. [29614/09]

**Minister for Transport (Deputy Noel Dempsey):** Arising out of representations received by my Office and as I have indicated at both the Committee and Report Stage debates on the Harbours (Amendment) Bill 2008, my officials are examining the issue of marine pilots' retirement age, as provided for in section 69 of the Harbours Act 1996, in consultation with the Office of the Attorney General. It is my intention to introduce such an amendment during the passage of the Merchant Shipping Bill 2009 through the Oireachtas.

### Road Network.

454. **Deputy Emmet Stagg** asked the Minister for Transport the amount allocated to each local authority in 2008 and 2009 for road restoration improvement grants. [29648/09]

**Minister for Transport (Deputy Noel Dempsey):** State road grants allocated under the Restoration Improvement Programme in 2008 and 2009 are set out in the following table.

County Council	2008 Allocation	2009 Allocation
	€	€
Carlow	2,771,000	1,774,000
Cavan	7,226,000	4,727,000
Clare	9,720,000	6,478,000
Cork	29,500,000	19,542,000
Donegal	15,244,000	9,384,000
Dun Laoghaire-Rathdown	3,065,000	1,661,000
Fingal	3,110,000	1,360,000
Galway	12,624,000	8,403,000
Kerry	10,936,000	7,249,000
Kildare	6,487,000	3,417,000
Kilkenny	6,454,000	4,303,000
Laois	4,963,000	3,299,000
Leitrim	5,228,000	3,415,000
Limerick	8,612,000	5,722,000
Longford	3,915,000	2,659,000

County Council	2008 Allocation	2009 Allocation
	€	€
Louth	3,309,000	2,181,000
Mayo	13,152,000	7,638,000
Meath	8,768,000	5,793,000
Monaghan	7,485,000	5,014,000
North Tipperary	6,355,000	4,250,000
Offaly	5,369,000	3,648,000
Roscommon	8,375,000	5,618,000
Sligo	7,034,000	4,196,000
South Dublin	2,938,000	1,945,000
South Tipperary	7,326,000	4,891,000
Waterford	5,886,000	3,935,000
Westmeath	5,034,000	3,344,000
Wexford	8,969,000	5,991,000
Wicklow	5,132,000	3,114,000

### Rail Network.

455. **Deputy Emmet Stagg** asked the Minister for Transport the planned improvements to the Maynooth suburban rail line in 2009, 2010 and 2011. [29651/09]

**Minister for Transport (Deputy Noel Dempsey):** The development of the Maynooth line is an essential element of the DART Underground Programme which, along with Metro North, are key projects in the provision of increased capacity on the public transport network, which in turn is an important consideration in determining investment priorities for public transport. The Maynooth line will become a second DART line following the building of the tunnel which will lead to a re-configuration of DART services in the Greater Dublin Area. As the Maynooth line development is inextricably linked to progress on the DART Underground project the timing of various work elements on the Maynooth line will be dictated by work on the DART Underground project.

The works planned for the Maynooth line are:

- the electrification of the line as far as Maynooth;
- the closure of level crossings;
- the re-signalling of the line;
- the purchase of additional rolling stock and construction of a new depot to house them.

The start and completion dates of Transport 21 projects in planning, such as the development of the Maynooth line will in each case be determined by the outcome of public consultation, the statutory planning approval process, the public procurement process and the availability of financial resources determined by the funding allocation available during the current difficult economic climate.

### Public Transport.

456. **Deputy Michael McGrath** asked the Minister for Transport the position regarding funding allocated towards the roll-out of certain green routes and quality bus corridors (details supplied) in Cork in 2009. [29769/09]

**Minister for Transport (Deputy Noel Dempsey):** Under Transport 21, my Department has been funding the development of a network of Green Routes in Cork, in line with proposals developed in the Cork Area Strategic Plan (CASP). One of the Green Routes to be developed under the CASP is the Carrigaline/ Ringaskiddy route, and I hope to see this and the remainder of the Green Route programme in Cork completed. In the present year I have allocated funding towards preliminary works on the county section of this route. Any planning issues are a matter for the local authority concerned.

#### **Ports Review.**

457. **Deputy Róisín Shortall** asked the Minister for Transport his views on the need to ensure that the Government commissioned report on the future of all ports here is completed and available to An Bord Pleanála prior to them taking a decision on the current application in respect of Dublin Port; and if he will make a statement on the matter. [29802/09]

**Minister for Transport (Deputy Noel Dempsey):** I have recently received a final report of the Dublin Port National Development Plan Study for my consideration and it is my intention to publish the findings of this report in the near future. I am not aware of any other Government commissioned reports on the national ports sector. An Bord Pleanála is currently considering a planning application lodged by Dublin Port Company under the Planning and Development (Strategic Infrastructure) Act 2006 to reclaim 21 hectares in order to facilitate proposed development.

While planning applications are operational matters for the port company, the strategic infrastructure planning regulations list a number of “prescribed bodies” that must be consulted by An Bord Pleanála. In this instance, I as Minister for Transport am such a “prescribed body” and was duly consulted on the application as part of the planning process. My Department was informed of the planning application in August 2008 and subsequently made a submission to the Board informing them of the purpose and progress of the Dublin Port Study provided for under the National Development Plan. The date for determination with regard to the port company’s planning application is a matter for An Bord Pleanála.

#### **Public Transport.**

458. **Deputy Thomas P. Broughan** asked the Minister for Transport when the roll out of a new single brand for all public transport services in the greater Dublin area will begin; the figure that this new branding plan will cost; if the Dublin Transport Authority will be the lead agency in rolling out the new branding project; and if he will make a statement on the matter. [29814/09]

**Minister for Transport (Deputy Noel Dempsey):** In accordance with section 57 of the Dublin Transport Authority Act 2008 it will be a matter for the new Authority, when established, to develop and secure the implementation of a single brand to be used by public transport operators providing services in accordance with public transport services contracts with the Authority in the Greater Dublin Area.

#### **Air Services.**

459. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will liaise with the Commission on Aviation Regulation, the National Consumer Agency and the Competition Authority to investigate the escalating series of extra charges being imposed on airline passengers including fees for baggage, duty free bags, boarding cards, seat selections; if he will con-

sider legislation specifically to protect air travellers; and if he will make a statement on the matter. [29815/09]

**Minister for Transport (Deputy Noel Dempsey):** I refer the Deputy to my response to Question No. 66 answered on 26th May 2009.

#### **Motor Vehicle Registration.**

460. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will publish the report into the presence of Irish and foreign registered car write-offs on roads here; the number of car write-offs that have been found of roads here; the contacts he has had with the Revenue Commissioners as regards information on the number of car write-offs on roads here; if he will reform the national vehicle driver file to address the problem of car write-offs; if he will consider a compulsory reporting system for car write-offs; and if he will make a statement on the matter. [29816/09]

**Minister for Transport (Deputy Noel Dempsey):** As I indicated in replies to previous similar questions, voluntary arrangements with insurers have been put in place whereby my Department receives regular notifications of write-off instances. This arrangement commenced in June 2008 and since then some 27,200 vehicle write-offs have been notified and the relevant records on the NVDF, which contains data on some 2.5 million vehicles, have been updated with this information. Once recorded on the NVDF further activity in respect of these vehicles, including renewal of motor tax, is not permissible. These voluntary arrangements are operating satisfactorily and I have no plans to make them statutorily compulsory.

Provision of write-off data in relation to foreign registered vehicles at the time of registration is a matter for the Revenue Commissioners. Both the NVDF and the Revenue computer systems are being adjusted so that information available in relation to previously written off vehicles can be automatically transmitted from Revenue to the NVDF.

#### **Congestion Charges.**

461. **Deputy Thomas P. Broughan** asked the Minister for Transport if he has ruled out the introduction of a congestion charge within the Dublin area within three years in view of the ongoing public transport deficit in the greater Dublin area; and if he will make a statement on the matter. [29817/09]

**Minister for Transport (Deputy Noel Dempsey):** I will not rule in or out the potential fiscal measures needed to reduce congestion in the Greater Dublin Area. Although I expressed an opinion that congestion charges might ultimately be needed to help free up road space for alternative transport I am not considering or proposing any specific measures at this point in time. The Government's approach to this issue is set out in Action 11 of the new Smarter Travel policy framework, which I launched earlier this year. It states that fiscal measures would be needed to act as a disincentive to unnecessary car travel. I believe that further research on the optimal measures needed will be warranted after we see the recommendations of the Commission on Taxation Report due in the near future.

#### **Departmental Reports.**

462. **Deputy Thomas P. Broughan** asked the Minister for Transport if his Department's study of Dublin Port has been completed; when it will be published; his plans to bring forward a green paper on Dublin Port; and if he will make a statement on the matter. [29818/09]

**Minister for Transport (Deputy Noel Dempsey):** I have received a final report of the Dublin Port National Development Plan Study for consideration and it is my intention to publish its findings in the near future. The report will provide an important analysis of the future role of the port. I have no plans to bring forward a green paper on Dublin Port. However, I do propose to initiate a review of the Government's Ports Policy Statement in 2010. This review will encompass all aspects of the comprehensive Ports Policy Statement, which was originally published in 2005.

### **Rail Services.**

463. **Deputy Thomas P. Broughan** asked the Minister for Transport his plans to increase rail freight within the transport system; his further plans to introduce a rail freight subsidy on a per tonne basis for materials that are transferred from existing road freight onto rail freight; and if he will make a statement on the matter. [29819/09]

**Minister for Transport (Deputy Noel Dempsey):** There is substantial ongoing current and capital Exchequer investment in the development and operation of the Irish railway network. Total Exchequer funding allocated to Iarnród Éireann for 2008 amounted to more than €720 million and freight services benefit from this investment also.

I propose to establish a forum on the movement of goods as set out in Smarter Travel — A Sustainable Transport Future, which was published earlier this year. My Department is currently undertaking preparatory work on the membership, tasks, and timescales for the forum. The forum will address both economic competitiveness and environmental sustainability matters associated with the movement of goods by air, sea, rail, and road. The realistic potential for rail freight and its role within an integrated freight transport strategy including issues such as a rail freight subsidy and international experience in the promotion of rail freight will be among the matters explored by the forum.

When the forum has deliberated, the question of introducing additional funding for the railways to promote rail freight will be considered at that time and also in the context of other demands for funding in the transport sector and the level of availability of Exchequer funding at that time.

In the meantime, Iarnród Éireann continues to pursue a policy of growing its rail freight business where opportunities present and of returning the rail freight business to profitability. In that context, Iarnród Éireann has made progress in recent years in growing the rail freight business in areas where it holds a competitive advantage over road haulage, e.g. large volumes or trainloads over longer distances, which are not time sensitive.

The rail freight market has been fully liberalised since 1 January 2007, and while no applications have been made for entry to the market to date, any expressions of interest would be welcomed.

464. **Deputy Thomas P. Broughan** asked the Minister for Transport the estimated commencement of works and completion date for metro west; the estimated commencement or works and completion date for Lucan Luas line F; and if he will make a statement on the matter. [29820/09]

465. **Deputy Thomas P. Broughan** asked the Minister for Transport the commencement of works and completion date for Luas line BS and Luas line D; and if he will make a statement on the matter. [29821/09]



**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 464 and 465 together.

The start and completion dates for projects which have not yet commenced construction, including Metro West, the Lucan Luas Line F and the Luas cross city link to Liffey Junction (Line BXD), will be determined as appropriate by the outcome of public consultation, the statutory planning approval process, the public procurement process and the funding available to my Department during the current difficult economic climate.

466. **Deputy Thomas P. Broughan** asked the Minister for Transport the estimated completion dates for the full Navan rail line and western rail corridor; and if he will make a statement on the matter. [29822/09]

**Minister for Transport (Deputy Noel Dempsey):** Under Transport 21 the Western Rail Corridor is to be reinstated on a phased basis. Phase 1 will see the reinstatement of the line from Ennis to Athenry and is due for completion later this year. Phase 2 will link Athenry to Tuam and Phase 3 will see the reopening of the line from Tuam to Claremorris. Further studies are planned for later in 2009 to determine up to date costings of phases 2 and 3. As part of Transport 21 the rail line to Navan is being reinstated in two phases with Phase 1 due to open in late 2010 while Phase 2 is intended to extend the rail line to Navan. This is due to be completed in 2015.

As I have previously stated, the start and completion dates of Transport 21 projects in planning will in each case be determined by the outcome of public consultation, the statutory planning approval process, the public procurement process and the availability of financial resources determined by the funding allocation available during the current difficult economic climate.

467. **Deputy Thomas P. Broughan** asked the Minister for Transport the status of proposals for Luas or light rail systems for Cork, Galway and Limerick; and if he will make a statement on the matter. [29823/09]

**Minister for Transport (Deputy Noel Dempsey):** In line with a commitment in the Programme for Government, the local authorities in Cork, Galway and Limerick are carrying out studies into the feasibility of light rail systems and also, at my request, of bus rapid transit systems. I met last month with officials from Cork and Galway, and these studies are substantially complete. The start of the Limerick study, which is being conducted as part of the wider Mid-West Area Strategic Plan (MWASP), was delayed while the terms of reference of the this wider study were being revised by the local authorities in the area. This study is now well underway, and Limerick City Council, as the lead authority, have indicated that they expect it to be completed by Autumn.

All of these studies will be published by the local authorities in due course when they have been cleared through the procedures required within each of the authorities.

468. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will provide a full report on the Dublin rail interconnector; the stage that planning for the Rail Interconnector is at; and if he will make a statement on the matter. [29824/09]

**Minister for Transport (Deputy Noel Dempsey):** The provision of increased capacity is a key consideration in determining investment priorities for public transport. Given their potential to greatly increase capacity on the public transport network, Metro North and the DART Underground (as the Interconnector is now known) are key projects.

[Deputy Noel Dempsey.]

The preliminary design of the DART Underground has been completed and work is currently underway on the scheme design, geo-technical investigation and preparation of an environmental impact study including a detailed archaeological report. A revised plan extending the tunnel to Inchicore emerged from this phase of the planning work. The revisions were presented to communities along the route in April 2009 in a series of public consultation meetings starting on 20th April in Kilmainham. Further public consultation will take place in the lead-up to the railway order application. Iarnród Éireann are planning to submit an application for a railway order to An Bord Pleanála by the end of 2009.

The start and completion dates of Transport 21 projects in planning, such as the DART Underground, will in each case be determined by the outcome of public consultation, the statutory planning approval process, the public procurement process and the availability of financial resources determined by the funding allocation available during the current difficult economic climate.

### **Dublin Port Tunnel.**

469. **Deputy Thomas P. Broughan** asked the Minister for Transport the final cost for the construction of the Dublin Port tunnel; if further plans for the payment will be made to a company (details supplied); and if he will make a statement on the matter. [29825/09]

**Minister for Transport (Deputy Noel Dempsey):** As Minister for Transport, I have responsibility for overall policy and funding in respect of the national roads programme element of Transport 21. The implementation of individual national road projects, including the Dublin Port Tunnel, are matters for the National Roads Authority (NRA) under the Roads Act, 1993 in conjunction with the local authorities concerned. The construction of the Dublin Port Tunnel project was procured by Dublin City Council and funded through the NRA. In relation to cost matters, I understand from the NRA that the final accounts are near resolution, at which point it will be possible to determine the final cost.

### **Road Network.**

470. **Deputy Thomas P. Broughan** asked the Minister for Transport the status of the Leinster Outer Orbital route and the Dublin eastern bypass; if he will publish the National Roads Authority report on the Leinster outer orbital route; and if he will make a statement on the matter. [29826/09]

**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 Leinster Orbital Route and the Dublin Eastern Bypass, is a matter for the National Roads Authority under the Roads Act 1993 in conjunction with the local authorities concerned. Neither Transport 21 nor the National Development Plan provides any funding for a Leinster Orbital Route or the Dublin Eastern Bypass.

The Government has already made it clear that, under Transport 21, its priorities for the national roads investment programme, are the completion of the major inter-urban network in 2010 and the progressing of the Atlantic Road Corridor as well as the improvement of other key national primary routes and the targeting improvement of certain national secondary routes. It is clear that, in the current economic climate, further progress on projects such as the Leinster Orbital Route and the Dublin Eastern Bypass will only be possible as and when resources become available.

Both proposals remain important potential elements of our longer-term infrastructure development. My Department will continue to liaise with the National Roads Authority with a view to ensuring that route options are preserved free of impediment for these projects. The National Roads Authority's report on the Leinster Orbital Route is available on the Authority's website.

#### **Departmental Contracts.**

471. **Deputy Michael D'Arcy** asked the Minister for Transport the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29839/09]

**Minister for Transport (Deputy Noel Dempsey):** The information requested by the Deputy is not readily available and would involve an inordinate amount of time and resources to compile.

472. **Deputy Michael D'Arcy** asked the Minister for Transport if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29853/09]

**Minister for Transport (Deputy Noel Dempsey):** No contracts have been awarded by the Department of Transport to the company in question.

#### **Public Transport.**

473. **Deputy Thomas P. Broughan** asked the Minister for Transport if he has been briefed by management and workers' representatives in Bus Éireann on proposals to cut 162 buses and 320 jobs from the company which will have an impact on the national bus network and commuters here; the action he is taking to utilise all of the industrial relations mechanisms of the State to avoid disruptions to bus services for up to 70,000 commuters; if he has been briefed on the impact of the latest cutbacks at Dublin Bus on the Dublin Bus network and on commuters in Dublin and in the greater Dublin area; and if he will make a statement on the matter. [28928/09]

**Minister for Transport (Deputy Noel Dempsey):** I have been briefed by Bus Éireann management on the deterioration in its financial position due in the main to declining demand and revenue and increased costs, and on the measures necessary to maintain its financial viability. I have also been briefed by the unions on the issues involved. Decisions in relation to service rationalisations are a matter for the company itself. I understand that Bus Éireann is currently engaged, under the auspices of the Labour Relations Commission, in detailed discussions with its staff and their representatives on the measures proposed in this regard.

I encourage all involved to make every effort to reach agreement on the measures necessary to protect services to the maximum extent possible, to ensure the financial viability of the company and to avoid the disruption of services which will not serve the interests of the workers, the public or the company, nor will it support public transport as an alternative to the private car. I understand from Dublin Bus that it has implemented its cost recovery plan in line with the Labour Court recommendation of April 2009 and that every effort has been made to maintain services at the highest level possible through the reduction, where possible, of service frequencies rather than service withdrawals.

#### **Closed Circuit Television Systems.**

474. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform

[Deputy Denis Naughten.]

further to Parliamentary Question No. 292 of 9 December 2008 the position in relation to same; and if he will make a statement on the matter. [28786/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am advised by the Garda authorities that significant progress has been made on the installation of the Garda town centre CCTV system in the area referred to by the Deputy. This system is expected to become operational in the coming months.

**Drug Seizures.**

475. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the number of vessels and ships that were searched in Donegal and Sligo since 1 January 2009; the amount of drugs found by these searches; the number of meetings that were held between the drugs units and the regional task force between 1 January 2009 to 30 June 2009; and if he will make a statement on the matter. [28795/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy will be aware, Revenue’s Customs Service has primary responsibility for the prevention, detection, interception and seizure of controlled drugs at ports of entry into the State. I am advised by the Revenue Commissioners that Customs continually assesses the risk along the Sligo and Donegal coast for the illegal importation of drugs and patrol the coastline on an ongoing basis. A number of ships have been targeted since 1st January 2009. However the Revenue Commissioners have advised that it is not policy to publish details of such enforcement activities as this could prejudice current or future operations. I am further informed by the Garda Authorities that there have been three meetings with the Regional Drugs Task Force by the Divisional Drug Units up to 30 June 2009.

476. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the total number of full-time staff assigned to drug detection and surveillance in counties Donegal, Sligo and Mayo in 2007, 2008 and to date in 2009; and if he will make a statement on the matter. [28796/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am advised by the Garda authorities that the total number of full-time staff assigned to drug detection and surveillance in Counties Donegal, Sligo and Mayo in 2007, 2008 and to date in 2009 is as set out in the following table:

Division	2007	2008	2009 (to date)
Donegal	4	8	10
Sligo/Leitrim	5 (3 part time)	5 (3 part time)	5 (3 part time)
Mayo	4	6	6

Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public. It is, of course, the case that all members of An Garda Síochána have a role in relation to all aspects of law enforcement.

477. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the number of staff assigned to other work from the drugs unit in 2007 and 2008 on a county basis;

the number of visits made by drugs units to second level schools in County Donegal in order to give talks to students; and if he will make a statement on the matter. [28797/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the time available it has not been possible to provide the information requested by the Deputy. I will communicate further with the Deputy when the information sought is to hand.

#### **Departmental Staff.**

478. **Deputy Fergus O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Departments presence in County Louth; and if he will make a statement on the matter. [28854/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Department's Probation Service has regional offices in Dundalk and Drogheda. In the Dundalk office there are nine staff, of which four are full time and five are part-time. Of these, eight are permanent, established civil servants and one is a State industrial employee on a permanent contract. With regard to the Drogheda office, there are six staff, of which two are full time and four are part-time. All of these staff are permanent, established civil servants. The accommodation for these regional offices is managed by the Office of Public Works.

Two staff of my Constituency Office are also based in Dundalk. One is a full time permanent, established civil servant and the other is a non-civil servant working full time in an unestablished position on a temporary contract. The accommodation they are based in is neither owned or rented by my Department nor does the Department contribute to the cost of renting same. There are currently no plans to increase or decrease my Department's presence in County Louth.

#### **Visa Applications.**

479. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support the case of a person (details supplied). [28862/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The visa application referred to by the Deputy was received in the Visa Office, Dublin on 17 February 2009. Following consideration by a Visa Officer it was refused on 23 February 2009 for the following reasons:

1. The evidence of finances provided was deemed insufficient;
2. It is not the general policy of the Irish Naturalisation and Immigration Service to allow family members of people who have been granted temporary leave to remain in Ireland, permission to migrate to Ireland on a long term basis;
3. There was no evidence shown of a relationship having been in existence prior to the visa application/marriage;
4. The application form was unsigned;
5. There was insufficient documentation submitted in support of the application in that a P60 and divorce papers were not submitted;



[Deputy Dermot Ahern.]

6. It was the opinion of the Visa Officer that the granting of a visa may result in a cost to public funds and/or public resources.

The applicant submitted an appeal on the 18 May 2009. The decision of the Visa Officer was upheld by the Appeals Officer on the 6 July 2009.

### **Citizenship Applications.**

480. **Deputy Olwyn Enright** asked the Minister for Justice, Equality and Law Reform the position regarding an application by a person (details supplied) in County Offaly; the reason for the delay in processing same application; and if he will make a statement on the matter. [28863/09]

**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 June 2006.

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 time scale. 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. Officials in the Citizenship Division of my Department inform me that processing of the application is complete and the file will be shortly submitted to me for a decision.

### **Public Service Review.**

481. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform if his Department made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to his Department; the contents of the proposals; and if he will make a statement on the matter. [28900/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** At the commencement of its work, the Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. The Special Group met the Secretary General of my Department, Accounting Officers in the Vote Group and other senior officials in the course of its deliberations.

I understand that the Minister for Finance has recently received the Report of the Special Group, and he will be bringing the Report to Government in the near future. Decisions on the release of the Report and associated documents will be made by Government in that context.

### **Crime Levels.**

482. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform the annual number of crimes broken down by category carried out in an area (details supplied) in 2005, 2006, 2007, 2008 and to date in 2009; the detection rates; the number of successful convictions recorded; and if he will make a statement on the matter. [28917/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the



Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide the statistics sought by the Deputy directly to him.

### **Citizenship Applications.**

483. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform if being in receipt of a contributory social welfare payment in the three years prior to an application or during the protracted processing time, will have an impact on the determination of an application by a person for citizenship; if a similar situation arises where the applicant is an adult dependent in receipt of an adult dependent allowance; the impact of claiming mortgage interest relief or rent allowance on such applications; if he will provide a mechanism to refund such payments to the State; if a similar situation arises in the case of long term residency; and if he will make a statement on the matter. [29245/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation. In accordance with the legislation, I make decisions on naturalisation applications based on all of the information available to me. I have adopted a general policy that I will normally require an applicant for naturalisation, unless he/she is a refugee, programme refugee or Stateless person, to show that he/she has supported him or herself (and his or her family if appropriate) while residing in the State and, as far as can be determined, is in a position to continue that support into the future. I am, generally speaking, satisfied to accept that an applicant is self supporting if he or she has not availed of State support in the 3 year period prior to the date of application or subsequently has satisfied officials that they have supported themselves independently for that period.

Currently there is no social welfare check performed on applicants for Long Term Residency. Therefore, any social welfare claims are not taken into consideration when deciding an application.

### **Departmental Staff.**

484. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of approved posts in the immigration and asylum sections of his Department and its agencies; the number of posts currently vacant; and if he will make a statement on the matter. [29246/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I would refer the Deputy to my replies to his previous questions in this regard, in particular my reply to his question on 8 July 2008, which remains the position. The only additional point I would make is that the Immigration area of my Department along with all other areas is required to comply with the terms of the Budget Day announcement to yield up pay savings. This requirement is being addressed across all the areas of my Department.

### **Departmental Funding.**

485. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the funding provided to the Dublin office of the International Organisation for Migration to facilitate voluntary return in 2008; the corresponding figure for 2009; the number of persons assisted in each year; and if he will make a statement on the matter. [29253/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The International Organisation for Migration (IOM) is an inter-governmental organisation that assists governments to manage migration programmes. INIS have contracted IOM since 2001 to manage its Voluntary Assistance Return and Reintegration Programme (VARRP). The VARRP programme aims to assess and return non-EU nationals to their country of origin on a voluntary basis. Although the VARRP programme forms the vast bulk of IOM's work they also provide other migration related services. The Project Budget for the years 2008 and 2009 is as follows:

Year	IOM Project Budget
	€
2008	1,704,600
2009	1,592,682
Total	3,297,282

The total number of persons who opted to voluntarily repatriate in 2008 and until 31 May 2009 is as follows:

Year	Number of voluntary returns — International Organisation for Migration assisted
2008	451
2009 (until 31 May)	241
Total	692

### Deportation Orders.

486. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of persons deported to third world countries in 2008; the cost involved; the ten most expensive separate deportations; the corresponding figures to date in 2009; and if he will make a statement on the matter. [29254/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The deportation costs provided in the following table refer to the removal from the State of illegal immigrants and persons whose asylum applications were refused. The vast majority of the removals involved persons whose asylum applications were refused. Set out as follows are the costs for 2008 and until 31 May 2009 of the removal of persons subject to Deportation Orders, by scheduled/commercial and charter flights. These figures include the travel costs relating to the deportees and their Garda escorts.

Year	Cost of scheduled/commercial flight removals
	€
2008	927,091
2009 (until 31 May)	270,828
Total	1,197,919

The Deputy might wish to note that the figures above do not include the cost of overtime or subsistence payments for Garda escorts.

My Department deports persons to non — European Economic Area (EEA) countries. To identify the ten most expensive deportations would involve a disproportionate use of resources in disaggregating those individual costs from the cost figures quoted above. However, notwithstanding the foregoing, the single most expensive deportation in 2008 involved the removal of a Ghanaian man on 11 March 2008 at a cost of €151,900, while the most expensive removal to date in 2009 involved the removal of a Georgian man on 27 March 2009 at a cost of €35,888.

The numbers of persons deported in 2008 and until 31 May 2009 is as follows:

Year	Deportation Orders effected
2008	161
2009 (until 31 May)	103
Total	264

487. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of deportation orders issued to date in 2009; the number of people deported; the corresponding figures for 2008; and if he will make a statement on the matter. [29255/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The total number of persons who were issued with Deportation Orders and who were subsequently deported to date in 2009 and the corresponding figures for 2008 are as follows:

Year	Number of Deportation Orders signed	Number of Deportation Orders effected
2009 (until 30 June)	460	143
2008	634	161
Total	1094	304

The enforcement of Deportation Orders is and remains an operational matter for the Garda National Immigration Bureau.

#### **Asylum Applications.**

488. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of asylum applications which have been deemed withdrawn in 2008, due to their failure to inform the Irish Naturalisation and Immigration Service of their change of address; the figures to date in 2009; the action taken to trace these persons; and if he will make a statement on the matter. [29256/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Immigration Act 2003, which commenced on the 15th September, 2003, contained a number of key changes to the Refugee Act, 1996 which enabled the processing of asylum applications to be speeded up and enhanced our ability to deal with abusive applications. These changes included the imposition on applicants of a clear statutory duty to actively pursue their asylum applications and co-operate at all times with the processing agencies or face having their application deemed withdrawn.

An application can be deemed withdrawn, amongst other reasons, where an applicant fails to co-operate with the Refugee Applications Commissioner, or fails to notify the Commissioner of his or her postal address or change of address. Where such situations arise the ORAC

[Deputy Dermot Ahern.]

recommends to the Minister that such applications should be deemed withdrawn under the provisions of the 2003 Act. Section 13(2) of the Refugee Act (as amended) provides that there is no right of appeal against a recommendation to deem an application withdrawn. Where an application is deemed to be withdrawn, deportation proceedings are initiated on behalf of the Minister by the Irish Naturalisation and Immigration Service.

Statistics are not maintained in a way which distinguishes between applications deemed withdrawn on the basis of applicants failing to notify the Refugee Applications Commissioner of their postal address or change of address and applications deemed withdrawn for other reasons. In 2008 a total of 632 such asylum applications were deemed withdrawn, and to the end of June in 2009, 308 asylum applications were deemed withdrawn.

### **EU Directives.**

489. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the steps he is taking to fully implement European Directive 2004/38/EC; the communication between him and the European Commission on the issue; and if he will make a statement on the matter. [29257/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The European Directive 2004/38/EC was transposed into Irish law by the European Communities (Free Movement of Persons) Regulations 2006 (S.I. 226 of 2006) which took effect on 28 April 2006. The Regulations were amended in December 2006 by the European Communities (Free Movement of Persons) (No.2) Regulations (S.I. 656 of 2006) in the light of the accession of Bulgaria and Romania to the EU on 1 January 2007. The Regulations were further amended on 31 July 2008 by S.I. 310 of 2008 following the ruling on 25 July 2008 by the European Court of Justice in the case of *Metock and Others* (ECJ Ref No C-127/08). This amendment removed the requirement for prior lawful residence by the non-EEA family member in another Member State before coming to Ireland.

Since last Autumn an Experts Group chaired by the EU Commission has been meeting to consider the operation of the Directive. My Department has actively participated in that Group. The Commission has circulated a report on the transposition of the Directive across the Member States. There are also individual country reports and conformity studies examining the transposition of the Directive. The Commission has also circulated, on 2 July 2009, guidelines on various operational aspects of the Directive. This document is of particular importance in promoting a concerted action to combat abuse of the Directive. Those documents are being considered by my officials. The Commission has indicated that it intends to meet each Member State, including Ireland, to discuss the operation of the Directive.

### **Sports Funding.**

490. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform if his Department is providing funding to sporting bodies, faith based groups and local authorities; the amount being provided annually; the breakdown of the number of bodies and the amount received by each; and if he will make a statement on the matter. [29266/09]

**Minister of State at the Department of Justice, Equality and Law Reform (Deputy John Curran):** My predecessor approved the following funding last year. Payments of €185,000 were approved in respect of Basketball Ireland, €235,000 for the FAI and €85,000 for the GAA. In regard to local authorities, payments were approved as outlined in the following table:

City/County	€
Dublin City	250,000
Dun Laoghaire-Rathdown	55,000
Fingal	115,000
South Dublin	85,000
Kildare	55,000
Meath	40,000
Wicklow	30,000
Clare	25,000
Cork City	38,912
Cork County	5,000
Limerick County	24,657
Galway City	40,000
Mayo	20,000
Louth	13,450
Westmeath	20,000
Total	817,019

A grant of €77,300 was made to the Inter-Church Committee on Social Issues last year to support its integration project.

I intend to provide funding to bodies such as the above-mentioned this year and to do so in future years also subject to review and having regard to the monies provided in the relevant subhead of the Justice, Equality and Law Reform Vote. I have held discussions with senior officials of a number of sporting bodies about their integration programmes and I will take decisions on this and other funding as soon as possible.

#### Asylum Support Services.

491. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of asylum accommodation centres in 2005, 2006, 2007, 2008 and to date in 2009; the annual expenditure on such accommodation; the capacity of each asylum centre; the number of asylum seekers in each centre; if centres are overcrowded; the number of complaints annually by asylum seekers regarding the standard of this accommodation; and if he will make a statement on the matter. [29274/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Reception and Integration Agency (RIA) of my Department is responsible, in accordance with Government policy, for the accommodation of those seeking international protection in Ireland. It operates a Direct Provision system which provides protection applicants with full board accommodation, free of utility or other cost.

I would refer the Deputy to my reply to Dáil Question numbers 563 and 564 of 24 March, 2009 in respect of the number of asylum accommodation centres in each year from 2005 to 2008 and the annual expenditure in each of those years. The following table sets out the position so far this year to the end of June.

Year	No. of centres	No. of asylum seekers at end June	Expenditure to end June
2009 (to end June)	60 (includes Programme Refugee Centre)	6,879	€44.209 million

[Deputy Dermot Ahern.]

The capacity and occupancy of each centre as at the end of June 2009 is set out at the end of this reply. Regarding the Kinsale Road Accommodation Centre has a contract capacity for 300 but currently has 304 residents. This ‘purpose built’ centre can accommodate additional residents over and above the contracted capacity while still conforming to legislative, including health and safety requirements. Atlas House Accommodation Centre in Killarney has a contract capacity for 90 but currently has currently 91 residents. Similarly, this centre can accommodate additional residents over and above the contracted capacity while still conforming to legislative requirements.

The following table represents a ‘snapshot’ of each centre on the evening of 28 June 2009. While capacity figures remain constant, occupancy figures can vary throughout the year because of the interaction of residents leaving, residents arriving, temporary closures, medical restrictions on arrivals arising from outbreaks of chickenpox, and so on. Two centres have an occupancy of zero. In the case of ‘An Poc Fada’, a fire necessitated the relocation of the residents to other centres for a short period of time. In the case of ‘Sliabh an Iarainn’, the occupancy is also zero, as residents have been moved in anticipation of the termination of the RIA contract later this month.

I am assured by the RIA that centres are not overcrowded. Indeed, all bedrooms are measured to ensure they conform to appropriate legislative requirements. Instances of temporary overcrowding may arise where, for example, there has been a birth in a family unit and arrangements need to be put in place to allocate additional space to the family.

In relation to the number of complaints annually by asylum seekers regarding the standard of this accommodation, it needs to be understood that the thrust of RIA policy in this regard is to have issues dealt with quickly and informally ‘on-the-ground’ in each centre. Such issues would include the standard of accommodation being provided.

Every protection applicant accommodated by the RIA is provided with a copy of the “Direct Provision Reception & Accommodation Centre Services, Rules and Procedures” which sets out, inter alia, the obligations placed both on the centre manager and the resident. It explains how one party can seek to have breaches of the obligations by the other party resolved. All parties endeavour (and succeed in the main) to resolve issues arising at centres locally and informally. On occasion, formal warnings are issued where required and appropriate action taken if these warnings are not heeded. The RIA treats very seriously all complaints, incident reports and queries received by it from residents, support groups, public representatives, management and staff of centres and others.

The RIA does not compile statistics on the number of complaints or appeals received or actions taken following on from such complaints or appeals. If such statistics were to be compiled, they could not properly reflect the number and nature of such complaints and appeals or the resolutions reached because of the high level of informal activity enacted locally between centre staff, residents and others. However, the RIA does monitor all centres and follows up where spikes in volumes or types of complaint or incident are noticeable. In such cases, the RIA will meet with management, residents and their representatives as appropriate in order to get an understanding of the issues and to assist in resolving such issues through consultation and appropriate action.

Further, the RIA conducts information clinics, centre inspections, formal and informal visits and attends meetings with residents groups, support groups, service providers and others who engage with the direct provision centres. The effect of the above processes is that complaints about, inter alia, the standard of accommodation being provided are addressed as quickly as possible.



## Accommodation Centres 28/6/9

	County	Location	Address	Contracted Capacity	Occupancy
1	Clare	Knockalisheen (*) ** Clare Lodge	Meelick Ennis	275	245
2				65	60
3	Cork	Ashbourne Hse	Glounthaune	108	101
4		Kinsale Road (*)	Cork City	300	304
5		Glenvera	Wellington Road	128	128
6		Millstreet	Millstreet	300	290
7		An Poc Fada	Main Street, Cobh	40	0
8		Clonakilty Lodge	Clonakilty, Co. Cork	110	98
9	Donegal	Cliffview	Donegal Town	67	56
10	Dublin	24 Camden Street	Camden Street, Dublin 2	19	15
11		70 Lower Camden St	70 Lower Camden Street	15	9
12		14 Gardiner Place	Dublin 1	34	12
13		10 North Frederick St	Dublin 1	33	15
14		Newlight House	St. Margaret's, Finglas	36	25
15		Horse and Carriage	Aungier Street, Dublin 2	20	21
16		Viking Lodge	Francis Street, Dublin 8	70	56
17		The Towers	The Ninth Lock, Clondalkin	250	221
18		Georgian Court	77-79 Lower Gardiner St.	110	56
19		Hatch Hall***	28 Lower Hatch Street, D1	210	96

Accommodation Centres 28/6/9 — continued

	County	Location	Address	Contracted Capacity	Occupancy
20	Galway	Dun Gibbons	Clifden, Co. Galway The Proms, Salthill Eyre Square Headford Road, Galway	100	88
21		Eglinton		235	226
22		Great Western House		180	156
23		Lisbrook House		280	262
24	Kerry	Atlas House (Killarney)	Killarney	90	91
25		Atlas House (Tralee)	Tralee	100	96
26		Johnston Marina	Tralee	100	92
27		Linden House	Killarney	55	47
28		Park Lodge	Killarney	55	52
29		Westward Court	Tralee	86	81
30	Kildare	Eyrepowell	Newbridge	100	95
31	Laois	Hibernian	Main Street, Abbeyleix	55	44
32		Montague	Portlaoise	200	182
33	Leitrim	Sliabh An Iarainn	Ballinamore	50	0
34	Limerick	Hanratty's	Glentworth Street, Limerick Dock Road Foynes, Co. Limerick Sarsfield Road, Limerick	118	107
35		Westbourne		105	87
36		Mount Trenchard		85	81
37		Sarsfield Bridge		125	100
38	Longford	Richmond Court	Richmond Street	98	84
39	Mayo	Railway	Kiltimagh	90	81
40		The Old Convent	Ballyhaunis	315	293
41	Meath	Mosney**	Mosney	800	746
42	Monaghan	St. Patricks **	Monaghan	223	198

Accommodation Centres 28/6/9 — continued

	County	Location	Address	Contracted Capacity	Occupancy
43	Sligo	Globe House	Chapel Hill	250	216
44	Tipp. South	Bridgewater House	Carrick-On-Suir	120	113
45	Waterford	Atlantic House	Tramore, Co. Waterford	90	81
46		Ocean View**	Tramore, Co. Waterford	85	75
47		Birchwood	Ballytruckle Road	160	135
48		Viking House	Coffee House Lane	100	96
49	Westmeath	Athlone	Athlone	380	291
50	Wexford	Old Rectory House	New Ross	58	55
51	Wicklow	Beechlawn	Rathdrum, Co. Wicklow.	28	24
52		The Warrens	Wicklow Town	23	23
				7,129	6,206

Self Catering Centres 28/6/9

	County	Location	Address	Contracted Capacity	Occupancy
53	Cork	Davis Street	73-75 Davis Street, Mallow	50	32
54	Dublin	Glenview House	Tallaght, Dublin 24	75	6
55		Watergate House	11-14 Usher's Quay, Dublin 8	76	58
56	Louth	Carroll Village	Dundalk	250	184
57	Roscommon	Station Road	Ballaghareene	86	65
				537	345

Reception Centres 28/6/9

	County	Location	Address	Contracted Capacity	Occupancy
58	Dublin	Kilmacud House Balseskin	Upr Kilmacud Rd, St. Margarets, D11	90	43
59				369	285
				459	328

Programme Refugee Centre 28/6/9\*

	County	Location	Address	Contracted Capacity	Occupancy
60	Mayo	Bruach na hAbhainn	Ballyhaunis, Co. Mayo	82	82
		Totals		82	82
				8,207	6,961

\*As the residents in Bruach na hAbhainn are not Asylum Seekers, they have not been included in the number of Asylum Seekers in the first table above.

492. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the timeframe of contracts to each asylum accommodation provider; his plans to review the contractual agreements with such providers; and if he will make a statement on the matter.  
[29275/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I would refer the Deputy to my reply to his Dáil Question of 24 March 2009 (ref: 565) in this matter. The length of contracts engaged in by the Reception and Integration Agency (RIA) of my Department for the provision of full board accommodation and ancillary services to persons who apply for international protection can vary depending on the type, function and location of the centre in question.

A table detailing the length of current contracts follows. These contracts are kept under continuing review with the primary aim of keeping costs to a minimum ensuring maximum value for the taxpayer.

Accommodation Centres

County	Location	Address	Service Provider	Start of Contract	End of Current Contract
Clare	Knockalisheen (*) **	Meelick	Aramark/Campbell Catering Ltd	28/02/2009	27/02/2011
	Clare Lodge	Ennis	Misty Croft Ltd	03/10/2007	29/09/2009
Cork	Ashbourne Hse	Glounthaune	Barlow Properties	24/12/2008	17/01/2012
	Kinsale Road (*)	Cork City	Aramark/Campbell Catering Ltd	12/03/2009	11/03/2011
	Glenvera	Wellington Road	Alan Hyde & Ted Murphy	23/12/2008	16/01/2012
	Millstreet	Millstreet	Millstreet Equestrian Services Ltd	04/08/2008	29/07/2012
	An Poc Fada	Main Street, Cobh	Barlow Properties	24/12/2008	17/01/2012
	Clonakilty Lodge	Clonakilty, Co. Cork	D and A Ltd	17/03/2009	22/10/2012
Donegal	Cliffview	Donegal Town	Shane Timoney	03/10/2007	29/09/2009
Dublin	24 Camden Street	Camden Street, Dublin 2	Frank Brady	11/04/2009	09/04/2010
	70 Lower Camden St	70 Lower Camden Street	Frank Brady	11/04/2009	09/04/2010
	14 Gardiner Place	Dublin 1	Frank Brady	27/05/2008	24/05/2010
	10 North Frederick St	Dublin 1	Frank Brady	29/05/2008	26/05/2010
	Newlight House	St. Margaret's, Finglas	Frank Brady	16/09/2008	14/09/2009
	Horse and Carriage	Aungier Street, Dublin 2	Rafstone Enterprises Ltd	01/03/2009	31/10/2009
	Viking Lodge	Francis Street, Dublin 8	James Gough & Michael Campbell	20/08/2008	17/08/2010
	The Towers	The Ninth Lock, Clondalkin	Rowtes Ltd	10/10/2006	24/12/2012
	Georgian Court	77-79 Lower Gardiner St.	Georgian Court Ltd	08/08/2006	17/01/2011
	Hatch Hall**	28 Lower Hatch Street, D1	East Coast Catering (Ireland) Ltd	20/06/2008	17/06/2010
	Galway	Dun Gibbons	Clifden, Co. Galway	Connemara & Island Heritage Tourism Ltd	13/08/2007
Eglinton		The Proms, Salthill	Maplestar Ltd	19/11/2007	10/01/2010
Great Western House		Eyre Square	Shaun Hennelly	11/02/2009	26/07/2011
Lisbrook House		Headford Road, Galway	Bridgestock Ltd	29/04/2008	31/01/2011



Accommodation Centres — *continued*

County	Location	Address	Service Provider	Start of Contract	End of Current Contract
Kerry	Atlas House (Killarney)	Killarney	OFM	07/03/2009	06/03/2011
	Atlas House (Tralee)	Tralee	OFM	26/02/2009	25/03/2011
	Johnston Marina	Tralee	OFM	07/03/2009	06/03/2011
	Linden House	Killarney	Millstreet Equestrian Services Ltd	31/07/2008	28/07/2010
	Park Lodge	Killarney	OFM	04/03/2009	03/03/2011
	Westward Court	Tralee	Tralee Town Centre Hostel Ltd	07/03/2008	04/03/2010
Kildare	Eyrepowell	Newbridge	Cherryport Ltd	05/11/2008	02/11/2010
Laois	Hibernian	Main Street, Abbeyleix	Chidlane Ltd	24/07/2007	20/07/2009
	Montague	Portlaoise	Fazyard Ltd	16/10/2007	10/06/2011
Leitrim	Sliabh An Iarainn	Ballinamore	Bridgestock Ltd	16/04/2008	20/07/2009
Limerick	Hanratty's	Glentworth Street, Limerick	JP Ryan	08/06/2009	01/06/2014
	Westbourne	Dock Road	Westbourne Holiday Hostel Ltd	10/06/2009	07/06/2011
	Mount Trenchard	Foynes, Co. Limerick	Baycaster Ltd	29/09/2008	26/09/2010
	Sarsfield Bridge	Sarsfield Road, Limerick	Oval Rock Ltd	20/06/2008	17/06/2010
Longford	Richmond Court	Richmond Street	James Keogh	08/07/2009	05/07/2011
Mayo	Railway	Kiltimagh	Bridgestock Ltd	16/04/2008	19/01/2010
	The Old Convent	Ballyhaunis	Bridgestock Ltd	16/04/2008	19/01/2010
Meath	Mosney**	Mosney	Mosney Irish Holidays PLC	06/12/2004	05/06/2010
Monaghan	St. Patricks **	Monaghan	Tattonward Ltd	03/07/2008	07/04/2008

Accommodation Centres — *continued*

County	Location	Address	Service Provider	Start of Contract	End of Current Contract
Sligo	Globe House	Chapel Hill	Bridgestock Ltd	31/10/2008	27/10/2011
Tipp. South	Bridgewater House	Carrick-On-Suir	Millstreet Equestrian Services Ltd	06/03/2007	20/07/2009
Waterford	Atlantic House Ocean View** Birchwood Viking House	Tramore, Co. Waterford Tramore, Co. Waterford Ballytruckle Road Coffee House Lane	Atlantic Blue Ltd Ocean View Accommodation Ltd Stompool Investments Ltd Millstreet Equestrian Services Ltd	31/03/2009 31/03/2009 24/12/2008 10/07/2008	28/03/2011 28/03/2011 17/01/2012 22/12/2010
Westmeath	Athlone	Athlone	Bridgestock Ltd	05/03/2009	04/03/2010
Wexford	Old Rectory House	New Ross	The Old Rectory House Ltd	16/04/2008	26/10/2010
Wicklow	Beechlawn The Warrens	Rathdrum, Co. Wicklow. Wicklow Town	Libdun Ltd Warrens House Ltd	19/03/2008 26/10/2007	26/10/2010 02/07/2009

Self Catering Centres

County	Location	Address	Service Provider	Start of Contract	End of Current Contract
Cork	Davis Street	73-75 Davis Street, Mallow	Millstreet Equestrian Services Ltd	15/10/2008	12/10/2010
Dublin	Glenview House Watergate House	Tallaght, Dublin 24 11-14 Usher's Quay, Dublin 8	Kevin & Brendan O'Sullivan (In Trust) Phil Monaghan & Finian McDonnell	29/01/2008 27/03/2008	13/07/2009 24/03/2010
Louth	Carroll Village	Dundalk	East Coast Catering (Ireland) Ltd	27/03/2008	23/03/2011
Roscommon	Station Road	Ballaghadereen	Bridgestock Ltd	10/07/2007	06/07/2009

Reception Centres

County	Location	Address	Service Provider	Start of Contract	End of Current Contract
Dublin	Kilmacud House Balseskin	Upr Kilmacud Rd, St. Margarets, D11	The Trustees, Victory Christian Fellowship East Coast Catering (Ireland) Ltd	08/02/2008 01/01/2007	03/02/2011 31/12/2011

Programme Refugee Centres

County	Location	Address	Service Provider	Start of Contract	End of Current Contract
Mayo	Bruach na hAbhainn	Ballyhaunis, Co. Mayo	Bridgestock Ltd	01/09/2007	27/08/2010

### Asylum Applications.

493. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the language testing system used for verifying language and country of origin for asylum applicants; if his attention has been drawn to the fact that there are concerns over the accuracy of some decisions being made based on these tests and that some testers are not familiar enough with the languages being tested. [29276/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy is aware the processing of asylum applications is done within the framework of the Refugee Act, 1996 (as amended) under which every asylum applicant is guaranteed an investigation and determination of his or her claim at first instance by the Office of the Refugee Applications Commissioner (ORAC).

I presume the Deputy is referring in his question to the language analysis testing facility which has been availed of by ORAC.

There is ongoing evidence of persistent efforts to undermine Ireland's asylum system by persons making unfounded applications, including persons claiming to be of a nationality or from an ethnic group other than their true nationality or ethnic group, in efforts to obtain status as a refugee in the State. The experience is that a significant number of asylum applicants produce no satisfactory, if in fact any, documentary evidence of their stated identity or nationality or method of travel to the State despite claiming in many instances to have flown here. This raises obvious concerns that the process may possibly be abused by persons seeking to establish a false identity for purposes unknown.

In endeavouring to establish the veracity of some asylum applications, while at the same time trying to uphold the integrity of the asylum system from abuse and to protect the interests of the State, in line with international practice, ORAC decided to avail of the services of reputable and professional international language analysis companies.

Language analysis testing involves applicants attending at ORAC for an interview. There are two types of language analysis testing used by ORAC; direct and indirect. Direct language testing involves an interview being recorded and sent to the language analysis provider. Indirect language testing involves the applicant speaking directly over the phone to the language analysis provider. This conversation is also recorded. The recorded interview is then analysed by the language analysis provider to determine, as specifically as possible, the geographic origin of the applicant's language. A report is then submitted to ORAC. ORAC provides a copy of this report to the applicant and his/her legal representative. I am advised by the Refugee Applications Commissioner that he is satisfied with the professional standard and quality of the language analysis services being provided.

Regardless of any language analysis testing, every applicant for asylum is given a full opportunity of presenting his/her case at a substantive interview in accordance with the provisions of the Refugee Act 1996 (as amended). These interviews are conducted by highly trained officers authorised by the Refugee Applications Commissioner for that purpose. The Language Analysis Report, where requested, is used to assist with the overall evaluation of the asylum application and is considered in conjunction with all other elements of the asylum claim.

The use of language analysis testing is not unique to this State. It is also used in other jurisdictions such as Australia, Canada, Sweden, Switzerland and the United Kingdom.

494. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of interview cancellations for asylum applicants, broken down by first and second interviews, for each year for the past two years and for each month of the past 24 months; and

the average timeframe for rescheduling an interview for each of the past two years and also for each month for the past 24 months. [29277/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy is aware, the processing of asylum applications is carried out within the framework of the Refugee Act, 1996 (as amended) under which every asylum applicant is guaranteed an investigation and determination of his or her claim at first instance by the Office of the Refugee Applications Commissioner (ORAC).

There are a variety of reasons resulting in the need to cancel the scheduled interviews arranged by ORAC. For example, cancellations can arise at the applicant's own request; interpreters not being available; outbreak of infectious diseases such as chicken pox at accommodation centres; interviews brought forward, etc. A degree of over-scheduling also takes place in ORAC in order to ensure that a viable schedule of cases exists including substitute cases to cater for cancellations.

It is the policy of ORAC that all cancelled cases are re-scheduled for interview as soon as is practicable unless there are medical or other extenuating reasons. ORAC's scheduling policy is also kept under constant review. The length of time taken to reschedule an interview can vary widely depending on the original reason for cancellation. Records are not maintained in such a way so as to provide details on the time frames for rescheduling interviews or on whether cancellations are based on first or second interviews. Cancellations do not always result in unnecessary costs, because, as outlined previously, where an interview is cancelled, every effort is made by ORAC to substitute another applicant for interview instead to ensure the maximum use of interviewing resources. Figures for the number of interview cancellations for the past 24 months and for the previous two years are outlined in the following tables.

Cancellation of Interviews July 2007-June 2009

Month	Number of cancellations	Month	Number of cancellations
Jul-07	36	Jul-08	133
Aug-07	33	Aug-08	125
Sep-07	41	Sep-08	99
Oct-07	73	Oct-08	104
Nov-07	36	Nov-08	86
Dec-07	45	Dec-08	100
Jan-08	64	Jan-09	160
Feb-08	48	Feb-09	157
Mar-08	77	Mar-09	92
Apr-08	65	Apr-09	83
May-08	110	May-09	151
Jun-08	80	Jun-09	145

Cancellation of Interviews 2007-2008

Year	2007	2008
Total	562	1091

495. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the timeframe for asylum applicants to receive their first interviews, and in some cases, the second interview with his Department from arrival here for each of the past three years. [29278/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy is aware the processing of asylum applications is done within the framework of the Refugee Act, 1996 (as amended) under which every asylum applicant is guaranteed an investigation and determination of his or her claim at first instance by the Office of the Refugee Applications Commissioner (ORAC).

The length of time taken for applicants to receive their first interview differs depending on whether an applicant is dealt with under prioritised or non-prioritised arrangements. With effect from the 25 January 2005, new arrangements for the speedier processing of applications from certain countries were implemented. These arrangements apply in the main to nationals of Nigeria, Croatia and South Africa. They also applied to Romania and Bulgaria prior to their accession to the EU on 1 January 2007.

Currently, the interview date for prioritised cases is scheduled to take place within 9 -12 days from the date of initial application. In the case of non-prioritised cases, the interview date is usually scheduled approximately for 4 working weeks from the date of the initial application. The recent reduction in the timeframe for the scheduling of interviews for non-prioritised cases is due to a number of factors, i.e. a reduction in asylum application numbers; increased productivity in ORAC; and a reduced scheduling capacity due to the outbreak of chicken pox at a number of Reception and Integration Agency accommodation centres. ORAC continues to schedule applicants for their interview on the date of application unless there are medical or other compelling reasons.

If it is necessary for an applicant to provide further material or clarification following the initial interview, a second interview is arranged, generally within 3-6 weeks of the initial interview depending on the nature of the material involved.

The Refugee Applications Commissioner continues to keep the procedure for scheduling applications under ongoing review with a view to limiting the amount of time applicants have to wait for interview, without compromising an applicant's right to a fair and balanced examination of their case.

In 2006, 2007 and 2008, the interview date for prioritised cases was usually scheduled within 9-12 working days from the date of the initial application. Non-prioritised cases were generally scheduled for interview within 4 weeks of application in 2006, 10 -18 weeks in 2007 and 16-18 weeks in 2008. Towards the end of 2008 it was possible to reduce this timeframe to within 15-16 weeks. As stated the current timeframe is approximately 4 weeks.

496. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the method by which he and the Health Service Executive assess a minor when arriving unaccompanied here seeking asylum; the number of asylum applications made in each of the past five years for unaccompanied children; the number which have been successful; and the number of arrivees who state they are unaccompanied minors. [29279/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Section 8(5)(a) of the Refugee Act 1996 (as amended) provides that, where it appears to an immigration officer or an authorised officer that a child under the age of 18 years who has arrived in the State and is not in the custody of any person, that child must, as soon as is practicable be referred to the



Health Service Executive (HSE) and thereupon the provisions of the Child Care Act, 1991 apply to the child.

As regards the HSE and the issue of age assessment, I am informed that the HSE has regard to the Separated Children in Europe Programme (SCEP) Statement of Good Practice, 2004 and the extract relating to 'Age Assessment' when dealing with cases of unaccompanied minors. The SCEP is a joint initiative of the International Save the Children Alliance and the United Nations High Commissioner for Refugees. For further details in this regard I would have to refer the Deputy to my colleague the Minister for Health and Children.

Where a child is referred to the HSE, it is a matter for the HSE to determine whether it is in the child's interest to have an application for asylum made on their behalf. In the event that an application is made, the HSE then assists the minor throughout the asylum process, including accompanying the minor during the course of their interview. The HSE takes all necessary steps to ensure the safety and welfare of these young people.

The ORAC has ongoing experience of persons falsely claiming to be a minor. Where an authorised officer has concerns that the stated age of a person presenting as a minor is not their true age the person is interviewed with a view to assessing their likely age. This interview is carried out by staff who have been specially trained in dealing with unaccompanied minors. The applicant is told in simple terms (with the aid of an interpreter, if necessary) the purpose of the interview and the interview is carried out in an informal manner, with the applicant being reassured that the interview is not an examination of his/her asylum claim. The applicant is also requested to produce any verifiable documentation they may have to support their stated identity and age.

If, after the interview, the opinion is formed that the person may be an unaccompanied minor, a referral to the HSE will be made immediately in accordance with Section 8(5) (a) of the Refugee Act 1996 (as amended). Where a decision is made not to treat the applicant as a minor, this decision, and the reasons underpinning it, is communicated to the applicant in simple terms. This is promptly confirmed in writing to the applicant and, where relevant, his/her legal representative. It is also explained to the applicant that they may request an age reassessment. This second assessment is carried out by a more senior officer. If, as a result of the reassessment, an opinion is formed that the applicant is a minor, then he/she will be referred to the HSE. Otherwise, the applicant will be deemed an adult, and his/her progress through the asylum process will be on that basis. Where there is doubt as to age, the benefit of the doubt is given to the applicant.

The processing of applications for refugee status from unaccompanied minors has a number of child-specific features and has regard to a number of distinct factors including the UNHCR's Guidelines. ORAC caseworkers are specifically trained for this purpose.

The statistics requested by the Deputy on the number of applications for asylum from unaccompanied minors and the number which have been successful in each of the last five years (2004-2008) and in 2009 (30/6) are set out in the following tables.

Applications for Asylum from Unaccompanied Minors 2004-2009 (30/6)

Year	2004	2005	2006	2007	2008	2009 (30/6)
Total	128	131	131	94	98	29

[Deputy Dermot Ahern.]

Recommendations to grant Refugee Status to Unaccompanied Minors at first Instance and Appeal Stage 2004-2009  
(30/6)

Year	2004	2005	2006	2007	2008	2009 (30/6)
Total	92	75	41	30	17	5

Please note that the figures refer to the year in which the decision was made not the year in which the application was lodged.

Statistics are not maintained in relation to the number of persons who claim asylum initially as minors who are subsequently deemed to be adults.

497. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of family reunifications which have occurred annually since 2004 to date in 2009; the number of cases annually where unaccompanied children are reunified with their parents as opposed to relatives or guardians; and if he will make a statement on the matter. [29282/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I have been informed by the Irish Naturalisation and Immigration Service (INIS) that the number of applications from Refugees for family reunification that have been approved for the years 2004 to 2009 are as set out in the following table:

Year	Number of individuals approved
2004	681
2005	384
2006	348
2007	328
2008	401
2009 to date	362

In the vast majority of cases involving the family reunification of refugees the children are accompanied by one of their parents. It is not possible in refugee family reunification cases to distinguish the number of cases where unaccompanied children are reunified with their parents as opposed to relatives or guardians, without going through each and every application that has been made.

#### **Asylum Issues.**

498. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of children, unaccompanied or otherwise, who have gone missing from asylum centres annually since 2004 to date in 2009; the number who have been found annually; and if he will make a statement on the matter. [29283/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the time available it has not been possible for the Garda authorities to supply the information requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

#### **Crime Levels.**

499. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of recorded crimes of prostitution annually since 2002 to date in 2009; the number of

convictions recorded annually for prostitution since 2002; and if he will make a statement on the matter. [29285/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide the statistics sought by the Deputy directly to him.

#### Public Service Staff.

500. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29314/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The numbers of staff in my Department, its agencies and bodies under its aegis who have applied for the incentivised early retirement scheme and the incentivised career break scheme are set out in the following table. It should be noted that while the closing date for the incentivised career break scheme has passed, the closing date for the incentivised early retirement scheme is 1 September 2009.

Body	Incentivised Early Retirement Scheme	Incentivised Career Break Scheme
Department of Justice, Equality & Law Reform	17	60
Irish Prisons Service (Administrative Grades)	2	0
Irish Prisons Service (Prison Grades)	Scheme does not apply	1
Courts Service	17	14
Property Registration Authority	8	10
An Garda Síochána (Civilians)	9	29
Legal Aid Board	1	19
Irish Youth Justice Service — Detention Centres	0	2
Garda Síochána Ombudsman Commission	0	7
National Disability Authority	0	Scheme does not apply to Public Servants
Human Rights Commission	0	0

With the possible exception of a limited number of civilian employees of An Garda Síochána, in respect of which I will furnish the information required to the Deputy separately, I understand that no staff of my Department, or any of the other bodies listed above under its aegis, qualified for redundancy payments under the Redundancy Payments Act 2003 as a result of ceasing employment within the last 12 months.

#### Garda Strength.

501. **Deputy Joan Burton** asked the Minister for Justice, Equality and Law Reform the number of gardaí and community gardaí stationed at the Blanchardstown Garda station and the numbers stationed at the end of 2006, 2007 and 2008; and if he will make a statement on the matter. [29327/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Commissioner that the personnel strength and the number of Community Gardaí in Blanchardstown Garda Station for 2006-2008 and for the latest date on which figures are available for 2009 are as set out in the following table:

	2006	2007	2008	2009
Personnel Strength	174	180	193	186
Community Gardaí	19	22	24	22

The Commissioner recently launched a new National Model of Community Policing for An Garda Síochána. This new model will build on the success of existing good community policing practice and I look forward to the implementation of this plan. A National Community Policing Office has been established within the Garda Community Relations Section and the model is currently in the process of being rolled out to every District throughout the country. The plan envisages that each District Officer will take ownership of community policing within their area of responsibility. Community Policing personnel will be appointed to each Community Policing Area which is to be designated at local level in consultation with the National Community Policing Office.

#### **Legislative Programme.**

502. **Deputy Joanna Tuffy** asked the Minister for Justice, Equality and Law Reform the position regarding the Spent Convictions Bill 2007; his plans to progress this bill in the Houses of the Oireachtas; and if he will make a statement on the matter. [29328/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Spent Convictions Bill 2007 is now awaiting Committee Stage in the Dáil, having completed Second Stage on 18 December 2008. As the Deputy will recall, the Bill was introduced as a Private Members Bill by my colleague, Barry Andrews TD, in October 2007. Subsequently, in early 2008, the Government agreed to take it over and to progress it as a Government Bill. During the Second Stage debate, Minister Andrews mentioned several issues in the Bill which would, in all probability, require amendment. Since then my Department has been seeking views from a wide range of bodies on the Bill's provisions and work is now under way on the identification of amendments to be brought forward at Committee Stage. However, I am unable to say at this point when the Committee and remaining Stages will take place.

#### **Garda Ombudsman Report.**

503. **Deputy Joanna Tuffy** asked the Minister for Justice, Equality and Law Reform the steps he will take in respect of the report of the Garda Ombudsman Commission following the death of a person (details supplied) and in particular the recommendations in the report that require action by the Garda Síochána or the Garda Commissioner; and if he will make a statement on the matter. [29329/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my response to Parliamentary Question No. 100 of the 22 April 2009 which sets out the position on the matter.

#### **Visa Applications.**

504. **Deputy Michael D. Higgins** asked the Minister for Justice, Equality and Law Reform the number of study visa applications received in 2008 and 2007 in the visa office in Dublin

and the hub visa offices worldwide which were found to be incomplete and therefore not considered for approval or refusal; and if he will make a statement on the matter. [29352/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Incomplete applications (for example an application submitted without a passport) are as far as possible, returned to the applicant by the receiving office and not processed. However, statistics are not maintained in relation to rejected applications.

### **Road Traffic Accidents.**

505. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the policy measures he will take to tackle the problem of boy racers in rural areas here; if he has taken into account the high level of fatal road accidents in rural areas and the impact of speeding in these accidents; and if he will make a statement on the matter. [29368/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** One of the strategic goals set out in the Garda Síochána Corporate Strategy 2007-2009 is to reduce significantly the incidence of fatal and serious road traffic injuries and improve road safety. I am informed by the Garda authorities that collision data identifies young male drivers as vulnerable persons in terms of road safety. In order to address this, intelligence led initiatives and specific operations are taken to change young driver behaviour and improve the compliance culture among such drivers. In addition to intelligence-led operations, Traffic Corps personnel, assisted by both regular uniform and plain-clothes personnel, regularly target areas where young male drivers congregate. Regular mobile patrols and checkpoints are also conducted in these areas. Websites are monitored to assist in establishing where events are taking place and implementing the necessary response.

These initiatives have resulted in detections being made for a wide range of road traffic offences, including offences relating to dangerous driving, careless driving, no silencer fitted, L-plates not displayed, identification plates not conforming with legislation, road tax offences, insurance and driving licence offences, speeding offences, dangerously defective vehicles and modified vehicles. Offences detected are dealt with by way of prosecution, fixed charge notice or, where appropriate, through the Juvenile Diversion Programme.

An Garda Síochána has reviewed the suitability of various types of equipment, in line with EU specifications, to measure levels of noise and whether windows are tinted to such a degree as to obscure vision, so as to provide technical evidence necessary to facilitate the successful prosecution of drivers for such offences under the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations. Requests for Tender have been prepared for the purchase of the appropriate equipment, and they are expected to be published shortly.

Garda road safety awareness programmes are conducted in schools, third level colleges, factories, workplaces and other facilities, with the aim of educating road users in the obligations on all road users under the Road Traffic Acts and to promote road safety among the target group. An Garda Síochána is working with other agencies, in particular the Road Safety Authority, in this regard.

The emphasis of Garda speed enforcement is on the use of mobile speed cameras, and 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 An Garda Síochána to address the problem of speeding on our roads, particularly in collision prone zones.

### **Garda Deployment.**

506. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform if he will report on the new scheme where gardaí will board and patrol Luas trams in an effort to address growing anti-social and criminal behaviour on the light rail system; the number of gardaí who have been assigned to this scheme; the length of time that it will run for; and if he will make a statement on the matter. [29374/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that senior Garda management in the Dublin Metropolitan Region, in consultation with the Railway Procurement Agency and the Department of Transport, has put security measures in place on the Luas system on a three month pilot basis, from 29 June, as a result of which members of An Garda Síochána are deployed on the red and green Luas lines on particular nights at particular times. These measures are similar to those put in place as part of Operation Freeflow during the Christmas period in 2008.

Gardaí will operate high-visibility patrols, both on the trams and along the tram-lines, paying particular attention to identified public disorder trouble spots. Four members of An Garda Síochána are assigned specifically to Luas foot patrol duty, with two additional members assigned, in support of these members, to mobile patrol. The mobile patrol is available in the event of public disorder or other anti-social behaviour and for the transportation of any persons arrested.

### **Crime Levels.**

507. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the amount or value of money stolen by raiders in each of the past five years to date; the amount recovered; the amount outstanding; the extent to which prosecutions have followed and were successful; and if he will make a statement on the matter. [29499/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide the statistics sought by the Deputy directly to him.

### **Residency Permits.**

508. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 344 of 6 May 2009, the nature, origin and extent of the alleged criminal offence pending in this case; if the person in question has been notified in the issue; and if he will make a statement on the matter. [29500/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I have requested information from the Garda authorities on any outstanding issues in this case relating to criminal offences and I will be in contact with the Deputy when this information is to hand.

509. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the status of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29501/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I would refer the Deputy to my reply to Parliamentary Question No. 130 of 25 June 2009. The person concerned is advised to write to my Department at INIS, PO Box 10003, Dublin 2, outlining his circum-



stances. Any correspondence received will be assessed by the relevant officials and the person concerned will be contacted directly and informed of any decision made regarding his status in the State.

510. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for residency in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29502/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my detailed Reply to his Parliamentary Question No. 365 of Tuesday, 9 June 2009, in this matter. The position in the State of the person concerned is as set out in that Reply.

#### **Refugee Status.**

511. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if he will clarify the position in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29503/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Irish Naturalisation and Immigration Service (INIS) advises me that while the person in question was refused refugee status following appeal, he has recently, as an exceptional measure, been granted temporary permission to remain in the State until 29 May 2011. He is now required to register with the Garda National Immigration Bureau. One of the requirements for registration is the production of a valid passport, however, the validity of his most recent passport has now expired.

As the person in question is a national of the Democratic Republic of Congo it is advisable for him to seek consular assistance from his own national authorities in relation to the procurement of a passport or temporary travel document to facilitate travel in order to obtain same. In exceptional cases an application for Irish temporary travel document may be considered. In all such cases, INIS must be satisfied that there is no alternative open to the applicant before an Irish temporary travel document will issue.

An application for an Irish temporary travel document will only be considered by the Travel Document Unit in INIS on receipt of a fully completed application form. Supporting documentation accompanying any such application should include original correspondence from the relevant consular authorities outlining the steps necessary to be followed by the person in question to facilitate the renewal of his DRC passport which has been allowed to expire. I am informed by the Immigration Services Section of the Irish Naturalisation and Immigration Service that no application for a temporary travel document has been received to date from the person in question by the Travel Document Unit.

#### **Asylum Applications.**

512. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the current or expected residency status in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29504/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Questions No. 561 of Tuesday 24 March 2009, and No. 384 of Wednesday 22 April 2009 and the written Replies to those Questions. The person concerned applied for asylum on 28 January 1997. He made a second application under another name which he subsequently withdrew. His asylum application was refused following consideration of his case

[Deputy Dermot Ahern.]

by the then Asylum Division of the Department of Justice, Equality and Law Reform and, on appeal, by the then Asylum Appeals Authority.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, the person concerned was informed, by letter dated 27 October 1999, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations were received on behalf of the person concerned at that time. Following consideration of the case of the person concerned, the Minister signed a Deportation Order in respect of him on 1 December 2000.

The person concerned subsequently made an application to remain in the State based on his parentage of an Irish citizen child. The person concerned was granted permission to remain in the State on this basis for a period of one year and was notified to this effect by letter dated 19 July 2002. The Deportation Order made in respect of the person concerned was subsequently revoked.

On 11 August 2004 the person concerned was notified that the Minister had decided not to renew his permission to remain in the State. He was also notified that, in accordance with Section 3 of the Immigration Act, 1999 (as amended), the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations were received on behalf of the person concerned at that time.

The Deputy might wish to note that the person concerned also made an application for permission to remain in the State in accordance with the revised arrangements applicable to the non-EEA national parents of Irish born children, born in the State before 1 January 2005, commonly known as the IBC/05 Scheme. The IBC/05 application of the person concerned was refused as it was deemed that he was not a person of good character and he did not appear to be playing an active role in the upbringing of his Irish citizen child. The person concerned was made aware of the refusal of his IBC/05 application by letter dated 8 September 2005.

On 21 August 2006 the person concerned was notified that, in accordance with Section 3 of the Immigration Act, 1999 (as amended), the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations were received on 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 consideration has been completed, the case file of the person concerned is passed to me for decision.

### **Citizenship Applications.**

513. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for citizenship in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29505/09]

**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.

This application was considered under the provisions of the Irish Nationality and Citizenship Act, 1956, as amended, and I decided not to grant a certificate of naturalisation. A copy of the submission on the matter, with my decision annotated thereon, was sent to the person in question on 16 January, 2007. In reaching this decision, I exercised my absolute discretion, as provided by the Irish Nationality and Citizenship Act, 1956, as amended. There is no appeals process provided under this legislation.

It is open to the person concerned to lodge a new application for a certificate of naturalisation with the Citizenship Division of my Department at any time. However, in doing so he should bear in mind all the reasons for refusal of his previous application.

### **Residency Permits.**

514. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to residency in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [29506/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person concerned made an application for residency in January 2009. The General Immigration Division of INIS has recently been in contact with the person in question requesting further information and documentation. On receipt of that information the application will be processed further.

515. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the citizenship application in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [29507/09]

**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.

516. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to citizenship or family reunification in the case of a person (details supplied) in Dublin 6; and if he will make a statement on the matter. [29508/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that an application was received in the General Immigration Division on 29 July 2008. Permission to remain was granted for a period of one year on Stamp 4 conditions to the person referred to in the Deputy's question on the 11th September 2008. I have also been informed by officials in the Citizenship Division and Family Reunification Division of INIS that there is no record of an application being received from the person referred to in the Deputy's Question.

517. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the procedure to be followed in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29509/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person concerned made an

[Deputy Dermot Ahern.]

application for residency in October 2008. The General Immigration Division of INIS has recently been in contact with the person in question requesting further information and documentation. On receipt of that information the application will be processed further.

518. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for residency in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [29510/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person referred to by the Deputy applied for Asylum on 28/10/2004. The claim was assessed by the Refugee Applications Commissioner who concluded that the person concerned did not meet the criteria for recognition as a refugee. The Commissioner's recommendation was communicated to her by letter dated 13/06/2005. This communication advised the person of her entitlement to appeal the Commissioner's recommendation to the Refugee Appeals Tribunal, which she duly did.

The Refugee Appeals Tribunal considered the person's appeal, following which the Tribunal affirmed the Commissioner's earlier recommendation to reject her claim. The outcome of the appeal was made known to the applicant by letter dated 31/08/2005. The applicant initiated Judicial Review Proceedings against the Refugee Appeals Tribunal. The applicant was permitted to have a fresh hearing before a different Member of the Tribunal. Her case was re heard and the Tribunal again affirmed the Commissioner's earlier recommendation to reject her claim. The outcome of the appeal was made known to the applicant by letter dated 25/06/09.

In accordance with normal procedures, the applicant's file has been forwarded to my Department's Ministerial Decisions Unit for final processing of the Asylum claim. A letter will issue to her from my Department formally advising her that her asylum claim has been rejected and affording her three options as follows: return home voluntarily; consent to the making of a deportation order; or make written representations to me within 15 working days for temporary leave to remain in the State and/or make an application for subsidiary protection under the European Communities (Eligibility for Protection) Regulations 2006 (SI No. 518 of 2006).

519. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for family reunification in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [29511/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to made a Family Reunification application on behalf of her husband in February 2008. The application was forwarded to the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. The investigation has been completed and the Commissioner has forwarded a report to INIS. The report will be considered by INIS and a decision on the application will issue in due course. Applications are currently taking approximately 24 months.

520. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29512/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 950 of Wednesday 24 September 2008 and the written Reply to that Question. The person concerned applied for asylum on 20 May 2002. His application

was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 23 April 2003, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State.

Representations have been received on behalf of the person concerned and these representations will be fully considered, under Section 3(6) of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) on the prohibition of refoulement, before the file is passed to me for decision.

521. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to residency in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29513/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Irish Naturalisation and Immigration Service (INIS) that an application for a change of status was received from the person referred to by the Deputy on 21 April 2009. I am advised that applications from June 2008 are currently being dealt with. As soon as a decision is made on the case, the person concerned will be notified.

522. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the residency application of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [29514/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The person referred to by the Deputy applied for Asylum on 27/11/2002. The claim was assessed by the Refugee Applications Commissioner who concluded that the person concerned did not meet the criteria for recognition as a refugee. The Commissioner's recommendation was communicated to him by letter dated 09/05/2003. This communication advised the person of his entitlement to appeal the Commissioner's recommendation to the Refugee Appeals Tribunal, which he duly did.

The Refugee Appeals Tribunal considered the person's appeal, following which the Tribunal affirmed the Commissioner's earlier recommendation to reject his claim. The outcome of the appeal was made known to the applicant by letter dated 29/01/2004. In accordance with normal procedures, the applicant's file was forwarded to my Department's Ministerial Decisions Unit for final processing of his Asylum claim. A letter was issued to him from my Department on 25/05/2004 advising him formally that his asylum claim had been rejected and affording him three options as follows: return home voluntarily; consent to the making of a deportation order; or make written representations to me within 15 working days for temporary leave to remain in the State.

The applicant applied to the Minister under Section 17(7) of the Refugee Act 1996, as amended, to be re admitted to the asylum process. After consideration of the applicant's case he was readmitted to the process and was informed by the Office of the Refugee Applications Commissioner to attend their office for readmittance to the asylum process. The applicant duly attended.



[Deputy Dermot Ahern.]

The claim was assessed by the Refugee Applications Commissioner who concluded that the person concerned did not meet the criteria for recognition as a refugee. The Commissioner's recommendation was communicated to him by letter dated 19/07/2006. This communication advised the person of his entitlement to appeal the Commissioner's recommendation to the Refugee Appeals Tribunal, which he duly did.

The Refugee Appeals Tribunal considered the person's appeal, following which the Tribunal affirmed the Commissioner's earlier recommendation to reject his claim. The outcome of the appeal was made known to the applicant by letter dated 19/06/2009. In accordance with normal procedures, the applicant's file was forwarded to my Department's Ministerial Decisions Unit for final processing of his Asylum claim. A letter will issue to him from my Department advising him formally that his asylum claim has been rejected and affording him three options as follows: return home voluntarily, consent to the making of a deportation order; or make written representations to me within 15 working days for temporary leave to remain in the State and/or make an application for subsidiary protection under the European Communities (Eligibility for Protection) Regulations 2006 (SI No. 518 of 2006).

### **Citizenship Applications.**

523. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the citizenship application of a person (details supplied) in Dublin 9; and if he will make a statement on the matter. [29515/09]

**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.

524. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the citizenship application of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [29516/09]

**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.

### **Residency Permits.**

525. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to residency or application under prohibition of refoulement in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29517/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 151 of Thursday 26 February 2009 and the written Reply to that Question. The person concerned entered the State on a C-Visit Visa on 18 September 2008 and was granted leave to remain in the State until 19 October 2008.

The daughter of the person concerned wrote to the Immigration Division of my Department on 7 October 2008 seeking, on behalf of her father, an extension of his permission to remain in the State. Following consideration of this request, my Department decided that her father's



circumstances did not warrant an extension of his C-Visit Visa period and this position was conveyed in writing to the daughter of the person concerned by letter dated 12 January 2009.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999 (as amended), the person concerned was informed, by letter dated 18 February 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. Representations have been received on behalf of the person concerned and these representations will be fully considered, under Section 3(6) of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) on the prohibition of refoulement, before the file is passed to me for decision.

526. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if extended time, in the region of six weeks, will be offered to provide a passport in the case of a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [29518/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my previous replies to his Parliamentary Questions in this matter. I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person in question is the subject of an application for Family Reunification made by his wife in April 2008. I am further informed by INIS that the subject's wife was contacted on the 30th June 2009 and requested to submit the subject's original passport within 21 days in order to finalise the application. She was also advised that if she was unable to provide the passport within the 21 day period to advise INIS when she would be able to do so. INIS to date have not received a reply to their letter. If an extension of the time period is needed, the applicant should write to the Family Reunification Section of INIS requesting same.

#### **Asylum Applications.**

527. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if a review will be undertaken regarding an application for residency in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [29519/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Question No. 705 of Tuesday 27 January 2009 and the written Reply to that Question. The person concerned applied for asylum on 21 June 2002. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 14 April 2003, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State. Representations were submitted on behalf of the person concerned.

His case was examined under Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement and all representations received were considered in arriving at a decision in his case. On 28 June 2004 a Deportation Order was signed in respect of the person concerned. Notice of this Order

[Deputy Dermot Ahern.]

was served by registered post dated 11 January 2005. This communication advised the person concerned of the legal requirement that he present himself at the Offices of the Garda National Immigration Bureau (GNIB) on 20 January 2005 in order to make travel arrangements for his deportation from the State. The person concerned failed to ‘present’ on this occasion and, as such, was classified as evading his deportation.

On 14 August 2008, an application for revocation of the Deportation Order, under Section 3(11) of the Immigration Act 1999 (as amended), was submitted on behalf of the person concerned and this application is currently under consideration in my Department. The person concerned will be notified in writing when a decision has been made on this application. The Deputy might wish to note that the documentation he refers to in his Question was submitted as part of the Section 3(11) application to and will be duly considered.

528. **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 Dublin 15; and if he will make a statement on the matter. [29520/09]

**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 June 2006.

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 time scale. 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. Officials in the Citizenship Division of my Department inform me that processing of the application is at an advanced stage and the file will be submitted to me for a decision in due course.

#### **Residency Permits.**

529. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for residency in the case of persons (details supplied) in County Louth; and if he will make a statement on the matter. [29521/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The immigration case histories and up to date positions of the two persons concerned, a husband and wife, are almost identical. As a result, for the purposes of the Deputy’s Question, I will deal with the two cases as one.

Both of the persons concerned applied for asylum in the State on 18 August 2004. Their respective asylum applications were refused following the individual consideration of their cases by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), both of the persons concerned were informed, by separate letters dated 20 February 2008, that the Minister proposed to make Deportation Orders in respect of them. They were each 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 they should be allowed to remain temporarily in the State. In

addition, they were each 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). To date no response has been received in my Department to these letters.

The first and second named persons concerned submitted separate applications for Subsidiary Protection in the State in accordance with these Regulations and these applications are under consideration at present. When consideration of these applications have been completed, the persons concerned will be notified individually in writing of the outcome.

530. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when a decision will be made 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 in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [29522/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to Parliamentary Questions No. 354 of Tuesday 9 June 2009 and No. 134 of Thursday 26 March 2009 and the written Replies to those Questions. The person concerned applied for asylum in the State on 28 April 2003. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999 (as amended), the person concerned was informed, by letter dated 16 May 2005, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State.

Representations have been received on behalf of the person concerned and these representations will be fully considered, under of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) on the prohibition of refoulement, before the file is passed to me for decision.

#### **Citizenship Applications.**

531. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to the application for citizenship in the case of person (details supplied) in Dublin 15; and if he will make a statement on the matter. [29523/09]

**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 May 2007. Processing of the file has been completed and I have reached a decision. The person in question will be informed of that decision in due course.

#### **Asylum Applications.**

532. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of persons residing here who are awaiting a decision on asylum status; the cost of accommodating those people here; the breakdown of the nationality of those people in State

[Deputy Denis Naughten.]

provided accommodation and those outside the direct provision system respectively; the corresponding figures for leave to remain applications; and if he will make a statement on the matter. [29545/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT) which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

The number of asylum applicants awaiting a decision at first instance (ORAC) as at 30 June, 2009 was 872. The number of asylum applicants awaiting a decision at appeal stage (RAT) as at 30 June, 2009 was 3,146. A breakdown by nationality of asylum applications on hand at 30 June, 2009 is set out in Table 1.

The Reception and Integration Agency (RIA) of my Department is responsible, in accordance with Government policy, for the accommodation of asylum seekers in Ireland. It operates a Direct Provision system which provides protection applicants with full board accommodation free of utility or other costs. Unless asylum seekers are placed under ‘report and reside’ arrangements, they are free to leave accommodation provided by RIA, or opt not to avail of the facilities that lie therein from their day of arrival in the State. The Deputy should be aware that the RIA also provides accommodation to persons whose asylum applications have been dealt with but who have made a request to the Minister for Leave to Remain in the State for other reasons. The RIA currently accommodates approximately 7,000 persons. The 2008 expenditure outturn of RIA in respect of the provision of accommodation and ancillary services was €91.47 million. Statistics are not readily available in relation to the proportion of asylum cases on hand which are either in RIA accommodation or private accommodation. Any costs to the State associated with accommodating asylum seekers in private accommodation is not a matter for my Department. For further details in this regard I would have to refer the Deputy to my colleague the Minister for Social and Family Affairs. The Deputy may however be aware that rent supplement payments were abolished for new asylum applicants from 27 May 2003.

The number of leave to remain applications, including those from failed asylum applicants, awaiting a decision as at 30 June, 2009 was 14,131. A breakdown by nationality of leave to remain applications on hand at 30 June, 2009 is set out in Table 2.

Table 1: Asylum applications on hand at 30 June 2009 by nationality

Nationality	No. of Cases on Hand
Nigeria	1,063
Pakistan	338
Somalia	212
DR Congo	211
Zimbabwe	166
Georgia	138
Iraq	138
Sudan	131
Afghanistan	110
Ghana	90
Albania	87

Nationality	No. of Cases on Hand
Iran	81
Uganda	69
Cameroon	65
China	65
Angola	64
Algeria	55
Bangladesh	52
Moldova	51
Eritrea	43
Russia	42
Sierra Leone	42
Kosovo	40
Kenya	38
Palestine	36
Ukraine	33
Guinea	32
South Africa	32
Bhutan	26
Ivory Coast	26
Sri Lanka	25
India	24
Malawi	22
Togo	21
Morocco	20
Liberia	19
Belarus	18
Egypt	17
Mauritius	16
Ethiopia	14
Burundi	13
Kuwait	13
Armenia	12
Congo	12
Benin	11
Croatia	11
Syria	10
Others	164
Total	4,018

[Deputy Dermot Ahern.]

Table 2: Leave to remain applications on hand at 30 June 2009 by nationality

Nationality	No. of Cases on Hand
Nigeria	3,963
China	1,130
Moldova	533
Pakistan	529
DR Congo	451
Georgia	403
Somalia	370
Sudan	354
South Africa	340
Ghana	320
Algeria	298
Brazil	292
Iran	278
Iraq	262
Russia	239
Zimbabwe	234
Afghanistan	233
Ukraine	214
Albania	200
Cameroon	197
Liberia	159
India	151
Philippines	136
Belarus	135
Kosovo	134
Sierra Leone	128
Angola	125
Kenya	123
Egypt	98
Palestine	81
Croatia	79
Burundi	75
Bangladesh	74
Ivory Coast	73
Mauritius	73
Libya	70
U.S.A	69
Eritrea	67
Syria	67
Malaysia	64
Mongolia	63
Israel	62
Morocco	60
Congo	56
Uganda	54



Nationality	No. of Cases on Hand
Togo	53
Kuwait	52
Turkey	50
Guinea	48
Malawi	38
Rwanda	35
Vietnam	32
Yugoslavia	31
Ethiopia	30
Lebanon	27
Kazakhstan	26
Stateless	26
Armenia	25
Hong Kong	24
Bhutan	22
Nepal	22
Australia	21
Jamaica	21
Gambia	20
Canada	19
Thailand	18
Zaire	18
Jordan	16
New Zealand	16
Azerbaijan	14
Benin	14
Serbia	14
Chile	12
Niger	12
Tunisia	12
Uzbekistan	12
Sri Lanka	11
Argentina	10
Bosnia	10
Mauritania	10
Others	194
<b>Total</b>	<b>14,131</b>

533. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of new asylum applicants who sought protection from the State to date in 2009; the breakdown of the nationality of those people; and if he will make a statement on the matter. [29546/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information requested by the Deputy in relation to the number and nationality of new asylum applications received in 2009 is set out as follows.

[Deputy Dermot Ahern.]

## New Asylum Applications Received in 2009 (30/6) by Nationality

Nationality	New Asylum Applications Received
Nigeria	338
Pakistan	143
China	102
D. R. Congo	62
Zimbabwe	56
Georgia	53
Somalia	52
Moldova	47
Iraq	45
Ghana	39
Algeria	36
Afghanistan	35
Sudan	34
South Africa	30
Albania	29
Cameroon	25
Iran	25
Eritrea	23
Kosovo	20
Russia	18
Sierra Leone	17
India	16
Uganda	16
Angola	15
Palestine	13
Sri Lanka	12
Liberia	11
Ukraine	11
Bangladesh	10
Egypt	10
Mauritius	10
Morocco	10
Others	131
Total	1,494

**Refugee Appeals Tribunal.**

534. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 197 of 18 December 2008, if he will provide the figures for 2008 and to date in 2009; the number of cases dealt with by each member in each year concerned and the corresponding success rate; and if he will make a statement on the matter. [29547/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information requested by the Deputy in relation to remuneration paid to Members of the Refugee Appeals

Tribunal and the number of cases dealt with by each Member in 2008 and 2009 is set out in tables 1 and 2.

Remuneration paid to Members of the Tribunal in 2008 and 2009 (30/04)

Tribunal Member	2008	2009
	€	€
Anne Tait	3,508.85	5,212.40
Ben Garvey	113,528.08	37,916.02
Bernadette Cronin	10,348.83	7,821.20
Bernard McCabe	119,007.74	52,193.71
Brendan Gogarty	952.50	0.00
Bruce St John Blake	4,431.25	190.50
Conor Gallagher	25,578.21	11,520.20
David Andrews	86,970.90	21,479.63
David Goldberg	18,936.05	15,671.64
Denis Linehan	45,595.00	17,350.75
Donal Egan	10,408.50	3,222.39
Eamon Barnes	8,357.55	4,869.00
Eamonn Cahill	59,670.30	16,658.12
Elizabeth O' Brien	103,418.12	42,248.41
Emma Toal	2,201.75	7,638.94
Fergus O' Connor	15,554.78	18,775.23
John Hayes	11,769.75	4,669.72
Joseph Barnes	0.00	0.00
Judy Blake	8,599.70	4,897.89
Laura Mac Kenna	20,702.50	4,601.94
Majella Twoomey	33,649.21	17,363.86
Margaret Levey	88,259.60	43,425.75
Michael O' Kennedy	15,145.65	11,134.53
Michelle O' Gorman	180,097.00	58,454.41
Nehru Morgan Pillay	13,136.76	18,763.58
Olive Brennan	82,737.96	28,162.89
Paul Christopher	7,719.50	5,111.28
Paul Gormley	6,566.75	1,912.87
Patrick Hurley	50,175.15	15,386.10
Paul Mc Garry	10,275.85	17,569.04
Ricardo Dourado	28,692.30	3,951.66
Samantha Cruess Callaghan	13,630.50	0.00
Sean Deegan	8,106.00	1,938.00
Susan Nolan	29,060.65	9,362.35
Sean Bellew	0.00	3,490.38
Totals	1,236,793.24	512,964.39

[Deputy Dermot Ahern.]

## Number of decisions made by Members of the Tribunal in 2008 and 2009 (30/6)

Member	2008	2009 (30/6)
Anne Tait	11	23
Ben Garvey	208	88
Bernadette Cronin	16	19
Bernard McCabe	272	236
Brendan Gogarty	0	0
Bruce St. John Blake	8	0
Conor Gallagher	43	37
David Andrews	155	49
David Goldberg	27	39
Denis Linehan	114	9
Donal Egan	17	35
Eamon Barnes	10	12
Eamon Cahill	113	59
Elizabeth O'Brien	202	105
Emma Toal	2	25
Fergus O'Connor	44	80
John Hayes	19	10
Joseph Barnes	4	0
Judy Blake	16	13
Laura MacKenna	48	17
Majella Twomey	81	57
Margaret Levey	189	106
Michael O'Kennedy	23	28
Michelle O'Gorman	400	176
Nehru Morgan Pillay	21	38
Olive Brennan	131	51
Paul Christopher	15	52
Paul Gormley	9	6
Patrick Hurley	103	40
Paul McGarry	34	24
Ricardo Dourado	38	26
Samantha Cruess Callaghan	7	3
Sean Deegan	27	9
Susan Nolan	54	27
Sean Bellew	0	20
Total	2,461	1,519

The Refugee Appeals Tribunal is a statutory body and is independent in the performance of its functions. Appeals are assigned in accordance with paragraphs 13 to 15 of the second schedule to the Refugee Act 1996 (as amended).

In relation to the information requested by the Deputy regarding the success rate of cases dealt with by each Member, I have been informed by the Refugee Appeals Tribunal that it is not the policy of the Tribunal to publish such statistics. Members of the Tribunal carry dissimi-

lar casework and conclusions drawn simply on the basis of their individual grant/refusal rate would be potentially misleading.

535. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of judicial reviews taken against the Refugee Appeals Tribunal in 2008 and to date in 2009; the number of successful judicial reviews; the cost of these reviews; and if he will make a statement on the matter. [29554/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information requested by the Deputy in relation to judicial reviews taken against the Refugee Appeals Tribunal (RAT) is set out in the table.

Year	New Judicial Reviews	Successful Judicial Reviews	Cost of successful Judicial Reviews
			€
2008	344	181	2,672,321
2009 (to 7th July)	151	39	158,020
Total	495	220	2,830,341

The Deputy should note the following in relation to the details provided in the above table. New judicial reviews taken against the RAT include cases in which the Tribunal was not the primary respondent. Successful judicial reviews are those in which there was a judgement or ruling in the year indicated. They may also relate to cases lodged in previous years. Successful judicial reviews include cases settled, at any stage, by the Tribunal. Costs have not yet been claimed in relation to a proportion of cases settled in 2008 and 2009.

### Asylum Applications.

536. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the status of EU plans to agree a list of safe third world countries as part of the streamlining of the asylum process; the steps being taken at EU level to facilitate the streamlining of the asylum process; and if he will make a statement on the matter. [29555/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In 2005, the Council of the European Union adopted Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status. Article 29 of the Directive makes provision for a minimum common list of third countries regarded as safe countries of origin for the purposes of the Directive. Paragraphs 1 and 2 of Article 29 envisaged that a minimum common list of third countries could be adopted or amended by the Council. These paragraphs, and other provisions of the Directive, were considered by the Court of Justice in the case of European Parliament v Council of the European Union (Case C-133/06). The Court annulled paragraphs 1 and 2 of Article 29. In its judgement the Court stated that, by including in the Directive the secondary legal bases constituted by the contested provisions, the Council infringed Article 67 of the EC Treaty, thereby exceeding the powers conferred on it by the Treaty.

The Court also stated that, as regards the future adoption of the lists of safe countries and their amendment, the Council must proceed in compliance with the procedures established by the Treaty. There is no proposal at present for the adoption of such a list. In June 2008, the European Commission adopted its Communication entitled “Policy Plan on Asylum: An Integrated Approach to Protection across the EU”. In its Policy Plan on Asylum, the Commission announced a package of proposals which will aim to ensure a higher degree of harmon-

[Deputy Dermot Ahern.]

isation and better standards of protection for the Common European Asylum System. The Commission's Action Plan set out a three strand strategy comprising:

- better quality and enhanced harmonisation of standards of international protection, in particular proposed amendments to the Directives in the field of asylum dealing with reception conditions, procedures and qualification.
- practical co-operation, in particular a proposal for the establishment of a European Asylum Support Office with the remit of developing practical co-operation between the administrations in the Member States in charge of examining asylum applications.
- promoting responsibility and solidarity within the EU and between the Union and third countries, in particular proposed amendments to the Dublin System, solidarity mechanisms within the EU and external solidarity including a proposed EU resettlement scheme.

In accordance with its Action Plan, the European Commission has adopted proposals for the recasting of the Dublin Regulation, the Eurodac Regulation and the Reception Conditions Directive. The Commission has also adopted a proposal for the establishment of a European Asylum Support Office. These proposals are subject to the co-decision procedure involving the Council of the European Union and the European Parliament set out in Article 251 of the EC Treaty. The Commission has also announced that it will be proposing amendments to the Asylum Qualification Directive and the Asylum Procedures Directive in the course of 2009.

#### **National Identity Card.**

537. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform his plans to introduce a national identity card; if he has assessed the potential savings to the Exchequer of introducing a unique identifier for all members of the public; and if he will make a statement on the matter. [29556/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I have no plans at this time to introduce a national identity card system. Any final judgement as to the necessity or desirability of such a system would have to include a full assessment of the implications of the introduction of identity cards in the UK as well as developments in the rest of the EU. Identity management policy in terms of Government services is a matter for my colleague the Minister for Finance. As regards the introduction of a unique identifier for members of the public, the Personal Public Service Number (PPSN) already constitutes a unique identifier in respect of those people to whom a PPSN has been assigned. This is a matter for my colleague the Minister for Social and Family Affairs.

#### **Internet Usage.**

538. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the steps he will take to outlaw or block websites that promote anorexia or bulimia; and if he will make a statement on the matter. [29575/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As the Deputy is no doubt aware, the internet is an international and world wide phenomenon, it has no borders and no single organisation controlling it. Therefore efforts to combat illegal and harmful materials and activities on it can often be hampered by the multiplicity of jurisdictions, differing legal systems and differing societal norms. Many of the major Social Networking Sites available here in Ireland are hosted outside this jurisdiction, principally in the United States. As such they are subject to the US jurisdiction.



While acknowledging these difficulties, I should emphasise that there is a robust self-regulatory framework for internet service providers (ISPs) in operation here in Ireland which actively encourages the adoption of best practice procedures aimed at limiting the proliferation of illegal and harmful content online. The Internet Service Providers Association of Ireland (ISPAI) Code of Practice and Ethics sets out clear guidelines and minimum standards in respect of dealing with complaints regarding suspected illegal or harmful material online.

The first thing someone should do if they are having issues with content on a Social Networking Site is report the matter to the website owners. A person can use the website reporting tools to do this and should also contact the service provider through its Customer Care or Report Abuse facility.

I wish to advise the Deputy that in 2008, the European Commission convened 18 of Europe's major social networking operators, as well as researchers and child welfare organisations, to form a European Social Networking Task Force to discuss guidelines for the use of social networking sites by children. These guidelines were to be adopted voluntarily by the European industry. The Safer Social Networking Principles for EU were signed on Safer Internet Day, February 10 2009, in Luxembourg. The Safer Social Networking Principles for the EU have been developed to provide good practice recommendations for the providers of social networking and other user interactive sites, to enhance the safety of children and young people using their services. The Principles provide that social networking providers should, inter alia, provide a mechanism for reporting inappropriate content, respond to notifications of illegal content or conduct and should review their systems for examining reports of inappropriate or illegal content. The European Commission has indicated that it will monitor on an ongoing basis the implementation of the Social Networking Principles.

#### **Garda Stations.**

539. **Deputy Emmet Stagg** asked the Minister for Justice, Equality and Law Reform the number of gardaí on 1 July 2009 in each of the Garda stations in the Leixlip Garda district and the Naas Garda district in County Kildare; the number of gardaí in each station available for work in each of the stations or out on sick leave, maternity leave and so on; and his plans to overcome garda shortages arising from same. [29649/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda Commissioner that as of 31 May 2009, the latest date for which figures are readily available, the personnel strengths of the Garda Stations referred to by the Deputy was as set out as follows:

Leixlip Garda District	
Carbury	4
Celbridge	19
Kilcock	8
Leixlip	34
Maynooth	14
Naas Garda District	
Ballymore Eustace	—
Clane	8
Kill	3
Naas	110

[Deputy Dermot Ahern.]

Resource levels are monitored on an ongoing basis by Garda Management in each District and Division, in conjunction with crime trends and other demands made on An Garda Síochána. The situation will be kept under review and the needs of the areas referred to by the Deputy will be fully considered within the overall context of the needs of policing requirements throughout the country.

**Sexual Offences.**

540. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of sex offenders who entered the State from abroad in each of the past five years and notified the gardaí under the Sex Offenders Act 2001, within the specified seven days; the number who breached this notification procedure; and if he will make a statement on the matter. [29667/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the time available it has not been possible for the Garda authorities to supply the information requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

**Citizenship Applications.**

541. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform his plans to reform the citizenship laws; and if he will make a statement on the matter. [29672/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** A review of the current laws on citizenship with particular reference to naturalisation is underway in my Department. Naturalisation has become a far more significant issue in recent years as a result of our rapid increase in immigration and it is necessary to ensure that our laws in this area are appropriate to our needs. The review process will also have regard to consistency in general approach with the Immigration Residence and Protection Bill 2008 and also to the position obtaining in other relevant jurisdictions.

**Garda Deployment.**

542. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of gardaí and staff working in the Garda Central vetting unit; the corresponding figure for 2007 and 2008; and the number of applications dealt with in each of these years and to date in 2009. [29675/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information the Deputy seeks has been provided by the Garda authorities and is set out in the table.

Year	Personnel			Applications processed
	Garda	Civilian	Total	
2007	5	47	52	187,864
2008	6	70	76	218,404
2009 to 6 July	6	72	78	119,828

543. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the number of Garda reserves who have been appointed to Cork City and County to date in 2009;

the stations they have been allocated to; and the number of reserves expected to come on stream over the period ahead in the same area. [29770/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** At 31 May 2009, there were 45 attested Garda Reserve members attached to the Cork Garda Divisions. They have been assigned to the following stations:

Division/Station	Total
Cork City	
Anglesea Street	10
Mayfield	4
Watercourse Road	4
Togher	7
Gurranbraher	8
Cork North	
Cobh	1
Fermoy	3
Midleton	4
Cork West	
Bandon	1
Clonakilty	2
Macroom	1

Additional members of the Reserve will be assigned to stations in Cork City and County as the strength of the Reserve increases. The allocation of members of the Garda Reserve is a matter for the Garda Commissioner.

544. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform the number of gardaí, and their rank, currently assigned to a garda station (details supplied) in County Cork; and his plans to review the resources at that station. [29771/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that as of the 31 May 2009, the latest date for which figures are readily available, the personnel strength of the Garda station referred to by the Deputy was one Sergeant and three Gardaí. Resource levels are monitored on an ongoing basis by Garda Management in each District and Division, in conjunction with crime trends and other demands made on An Garda Síochána. The situation will be kept under review by the Garda authorities and the needs of the areas referred to by the Deputy will be fully considered within the overall context of the needs of policing requirements throughout the country.

### Illegal Immigrants.

545. **Deputy Róisín Shortall** asked the Minister for Justice, Equality and Law Reform if he will investigate the case of a person (details supplied) in Dublin 9; the reason a form of identification issued by the State was not accepted as a valid form of identification; and the form of photo identification which is acceptable for the purpose of travel between the UK and Ireland. [29800/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda authorities are investigating the incident in question and it has not been possible to finalise those

[Deputy Dermot Ahern.]

investigations in time to respond to the Deputy's Question. I will write directly to the Deputy when those investigations have been concluded.

The most recently enacted legislation governing immigration matters is the Immigration Act, 2004. Section 11(1) of that Act provides that "Every person (other than a person under the age of 16 years) landing in the state shall be in possession of a valid passport or other equivalent document, issued by or on behalf of an authority recognised by the Government, which establishes his or her identity and nationality to the satisfaction of an immigration officer." Section 11(2) states:

"Every person landing in or embarking from the State shall furnish to an immigration officer such information in such manner as the immigration officer may reasonably require for the purposes of his or her functions."

These are qualified by Section 11(4), which states that:

"This section does not apply to any person (other than a non-national) coming from or embarking for a place in the State, Great Britain or Northern Ireland."

Section 11 creates two categories of traveller; persons who are obliged to carry a passport of equivalent document and assist immigration officers in the performance of their duties (non-nationals) and those who are not so obliged (Irish and UK citizens). This clearly creates an onus on an immigration officer to satisfy himself or herself into which category a traveller falls. To reach such a decision, the immigration officer must confirm the identity and the nationality of the person. The Act is silent on how an immigration officer should do this bearing in mind that both Irish citizens and non-nationals can arrive together at the immigration booths.

#### **Road Traffic Offences.**

546. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform the number of persons arrested and charged for having no tax, no insurance, no licence, no national car test certificate, no driving licence or no licence plate in each county for the years 2006, 2007, 2008 and to date in 2009; and if he will make a statement on the matter. [29812/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide the statistics sought by the Deputy directly to him.

#### **Departmental Contracts.**

547. **Deputy Michael D'Arcy** asked the Minister for Justice, Equality and Law Reform the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29837/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information requested by the Deputy is not readily available and could only be obtained by the expenditure of a disproportionate amount of staff time and resources.

548. **Deputy Michael D'Arcy** asked the Minister for Justice, Equality and Law Reform if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied

that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29851/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the limited time available, my Department has identified two contracts involving the company referred to by the Deputy. The Irish Youth Justice Service, an executive office in my Department contracted this company to carry out minor works at the Finglas Child and Adolescent Centre (FCAC) following a procurement process using the e-tenders website. The work was carried out in 2008 and the contract amount due was paid in full to the company following the satisfactory completion of the work.

The company is currently completing a contract for the Irish Prison Service involving a number of fire safety works at Wheatfield Prison. This contract is being administered on behalf of the Irish Prison Service by consultants who certify and approve all payments due to the contractor. The Irish Prison Service has not, to date, been made aware of any complaints from sub-contractors in relation to this contract.

Responsibility for payments to sub-contractors is a matter for the main contractor and it would not be appropriate for me to comment on any commercial arrangements to which my Department has not been a party.

#### **Domestic Violence.**

549. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the policy and strategy documents published by him in relation to domestic and sexual violence during the past five years; the policy and strategy documents he will publish during the coming year; and if he will make a statement on the matter. [29855/09]

551. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the amount of funding he has allocated to combating domestic and sexual violence for each of the past ten years; and if he will make a statement on the matter. [29859/09]

562. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the date on which Cosc will publish the national strategic strategy on domestic, sexual and gender based violence; and if he will make a statement on the matter. [29873/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to answer Questions Nos. 549, 551 and 562, together.

Although documents such as the National Women's Strategy contain recommendations relating to domestic and sexual violence, no policy or strategy document solely focusing on domestic and sexual violence was published by my Department during the past five years. However, that a number of other documents published during that time have included references to these crimes. In June 2008 I published the framework document — 'Recommendations for Future Structures and Services to Victims of Crime', which was prepared by the Commission for the Support of Victims of Crime. The Framework Document acknowledges the particular needs of victims of domestic and sexual violence.

The 2008 Priorities for An Garda Síochána, as determined by me under section 20 of the Garda Síochána Acts 2005 to 2007 and set out in the 2008 Policing Plan included the priority "to cooperate with Cosc in curbing the problem of domestic violence". The 2009 Policing Plan includes key actions to address domestic and sexual violence.

A policy document on the management of sex offenders in prison entitled 'Reducing Re-offending, Enhancing Public Safety' was published by me in April of this year. The National

[Deputy Dermot Ahern.]

Action Plan to Prevent and Combat Trafficking of Human Beings in Ireland 2009-2012, which I also published on 10 June, 2009, sets out the measures that have been taken and those which are planned to deal with, inter alia, prevention of trafficking for sexual exploitation, protection of victims and prosecution of offenders. As regards the year ahead, Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence, an executive office of my Department, is well advanced in the preparation of a national strategy in relation to the forms of violence concerned. A wide range of State and non-governmental organisations dealing with such violence is assisting with the development of the strategy. It is expected that work on the preparation of the strategy will be completed as planned by the end of this year with a view to publication in early 2010.

Funding for domestic and sexual violence has been and is provided through a range of activities and initiatives by my Department. These figures are being collated and a further reply will be sent to the Deputy as soon as possible.

### **Sexual Offences.**

550. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the policy and strategy documents published by him in relation to treatment of sex offenders; the policy and strategy documents he will publish during the coming year; and if he will make a statement on the matter. [29857/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to advise the Deputy that I published a detailed Discussion Document on the management of convicted sex offenders last January. This document was prepared by a High Level Group in my Department, involving the Garda Síochána, the Irish Prison Service and the Probation Service, which examined the current arrangements in place for the management of sex offenders with a view to strengthening inter-agency cooperation and further enhancing public protection and safety. Their remit included a review of the procedures and legislation relating to the assessment, monitoring and supervision of convicted sex offenders.

The Discussion Document was published on my Department's website and interested organisations and individuals were invited to make submissions by end of April, 2009. I also facilitated informed debate at a Discussion Forum organised by my Department in March. My Department is now reviewing the submissions received and the feedback from the Discussion Forum with a view to finalising our strategy in this important area.

I should also say that on the 22nd April, 2009 I formally announced a new policy on the management of sex offenders in prison which commenced earlier this year. The new policy document is available on the website of the Irish Prison Service ([www.irishprisons.ie](http://www.irishprisons.ie)). The policy is aimed at bringing about changes in offenders' lives that reduce risk of re-offending and enhance public protection.

*Question No. 551 answered with Question No. 549.*

### **Civil Legal Aid.**

552. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his plans to expand the areas of law that the Civil Legal Aid Board can deal with; and if he will make a statement on the matter. [29861/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that under section 41 of the Civil Partnership Bill 2009 as initiated, it is planned to



amend section 28(9)(c)(i) of the Civil Legal Aid Act 1995 to provide that legal aid may be provided in relation to disputes between civil partners relating to the shared home or to property, notwithstanding the general prohibition in section 28(9)(a)(ii) on providing legal aid relating to disputes concerning rights and interests in or over land.

It is also expected that civil partnership law proceedings and proceedings between cohabitants as provided for in that Bill will meet the general criteria for obtaining civil legal aid as set out in section 28(2), just as family law proceedings currently do.

### **Sexual Offences.**

553. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his plans to introduce evidence based, risk assessments designed for sex offenders which could be put to the Court at sentencing; and if he will make a statement on the matter. [29862/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Probation Service of my Department carries out formal risk assessments on offenders using validated risk assessment instruments. This informs both the level of supervision and the targets for intervention during supervision. The Probation Service is in the process of introducing a system for the assessment of sex offenders which will facilitate an all-island approach to this area. This is a commitment under the Inter Governmental Agreement (through the Public Protection Advisory Committee).

One hundred and twenty Probation Officers have successfully completed the first phase of a two stage training process. The second phase of training is scheduled for the Autumn. The new system will be piloted nationally for a twelve month period and it is anticipated that during the pilot phase this system will be used for pre-sanction reports to Court.

554. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the risk assessments sex offenders undergo in prison to identify the type of rehabilitation programmes suitable for the person aimed at ensuring they do not reoffend; and if he will make a statement on the matter. [29863/09]

555. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the range and availability of therapeutic interventions currently available in prison for sex offenders; the number of prisoners currently engaging in these interventions; and if he will make a statement on the matter. [29864/09]

556. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of people currently in prison for sex offences; and if he will make a statement on the matter. [29865/09]

557. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the date on which he will open the centre for sex offenders in Arbour Hill Prison, Dublin; the interventions which will be available there; the number of offenders who will be accommodated there; and if he will make a statement on the matter. [29866/09]

558. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the date on which he will open the two satellite treatment centres for sex offenders at the Midlands and Wheatfield Prisons; the interventions which will be available there; the number of offenders who will be accommodated there; and if he will make a statement on the matter. [29867/09]

559. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when he will establish a sex offender unit in the Prison Service headquarters; if this unit will liaise with criminal justice agencies in the north of Ireland; and if he will make a statement on the matter. [29868/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 554 to 559, inclusive, together.

On 7 July 2009 there were 324 prisoners in custody under sentence for offences of a sexual nature. Of these, 104 were in custody in the Midlands Prison, 99 in Arbour Hill Prison and 89 in Wheatfield Prison.

As the Deputy will be aware, on 22 April 2009 I formally announced a new policy on the management of sex offenders in prison which commenced earlier this year. The new policy document is available on the website of the Irish Prison Service ([www.irishprisons.ie](http://www.irishprisons.ie)).

The policy is aimed at bringing about changes in offenders' lives that reduce risk of re-offending and enhance public protection. It forms an integral part of the wider range of interventions by criminal justice and community-based agencies. Prison-based therapeutic interventions with convicted sex offenders comprise notably

- one-to-one interventions,
- offence-related group interventions,
- approved in-reach services and
- interventions available to prisoners generally.

Individual therapeutic work with sex offenders serves a number of functions, including support for offenders in their early commitment to change and integration and extension of progress made in group work. It also has a key role in addressing the risks and needs of offenders who are unable to undertake group programmes. Individual counselling is provided in all prisons that accommodate sex offenders by the Psychology Service of the Irish Prison Service and by the Probation Service.

The aforementioned new programme of group interventions which commenced in January 2009, replaced the Sex Offender Programme initiated in 1994 and which concluded last year (2008). The programme, "Building Better Lives", is available in Arbour Hill Prison. It comprises three modules:

- exploratory open groups ("Exploring Better Lives"),
- practice open groups ("Practising Better Lives"), and
- maintenance groups ("Maintaining Better Lives").

The programme allows more responsive and flexible delivery to a greater number of offenders. The interventions take greater account of individual risk, needs and capacity, with higher risk offenders, for example, spending longer on offence-based work where necessary.

Three exploratory, two practice and two-to-three maintenance groups are envisaged per annum. When fully operational this will allow for interventions to take place with up to 60 offenders. To date, six offenders have completed the first module and another eight offenders are currently doing so. The second module or practice group has commenced for those offenders who have completed the first module.

The Psychology Service of the Irish Prison Service carries out a comprehensive strengths, needs and risk assessment with each offender prior to their participation. This ensures that the programme can be tailored to meet their individual needs. Ongoing evaluation allows for updated assessment of individual progress and supports resettlement planning.

The Irish Prison Service also recognises the potential for community-based services to provide interventions with this group of offenders and is committed to exploring the potential of community and voluntary groups to engage with sex offenders within the prison environment. Their participation will be within the framework described above and require commitments such as liaising with and reporting to the Irish Prison Service. Interventions commencing in 2009 will include motivational enhancement groups provided by the Granada Institute in the Midlands and Wheatfield prisons and interventions with young sex offenders provided by the Northside Inter-Agency Project (NIAP) in St Patrick's Institution. These interventions will be provided with financial support from the Dormant Accounts Fund.

Sex offenders continue to benefit from other group programmes not specifically designed for sex offenders but addressing their needs, including stress management, anger management and cognitive skills training, as well as interventions by visiting psychiatrists.

Arbour Hill Prison has been established as the National Centre with a full range of interventions and an increase in the number of sex offenders accommodated in the prison. Offenders will be transferred into and out of the National Centre in accordance with sentence planning, demand for interventions and security imperatives. A number of transfers have already taken place. The Midlands and Wheatfield Prisons have been designated as Satellite Centres where a narrower range of interventions are available. A Sex Offender Unit has been established in the Prison Service Headquarters to monitor sentence planning and liaise with other criminal justice agencies, including criminal justice agencies in Northern Ireland.

In tandem with the work done under the auspices of the Irish Prison Service I would also like to advise that the Probation Service engages with sex offenders in individual work throughout the course of their sentence. This work primarily focuses on reducing the risk posed by the individual following release and also child protection issues which may arise. To this end the work of the Probation Service frequently becomes more intensive in the pre release phase. At this point the risk level of an offender is assessed and criminogenic targets are identified. Practical issues such as accommodation, employment, social support and reintegration are combined with a determination of need for therapeutic intervention in the post release phase. This is made available through the joint delivery, with the Granada Institute, of the community based Lighthouse Programmes in Dublin and Cork.

### **Crime Statistics.**

560. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if there has been an increase in reported incidents of domestic violence since the public awareness campaign *Your Silence Feeds the Violence*; and if he will make a statement on the matter. [29869/09]

561. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of domestic violence incidents which were reported to the gardaí during each of the past ten years; the number of convictions for domestic violence related offences during each of the past ten years; and if he will make a statement on the matter. [29870/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 560 and 561 together.

[Deputy Dermot Ahern.]

The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide the statistics sought by the Deputy directly to him.

*Question No. 562 answered with Question No. 549.*

### **Gambling Legislation.**

563. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the legislation, ministerial orders and departmental policies which govern gambling here; and if he will make a statement on the matter. [29874/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Gambling in Ireland has many forms and currently as Minister for Justice, Equality and Law Reform I hold a primary statutory responsibility only in respect of certain forms of gaming and lotteries. The legislation and current policy governing those forms of gaming and lotteries is contained in the Gaming and Lotteries Acts 1956 — 2003. The Deputy should note that under current legislation, matters pertaining to betting and the National Lottery are, under the Betting Act, 1931 and the National Lottery Act 1986 respectively, the responsibility of the Minister for Finance. I set out as follows for the Deputy's information, a list of the primary and secondary legislation governing gaming and lotteries.

The position is that under Irish law, gaming is illegal, except to the extent that it is specifically permitted by law. Therefore, some limited forms of gambling are permitted in order to provide a controlled outlet for those members of the public who may wish to engage in this activity.

#### *Primary Legislation*

- Gaming and Lotteries Act 1956
- Gaming and Lotteries Act 1970
- Gaming and Lotteries Act 1979
- Criminal Justice (Public Order) Act 2003

#### *Statutory Instruments*

- S. I. No 18 of 1956 — Gaming and Lotteries Act 1956 (Commencement) Order, 1956
- S. I. No 212 of 1961 — Periodical Lotteries Regulations 1961
- S. I. No 32 of 1966 — Periodical Lotteries Regulations, 1966
- S. I. No 72 of 1987 — Lottery Prize Regulations, 1987
- S.I. No. 174 of 2000 — Lottery Prizes Regulations, 2000
- S.I. No. 29 of 2002 – Lottery Prizes Regulations, 2002
- S.I. No. 419 of 2008 — European Communities (Financial Instruments Analogous To Prize Bonds) Regulations 2008

564. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of investigation for breaches of the Gaming and Lotteries Act 1956 which have taken place during each of the past ten years; the number of these investigations which resulted in convictions; and if he will make a statement on the matter. [29879/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Under the Gaming and Lotteries Acts 1956 — 2003, it is a matter for the Garda Síochána to investigate breaches of the legislation and to take whatever action is appropriate. The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the An Garda Síochána and the CSO to provide the statistics sought by the Deputy. I understand that the CSO holds records for the years 2003 to 2007.

565. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when he will complete his review of gambling; and when he will publish options for a new legal and organisational framework governing the gambling industry here. [29880/09]

566. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when he will publish a new bill to revise the gambling code; and if he will make a statement on the matter. [29881/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 565 and 566 together.

I refer the Deputy to my response to Parliamentary Question No. 77 of 27 May. The objective of the wide-ranging review of gambling which I have initiated from within my Department, is to provide Government with options for a new and comprehensive legal and organisational framework governing the gambling architecture in the State. Consultation is an essential part of the review currently underway. The Casino Gaming Control Section of my Department which will be responsible for bringing forward proposals, including a draft Bill for a revised gambling code, is consulting widely with all stakeholders — statutory, NGO and the private sector — and with the community at large before bringing forward any proposals. The Section will, with the benefit of such consultation, develop its proposals based on three important considerations which are the hallmark of most well-regulated gambling codes. These are:

- that young people and the vulnerable are protected
- that gambling should in all respects be fairly and openly conducted
- that gambling is kept free of crime

Following completion of the review which will, as I have indicated, include a draft legislative gambling code, it is my intention to publish a Bill on the subject.

#### **Civil Legal Aid.**

567. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the action he will take to give legal protection to victims of domestic violence who are currently not protected by the Domestic Violence Act 1996, in view of the fact that they are not married to their abuser or those who may not apply for a safety order in view of the fact that they have not lived together for the specified period of time under the Acts; and if he will make a statement on the matter. [29883/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Domestic Violence Act 1996 already provides protection for victims of domestic violence who are not married to their abusers. As it stands, a person who is not married to the respondent may apply for a safety order under section 2 of the Act if he or she has been living with the respondent “as husband and wife” for a period of at least six months in the previous twelve, or is a parent of the respondent where the respondent is of full age and not a dependent of the parent, or is of full age and living with the respondent in a relationship the basis of which is not primarily contractual.

A person who is not married to the respondent may apply for a barring order under section 3 of the Act if he or she has been living with the respondent “as husband and wife” for a period of at least six months in the previous nine, or is a parent of the respondent where the respondent is of full age and not a dependent of the parent subject to the limitation that such an applicant, unlike a spouse, must have a legal or beneficial interest in the property which is not less than that of the respondent.

My proposals in the Civil Partnership Bill 2009, which I presented to the House on 24 June 2009, make important provision for the following amendments to the Domestic Violence Act:

- removal from section 2 of the residency requirement of cohabitants in order to apply for a safety order,
- extension to registered same-sex civil partners of the protections currently available under the Act to spouses, and
- amendment of sections 2 and 3 to refer to “cohabitants” within the meaning of the Bill instead of persons living together “as husband and wife” to ensure that persons in same-sex and opposite-sex cohabiting relationships have the same protection.

I look forward to debate in this House in due course on the details of that Bill as they apply to domestic violence and other matters.

### **Garda Training.**

568. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of gardaí who have availed of specialised training to deal with domestic and sexual crimes in continuous professional development programmes for each of the past five years; and if he will make a statement on the matter. [29884/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I have been informed by the Garda Commissioner that during initial training all members of An Garda Síochána receive instructions in the handling and investigation of incidents relating to domestic violence. The training includes procedures to be followed when recording reports of domestic violence, first aid training, diversity training and training on safety and barring orders. Additional training is given in the Garda College through a number of outside agencies which include Focus Point, the Rape Crisis Centre, Women’s Aid, MOVE and AMEN. While ‘domestic violence’ is not subject of specific definition in law, provisions of the following legislation may pertain in such situations:

- Domestic Violence Act 1996 (as amended)
- Criminal Damage Act 1991
- Non-Fatal Offences Against the Persons Act 1997



- Criminal Law (Rape) Amendment Act 1990
- Criminal Justice (Public Order) Act 1994
- Children Act 2001
- Breach of the Peace at Common Law.

The Garda Síochána Policy on Domestic Violence Intervention was subject of review and revised instructions were issued in 2007 and outline procedures to be adopted in investigating such incidents. There is a duty on all members of An Garda Síochána to investigate all incidents of domestic violence, including reports received from a third party.

The Domestic Violence and Sexual Assault Investigation Unit within the National Bureau of Criminal Investigation, under Assistant Commissioner, National Support Services, has national responsibility for the implementation of Garda Policy on Domestic Violence within the State. There are monitoring mechanisms in place, with a Garda Inspector appointed in every Garda Division, to ensure uniform enforcement countrywide.

### **Garda Deployment.**

569. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if additional members of the Garda Síochána have been allocated to the drugs unit in Tallaght, Dublin 24; if he is satisfied with the level of priority being afforded by the Garda Síochána to the drugs issue in Jobstown; and if he will make a statement on the matter. [29886/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the time available it has not been possible to provide the information requested by the Deputy. I will communicate further with the Deputy when the information sought is to hand.

### **Refugee Appeals Tribunal.**

570. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform if, in relation to the recently appointed panel of legally qualified persons to represent the Refugee Applications Commissioner at appeal hearings before the Refugee Appeals Tribunal, he has conducted a cost benefit analysis comparing the use of this panel with the use of full time civil servants at higher executive officer level; and if he will make a statement on the matter. [30068/09]

571. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform if, in relation to the recently appointed panel of legally qualified persons to represent the Refugee Applications Commissioner at appeal hearings before the Refugee Appeals Tribunal, the use of this panel of persons, to be paid on a fee per case completed basis, or the use of full time civil servants at higher executive officer level is a more cost effective method of representing the Refugee Applications Commissioner at hearings; and if he will make a statement on the matter. [30069/09]

572. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform the amount, in relation to the recently appointed panel of legally qualified persons to represent the Refugee Applications Commissioner at appeal hearings before the Refugee Appeals Tribunal, which much would be saved per annum by switching exclusively to the panel of persons paid on a fee per case completed basis; and if he will make a statement on the matter. [30070/09]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 570 to 572, inclusive, together.

As I stated in my reply to Parliamentary Question 35 of the 8th April 2009, the Presenting panel was established to address a backlog of appeals in the Refugee Appeals Tribunal which arose from a Supreme Court Judgement in the Atanasov case which required the Refugee Appeals Tribunal to provide greater access to past decisions of the Tribunal for the purpose of assisting legal representatives with the preparation of appeals on behalf of applicants for refugee status. In the immediate aftermath of that decision a considerable backlog of some 1,500 cases built up in the Tribunal while new access arrangements were being put in place. While these arrangements are now fully operational, the backlog still requires to be cleared by means of oral appeals hearings.

The speedy clearance of the backlog of cases in the Tribunal is essential in the context of both the number of appeals on hands but particularly in the context of the planned implementation, subject to approval by the Houses of the Oireachtas, of the Immigration, Residence and Protection Bill 2008, as it will allow for a considerably greater number of appeals to be cleared by the Tribunal prior to the coming into effect of the new processes provided for in the Bill.

As the Deputy will be aware, the Bill which is currently awaiting Report Stage in Dáil Éireann, provides for the functions currently undertaken by the Tribunal to be taken over by a new body, the Protection Review Tribunal (PRT) which will have expanded responsibilities to consider, not only appeals in respect of refugee status, but also appeals in respect of subsidiary protection.

The new Tribunal will also, under the transitional arrangements provided for in the Bill, have responsibility for dealing with appeals on hand in the existing Tribunal which will continue to be dealt with under the existing legislative framework. There are therefore obvious and very practical reasons for clearing cases in the old system as quickly as possible so that Members of the new Tribunal will be able to focus on the new legislative framework coming forward under the Bill.

I would also add that there are significant costs associated with maintaining asylum appellants in RIA accommodation and providing other relevant services. Therefore, there is a considerable financial saving to be made by processing these cases as quickly as possible.

The cost effectiveness of the panel, in the context of the operation of the overall asylum process, was considered before the panel was established and it was decided that the establishment of the panel provided the most cost effective use of resources, particularly when account is taken of the significant costs associated with maintaining asylum seekers while in Ireland.

Under the Refugee Act 1996, provision is made for the Refugee Applications Commissioner to be represented at appeals hearings before the Refugee Appeals Tribunal. This is to ensure, inter alia, that the Tribunal Member is fully aware of the Commissioner's reasons for not recommending that an applicant be granted refugee status. This representational work is currently carried out by the Presenting Panel and 13 Presenting Officers at Higher Executive Officer level, some of which workshare, in the Commissioner's Office.

Bearing in mind the considerations outlined above, following an analysis of the possible options available for clearing the backlog as quickly as possible, which included the possibility of the existing Presenting Officers undertaking the work, it was decided that the establishment of the Presenting Panel of persons to be paid on a fee per case completed basis, was the most cost effective and time efficient method.

As the Presenting Panel was established to deal with the backlog of hearings which I have previously referred to, no decision has been taken to use the Presenting Panel exclusively for presenting work.

### **Departmental Staff.**

573. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department's presence in County Louth; and if he will make a statement on the matter. [28852/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Department of Foreign Affairs has offices in Dublin city centre, Balbriggan, Limerick and Cork. It also maintains a network of Missions abroad.

My Department does not have any offices in County Louth, nor does it employ any staff at locations in that county.

### **Public Service Review.**

574. **Deputy Richard Bruton** asked the Minister for Foreign Affairs if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28898/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** My Department made a detailed submission to the Special Group on Public Service Numbers and Expenditure Programmes, chaired by Mr. Colm McCarthy, in February of this year, as requested by the Department of Finance. This submission covered my Department's two Votes: Foreign Affairs (Vote 28) and Irish Aid (Vote 29).

The format of the submission was in line with a template provided by the Department of Finance. It aligned all expenditure under each of the High Level Goals for my Department as set out in the current Strategy Statement. In relation to each High Level Goal, or programme, the submission provided factual information on expenditure levels and staff numbers, outlined the key outputs delivered and planned under the programme, explained how the key elements of the programme are delivered, assessed how the programme expenditure and outputs meet the intended policy objectives of the programme, listed the key drivers behind any increases in expenditure and staff numbers since 2002, and outlined the likely consequences if the programme were discontinued.

I understand that the Department of Finance also provided the Special Group with additional briefing material in relation to my Department's two Votes.

My Department's submission was provided to the Secretariat to the Special Group in advance of a meeting held between the Secretary General of my Department and the Special Group on 11 March. The Special Group was provided with additional information orally at this meeting in response to specific questions.

My Department has not been supplied with a copy of the report prepared by the Special Group.

### **Human Rights Issues.**

575. **Deputy Chris Andrews** asked the Minister for Foreign Affairs his views on a proposal (details supplied). [29236/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** While international attention on Iran in recent years has related primarily on the nuclear issue, the Government and the Oireachtas have also been anxious to retain a focus on the deteriorating position of human rights in that country. I have had numerous occasions to discuss these issues in the Oireachtas, in relation to such issues as the use of the death penalty, treatment of minor offenders, and oppression of religious minorities such as the Baha'i. I fully share the concerns expressed by Deputies on these and other human rights issues, including protection of human rights defenders, freedom of expression and the organisation of trade unions.

The violent suppression of peaceful demonstrations in Iran in the wake of the recent elections, and the large scale arrests of persons believed to have taken part, have only deepened those concerns.

The EU has been active both on overall human rights principles and in relation to specific cases, through public declarations, representations to the Iranian authorities, and other actions, including co-sponsorship of an annual resolution on human rights in Iran at the UN General Assembly. In some cases these have had positive results, but regrettably the Iranian authorities are increasingly reluctant even to hear criticism, internal or external.

The Government has also been active nationally. I have raised our human rights concerns directly with Foreign Minister Mottaki in September 2008, when we met at the United Nations, and in December I followed up with a detailed letter to Minister Mottaki on the range of our human rights concerns. In April I received a detailed reply, which unfortunately did not reassure me in relation to my concerns. We have also made known our concerns via the Iranian Embassy in Dublin.

The proposal referred to by the Deputy is an interesting one, which merits serious consideration. At this initial stage, I would point out however that there are already in place a number of UN human rights reporting procedures which relate to Iran. In 2010, Iran will undergo its first examination under the Universal Periodic Review mechanism of the UN Human Rights Council. The existing UN Special Procedures and mandate holders, such as the Special Rapporteurs on the position of human rights defenders, or on freedom of religion or belief, have also included the situation in Iran in their regular reports, and some of them have made statements in relation to recent events. It should be noted that, in practice, these experts have often experienced difficulty obtaining the cooperation from the Iranian authorities to which their position entitles them.

In terms of taking this proposal forward, it will require to be examined in the first instance by the UN Secretary General who may also wish to consult and seek the views of the UN Human Rights Council.

### **State Agencies.**

576. **Deputy Joan Burton** asked the Minister for Foreign Affairs the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29312/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** To date, nine members of staff of my Department have submitted applications under the Incentivised Early Retirement Scheme. Of these applications, seven have been approved and decisions are pending on the remaining two. 25 staff have applied to participate in the Special Career Break Incentive Scheme. Twelve of those applications have been approved and thirteen are currently being considered. No staff member in my Department has been made redundant during the past twelve months.

### **Bilateral Agreements.**

577. **Deputy Joe McHugh** asked the Minister for Foreign Affairs his views on whether the Hain-Ahern bilateral agreement on the all-island economy is purely aspirational, in view of the fundamental differences between northern and southern fiscal strategies, and the difference between the packages offered to investors by Enterprise Ireland and Invest NI; and if he will make a statement on the matter. [29339/09]

578. **Deputy Joe McHugh** asked the Minister for Foreign Affairs the work which has been carried out to implement the Hain-Ahern bilateral agreement on the all island economy since his appointment; and if he will make a statement on the matter. [29340/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 577 and 578 together.

The Comprehensive Study on the All-Island Economy, launched by the Minister for Foreign Affairs and the Secretary of State for Northern Ireland in October 2006, provided a comprehensive analysis of the opportunities and challenges in strengthening North/South economic cooperation. Designed to provide momentum for a new phase of cross-border collaboration, the Study explored in detail the benefits to be gained from a coordinated approach in key areas of investment, trade, planning and the provision of public services, including in the North-West.

Since the launch of the Study, work has progressed in all of these areas. The historic roads investment package agreed in 2007 will see the Government contribute £400 million/€580 million to upgrading infrastructural connections on the island. The North/South Ministerial Council Plenary, meeting in Farmleigh this week, welcomed a first Government contribution of €9 million towards the A5 road to Derry and Letterkenny and the A8 road from Belfast to Larne. A preferred route for the A5 road will be announced shortly.

The joint planning integral to this investment will be further enhanced by the planned launch of a spatial planning framework for the island and also one specific to the North-West. The Government and the Northern Ireland Executive are also contributing significant amounts to cross-border research and innovation. Research grants from Science Foundation Ireland (SFI) are now available on an all-island basis and cooperation has been deepened under the US/Ireland R&D Partnership. A joint steering group has been established for all-island projects under the EU's Seventh Framework Programme (FP7). A first All-Island Skills Conference took place in October 2008, while the operating environment for business on the island is set to be dramatically enhanced by Project Kelvin, which will bring faster and cheaper broadband communication to the North-West and surrounding areas. GP and cancer services are now available on a cross-border basis for patients in certain border areas and joint efforts to examine where further economies of scale can be achieved in the health and education sectors are expected to be progressed in the coming months.

This is a significant body of work and points clearly to the seriousness with which the Comprehensive Study has been taken forward by Departments North and South. It is worth noting, in addition, that implementation of the Study's findings has led to much closer cooperation between economic agencies in both parts of the island. Invest NI client companies now fre-



[Deputy Micheál Martin.]

quently take part in Enterprise Ireland trade missions overseas. Invest NI and the IDA have also collaborated on a joint investment product (“North West Now”) aimed at attracting foreign direct investment to Derry and Donegal. This builds on the success of the North-West Business and Technology Zone, which, as Minister for Enterprise, Trade and Employment, I launched with Minister Dodds in September 2007.

I was also pleased that one of my first tasks as Minister for Foreign Affairs was to join the Taoiseach in participating in the Northern Ireland Investment Conference in May 2008, which had a strong all-island dimension. We look forward, over the period ahead, to continuing our examination of where our cooperation can be deepened in promoting the island as a world-class destination for cutting-edge research and innovation.

### **Good Friday Agreement.**

579. **Deputy Joe McHugh** asked the Minister for Foreign Affairs the work he has carried out to progress strand two of the Good Friday Agreement since his appointment; his plans for progression of strand two of the agreement in the coming 12 months; and if he will make a statement on the matter. [29341/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The North South Ministerial Council has been particularly active in the period since my appointment as Minister for Foreign Affairs in May 2008. There have been two successful Plenary meetings of the Council already this year: in January in Derry and most recently at Farmleigh on 6 July.

The meeting in Farmleigh was our fourth NSMC Plenary meeting since restoration of the Northern Ireland Executive and Assembly in May 2007. During this period there have been some 38 Ministerial meetings covering a broad range of sectors. These have facilitated joint initiatives in areas such as transport, health, agriculture and the environment, while also overseeing the work of North/South Bodies such as Tourism Ireland and InterTrade Ireland.

At both Plenary meetings this year we reviewed our common economic challenges and the contribution which enhanced North South cooperation can make to promoting growth and employment. In Farmleigh this week we noted progress on important infrastructural projects such as the A5 road to Derry and Letterkenny, and underlined the continuing close cooperation between the Government and the Executive on this and related projects. Other recent examples of effective cross-border cooperation include the response to the A/H1N1 outbreak; the agreement on the removal of illegally dumped waste; and the delivery of high-speed international broadband connectivity for the North-West through Project Kelvin.

I hosted First Minister Robinson and deputy First Minister Martin McGuinness at the fourth NSMC Institutional meeting in April this year. We had a broad discussion of the budgetary challenges facing the two jurisdictions and reviewed progress in overcoming obstacles to cross border mobility in areas such as banking and pensions. We also discussed how our two administrations might strengthen cooperation on EU issues.

I intend that in the year ahead we will continue building on the progress already achieved in North South cooperation. Conscious of the need to secure maximum efficiency, there will be increased emphasis on the potential for economies of scale and more effective cross-border public services, particularly in health and education. We will also prioritise progress on agreed infrastructure projects, including the roads to the North-West and along the Eastern seaboard, the Project Kelvin broadband project to serve Monaghan and the North West, the development of City of Derry airport and the restoration of the Ulster Canal. We also look forward to increased all-island spatial planning and cross-border cooperation through the North-West



Gateway Initiative, the Newry-Dundalk Twin-City Initiative and other regional initiatives in border areas.

### **Sudanese Abductions.**

580. **Deputy Finian McGrath** asked the Minister for Foreign Affairs if he will support a person (details supplied); and the position regarding their case. [29400/09]

590. **Deputy Charlie O'Connor** asked the Minister for Foreign Affairs the action he has taken to achieve the safe release of persons (details supplied) who were kidnapped in Sudan; if his attention has been drawn to the wide spread concern in the matter; and if he will make a statement on the matter. [29888/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 580 and 590 together.

My Department became aware late on Friday night (3 July) of the abduction of the person mentioned by the Deputy, an Irish aid worker with Goal in Sudan. She and her Ugandan colleague, along with their Sudanese security guards, were kidnapped by armed men from a compound in Kutum, which is 120km from the state capital.

My Department was in immediate contact with Goal and the family of the person concerned. Both I and my colleague, Minister of State, Peter Power, spoke to the family on Friday evening. On Saturday, contacts were established with the Sudanese authorities and several governments who had experience of kidnapping of their citizens in Darfur. Contact was also established with the British authorities.

In consultation with a number of Government Departments and agencies, a decision was taken to send an official team, including our Ambassador to Sudan, who is based in Cairo, to deal directly with the authorities and other contacts in Sudan. The Government assigned an Aer Corps ministerial transport aircraft for this purpose.

I spoke directly to the family of the girl concerned and since then my officials have remained in constant contact with them to keep them updated on any developments on her case.

Following an initial round of meetings in Khartoum, part of the delegation travelled to El Fashir in Darfur to meet with the relevant authorities there. Our delegation is being facilitated by the Sudanese authorities and we are assured that every effort is being made to obtain the safe release of the abductees. The team is continuing its work and reporting back on a regular basis.

The Deputy will be cognisant of the need for discretion during a kidnap episode and I cannot go into detail about the operation in Sudan. However, I can assure the Deputy that everything possible is being done to secure the release of the citizen involved and her Ugandan colleague.

### **EU Enlargement.**

581. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if he has had contacts with the Government of Iceland with regard to their possible application for EU membership; and if he will make a statement on the matter. [29591/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Minister of State at my Department with responsibility for European Affairs, Mr. Dick Roche T.D., met the Foreign Minister of Iceland, Mr. Ossur Skarphéðinsson, on 18 May, to discuss the issue of Iceland's prospective application for EU membership. The Icelandic Ambassador accredited to Ireland has briefed officials of the Department of Foreign Affairs on the matter and the issue has been discussed

[Deputy Micheál Martin.]

by our own Ambassador to Iceland during his visits to Reykjavik. There have also been extensive contacts between our own Permanent Representation in Brussels and the Icelandic Permanent Representation to the EU.

Iceland is one of the European Union's closest partners. It participates fully in the EU's internal market through its membership of the European Economic Area and its citizens enjoy freedom of movement throughout the EU. Following recent elections in Iceland, the newly elected government has begun the national debate on EU membership. A bill to launch EU accession talks is currently under consideration by the Icelandic parliament and it is expected that, if Parliament agrees, a formal application for membership of the EU will be submitted as early as this month (July).

Such an application would then be considered in accordance with established procedures by the Union. Eventual Icelandic membership, of course, could only happen on foot of successful negotiations with Iceland, which would need to deal with a full range of issues. In principle, we would regard Iceland's accession to the EU as a positive development.

### **Visa Applications.**

582. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if his attention has been drawn to the difficulties that Indian citizens have in securing visas to visit Ireland for tourism and business purposes; his views on whether this is impacting negatively on trade; and if he will make a statement on the matter. [29593/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Department of Justice Equality and Law Reform has primary responsibility for visa and immigration issues. There is a dedicated visa office in New Delhi staffed by experienced officials from the Department of Justice Equality and Law Reform who have full decision making powers for all visa types including visa appeals.

I am not aware of any difficulties that Indian citizens have in securing visas where their documentation is in order.

### **Human Rights Issues.**

583. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs if he has had formal contact with the representatives of Uzbekistan with regard to the treatment of Christians and converts to Christianity in that country; and if he will make a statement on the matter. [29594/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** Ireland's Ambassador to Uzbekistan is based in Moscow and our bilateral relations are limited in scope. The issue of the treatment of Christians in Uzbekistan has not been one that has arisen between the two countries, although Ireland has been one of a number of countries in the EU to express serious concerns about the general human rights situation in Uzbekistan, in particular following the terrible incident at Andijan in May 2005, and to press for the EU to take steps to address the human rights situation there.

As a result of these concerns, the EU now holds regular human rights dialogues with Uzbekistan. These allow a wide range of issues to be discussed, including questions of freedom of religion, individual cases of human rights defenders and other issues relating to the human rights environment in the country. Through this mechanism and in its other contacts with the Uzbek authorities the EU seeks to promote adherence to international standards in this area.

### Overseas Development Aid.

584. **Deputy Denis Naughten** asked the Minister for Foreign Affairs the funding in 2009 for overseas development assistance; the countries where this funding will be spent; the impact which the reduced funding will have on existing projects; and if he will make a statement on the matter. [29671/09]

**Minister of State at the Department of Foreign Affairs (Deputy Peter Power):** The total budget for Official Development Assistance (ODA) for 2009 will be €696 million. Of this, €571 million is administered by the Department of Foreign Affairs, through the Government's official aid programme, Irish Aid. The balance of €125 million comprises contributions to development cooperation by other Government Departments and Ireland's contribution to the EU Development Co-operation Budget. On current projections, it is estimated that this expenditure on ODA will represent 0.48% of GNP in 2009.

I very much regret that it has been necessary to reduce the budget for overseas development assistance for 2009. The decision was taken by Government solely in the context of the need to restore the public finances and provide the platform for renewed economic growth. We have given a commitment that we will resume the expansion of the aid programme as soon as sustainable economic growth has been re-established.

It is important to note that, notwithstanding the adjustments to the ODA budget, this year Ireland can be expected to remain the sixth most generous aid donor internationally, in per capita terms, and the fifth in the EU. Our aid programme is renowned internationally for its clear focus on the reduction of poverty and hunger, and on the least developed countries, especially in sub-Saharan Africa.

Ireland provides assistance to over ninety developing countries. Nine have been designated as Programme Countries, with a commitment to long term strategic assistance. These are Tanzania, Zambia, Lesotho, Mozambique, Uganda, Ethiopia, Malawi, Vietnam and Timor Leste. In 2009, the total programme budget for these nine countries will amount to almost €200 million. Additional funding will be channelled to the Programme Countries through our support for the development work of Non-Governmental Organisations, and in response to humanitarian emergencies.

While adjustments have been required in the budgets for our programmes of assistance to these countries, they are being implemented in a manner which ensures the continued delivery of basic services, including health and education, and the focus on the poorest and most vulnerable people and communities. While it may be necessary to extend some funding timeframes and modify disbursement rates, the continuity of our agreed development programmes will be maintained.

When I spoke on behalf of the Government at the UN Conference on the World Financial and Economic Crisis in New York on 25 June, I outlined the severe impact which the crisis is already having on developing countries. I also pointed out that our response has to be framed in a context where, regrettably, budgets for overseas development assistance are under serious pressure everywhere. The challenge facing all aid donors, therefore, is to ensure that our assistance is delivered more effectively and sustainably, with tangible results. It is also important to focus more clearly on key priorities.

The OECD Development Assistance Committee in May 2009 described Irish Aid as a cutting edge development programme and stated that Ireland is a champion in making aid more effective. We are working to ensure that these high standards are maintained, and that, through our aid programme, Ireland will continue to make a strong, lasting contribution to the fight against global poverty and hunger.

### Human Rights Issues.

585. **Deputy Richard Bruton** asked the Minister for Foreign Affairs if his attention has been drawn to a publication (details supplied) which seeks to raise awareness of countries in which Christian communities are suffering persecution; and if he monitors such situations and raises them in his interaction with the governments of the countries involved. [29689/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I am aware of the work of the Church in Chains organisation and of their quarterly and other publications on the situation of persecuted Christians around the world. Arising from correspondence I had with the National Co-ordinator of the organisation earlier in the year, I arranged for officials from the Department's Human Rights Unit to meet with representatives of Church in Chains. This meeting took place on Friday, 19 June 2009, and enabled the organisation to brief officials fully on their activities. It was agreed at the meeting that contact would be maintained so that the Department is fully aware of Church in Chains' concerns.

I am deeply concerned at the growth of religious intolerance and discrimination against, or persecution of, people based on religion or belief. I will continue to work for the eradication of all forms of religious intolerance at both the international and national levels.

Ireland and the EU attach great importance to combating all forms of discrimination based on religion or belief and incitement to religious hatred, and consider that the United Nations General Assembly and the Human Rights Council should continue to address these issues. We firmly believe in tolerance, non-discrimination, freedom of expression, freedom of thought, conscience, religion or belief. These are concepts on which the EU was founded and to which all EU member States are steadfastly committed.

At a recent session of the Human Rights Council in Geneva in March 2009, Ireland co-sponsored a resolution on 'Discrimination based on religion or belief and its impact on the enjoyment of economic, social and cultural rights' which reaffirmed the right to freedom of religion or belief.

We continue to raise relevant concerns in our bilateral official and political contacts. In addition, Ireland has, on a number of occasions, raised issues of freedom of expression during the Universal Periodic Review sessions at the Human Rights Council which review the human rights records of individual UN member States.

### Visa Applications.

586. **Deputy Michael Noonan** asked the Minister for Foreign Affairs if a tourist visa will be granted to a person (details supplied) to visit Ireland; and if he will make a statement on the matter. [29692/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I am informed that a visa application in the name of the above individual was referred by the Honorary Consulate in Manila for a decision to the Visa Office in the Department of Justice, Equality and Law Reform, Burgh Quay. The visa was approved on 6th July and the Honorary Consulate in Manila was informed accordingly.

### EU Treaties.

587. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the legal status in international law, in EU Law and in domestic law of the Lisbon guarantees; the legal status they will have as protocols; and if he will make a statement on the matter. [29754/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The legal guarantees obtained by Ireland at the June European Council relating to the right to life, education and the family, taxation and Ireland's traditional policy of military neutrality take the form of a Decision of the Heads of State or Government, meeting within the European Council.

The June 2009 Decision constitutes an international agreement, binding in international law, which will take effect on the date of entry into force of the Lisbon Treaty, should the forthcoming referendum be passed. The Decision makes crystal clear what the Treaty does and does not provide for in relation to these matters and should provide reassurance to those who believed that the Treaty would adversely affect our position.

As international agreements, both the Treaty and the Decision will be registered with the United Nations. This is because Article 102 of the Charter of the United Nations provides that all international agreements to which UN Member States are party should be registered with the UN Secretariat as soon as possible after their entry into force.

This form of legal guarantee was previously given to Denmark at the Edinburgh European Council in December 1992, in relation to the Maastricht Treaty.

At the June European Council, the Heads of State or Government stated explicitly that the Decision granting the legal guarantees is legally binding. Further, they made clear that at the time of the conclusion of the next accession Treaty, the legal guarantees will be set out in a Protocol to the Treaty on European Union and the Treaty on the Functioning of the European Union.

As a Protocol, the legal guarantees will enjoy the same status in EU law as the Treaties. They will form part of the fundamental law of the Union.

Put simply, the Government has obtained binding legal guarantees in the areas that were identified as being of concern to the Irish people last year. Before and during last month's European Council, our partners worked with us to meet the identified concerns of the Irish people. The Government could scarcely have hoped for a better outcome from the European Council. If the forthcoming referendum passes and the Lisbon Treaty enters into force, these guarantees will immediately become binding and effective; subsequently, they will have full treaty status as a Protocol annexed to the EU Treaties.

### **Departmental Contracts.**

588. **Deputy Michael D'Arcy** asked the Minister for Foreign Affairs the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29835/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** My Department deals with approximately 800 suppliers of goods and services annually, many for relatively small amounts. The Deputy will appreciate that it would be a costly and time consuming task for staff to extract the information sought by the Deputy for the past twenty years, and that it would not be possible to do this in the time available.

My Department makes use of the Government Procurement website ([www.e-tenders.gov.ie](http://www.e-tenders.gov.ie)) when tendering for significant projects. Set out below are the notices published by my Department on that website since February 2004. The Deputy may wish to refer to this list in order to identify particular contracts or categories of contract in respect of which I or my officials will be happy to provide further information if he so requests.



[Deputy Micheál Martin.]

I should point out that while I will be able to provide figures for the value of contracts awarded to successful tenderers, I would not be at liberty to disclose the prices submitted by unsuccessful tenderers because that information continues to be commercially sensitive and confidential even after the completion of the tender process.

Notices published by the Department of Foreign Affairs on the Government Procurement Website since February 2004

Title	Published	Notice Type	Nature
DEAC Research Project	30/06/2009	Contract Notice	Services
Review of RRI	26/06/2009	Contract Notice	Services
IDEAS Programme Vietnam — Provision of Economic Analysis and Forecasting Services	24/06/2009	Contract Notice	Services
Provision of Economic Analysis and Forecasting Services for IDEAS Programme, Vietnam.	23/06/2009	Contract Notice	Services
IDEAS Programme Vietnam — Provision of Mgt. and Technical Support.	23/06/2009	Contract Notice	Services
Provision of Cultural Event Management and Coordination Services	09/06/2009	Contract Notice	Services
LAN Speed Wide Area Connectivity- Department of Foreign Affairs to Government Networks	25/05/2009	Contract Notice	Services
Award of Request for Tender in Respect of Server Equipment 422/7346	18/05/2009	Contract Award Notice	Supplies
Possible requirement for printing of bulk quantities of information materials: postcards, and/or leaflets and/or booklets	15/05/2009	Prior Information Notice	Services
Consultants to inform and advise the work of the Programme Appraisal & Evaluation Group (PAEG)	29/04/2009	Contract Notice	Services
Communicating Europe: Information Campaign on Ireland's EU Membership	15/04/2009	Contract Notice	Services
Distribution of unaddressed information leaflets to all households.	02/04/2009	Contract Notice	Services
Award of General Office and Window-Cleaning, Department of Foreign Affairs, Dublin, Balbriggan, Cork and Limerick	27/03/2009	Contract Award Notice	Services
Establishment of Framework for Chauffeur-Drive and related Services	16/03/2009	Contract Notice	Services
Consultant to provide Technical Expertise in the area of Private Sector Development	11/03/2009	Contract Notice	Services
Call for Tenders for Development of Communicating Europe Website	06/03/2009	Contract Notice	Services
Provision of a Grant Application Management System	16/02/2009	Contract Notice	Services
Request for Tenders For the Supply of Voice Over Internet Protocol (VOIP) Handsets	09/02/2009	Contract Notice	Supplies
Request for Tender in Respect of Server Equipment 422/7346	09/02/2009	Contract Notice	Supplies
Award of Establishment of a Framework Agreement for Skilled ICT Resources (Developers, Analysts, Architects and Project Managers)	30/01/2009	Contract Award Notice	Services
Prior Information Notice for Project Management and other Consultancy Services to assist in Public Information Campaign	27/01/2009	Prior Information Notice	Services
Supply and Installation of Interactive audio visual display units at premises of Irish Aid, Limerick.	20/01/2009	Contract Notice	Supplies



Title	Published	Notice Type	Nature
Event Management Company for DFA Africa Day Event, Limerick 2009	20/01/2009	Contract Notice	Services
Event Management Company for Africa Day, Dublin, May 2009	20/01/2009	Contract Notice	Services
Technical Consultants for Maps 11; 2009-2011	23/12/2008	Contract Notice	Services
Technical Support for Environmentally Sustainable Development	21/11/2008	Contract Notice	Services
General Office and Window-Cleaning, Department of Foreign Affairs, Dublin, Balbriggan, Cork and Limerick	14/11/2008	Contract Notice	Services
Evaluation of Irish Aid (Uganda) Country Strategy Paper, 2007-2009	30/10/2008	Contract Notice	Services
Development of a Performance Measurement Framework for the Programme of Strategic Cooperation between Irish Aid and Higher Education	10/09/2008	Contract Notice	Services
Point to Point Dedicated Communications Links for the Department of Foreign Affairs	09/09/2008	Contract Notice	Services
Security Services Department of Foreign Affairs	19/08/2008	Contract Notice	Services
Post Graduate Business Education Fellowships Sub-Programme	11/08/2008	Contract Notice	Services
Review of Irish Aid's Support for Unexploded Ordnance Programs in Lao PDR and De-Mining in Cambodia	05/08/2008	Contract Notice	Services
Information and Communications Technology (ICT) Security Analysis and Advisory Service	05/08/2008	Contract Notice	Services
Award of Supply Of Communication Equipment	23/07/2008	Contract Award Notice	Supplies
Tender for Market Research Services	01/07/2008	Contract Notice	Services
Supply of an ICT Project Co-Ordinator for its Internet Site Management Team	13/06/2008	Contract Notice	Services
Establishment of a Framework Agreement for Skilled ICT Resources (Developers, Analysts, Architects and Project Managers)	10/06/2008	Contract Notice	Services
Management of the Irish Aid Fellowship Training Programme	04/06/2008	Contract Notice	Services
Award of Evaluation of International Partnership for Microbicides	02/06/2008	Contract Award Notice	Services
Award of Contract for the Provision of a Consular Case Management and Crisis Response Management System	30/05/2008	Contract Award Notice	Services
Review of Irish Aid Zimbabwe Programme	16/05/2008	Contract Notice	Services
Award of Marketing, Communications and Project Management Consultancy Services for the Referendum Commission	09/05/2008	Contract Award Notice	Services
The Management and Administration of a Recruitment Competition for Development Specialists	09/05/2008	Contract Notice	Services
Training and Learning Programme for Development Workers	01/05/2008	Contract Notice	Services
RFT for Support, Maintenance, Licensing & Consultancy Services of McAfee Anti-Virus Solution	24/04/2008	Contract Notice	Services
Consultancy Services — Prior Indicative Notice (PIN)	15/04/2008	Prior Information Notice	Services
Sierra Leone Health Sector Planning Consultancy	15/04/2008	Contract Notice	Services
Environment Partnership Programme Review	14/04/2008	Contract Notice	Services

[Deputy Micheál Martin.]

Title	Published	Notice Type	Nature
Conflict Resolution Unit Security Sector Reform Consultant	10/04/2008	Contract Notice	Services
Request for Tender in respect of SharePoint Infrastructure Upgrade Project	03/04/2008	Contract Notice	Services
Award of International Courier Services	01/04/2008	Contract Award Notice	Services
Passport Office- Supply of Industrial Gases for Laser Equipment	31/03/2008	Contract Notice	Supplies
Request for Tender for Microsoft SQL Server Management Services	31/03/2008	Contract Notice	Services
Supply Of Communication Equipment	25/03/2008	Contract Notice	Supplies
Civil Society Support Program (CSSP), Ethiopia	21/03/2008	Contract Notice	Services
Private Sector Development Specialist	21/03/2008	Contract Notice	Services
Development Skills Sets Sub Group Support	20/03/2008	Contract Notice	Services
Concession to Operate a Staff Canteen for the Department of Foreign Affairs at Iveagh House	18/03/2008	Contract Notice	Services
Gender Equality Specialist	10/03/2008	Contract Notice	Services
Interpretation and Translation Services for Department of Foreign Affairs	06/03/2008	Contract Notice	Services
Distribution of (unaddressed) Information Booklet on the EU Reform Treaty to all Households in the State.	04/03/2008	Contract Notice	Services
Evaluation of Ireland's Timor Leste Country Strategy, 2004-2008	25/02/2008	Contract Notice	Services
Award of 422/7135 International Communications Links	18/02/2008	Contract Award Notice	Services
Marketing, Communications and Project Management Consultancy Services for the Referendum Commission	15/02/2008	Contract Notice	Services
Consultant to Support the Roll Out, Implementation & Institutionalisation of Irish Aid's Revised Country Strategy Paper Procedures & Guidelines	25/01/2008	Contract Notice	Services
Department of Foreign Affairs Pin 2008	23/01/2008	Prior Information Notice	Services
Department of Foreign Affairs pin notice 2008	23/01/2008	Prior Information Notice	Supplies
Consular Management System	15/01/2008	Contract Notice	Services
Consular Management System	15/01/2008	Contract Notice	Services
Department of Foreign Affairs — Provision of Telecommunication Circuits	10/01/2008	Contract Notice	Services
Award of Provision of Structured Cabling for Iveagh House	08/01/2008	Contract Award Notice	Works
Technical Consultant to support the work of the Emergency & Recovery Section, Irish Aid	07/01/2008	Contract Notice	Services
Consultant to support Irish Aid's Funding of the Consultative Group on International Agricultural Research ( CGIAR )	04/01/2008	Contract Notice	Services
Consultant to support Irish Aid's Funding of the Consultative Group on International Agricultural Research ( CGIAR )	04/01/2008	Contract Notice	Services
International Courier Services	19/11/2007	Contract Notice	Services
External Review of Irish Aid Support to Kimmage Development Studies Centre 2002-2007	13/11/2007	Contract Notice	Services
Award of Tender for Photocopiers	09/11/2007	Contract Award	Supplies

Title	Published	Notice Type	Nature
Award of Irish Aid Management Review	09/11/2007	Notice Contract Award Notice	Services
Tender for Support, Maintenance and Licensing Services in Respect of its ICT Bankup and Recovery Systems	08/11/2007	Contract Notice	Services
Provision of Structured Cabling for Iveagh House	31/10/2007	Contract Notice	Works
Award of Supply & Support of ICT Security Technologies in The Department of Foreign Affairs	26/10/2007	Contract Award Notice	Services
Award of Supply & Support of ICT Security Technologies in The Department of Foreign Affairs	23/10/2007	Contract Award Notice	Services
Develop Irish Aid's Tanzania Private Sector Strategy	19/10/2007	Contract Notice	Services
Value for Money and Policy Review Study in Irish Aids HIV / AIDS expenditure.	10/10/2007	Contract Notice	Services
422/7135 International Communications Links	04/10/2007	Contract Notice	Services
Evaluation of GeSCI	02/10/2007	Contract Notice	Services
Training for Russian public sector managers on the practical administration of the Irish taxation system	24/09/2007	Contract Notice	Services
Facilitation of Irish Aid funded Internship Programmes	17/08/2007	Contract Notice	Services
RFT for the Provision of Video Conferencing Solution	16/08/2007	Contract Notice	Services
Award of Provision of Telecommunication Circuits	27/07/2007	Contract Award Notice	Services
Evaluation of D-Talk	26/07/2007	Contract Notice	Services
Evaluation of International Partnership for Microbicides	19/07/2007	Contract Notice	Services
On-site ICT Resources	18/07/2007	Contract Notice	Services
CITRIX SUPPORT	06/07/2007	Contract Notice	Services
Provision of Telecommunication Circuits	03/07/2007	Contract Notice	Services
Irish Aid Centre Public Relations and Outreach Consultant	28/06/2007	Contract Notice	Services
APS Support /Maintenance	27/06/2007	Contract Notice	Services
Tender for Photocopiers	22/06/2007	Contract Notice	Supplies
Irish Aid Centre Groups' Programme Consultant	21/06/2007	Contract Notice	Services
Irish Aid Centre Content Consultant	21/06/2007	Contract Notice	Services
Cultural Events Coordinator	11/06/2007	Contract Notice	Services
Award of Framework Agreement for the Provision of International Removal Services to the Staff of the Department of Foreign Affairs	01/06/2007	Contract Award Notice	Services
Programme-wide Vulnerability Reduction	30/05/2007	Contract Notice	Services
Public Health Specialist	25/05/2007	Contract Notice	Services
lessons for SE Asia from Ireland's economic and social development	11/05/2007	Contract Notice	Services
Award of Technical Consultants for Civil Society and Micro Projects Funds	11/05/2007	Contract Award Notice	Services
Irish Aid Management Review	27/04/2007	Contract Notice	Services
Concession for the Provision of Insurance Services to Staff	27/04/2007	Contract Notice	Services
Value for Money Review of the Passport Operation	04/04/2007	Contract Notice	Services
Supply of Two Medium-Volume Photocopiers	03/04/2007	Contract Notice	Supplies
Award of Department of Foreign Affairs — Provision of Telecommunication Circuits	02/04/2007	Contract Award Notice	Services

[Deputy Micheál Martin.]

Title	Published	Notice Type	Nature
Evaluation of Ethiopia CSP	27/03/2007	Contract Notice	Services
Review of the Irish Aid Fellowship Training Programme	26/03/2007	Contract Notice	Services
North-South Ministerial Council — New Permanent Accommodation	23/03/2007	Contract Notice	Works
Prior Information Notice for Management Consultants	13/03/2007	Prior Information Notice	Services
Call for Expressions of Interest for Mapping of Irish Aid Approval Processes	05/03/2007	Contract Notice	Services
Framework Agreement for the Provision of International Removal Services to the Staff of the Department of Foreign Affairs	01/03/2007	Contract Notice	Services
Consultancy Support to the Irish Aid Hunger Task Force	26/02/2007	Contract Notice	Services
Review of Irish Missionary Resource Service	19/02/2007	Contract Notice	Services
Department of Foreign Affairs — Provision of Telecommunication Circuits	14/02/2007	Contract Notice	Services
Award of Management of Cross-Border Mobility Information Project	13/02/2007	Contract Award Notice	Services
Technical Consultants for Civil Society and Micro Projects Funds	12/02/2007	Contract Notice	Services
CSF Central American Consultants	25/01/2007	Contract Notice	Services
Department of Foreign Affairs — Provision of E1 2Mb Leased Line Dublin — Moscow(Russian Federation)	21/12/2006	Contract Notice	Services
Award of Configuration & Maintenance of Voice over IP (VoIP) Telephone Systems	01/12/2006	Contract Award Notice	Supplies
Award of Provision of 2mb (E1) Leased Line Dublin — Tel Aviv (Israel)	21/11/2006	Contract Award Notice	Services
Supply & Support of ICT Security Technologies in The Department of Foreign Affairs	15/11/2006	Contract Notice	Services
Provision of 2mb (E1) Leased Line Dublin — Tel Aviv (Israel)	13/11/2006	Contract Notice	Services
Provision of E1 2Mb Leased Line Dublin — Tel Aviv	10/11/2006	Contract Notice	Services
Configuration & Maintenance of Voice over IP (VoIP) Telephone Systems	08/11/2006	Contract Notice	Supplies
Management of Cross-Border Mobility Information Project	26/10/2006	Contract Notice	Services
Schools Linking and Immersion Scheme	03/10/2006	Contract Notice	Services
Statistical Reporting Specialist	14/07/2006	Contract Notice	Services
Award of contract for the Incorporation of Biometrics in the Irish Passport	07/07/2006	Contract Award Notice	Services
Anti-Virus Solution (Servers)	03/07/2006	Contract Notice	Services
Assistance with the drafting of requirements and tender documentation for a forthcoming RFT	28/06/2006	Contract Notice	Services
Procurement Advice	16/06/2006	Contract Notice	Services
E-MAIL ANTI VIRUS SOLUTION	16/06/2006	Contract Notice	Services
Contract Award Notice Chauffeur Drive Services DFA	08/06/2006	Contract Award Notice	Services
pin notice software May 06	16/05/2006	Prior Information Notice	Supplies
Cultural Event Coordinator	11/05/2006	Contract Notice	Services
Irish aid internship scheme	02/05/2006	Contract Notice	Services

Title	Published	Notice Type	Nature
Tender for Provision of Security Services — Permanent Representation of Ireland to the EU, Brussels, Belgium	13/04/2006	Contract Notice	Services
Supply Of Communication Equipment	10/04/2006	Contract Notice	Supplies
Provision of Legal Advice in respect of the Procurement Project for the Incorporation of Biometrics in Irish Passports	07/03/2006	Contract Notice	Services
Schools Linking and Immersion Scheme	27/02/2006	Contract Notice	Services
Support and maintenance services for the Irish passport system	17/02/2006		Services
pin notice 2006 department of Foreign Affairs	07/02/2006		Supplies
pin notice 2006 services for Department of Foreign Affairs	08/02/2006		Services
Award of rft in respect of provision of end-user it training services	31/01/2006	Contract Award Notice	Services
Award of rft in respect of provision of end-user it training services	30/01/2006	Contract Award Notice	Services
Schools Linking and Immersion Scheme	18/01/2006	Contract Notice	Services
Award of Schools competition relating to development issues 2005-2006	18/01/2006	Contract Award Notice	Services
Award of Request for Tender for the Supply of Desktop Videoconferencing Units	21/12/2005	Contract Award Notice	Supplies
Award of Request for Tender 422/6122	21/12/2005	Contract Award Notice	Supplies
Award of Request for Tender — Supply of Satellite Phones	19/12/2005	Contract Award Notice	Supplies
Public Information and Communication Services	09/12/2005	Contract Notice	Services
Award of Request for proposals for the provision of System Replication Solution	08/12/2005	Contract Award Notice	Services
Award of Contract for Server and Storage Area Network (SAN) Equipment	06/12/2005	Contract Award Notice	Supplies
Mainstreaming: Building Strategy and Practice	28/11/2005	Contract Notice	Services
Request for Tender — Supply of Satellite Phones	23/11/2005	Contract Notice	Supplies
Financial System Software	15/11/2005	Contract Notice	Services
Request for Tender for the Supply of Desktop Videoconferencing Units	11/11/2005	Contract Notice	Supplies
REQUEST FOR TENDER 422/6122	11/11/2005	Contract Notice	Supplies
Request for Tender for the Incorporation of Biometrics in the Irish Passport	09/11/2005	Contract Notice	Services
Request for Chauffeur-Drive and Related Transportation Services for the Department of Foreign Affairs	08/11/2005	Contract Notice	Services
Evaluation of the Mozambique Country Programmes 2001-06	01/11/2005	Contract Notice	Services
Award of Development Cooperation Ireland — Calls for an Expression of Interest for Internship Scheme	20/10/2005	Contract Award Notice	Services
Visa Application Management and Tracking System for the Dept of Foreign Affairs S 178-152909	12/10/2005	Contract Award Notice	Services
Joint Review of the DCI HIV/AIDS Partnership Scheme	10/10/2005	Contract Notice	Services
Schools competition relating to development issues 2005-2006	06/10/2005	Contract Notice	Services
Graphic Design & Print Management of Publications and Materials	26/09/2005	Contract Notice	Services
Financial Modelling and Pay System Software	21/09/2005	Contract Notice	Supplies

[Deputy Micheál Martin.]

Title	Published	Notice Type	Nature
rft in respect of provision of end-user it training services	10/08/2005	Contract Notice	Services
DFA Photographic agency tender	28/07/2005	Contract Notice	Services
Request for Tender in respect of Server and Storage Area Network (SAN) Equipment	21/07/2005	Contract Notice	Supplies
Request for proposals for the provision of System Replication Solution	19/07/2005	Contract Notice	Services
Request for Tender in respect of Free Space Optical (FSO) High Speed Metropolitan Links	13/07/2005	Contract Notice	Services
Request for Tender for International Communications Links	06/07/2005	Contract Award Notice	Services
Request for Tender for the Redevelopment of the Department of Foreign Affairs Website WWW.DFA.IE	01/07/2005	Contract Notice	Services
Managing Agent to Oversee Implementation of a Tourism-led Local Economic Development Programme Limpopo Province, South Africa	22/06/2005	Contract Notice	Services
Development Cooperation Ireland — Calls for an Expression of Interest for Internship Scheme	14/04/2005	Contract Notice	Services
Request for Tenders for International Communications Links	01/02/2005	Contract Notice	Services
Pin Notice, Services 2005 Department of Foreign Affairs	26/01/2005		Services
PIN, Supplies 2005, Department of Foreign Affairs	26/01/2005		Supplies
Provision of on-site Help Desk Services	25/11/2004	Contract Award Notice	Services
Request for Tender in Respect of International Communications Links — Tender document published on www.etenders.gov.ie	21/09/2004	Contract Notice	Services
Development Cooperation Ireland: Evaluation of Multi-Annual Programme Scheme (MAPS)	16/09/2004	Contract Notice	Services
Training and Development Programme for Development Practitioners	22/06/2004	Contract Notice	Services
Value for Money Study and Transaction Audit	11/06/2004	Contract Notice	Services
Schools competition relating to development issues	09/06/2004	Contract Notice	Services
Tender for On-Site ICT Help Desk Services for the Development of Foreign Affairs	07/06/2004	Contract Notice	Services
The United Nations High Commissioner for Refugees (UNHCR) — Expression of Interest	18/02/2004	Contract Notice	Supplies

### Departmental Contracts.

589. **Deputy Michael D’Arcy** asked the Minister for Foreign Affairs if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29849/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** My Department has not contracted with the company mentioned by the Deputy. Contracts for construction and refurbishment works to be carried out on my Department’s premises in Ireland are procured, managed and administered by the Office of Public Works. Accordingly, the Deputy may wish to raise the matter with that Office.

*Question No. 590 answered with Question No. 580.*



### Human Rights Issues.

591. **Deputy Charlie O'Connor** asked the Minister for Foreign Affairs the contacts he has had with the Israeli authorities following the recent detention of activists by Israeli forces travelling to Gaza bringing aid; if he will confirm that he has lodged a protest; and if he will make a statement on the matter. [29889/09]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I refer the Deputy to my reply to Question No 397 on 7 July, in which I set out the actions taken in relation to this case. Subsequent to that reply, as expected, the two Irish citizens detained arrived in Dublin on 7 July, following their deportation from Israel. Officials from my Department met with Mr. Graham on 8 July to hear at first hand of his experiences. It is understood that the passengers and crew of other nationalities also detained on the boat have likewise been deported.

### Swimming Pool Projects.

592. **Deputy Frank Feighan** asked the Minister for Arts, Sport and Tourism the position in relation to Ballaghaderreen swimming pool project in County Roscommon. [29564/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Under the Local Authority Swimming Pool Programme, which is administered by my Department, grant aid to a maximum of €3.8 million is provided to Local Authorities towards the capital costs of new swimming pools or the refurbishment of existing pools, subject in both cases to the total grant not exceeding 80% of the eligible cost of the project or, in the case of projects located in disadvantaged areas, 90% of the eligible cost. Proposals must comply with the standards set out in the Department's "Procedures for the Planning, Approval and Financing of Swimming Pools and Technical Guidelines."

Under the Guidelines there are four principal stages in a swimming pool project following the submission of a feasibility study. These, in order of progress, are: Preliminary Report; Contract Documents; Tender and Construction. Grant-aid is allocated only when tenders have been approved for the project and is capped at the time of allocation. The Department and its technical advisors, the Office of Public Works, evaluate each stage and Local Authorities cannot proceed to the next stage of a project unless prior approval issues from the Department of Arts, Sport & Tourism.

I understand that a revised Feasibility Report was approved for Ballaghaderreen pool in October 2007, leaving Roscommon County Council to proceed to the next stage, which is the preparation of the Preliminary Report. I am informed that Roscommon County Council is evaluating tenders for the production of this report at the moment.

### Departmental Staff.

593. **Deputy Fergus O'Dowd** asked the Minister for Arts, Sport and Tourism the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department's presence in County Louth; and if he will make a statement on the matter. [28844/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The Department of Arts, Sport and Tourism has no staff located in Co. Louth.

### Public Service Review.

594. **Deputy Richard Bruton** asked the Minister for Arts, Sport and Tourism if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28890/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** At the commencement of its work, the Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. Such papers were prepared in respect of the Arts, Sport and Tourism Group of Votes. The Special Group met with the Secretary General of my Department in the course of its deliberations.

My Department has not yet received a copy of the Report of the Special Group. I understand that the Minister for Finance will be bringing the Report to Government in the near future and that decisions on the release of the Report and associated documents will be made by Government in that context.

### Public Service Staff.

595. **Deputy Joan Burton** asked the Minister for Arts, Sport and Tourism the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29304/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The Department of Arts, Sport and Tourism (including the National Archives of Ireland, which forms part of the Department) has not received any applications to date for the incentivised early retirement scheme or the incentivised career break scheme the closing date for which has now passed. No staff member in the Department has been made redundant in the past 12 months.

In the case of the agencies under the aegis of the Department 1 application has been received in respect of the incentivised early retirement scheme, 7 applications in respect of the incentivised career break scheme and 1 staff member has been made redundant in the past 12 months.

### Sports Capital Programme.

596. **Deputy Michael McGrath** asked the Minister for Arts, Sport and Tourism the position regarding the payment of a grant to a club (details supplied) in County Cork under the sports capital grant programme. [29466/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The grantee in question was allocated a number of grants under the Sports Capital Programme between 1996 and 2004. The grant allocations were subject to the terms and conditions of the Programme, which include the execution of a Deed of Covenant and Charge. A Deed provides, *inter alia*, for a refund of the grant in the event of the facility not continuing to be used for the purpose for which the grant was allocated. The Department's legal adviser, the Chief State Solicitor's Office (CSSO), deals with the grantee's solicitor in executing this Deed. The CSSO wrote to the club's solicitors in relation to this matter on February 2nd 2009. The latest update from the CSSO, at close of business yesterday, is that no response has been received to that letter.

It is also the case that the Department issued a request for outstanding documentation to the contact person for the club on February 2nd 2009. No response has been received to that letter either.

As the Deed of Covenant and Charge is required in order to protect the taxpayers' investment in the project, the Department must await clarification from the CSSO that all legal formalities have been completed before it may consider providing formal approval for the project. The Department also awaits sight of the documentation requested in its letter of February 2nd 2009, which is likewise required before formal approval for the project can be confirmed.

### **Proposed Legislation.**

597. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism the position regarding proposal 25 listed in annex D of budget 2009; the date the proposal will be fully completed; and if he will make a statement on the matter. [29577/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** I refer the Deputy to my reply to Question No 23607/09, on 16th of June 2009. The legislative changes required to give effect to the decision to combine the Irish Museum of Modern Art, the Crawford Art Gallery and the National Gallery of Ireland, while retaining their separate brand identities requires critical analysis of, and amendment to existing legislation and the creation of new legislative provisions. I can assure the Deputy that progress commensurate with the complexity of this issue is being made.

### **Swimming Pool Projects.**

598. **Deputy Michael McGrath** asked the Minister for Arts, Sport and Tourism the position regarding the re-opening of the local authority swimming pool programme. [29780/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Because of the current budgetary constraints, it is not intended to launch a new round of the Local Authority Swimming Pool Programme at this time.

### **Departmental Contracts.**

599. **Deputy Michael D'Arcy** asked the Minister for Arts, Sport and Tourism the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29961/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** Given the very wide-ranging nature of the question posed by the Deputy and the short time frame for reply, the collation of the requisite information would involve a disproportionate burden of work on the Department.

If the Deputy would wish to substantially narrow the focus of the question, I would be pleased to supply any relevant information upon receipt of such a revised query.

600. **Deputy Michael D'Arcy** asked the Minister for Arts, Sport and Tourism if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that subcontractors were paid for works carried out; and if he will make a statement on the matter. [29841/09]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The company in question has not been contracted by the Department to build facilities on behalf of the State.

### **Rural Transport.**

601. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Community, Rural and Gaeltacht Affairs if he will reverse his decision not to renew the night time rural transport scheme. [28338/09]

602. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Community, Rural and Gaeltacht Affairs the alternatives which will be made available to elderly and more vulnerable people who will be affected by the decision not to renew the night time rural transport scheme. [28340/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I propose to take Questions Nos. 601 and 602 together.

The Rural Transport Night Scheme was implemented as a pilot project in seven selected areas in 2007. The Deputy will appreciate that the mainstream provision of transport services, including rural transport, is a matter for my colleague, Noel Dempsey T.D., Minister for Transport. Accordingly, it was always my intention that my Department's more limited resources could be used to support a pilot initiative, which gave us the opportunity to look at the impact on the ground of an evening and night service.

In the context of the completion of the pilot scheme, I have met with representatives of the 7 pilot groups and with Pobal, who manage both the pilot scheme and the main Rural Transport Programme for the Department of Transport. Following these discussions, it has been agreed that the groups will continue with some evening services until the end of the year, instead of finishing on 10th July.

I have asked that all possible efforts be made to increase the efficiency and cost-effectiveness of the transport service, involving increased load capacity, re-tendering to operators to seek cheaper quotes where appropriate and focussing more on generating income from passengers. It is also intended that, by end year, the seven groups, with support from Pobal, will prioritise routes that can be resourced from existing resources, thus sustaining some level of evening services for 2010.

### **Higher Education Grants.**

603. **Deputy Martin Ferris** asked the Minister for Community, Rural and Gaeltacht Affairs the number of people who are awaiting payment of grant aid from Údarás na Gaeltachta for completion of third level courses undertaken; the timeframes involved; when these payments will be awarded; and if he will make a statement on the matter. [28804/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I understand from Údarás na Gaeltachta that a number of applications for payment of grant-aid in respect of third-level courses recently completed have been received over the past few weeks. These are at various stages of processing for payment. As of 7 July 2009, I am informed that some sixty four applications are being processed. However, the number of applications on hand may change from day to day as new applications are received or others are processed.

Subject to funds being available and the claims being in order, it is expected that these payments will be made within 2 to 3 months.

### **Departmental Staff.**

604. **Deputy Fergus O'Dowd** asked the Minister for Community, Rural and Gaeltacht Affairs the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand

his Department's presence in County Louth; and if he will make a statement on the matter. [28846/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** There are no staff in my Department employed in Co. Louth.

#### Public Service Review.

605. **Deputy Richard Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28892/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. My Department made a submission in this regard. The Special Group met the Secretary General and senior officials of my Department in the course of its deliberations. Decisions on the release of the Report and associated documents will be made by Government.

#### Public Service Staff.

606. **Deputy Joan Burton** asked the Minister for Community, Rural and Gaeltacht Affairs the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29306/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Please see the Table in APPENDIX I outlining the details requested by the Deputy.

#### APPENDIX I

	Number of staff who have applied for the incentivised early retirement scheme	Number of staff who have applied for the incentivised career break scheme	Number of staff who have been made redundant in the past 12 months
Dept. of Community, Rural & Gaeltacht Affairs	1	6	2
Western Development Commission	1	0	0
Commissioners for Charitable Donations & Bequests	0	1	0
The Dormant Accounts Board	0	0	0
Údarás na Gaeltachta	0	0	0*
Waterways Ireland	Not relevant	Not relevant	0
National Advisory Committee on Drugs	0	0	1
An Choimisinéir Teanga	1	0	0
<i>An Foras Teanga, comprising:</i>			
Foras na Gaeilge	Not relevant	Not relevant	0
Ulster Scots Agency	Not relevant	Not relevant	0

\*There have been 8 redundancies in two fully owned subsidiary companies: 5 in Taighde Mara Teo. and the remainder in G-Com Teo.

### Security of the Elderly.

607. **Deputy Tom Hayes** asked the Minister for Community, Rural and Gaeltacht Affairs his plans to reintroduce the community alert scheme; and if he will make a statement on the matter. [29382/09]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran):** I am assuming that the Deputy is referring to the recent suspension of the Scheme of Community Support for Older People and I would like to direct him to my reply to question number 452 on 9th June 2009.

### Údarás na Gaeltachta.

608. **Deputy Michael Ring** asked the Minister for Community, Rural and Gaeltacht Affairs the discussions he has had with his Cabinet colleagues with regard to the funding restrictions on Udarás na Gaeltachta which is preventing the creation of 200 jobs; the action he will take to facilitate the creation of these jobs; and if he will make a statement on the matter. [29524/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The Deputy will appreciate that the funding arrangements for Údarás na Gaeltachta are primarily a matter for my own Department, in consultation with the Department of Finance.

My Department maintains regular contact with an tÚdarás in a policy context and, in this regard, I and my officials met with its senior executives twice recently in relation to the management of the funding that is available to the organisation. In 2009, the capital funding being provided by the Exchequer amounts to €19.65m.

I am conscious of the need to support job maintenance and job creation in the Gaeltacht, especially in the current economic climate, and my Department will continue to work closely with an tÚdarás in this regard. At the same time, it is important to note that it is incumbent on an tÚdarás, in common with other public bodies, to ensure that it operates within the guidelines laid down in regard to dealing with existing commitments and the creation of additional commitments through the approval of new projects.

### Inland Waterways.

609. **Deputy Catherine Byrne** asked the Minister for Community, Rural and Gaeltacht Affairs when a stretch of canal walkway (details supplied) in Dublin 8 will be upgraded; if he will guarantee funding for this project; if he will commit to the upkeep of the Grand Canal walkways in Dublin; and if he will make a statement on the matter. [29531/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I am informed by Waterways Ireland that the stretch of Grand Canal walkway referred to by the Deputy was upgraded as part of a Joint Road Enhancement Project between Waterways Ireland and Dublin City Council. The project involved the laying of asphalt surfacing and installing associated bollards and gates.

I am advised that additional works proposed for this area were to have been carried out in conjunction with a proposed Dublin City Council redevelopment project, but I understand that this project is currently on hold.

Waterways Ireland will continue to maintain the Grand Canal walkways in Dublin within the resources available.



### National Drugs Strategy.

610. **Deputy Róisín Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the funding provided to each of the local drugs task forces in 2009; and the way in which this compares with the funding in 2008. [29804/09]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran):** An amount of €22.3m has been earmarked for allocation to the 14 Local Drugs Task Forces in 2009. Of this amount, €22.04m has been allocated to date and the details in relation to this and the allocations for 2008 are set out in the table.

Drugs Task Force	Allocation 2008	Allocation 2009
	€m	€m
Ballyfermot	1.83	1.62
Ballymun	1.43	1.32
Blanchardstown	1.39	1.25
Bray	1.80	1.77
Canal Communities	1.82	1.74
Clondalkin	1.65	1.58
Cork	1.84	1.76
Cross Task Force	0.12	0.10
Dublin 12	1.41	1.25
Dublin North East	1.48	1.37
Dun Laoghaire Rathdown	1.06	1.03
Finglas Cabra	1.06	0.89
North Inner City	2.97	2.65
South Inner City	2.63	2.43
Tallaght	1.41	1.28
Total	23.90	22.04

### Departmental Contracts.

611. **Deputy Michael D’Arcy** asked the Minister for Community, Rural and Gaeltacht Affairs the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29829/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Compiling the data to enable me to answer the Deputy’s question would not be justified as it would entail an inordinate amount of time and cost. However, if the Deputy has specific queries in relation to a particular tendering competition I will be happy to assist him.

612. **Deputy Michael D’Arcy** asked the Minister for Community, Rural and Gaeltacht Affairs if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29843/09]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** I wish to confirm that my Department has not contracted the company mentioned by the Deputy to build facilities on behalf of the State.

### Social Welfare Benefits.

613. **Deputy Edward O’Keeffe** asked the Minister for Social and Family Affairs the position regarding an application for rent subsidy in the case of a person (details supplied) in County Cork. [28877/09]

**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 Health Service Executive has advised that it received an application for rent supplement from the person concerned in respect of his current address on 27th May 2009. Documentation clarifying the income of the person concerned was received on 17 th June 2009. The Executive has advised that a decision on entitlement to rent supplement in this case will be made shortly.

614. **Deputy Joan Burton** asked the Minister for Social and Family Affairs if she will provide a breakdown of the recipients of rent allowance nationally and in Dublin 15 by nationality and status, such as lone parents, married couples, married couples with no children, single people with no children and others for 2005 to 2009; and if she will make a statement on the matter. [29323/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** A table shows the number of recipients of rent supplement nationally and in the Dublin 15 area, by nationality. A breakdown of the number of recipients on rent supplement by household composition is not available.

Recipients of Rent Supplement in Dublin 15 by Nationality

Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Afghanistan	14	12	14	16	16
Albania	24	25	27	26	29
Algeria	18	17	14	17	20
Angola	29	30	25	29	31
Armenia	2	2	3	2	4
Austria	—	—	—	1	1
Azerbaijan	1	2	1	1	1
Bangladesh	1	—	—	1	1
Belarus	4	3	4	4	5
Belgium	1	1	3	1	2
Benin	1	1	1	—	1
Bosnia	68	62	58	56	55
Brazil	1	1	2	1	1
Bulgaria	3	2	1	1	1
Burma	2	2	1	1	1
Burundi	2	2	1	1	1
Cameroon	20	20	19	19	24
Chechnya	7	9	10	11	12
China	5	5	9	10	11
Colombia	—	—	1	—	—
Comors	—	1	1	2	2
Congo	70	80	79	76	80
Croatia	2	2	2	2	2

Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Cyprus	—	1	1	1	—
Czech Republic	3	3	4	4	7
Denmark	—	1	—	—	—
Dominican Republic	1	1	—	—	—
Egypt	2	2	1	2	2
El Salvador	—	—	—	—	1
Eritrea	—	—	1	—	1
Estonia	11	11	11	11	23
Ethiopia	5	5	5	3	3
Finland	—	—	—	—	3
France	4	6	8	7	11
Gambia	1	—	—	—	—
Georgia	6	6	4	5	6
Germany	1	3	4	4	8
Ghana	15	23	19	20	19
Greece	—	—	2	4	3
Guinea	3	5	4	5	6
Guinea-Bissau	—	—	—	1	1
Hungary	—	1	2	2	10
India	1	—	1	2	3
Indonesia	—	—	—	1	1
Iran	9	11	13	16	21
Iraq	9	10	19	24	36
Ireland	896	900	912	1,069	1,269
Israel	1	3	3	5	5
Italy	8	5	4	3	7
Ivory Coast	12	16	15	12	11
Jamaica	1	5	4	1	1
Kazakhstan	9	14	11	13	14
Kenya	7	8	3	4	4
Kosovo	19	16	20	21	22
Kuwait	1	1	1	1	3
Kyrgyzstan	2	2	2	3	3
Latvia	11	20	27	43	65
Lebanon	3	3	—	2	3
Liberia	1	1	1	—	4
Libya	8	9	8	9	9
Lithuania	28	46	61	98	190
Luxembourg	—	—	—	—	1
Macao	1	1	1	1	1
Macedonia	1	2	2	2	2
Malawi	1	2	2	2	2
Malaysia	—	1	1	1	1
Maldives	9	7	8	1	1
Malta	—	—	—	1	—
Moldova	58	49	38	50	52
Mongolia	1	1	1	1	2
Morocco	1	—	—	1	1

[Deputy Mary Hanafin.]

Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Netherlands	3	2	2	4	8
Niger	5	3	2	1	1
Nigeria	871	771	612	596	605
Norway	1	1	1	1	1
Pakistan	17	19	17	16	16
Palestine	3	3	3	5	4
Philippines	1	1	1	1	1
Poland	31	38	58	113	289
Portugal	3	2	5	3	8
Romania	192	175	154	208	281
Russia	38	31	23	22	24
Rwanda	7	8	7	2	5
Saudi Arabia	—	1	1	1	1
Serbia	—	—	1	1	1
Sierra Leone	15	13	10	9	8
Slovakia	3	2	1	6	18
Somalia	32	35	33	40	46
South Africa	18	17	17	17	19
Spain	5	5	5	6	9
Sri Lanka	—	—	—	—	1
Sudan	6	12	12	15	22
Swaziland	1	—	1	—	—
Sweden	2	1	2	2	3
Syria	—	1	—	3	4
Tajikistan	1	—	—	—	—
Tanzania	—	1	1	1	1
Thailand	1	1	—	—	—
Togo	4	6	6	5	5
Tunisia	1	1	—	—	1
Turkey	1	1	1	—	—
Uganda	2	1	2	4	4
Ukraine	53	45	40	34	40
United Kingdom	52	45	42	48	67
Usa	2	1	1	3	4
Uzbekistan	4	3	3	3	2
Venezuela	1	—	—	—	—
Vietnam	4	2	2	6	7
Yugoslavia	7	8	7	7	7
Zaire	15	12	12	11	14
Zambia	3	2	1	2	1
Zimbabwe	12	11	7	9	8
Unknown	1	1	1	1	1
<b>Total</b>	<b>2,843</b>	<b>2,762</b>	<b>2,594</b>	<b>2,940</b>	<b>3,676</b>

## Recipients of Rent Supplement Nationally by Nationality (includes Dublin 15)

Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Afghanistan	53	64	77	97	105
Albania	122	129	110	130	137
Algeria	368	341	320	322	343
Angola	211	205	178	196	204
Argentina	2	3	5	6	6
Armenia	23	25	28	23	26
Australia	12	10	17	22	37
Austria	18	19	19	31	30
Azerbaijan	12	11	9	9	12
Bahamas	1	1	1	1	1
Bahrain	1	1	—	—	—
Bangladesh	16	24	21	33	55
Barbados	—	—	—	—	2
Belarus	47	43	38	46	62
Belgium	36	36	37	42	47
Benin	10	11	7	8	8
Bhutan	—	2	2	2	2
Bosnia	133	121	107	98	94
Botswana	—	—	—	1	—
Brazil	24	22	35	72	90
British Indian Ocean Territory	—	—	—	1	1
Bulgaria	74	57	56	71	94
Burkina Faso Upper Volta	4	4	4	3	3
Burma	15	16	19	21	36
Burundi	16	15	17	17	17
Cameroon	220	213	195	188	204
Canada	26	25	36	39	41
Central African Rep	—	—	—	1	2
Chad	2	4	2	6	4
Channel Islands	1	1	—	—	—
Chechnya	23	27	26	27	26
Chile	1	1	1	2	3
China	50	57	58	72	82
Colombia	2	1	2	4	8
Comors	3	5	6	5	5
Congo	462	478	470	526	578
Croatia	128	110	91	91	90
Cuba	16	17	15	14	21
Cyprus	1	1	2	4	5
Czech Republic	135	198	265	392	474
Denmark	7	12	9	11	14
Dominican Republic	1	1	—	—	—
Ecuador	2	2	2	2	1
Egypt	43	39	43	51	71
El Salvador	4	4	6	12	14
Eritrea	12	15	—	56	58

[Deputy Mary Hanafin.]

Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Estonia	74	94	111	173	245
Ethiopia	27	38	41	49	54
Fiji	1	—	—	—	—
Finland	11	10	15	11	20
France	140	160	161	183	252
Gabon	1	1	2	—	—
Gambia	7	9	16	12	10
Georgia	122	139	127	139	143
Germany	206	208	231	273	355
Ghana	266	244	199	198	198
Greece	13	10	17	21	25
Grenada	1	1	1	2	4
Guatemala	5	4	1	1	1
Guinea	28	30	36	42	46
Guinea-Bissau	1	1	1	2	2
Guyana	1	1	1	—	—
Honduras	—	1	1	1	1
Hong Kong	2	3	3	2	3
Hungary	15	21	39	119	254
Iceland	1	1	1	1	2
India	10	10	15	24	41
Indonesia	2	2	1	3	3
Iran	105	142	158	194	203
Iraq	168	193	251	325	371
Ireland	42,691	42,363	41,761	49,698	57,403
Israel	15	16	16	16	17
Italy	110	101	102	140	186
Ivory Coast	59	57	61	63	66
Jamaica	16	22	18	15	13
Japan	2	3	5	5	7
Jordan	8	10	6	10	11
Kazakhstan	53	52	41	44	42
Kenya	101	100	82	74	76
Kosovo	122	126	116	119	130
Kuwait	9	23	31	36	39
Kyrgyzstan	10	10	8	9	9
Latvia	157	247	390	791	1,318
Lebanon	20	17	16	17	23
Lesotho	1	1	2	4	4
Liberia	15	15	13	17	24
Libya	135	121	118	124	126
Lithuania	262	407	600	1,218	2,108
Luxembourg	3	7	5	5	6
Macao	7	6	5	5	7
Macedonia	4	4	4	4	4
Malawi	5	7	5	7	10
Malaysia	7	12	11	19	27



Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Maldives	40	29	26	15	15
Malta	10	15	14	19	25
Mauritania	3	4	3	5	4
Mauritius	2	5	4	5	9
Mayotte	—	—	—	—	1
Mexico	3	3	1	2	4
Moldova	303	253	208	240	261
Mongolia	5	3	3	11	17
Morocco	27	28	28	31	40
Mozambique	1	2	2	3	5
Myanmar	—	1	—	—	—
Nepal	2	2	1	2	3
Netherlands	81	88	108	135	149
Netherlands Antilles	1	1	1	1	1
New Zealand	5	7	7	9	12
Niger	20	16	11	14	14
Nigeria	4,766	4,028	3,222	2,982	2,886
Norway	6	4	2	1	3
Pakistan	125	138	144	171	200
Palestine	37	46	33	40	42
Panama	—	—	—	—	1
Peru	1	2	4	1	4
Philippines	24	30	35	44	59
Poland	234	443	1,009	3,805	7,638
Portugal	61	87	91	140	189
Republic Of Korea	1	1	1	1	2
Romania	1,278	1,150	1,088	1,279	1,512
Russia	364	302	278	273	293
Rwanda	51	49	47	46	51
Saudi Arabia	—	1	2	2	2
Senegal	1	2	2	2	3
Serbia	11	8	10	10	14
Seychelles & Dep	1	1	1	1	1
Sierra Leone	99	95	85	76	84
Singapore	1	—	—	—	—
Slovakia	27	117	245	475	783
Slovenia	1	3	2	3	3
Somalia	353	397	417	487	534
South Africa	192	198	200	234	291
Spain	158	138	136	163	220
Sri Lanka	10	8	6	9	13
St Lucia	1	1	1	1	1
Sudan	131	224	254	316	330
Surinam	1	2	2	2	2
Swaziland	2	1	4	2	3
Sweden	25	24	25	34	44
Switzerland	2	4	6	7	9
Syria	18	18	20	24	31

[Deputy Mary Hanafin.]

Nationality	End 2005	End 2006	End 2007	End 2008	26/06/2009
Taiwan	2	1	1	—	—
Tajikistan	5	4	4	5	5
Tanzania	8	10	10	7	9
Thailand	7	10	7	15	19
Togo	57	65	66	78	83
Tonga	1	—	—	—	—
Trinidad & Tobago	2	3	2	1	1
Tunisia	10	7	11	13	20
Turkey	23	18	21	29	51
Uganda	33	36	37	42	39
Ukraine	321	281	256	268	301
United Arab Emirates	—	1	—	—	—
United Kingdom	3,414	3,576	3,874	4,998	5,838
United States Minor Outlying I	—	1	—	—	—
Usa	112	125	123	163	182
Uzbekistan	33	30	28	29	29
Venezuela	3	1	1	1	5
Vietnam	33	29	31	34	33
Yemen	3	2	38	1	1
Yugoslavia	37	38	26	29	24
Zaire	66	55	51	48	49
Zambia	40	36	36	45	47
Zimbabwe	121	126	127	135	159
Unknown	4	6	6	4	5
<b>Total</b>	<b>60,176</b>	<b>59,861</b>	<b>59,726</b>	<b>74,038</b>	<b>89,710</b>

*Question No. 615 withdrawn.*

616. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the way the applications of jobseeker's who sign off for a few weeks and then sign back on are fast-tracked by her Department. [28813/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department has been examining all aspects of the work associated with the processing of claims and streamlining wherever possible, including fast tracking certain categories of claims.

Where an applicant to a jobseeker's payment supplies all the necessary information and documentation, their claim is given priority and it is decided ahead of those who have not produced all of the required information. People who have already established entitlement, return to work for a few weeks and re-sign generally fall into this category and are given priority under the fast-tracking arrangements. Inevitably, there will be some claims that will require further examination and delays will arise in such cases. However, these should be the minority of cases. Where there is a delay in processing a jobseeker's claim, the person may apply for Supplementary Welfare Allowance from the local Community Welfare Officer.

#### **Departmental Staff.**

617. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs the number

of staff employed by her Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by her Department; the cost of same per annum; if leased, when such lease expires; her proposals to close, amalgamate or expand his Departments presence in County Louth; and if she will make a statement on the matter.  
[28855/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department currently has staff employed in 4 offices in Co. Louth. These include two offices in Drogheda (Government offices Custom House Quay and Singleton House, Laurence Street); one office in Dundalk (Government Offices, St Alphonsus Road) and one office in William Street, Ardee. The Department has requested details of the leasing arrangements for these offices from the Office of Public Works and these will be forwarded to the Deputy as soon as they become available.

The Department is reviewing its accommodation requirements in Co. Louth in consultation with the Office of Public Works in the light of the increasing numbers on the Live Register in the county.

The Government outlined in Budget 2009 that the decentralisation programme to Drogheda would proceed as planned. The OPW has purchased sites in Drogheda to accommodate the Department's Headquarters and the Social Welfare Appeals Office.

It is intended that the accommodation will be procured by Public Private Partnership (PPP), the procurement process to be conducted by the National Development Finance Agency (NDFA). In that regard, the accommodation requirements are being assessed and the matter of bringing the project to the point of procurement is being progressed by the Office of Public Works in consultation with the Department.

Details regarding the number of staff employed by the Department and their location in County Louth are set out in the table.

	No. of Posts	No of People	Full-time Staff	Work sharing Staff	Temporary Staff
<i>Drogheda</i>					
Social Welfare Local Office	34.66	39	27	12	4
Investigative/Regional Staff	10	10	10	0	0
Drogheda Total	44.66	49	37	12	4
<i>Dundalk</i>					
Social Welfare Local Office	42.6	47	35	12	5
Investigative/Regional Staff	15.5	16	15	1	1
Accounts Branch	81.85	88	71	17	4
Dundalk Total	139.95	151	121	30	10
<i>Ardee</i>	1	1	1	0	0

\*Please note that the temporary staff figures include temporary clerical officers covering permanent staff absences such as term time and maternity leave.

### Public Service Review.

618. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if her Department made submissions to the McCarthy group on potential savings in her Department; the

[Deputy Richard Bruton.]

contents of the submissions made; if the McCarthy group made proposals to her Department; the contents of the proposals; and if she will make a statement on the matter. [28901/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Special Group on Public Service Numbers and Expenditure Programmes was established by the Minister for Finance to examine current expenditure programmes in each Department and to make recommendations for reducing public service numbers so as to ensure a return to sustainable public finances.

At the Group's request, my Department submitted an evaluation report on the various schemes and services operated by the Department as well as expenditure trends, in order to facilitate the Group's examination of my Department's expenditure. In addition, the Secretary General and other officials met with the Group.

The Minister for Finance has recently received the Report of the Special Group, and he has indicated that he will be bringing the Report to Government in the near future.

#### **Public Service Staff.**

619. **Deputy Joan Burton** asked the Minister for Social and Family Affairs the number of staff in her Department, including all authorities, agencies or other institutions under the aegis of her Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if she will make a statement on the matter. [29315/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** To date, 78 applications have been received for the Incentivised Scheme of Early Retirement from staff in the Department. There are no applications to date for the Scheme from staff in the Agencies under the aegis of the Department. The Scheme remains open for applications until 1 st September 2009.

The Department received 62 applications for the Incentivised Career Break Scheme which closed for applications on 1 st July 2009. In addition, 1 application for the Scheme was received from a staff member in the Family Support Agency, which comes under the aegis of the Department. The closing date for applications was 1 st July 2009.

There have been no redundancies in the Department in the past 12 months.

#### **Social Welfare Benefits.**

620. **Deputy Joan Burton** asked the Minister for Social and Family Affairs if those people who have applied for the jobseeker's allowance or jobseeker's benefit but whose application has not yet been processed or who have not yet received their first welfare payment are included in the live register figures published monthly by the Central Statistics Office; the number people who have applied for the jobseeker's allowance or jobseeker's benefit but whose application has not yet been processed or who have not yet received their first welfare payment; and if she will make a statement on the matter. [29317/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Claims for jobseeker's benefit and jobseeker's allowance, which have not yet been processed, are included in the live register figures published monthly by the Central Statistics Office. At week ending 27 June 2009, there were total 78,585 claims awaiting a decision of which 29,180 were jobseeker's benefit claims and 49,405 jobseeker's allowance claims.

Staff in the Department are working extremely hard to process claims as expeditiously as is possible, having regard to the conditions of the schemes. The average processing time for claims

decided in June was 3.34 weeks for jobseeker's benefit and 5.92 weeks for jobseeker's allowance. This is the average nationally and there are fluctuations between offices.

The Department has been examining all aspects of the work associated with the processing of claims and streamlining wherever possible. Process improvement initiatives that have been introduced include: a more streamlined procedure for claimants moving to jobseeker's allowance when their jobseeker's benefit expires; a streamlined process for people who had a claim in the previous 2 years; application forms for the jobseeker schemes are now available on the Department's website. This means that anyone who wants to make a claim can print the form at home and bring it to the local office completed. This helps reduce queuing times; more straight-forward procedures for providing evidence of identity and address have been introduced; we have introduced an appointment system for taking claims in 17 offices and plan to extend this, over the coming months to other offices where it would be of benefit and; the process for casual employees has been streamlined and the employee can now self certify on a weekly basis without recourse to the employer. In addition, five central decision units in Dublin, Sligo, Finglas, Carrick-on-Shannon and most recently Roscommon have been established. A further central support unit is being established in Tallaght.

Where a person is awaiting a decision on their jobseeker's claim they may apply for Supplementary Welfare Allowance from the local Community Welfare Officer.

#### **Departmental Expenditure.**

621. **Deputy Joan Burton** asked the Minister for Social and Family Affairs if she will provide a monthly schedule, in respect of 2009, of the planned expenditure under each sub-heading as set out in the revised Estimates for Public Services Vote 38, and the actual expenditure for each heading for February 2009, March 2009, April 2009, May 2009 and June 2009; and if she will provide the expected monthly income to the social insurance fund for each month in 2008 and the actual income received for February, March, April, May and June 2009. [29326/09]

647. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the estimated full year spend on all payments administered by her Department in 2009 in tabular form; the estimated number of people eligible for these payments in 2009; and if she will make a statement on the matter. [29896/09]

648. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the spend, as at 30 June 2009, on all payments administered by her Department in tabular form; the number of people eligible for payments as at 30 June 2009; and if she will make a statement on the matter. [29897/09]

649. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the spend on all payments administered by her Department for each year since 2004 to date in 2009 in tabular form; the number of people eligible for each payment for each year since 2004; and if she will make a statement on the matter. [29898/09]

673. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of the 2009 budgetary allocation under each individual subhead which has been spent to 1 July 2009; and if she will make a statement on the matter. [29927/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 621, 647 to 649, inclusive, and 673 together.

[Deputy Mary Hanafin.]

Details of expenditure under on all subheads in respect of Vote 38 Department of Social and Family Affairs and the Social Insurance Fund from 2004 to 2008 are set out in Tables 1 and 2 respectively. Expenditure figures for 2008 are provisional pending completion of audit by the Comptroller and Auditor General.

The monthly schedule of projected expenditure under each subhead for the Department of Social and Family Affairs Vote 38 and Social Insurance Fund is set out in Tables 3 and 4 respectively.

Tables 5 and 6 show actual expenditure up to end of April for Vote 38 and the Social Insurance Fund. Tables 4 and 6 also show projected and actual income for the Social Insurance Fund. Income and expenditure returns for May and June 2009 have not yet been finalised. Table 7 shows the number of recipients at the end of each year by scheme for the years 2004 to 2008.

The estimated full year spend on all schemes administered by the Department of Social and Family Affairs which were published on 23 April last were based on an estimate of the average likely numbers of recipients on each scheme during the year. The average number of recipients underpinning the estimates and the average number at end of June 2009 are shown in Table 8.



Table 1 — Details of expenditure in respect of Vote 38 Department of Social and Family Affairs from 2004-2008

Service	Outturn				
	2004	2005	2006	2007	2008
			€000		
<b>Administration</b>					
Salaries, Wages And Allowances	165,453	177,004	186,992	200,969	214,754
Travel And Subsistence	3,702	3,775	3,811	4,271	4,320
Incidental Expenses	6,115	5,049	6,646	7,871	8,143
Postal And Telecommunications Services	13,917	14,722	15,865	16,758	18,286
Office Machinery And Other Office Supplies	11,252	13,485	19,238	25,676	31,484
Office Premises Expenses	5,573	6,032	8,448	9,239	12,122
Consultancy Services	2,822	3,893	8,728	1,035	1,920
Payments For Agency Services	56,101	55,680	55,969	65,633	63,625
Information Society — Electronic Government — Reach	11,601	14,393	14,768	14,866	4,518
Information Society — Electronic Government — Modernisation Of The Civil Registration Service	480	56	2	294	266
E-Government Related Projects	—	—	1,085	521	2,671
<b>Social Assistance</b>					
State Pension (Non-Contributory)	599,988	631,299	727,782	920,167	972,765
Blind Pension	15,868	16,661	16,964	15,031	16,319
Child Benefit	1,765,117	1,899,936	2,056,295	2,232,974	2,453,957
Jobseeker's Allowance	613,817	667,483	768,560	875,092	1,158,851
Farm Assist Scheme	66,343	67,284	71,085	78,686	84,881
Employment Support Services	115,956	106,613	115,552	145,024	160,531
Pre-Retirement Allowance	94,726	102,879	113,063	124,490	117,666
One-Parent Family Payment	694,835	751,102	834,262	962,425	1,067,158

Table 1 — Details of expenditure in respect of Vote 38 Department of Social and Family Affairs from 2004-2008 — continued

Service	Outturn				
	2004	2005	2006	2007	2008
			€000		
Widows', Widowers' And Orphans' (Non-Contributory) Pensions	128,522	131,040	108,520	24,287	28,328
Social Assistance And Other Allowances	10,981	11,482	10,560	6,912	6,631
Family Income Supplement .	55,812	72,152	107,137	140,020	170,309
Carer's Allowance	210,277	223,059	284,584	361,257	450,260
Supplementary Welfare Allowances	646,550	671,308	686,364	739,820	866,941
Disability Allowance	544,489	630,728	738,431	901,131	1,052,660
Free Schemes (Assistance)	192,559	201,337	237,838	285,750	324,110
Money Advice & Budgeting Service	11,397	13,593	13,575	14,578	16,217
Family Support Agency	19,610	22,869	26,506	35,339	35,981
Grant To The Combat Poverty Agency (Grant-In-Aid)	3,909	4,236	3,689	4,008	4,114
Eu Community Action Programme To Combat Social Exclusion 2002-2006	22	64	30	—	—
Eu Community Action Programme For Employment And Social Solidarity (Progress) 2007-2013	—	—	—	42	—
Grant To Comhairle	17,826	20,917	24,362	27,860	29,468
Miscellaneous Services	12,253	15,975	21,728	36,500	40,631
Dormant Accounts — Economic And Social Disadvantage	—	—	—	—	—
Losses	78	—	—	—	—
<b>Gross Total</b>	6,097,951	6,590,447	7,338,897	8,350,997	9,518,091
<i>Deduct:—</i>					
<b>Appropriations-In-Aid</b>	138,751	149,324	161,717	169,723	190,051
<b>Net Total</b>	5,959,200	6,441,123	7,177,180	8,181,274	9,328,040

Table 2 — Details of expenditure in respect of Social Insurance Fund from 2004-2008

	2004		2005		2006		2007		2008	
	€000	€000	€000	€000	€000	€000	€000	€000	€000	€000
<i>Receipts</i>										
<i>PRSI Contributions</i>										
Social Insurance	5,614,572	6,109,880	6,109,880	6,921,222	6,921,222	7,722,010	7,984,182			
Health Contribution	817,936	984,606	984,606	1,021,550	1,021,550	1,107,461	1,156,567			
Employment and Training Levy	5,321	—	—	—	—	—	—			
National Training Fund Levy	272,057	328,784	328,784	366,252	366,252	405,427	413,303			
Receipts from Investments		6,709,886	7,423,270	8,309,024	9,234,898	9,234,898	9,554,052			
Other Receipts		34,594	49,012	53,084	112,049	112,049	160,209			
		454	126	105	88	88	19			
		<u>6,744,934</u>	<u>7,472,408</u>	<u>8,362,213</u>	<u>9,347,035</u>	<u>9,347,035</u>	<u>9,714,280</u>			
<i>Payments</i>										
<i>Social Insurance</i>										
State Pension (Contributory)	1,050,348	1,152,849	1,152,849	1,580,896	1,580,896	2,754,749	3,117,855			
State Pension (Transition)	983,706	1,060,052	1,060,052	857,627	857,627	79,070	92,089			
Widow's & Widower's (Contributory) Pension	906,449	998,524	998,524	1,094,884	1,094,884	1,204,979	1,299,039			
Deserted Wife's Benefit	89,749	90,620	90,620	94,621	94,621	100,710	104,618			
Maternity Benefit	121,571	132,412	132,412	180,801	180,801	257,896	315,878			
Health and Safety Benefit	143	293	293	353	353	503	576			

Table 2 — Details of expenditure in respect of Social Insurance Fund from 2004-2008 — *continued*

	2004		2005		2006		2007		2008	
	€000	€000	€000	€000	€000	€000	€000	€000	€000	€000
Adoptive Benefit	609		709	818		1,333	1,644			
Guardian's Payment (Contributory)	9,659		7,516	8,815		9,560	14,373			
Illness Benefit	479,611		540,245	627,642		755,077	852,305			
Incapacity Pension	487,375		548,285	602,414		618,133	685,717			
Carer's Benefit	7,698		9,588	16,688		26,900	33,666			
Occupational Injuries Benefit	82,657		88,078	95,988		104,349	112,011			
Bereavement Grant	13,190		13,572	12,686		16,673	17,851			
Widowed Parent Grant	3,068		3,304	2,942		3,862	5,543			
Jobseeker's Benefit	455,586		418,085	455,073		544,931	928,844			
Treatment Benefit	70,454		65,497	95,020		91,602	97,124			
Free Schemes	171,713		182,052	206,590		249,774	260,562			
Equal Treatment	1		—	—		—	—			
Redundancy & Insolvency	147,643		150,348	170,012		188,178	189,052			
	5,081,230		5,462,029	6,103,870		7,008,279	8,128,747			
Administration Expenses	191,313	5,272,543	202,580	221,684	6,325,554	242,711	7,250,990	8,386,597		
Health Contribution		822,000			1,021,000		1,113,000	1,159,000		
National Training Fund Levy		273,000			366,000		408,000	413,000		
		6,367,543			7,712,554		8,771,990	9,958,597		
Excess of Receipts over Payments		377,591		501,799	649,659		575,045	(244,317)		
Balance Due from/(to) other bodies		(314)		(7,390)	(802)		8,112	2,130		
Deficit/Surplus for the year		377,077		494,409	648,857		583,157	(242,187)		

Table 3 — Monthly Schedule of Projected Expenditure for DSFA Vote 38 for 2009

	Month	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Total
A	ADMINISTRATION	24,259	31,514	28,043	35,710	36,803	29,103	27,132	35,100	29,586	37,034	37,449	35,941	387,674
B	State Pension (Non-Con)	87,597	80,064	74,154	76,384	91,465	75,547	90,418	75,702	75,362	90,237	74,746	90,039	981,715
C	Blind Pension	1,491	1,344	1,265	1,299	1,565	1,296	1,576	1,317	1,324	1,601	1,323	1,147	16,548
D	Child Benefit	201,450	203,570	212,110	211,240	211,770	210,580	206,780	202,420	205,570	212,820	205,460	216,370	2,500,140
E	Jobseekers Allowance	121,467	132,789	141,830	150,995	161,404	180,978	198,686	209,883	207,229	215,067	226,637	243,267	2,190,230
F	Farm Assist Scheme	6,522	6,128	6,179	7,099	6,516	6,191	7,578	6,133	6,274	7,561	6,201	15,290	87,672
G	Employment Support Services	16,580	15,756	16,954	17,724	17,104	10,580	9,807	7,992	12,060	19,416	17,970	18,451	180,394
H	Pre-Retirement Allowance	10,003	9,565	9,729	10,694	8,783	8,788	9,782	7,787	7,870	8,679	7,007	7,070	105,757
I	One Parent Family Payment	85,015	83,670	84,574	102,617	86,994	82,946	103,098	84,059	84,487	107,463	87,854	108,564	1,101,341
J	Widows', Widowers' & Guardians (Non-Con)	2,326	2,013	1,978	1,934	2,287	1,891	2,201	1,861	1,842	2,166	1,786	2,205	24,490
K	Social Assistance Allowances	570	544	526	598	512	481	560	449	442	520	416	512	6,130
L	Family Income Supplement	13,228	13,650	14,217	17,358	15,576	16,499	20,694	17,145	18,024	21,912	18,697	24,630	211,630
M	Carer's Allowance	32,154	32,894	33,308	39,968	37,678	36,539	46,133	39,112	40,076	49,571	42,058	53,770	483,261
N	Supplementary Welfare Allowances	69,153	72,030	75,850	79,680	79,369	101,234	118,023	102,811	98,881	97,093	99,092	121,346	1,114,562
O	Disability Allowance	76,882	82,330	79,335	98,381	84,162	83,491	103,840	85,884	103,939	91,238	89,957	111,521	1,090,960
P	Respite Care Grant	9,430	9,702	8,178	8,695	10,433	10,613	9,377	9,841	9,720	8,610	9,539	8,062	112,200
Q	Free Schemes (Assistance)	40,018	35,738	36,907	35,793	18,735	20,144	17,872	19,195	20,978	40,899	39,437	42,573	368,289
R	Money Advice and Budgeting Service	8,362	0	343	0	263	0	8,362	0	303	40	0	263	17,934
S	Grant to Family Support Agency	1,154	8,014	4,252	2,216	1,957	1,674	2,182	1,564	2,051	3,738	3,311	3,594	35,707
T.1	Grant to Combat Poverty Agency (Grant-in-Aid)	341	341	341	341	341	341	341	341	341	341	341	341	4,088
T.2	EU Programme — Employment & Social Solidarity	0	0	0	0	0	30	0	0	30	0	0	30	90
U	Grant to Citizens Information Board	6,495	1,060	1,111	3,536	977	962	4,991	1,293	1,230	2,879	2,350	1,227	28,112
V.	Dormant Accounts — Econ/Soc Disadvantage	0	0	0	0	0	250	0	0	250	0	0	500	1,000
W.	Domiciliary Care Allowance	0	0	0	0	217	588	279	310	9,360	9,423	9,485	11,340	41,000
X	Miscellaneous Services	15,145	3,997	1,271	1,282	253	905	204	3,901	2,629	3,511	3,468	2,602	39,168
A	<b>Total for Vote 38 subheads A to X</b>	829,643	826,713	832,455	903,543	875,163	881,650	989,915	914,099	939,857	1,031,817	984,584	1,120,654	11,130,092

Table 4 – Monthly Schedule of Projected Income and Expenditure for Social Insurance Fund for 2009

Month	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	TOTAL
	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s	€'000s
<b>INCOME:</b>													
Income from Contributions	608,560	757,410	606,440	648,170	602,660	610,550	624,060	572,510	562,530	607,560	738,330	561,220	7,500,000
Income from Investments	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,913	71,000
Rent	0	0	0	10	0	0	0	0	0	9	0	0	19
Receipts: Reciprocal Arrangements	0	0	0	0	0	0	0	0	0	0	0	49	49
<b>TOTAL INCOME</b>	<b>614,477</b>	<b>763,327</b>	<b>612,357</b>	<b>654,097</b>	<b>608,577</b>	<b>616,467</b>	<b>629,977</b>	<b>578,427</b>	<b>568,447</b>	<b>613,486</b>	<b>744,247</b>	<b>567,182</b>	<b>7,571,068</b>
<b>EXPENDITURE:</b>													
Illness Benefit	63,409	67,964	72,012	75,420	74,871	71,619	83,071	70,070	77,777	78,552	73,827	80,460	889,052
Invalidity Pension	52,507	53,622	53,471	64,792	55,728	53,021	65,780	53,876	54,355	65,441	53,226	65,699	691,518
Occupational Injuries Benefit	8,696	8,757	9,454	9,696	9,702	8,990	10,729	8,498	8,925	9,616	9,268	10,118	112,449
Maternity Benefit	22,453	23,104	29,100	23,806	30,207	24,790	32,162	26,561	27,350	28,007	35,165	52,355	355,060
Health & Safety Benefit	39	48	59	47	54	52	67	49	43	56	76	30	620
Adoptive Benefit	87	95	123	103	144	133	178	165	160	159	194	159	1,700
Treatment Benefit	4,326	6,336	7,942	4,896	6,472	7,642	6,512	5,768	23,405	6,288	6,088	6,705	92,380
State Pension (Con)	283,364	248,078	241,384	247,123	302,713	251,691	311,351	260,936	263,090	321,792	267,658	328,165	3,327,345
State Pension (Trans)	6,358	6,646	6,639	8,034	6,895	6,871	8,235	6,881	7,030	8,364	7,124	8,606	87,683
Jobseekers Benefit	134,358	146,881	156,881	167,019	178,533	200,184	219,771	232,157	229,221	237,891	250,689	269,084	2,422,670
Widow's, Widower's and Guardians (Con)	121,898	104,992	104,583	104,128	124,768	102,751	124,691	104,370	104,141	125,982	103,991	126,193	1,352,488
Widowed Parent Grant	304	578	358	1,043	371	435	650	638	686	458	775	304	6,600
Deserted Wives Benefit	8,622	8,257	8,033	9,338	8,095	7,682	9,270	7,526	7,442	8,940	7,230	8,741	99,176
Carer's Benefit	2,486	2,681	2,692	3,475	2,867	3,094	4,143	3,395	3,345	4,183	3,619	4,871	40,851
Bereavement Grant	1,297	1,520	1,419	1,618	1,852	1,321	1,332	1,471	1,178	1,346	1,392	1,254	17,000
Free Schemes (Insurance)	31,210	27,508	30,856	28,327	17,896	20,459	18,676	18,954	19,302	32,890	30,742	33,913	310,733
Redundancy & Insolvency Administration	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	19,500	234,000
	17,047	16,967	36,076	16,967	16,967	36,076	16,967	16,967	36,076	17,693	16,967	36,135	280,905
<b>Total for all SIF schemes &amp; administration</b>	<b>777,961</b>	<b>743,534</b>	<b>780,582</b>	<b>785,332</b>	<b>857,635</b>	<b>816,311</b>	<b>933,086</b>	<b>837,782</b>	<b>883,026</b>	<b>967,158</b>	<b>887,531</b>	<b>1,052,292</b>	<b>10,322,230</b>



Table 5 — Actual DSFA Vote 38 Expenditure in 2009 to date

DSFA Vote 38 subhead	Expenditure to End of April
A1 Salaries, Wages & Allowances	78,081,749
A2 Travel & Subsistence	1,009,570
A3 Incidental Expenses	2,120,576
A4 Postal & Telecommunications	4,889,192
A5 Office Machinery/Office Supplies	7,576,917
A6 Office Premises Expenses	2,355,977
A7 Consultancy Services	80,585
A8 Payment for Agency Services	20,925,766
A9 Value for Money & Policy Reviews	110,650
A10 e-Government Related Projects	1,081,453
<b>ADMINISTRATION SUBTOTAL</b>	<b>118,232,435</b>
B State Pension (Non-Con)	320,442,929
C Blind Pension	4,858,019
D Child Benefit	824,792,723
E Jobseeker's Allowance	516,226,959
F Farm Assist Scheme	28,820,255
G Employment Support Services	58,679,179
H Pre-Retirement Allowance	34,136,577
I One-Parent Family Payment	354,688,412
J Widow(er)s & Guardians Payment	9,420,614
K Social Assistance & Other Allowances	1,955,485
L Family Income Supplement	54,329,704
M Carers Allowance	157,342,796
N Supplementary Welfare Allowances	317,408,424
O Disability Allowance	349,509,332
P Respite Care Grant	1,738,916
Q Free Schemes (Assistance)	152,990,862
R Money Advice & Budgeting Service	8,515,438
S Grant to Family Support Agency	13,817,990
T1 Grant to the Combat Poverty Agency	640,000
T2 EU Programme (PROGRESS) 2007-2013	0
U Grant to Comhairle	12,300,000
V Dormant Accounts — Econ & Soc Disadvantage	386,676
W Domicillary Care Allowance	0
X Miscellaneous Services	23,889,467
<b>Total for DSFA Vote 38 admin &amp; Social Assistance services</b>	<b>3,365,123,192</b>

[Deputy Mary Hanafin.]

Table 6 — Actual SIF Income and Expenditure in 2009 to date

	Expenditure to End of April
<b>INCOME</b>	
Income from Contributions	2,571,128,738
Income from Investments	50,293,913
Rent	9,523
Reciprocal Arrangements	0
<b>TOTAL RECEIPTS</b>	<b>2,621,432,174</b>
<b>EXPENDITURE</b>	
<b>Social Insurance scheme</b>	
Illness Benefit	296,947,201
Invalidity Pension	217,672,508
Occupational Injuries Benefits	36,159,783
Maternity Benefit	107,157,531
Health & Safety Benefit	187,848
Adoptive Benefit	374,763
Treatment Benefits	27,329,132
State (Con) Pension	1,068,349,961
State Pension (Transition)	32,718,136
Jobseeker's Benefit	532,556,031
Widow(er)s & Guardians (Con) Payment	439,405,418
Widowed Parent Grant	1,338,970
Deserted Wife's Benefit	32,005,188
Carer's Benefit	10,183,437
Bereavement Grant	6,245,643
Free Schemes (Insurance)	107,838,308
Redundancy & Insolvency Payments	75,560,244
Administration Expenses	88,252,379
<b>Total for all Social Insurance schemes &amp; administration</b>	<b>3,080,282,481</b>

Table 7 — Number of Recipients at year end by Scheme 2004-2008

Type of Payment	2004	2005	2006	2007	2008
State Pension (Contributory)	118,383	124,611	139,724	237,599	250,117
State Pension (Transition)	88,870	91,047	91,086	5,851	7,242
State Pension (Non-Contributory)	85,172	84,454	97,404	97,726	97,784
Pre-Retirement Allowance	11,228	11,058	11,149	10,624	8,872
<b>Total Older People</b>	<b>303,653</b>	<b>311,170</b>	<b>339,363</b>	<b>351,800</b>	<b>364,015</b>
Widow/er's (Contributory) Pension	105,338	109,017	110,146	111,460	112,237
Widow/er's (Non-Contributory) Pension	15,284	14,729	2,168	2,138	2,042
Deserted Wife's Benefit	10,769	10,180	9,760	9,395	9,056
Deserted Wife's Allowance	1,456	1,382	766	693	617
Prisoner's Wife's Allowance	2	2	2	2	1
One Parent Family Payment	80,103	80,366	83,081	85,084	87,840
<b>Total Widow/er's and One Parent Families</b>	<b>212,952</b>	<b>215,676</b>	<b>205,923</b>	<b>208,772</b>	<b>211,793</b>

Type of Payment	2004	2005	2006	2007	2008
Maternity Benefit	10,356	10,791	14,898	20,948	23,421
Health and Safety Benefit	21	26	37	39	69
Adoptive Benefit	26	32	59	55	68
Guardian's Payment (Contributory)	992	781	800	818	833
Guardian's Payment (Non-Contributory)	579	444	441	442	437
<b>Total Child Related Payments</b>	<b>11,974</b>	<b>12,074</b>	<b>16,235</b>	<b>22,302</b>	<b>24,828</b>
Illness Benefit	58,726	61,845	65,774	70,404	73,609
Invalidity Pension	55,864	58,352	51,954	53,956	53,725
Injury Benefit	915	908	924	900	846
Interim Illness Benefit	316	355	338	440	525
Disablement Pension	12,162	12,475	12,646	12,874	13,192
Death Benefit (OIB Widows)	652	647	646	647	651
Disability Allowance	72,976	79,253	83,697	89,048	95,754
Carer's Benefit	679	867	1,647	2,080	2,249
Carer's Allowance	23,030	24,970	27,474	33,067	43,569
Blind Pension	2,027	1,985	1,476	1,474	1,472
<b>Total Illness, Disability and Caring</b>	<b>227,347</b>	<b>241,657</b>	<b>246,576</b>	<b>264,890</b>	<b>285,592</b>
Jobseekers Benefit	57,699	52,754	50,542	59,167	121,763
Jobseekers Allowance	73,840	75,357	75,801	80,268	113,603
<b>Total Jobseeker's</b>	<b>131,539</b>	<b>128,111</b>	<b>126,343</b>	<b>139,435</b>	<b>235,366</b>
Back to Work Allowance Employee	4,711	3,646	3,963	4,305	3,558
Back to Work Enterprise Allowance Self-Employed First Year	1,164	1,302	1,683	1,811	1,470
Back to Work Enterprise Allowance Self Employed Years 2-4	5,691	3,995	2,690	3,017	3,134
Back to Education Allowance	5,247	5,156	5,679	5,980	7,886
Part-Time Job Incentive Scheme	326	218	201	210	184
Family Income Supplement	14,727	17,448	21,800	22,823	27,798
Farm Assist	8,350	7,824	7,480	7,376	7,496
<b>Total Employment Supports</b>	<b>29,278</b>	<b>39,589</b>	<b>43,496</b>	<b>45,522</b>	<b>51,526</b>
Supplementary Welfare Allowance	29,748	28,066	25,331	27,379	35,546
<b>Total Supplementary Welfare Allowance</b>	<b>29,748</b>	<b>28,066</b>	<b>25,331</b>	<b>27,379</b>	<b>35,546</b>
Rent Allowance	303	270	250	227	217
<b>Total Miscellaneous Payments</b>	<b>303</b>	<b>270</b>	<b>250</b>	<b>227</b>	<b>217</b>
<b>Grand Total</b>	<b>946,794</b>	<b>976,613</b>	<b>1,003,517</b>	<b>1,060,327</b>	<b>1,208,883</b>

[Deputy Mary Hanafin.]

Table 8 — Average Number of Recipients in 2009

Vote 38 — Social Assistance Scheme	Estimated average number of recipients	Average number of recipients at end June 2009
State Pension (Non-Contributory)	97,710	97,559
Blind Pension	1,470	1,465
Child Benefit	1,173,500	1,157,655
Jobseeker's Allowance	177,889	152,510
Farm Assist	7,450	7,894
Back to Work Allowance	9,000	7,428
Back to Education Allowance	9,080	8,322
Pre-Retirement Allocation	8,700	8,192
One-Parent Family Payment	87,900	87,501
Widow(er)s' (Non Contributory)	1,970	2,004
Guardian's (Non-Contributory)	420	430
Social Assistance / Deserted Wives Allowance	600	587
Family Income Supplement	31,000	24,591
Carer's Allowance	42,562	46,567
SWA Basic Payments	45,000	42,307
Rent Supplement	84,000	89,710
Mortgage Interest Supplement	10,457	13,036
Extraordinary Needs Payments (once-off payments)	309,066	131,385
Back to School Clothing & Footwear Allowance	286,980	Scheme commences in June
Disability Allowance	97,700	97,901
Respite Care Grant	66,000	Scheme commences in June
Illness Benefit	76,200	75,617
Invalidity Pension	55,100	53,469
Occupational Injuries Benefits	15,230	15,118
Maternity Benefit	24,200	23,111
Health and Safety Benefit	54	46
Adoptive Benefit	100	51
State Pension (Contributory)	256,000	256,649
State Pension (Transition)	6,800	8,200
Jobseeker's Benefit	217,359	165,449
Widow(er)s' Pension & Guardian's Payment (Con)	113,000	112,733
Deserted Wife's Benefit	8,780	8,889
Carer's Benefit	2,800	2,356

**Irish Language.**

622. **Deputy Michael D. Higgins** asked the Minister for Social and Family Affairs the reason a person (details supplied) in Dublin 11 cannot receive correspondence from her Department in an Irish language script; and if she will make a statement on the matter. [29351/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Since 2006 all letters addressed to the person concerned have issued with Irish name and address in conformity with his request. All correspondence received from the person concerned has been in English and

all responses from the Department have also been in English. However if he wishes to correspond with the Department through the medium of Irish we are happy to respond on that basis also. The person concerned is not currently in receipt of a payment from the Department having refused to collect his payments from the post office.

### **Social Insurance.**

623. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the position regarding the status of the employer's PRSI exemption scheme in view of the policy changes in budget 2009. [29353/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** From 2003, the employer's PRSI exemption scheme was aligned directly with the back to work allowance scheme (employee strand). The scheme exempted employers from their share of the PRSI contribution in respect of recipients of the back to work allowance for the first two years of their employment. The employee's share of the PRSI contributions was payable in the normal way.

In order to respond effectively to the growing numbers on the Live Register and the current employment situation, it was decided in the context of the recent supplementary budget to refocus resources on the enterprise strand of the back to work allowance which supports people into self employment. The employee strand of the back to work allowance (BTWA) was closed to new applicants from the 1 st May 2009 and since the employer's PRSI exemption scheme applied only to BTWA employees it also ceased from that date. Where an employer had established an entitlement to an exemption for an existing BTWA employee it will continue for the normal duration.

It is not intended to replace this scheme at present. However, the range and qualifying conditions for the department's employment support schemes will continue to be monitored in the light of changing economic circumstances.

### **Social Welfare Benefits.**

624. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs if she will publish information for jobseeker's on the full financial implications for them in terms of lost payments, secondary benefits and taxation and if they can break a jobseeker's allowance claim to take up temporary work as the current lack of information acts as a disincentive to taking up short periods of employment. [29360/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The primary objective of the Department's information policy is to ensure that all citizens are made aware of the wide range of schemes and services available and that they are kept informed of changes and improvements as they occur.

There are 130 Social Welfare offices throughout the country where customers can obtain information and guidance and where implications of a person taking up temporary employment can be explained in detail. In larger local offices there are also staff dedicated to information provision duties that are available to explain all our supports and services and to help and assist people in completing application forms and accessing their entitlements. In addition, the Department produces a comprehensive range of information leaflets covering each social welfare payment or scheme including jobseeker's allowance. These are available in a wide range of outlets across the country, including all Social Welfare Local Offices and Branch Offices, Citizens Information Centres, Post Offices and in other organisations such as local community centres.

The Department's website — [www.welfare.ie](http://www.welfare.ie) — provides information on the range of schemes and services including jobseeker's allowance and benefit. A frequently asked questions

[Deputy Mary Hanafin.]

page in relation to jobseeker's benefit and allowance is also available. Information on supplementary welfare allowance, revenue job assist, back to work, educational supports and PRSI can also be found on the site. The site has links to FÁS, MABs and other Government Departments and agencies.

The Citizens Information Board (CIB), which comes under the aegis of the Department, is the national information agency with responsibility for supporting the provision of independent information and advice on the broad range of social services including social welfare services. Information is provided through Citizen Information Centres and other offices throughout the country, through a phone service which operates from 9am to 9pm Monday to Friday, and on the website at [www.citizensinformation.ie](http://www.citizensinformation.ie). The CIB recently launched a new site [www.losing-yourjob.ie](http://www.losing-yourjob.ie). It provides information on education, back to work, reduced hours, help with your rent and mortgage as well as tax matters.

The Department works closely with voluntary and community organisations involved in an information provision role. The Irish National Organisation of the Unemployed (INOUE) receives funding from the Department towards running of its services aimed at ensuring that unemployed people have access to comprehensive Welfare to Work and Welfare Rights information and advocacy services. They provide free, confidential, impartial information and advise with issues such as jobseeker's and other social welfare payments and on tax, education and community employment schemes. The website [www.redundancy.ie](http://www.redundancy.ie) and the publication *Working for Work* are other sources of information to assist the unemployed. The 2008 edition of *Working for Work* was funded by the Department of Social and Family Affairs, the Department of Education and Science and FÁS and contains examples of tax and secondary benefits you may be entitled to depending on your circumstances.

The Department regularly reviews the information that is made available to people, how its accessed and updates information accordingly. I am satisfied that there is a wide range of information available for jobseeker's from a number of sources.

625. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the reason for the reduction in the electricity-gas allowance under the household benefit package to €41.70 per month from July 2009 and the way the value of the reduction has been determined. [29362/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The value of the electricity/gas allowance has been adjusted to reflect the reduction in the price of energy from May 2009 approved by the Commission for Energy Regulation. There is no change in the number of units of electricity (2,400) plus normal standing charges provided under the household benefits package.

For the majority of customers the allowance is paid direct to the utility each month on their behalf and offset against their bills. Other customers who are paid by cash will receive €41.70 per month from July 2009.

626. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the entitlements of a person (details supplied) in County Kildare; if they qualify for back to work allowance or alternative; and if she will make a statement on the matter. [29467/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department has no record of having received an application for back to work allowance in respect of the person concerned.

To claim back to work enterprise allowance applicants must satisfy the qualifying conditions immediately prior to commencing self employment, and be setting up a self employment business which has been approved, in writing, in advance by a Partnership Company or one of the



Department's Facilitators. Applicants are required to be 12 months on the Live Register and getting jobseeker's benefit or allowance or to be in receipt of one-parent family payment for at least 12 months. A person on jobseeker's benefit must have an underlying entitlement to jobseeker's allowance.

The person concerned claimed back to education allowance and a decision was made to disallow her claim on 1 July 2009. This claim is being reviewed and the person concerned will be notified of the outcome in the near future.

627. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the correct revised rent support in the case of a person (details supplied) in County Kildare; when all payment and arrears are expected to be awarded up to date; and if she will make a statement on the matter. [29469/09]

**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 recent Supplementary Budget provided that the weekly minimum contribution which a person is required to pay towards their rent, be increased from €18 to €24 a week, with effect from 1 June 2009 and that payments currently being made to existing rent supplement tenants be further reduced by 8% from the same date. These measures account for the reduction in the rent supplement payment of the person concerned.

The Executive has advised that payment of rent supplement to the person concerned was suspended while a review of his entitlement was being carried out. The review is being finalised and arrangements made to issue payment of rent supplement to the person concerned, including any arrears due.

628. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the reason for the delay in rent support which has been reduced in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29470/09]

**Minister for Social and Family Affairs (Mary Hanafin T.D.):** 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 recent Supplementary Budget provided that the weekly minimum contribution which a person is required to pay towards their rent, be increased from €18 to €24 a week, with effect from 1 June 2009 and that payments currently being made to existing rent supplement tenants be further reduced by 8% from the same date. These measures account for the reduction in the rent supplement payment of the person concerned.

The Executive has advised that payment of rent supplement to the person concerned was suspended while a review of his entitlement was being carried out. The review is being finalised and arrangements made to issue payment of rent supplement to the person concerned, including any arrears due.

629. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare is eligible for illness benefit or alternative in lieu of maternity benefit; and if she will make a statement on the matter. [29471/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** A claim for maternity benefit was received from the person concerned on 6th April 2009. She was advised by letter dated 26th June 2009 that she did not qualify for maternity benefit as she was not in insurable employment at the relevant time.

[Deputy Mary Hanafin.]

The records of the department show that the person concerned has only 63 reckonable PRSI contributions which are insufficient to satisfy the qualifying conditions for illness benefit. If the person concerned considers that she has more PRSI contributions than those indicated then she should advise the department accordingly and request to have her case re-examined. If the person concerned was ever employed in any other member state of the European Economic Area she should provide details of the dates and places of her employment and any social security reference numbers from the countries concerned.

A claim from the person concerned for a basic payment under the supplementary welfare allowance scheme was received by the Health Service Executive (HSE) on 6th April 2009. She was advised that, under the habitual residency conditions, she was not entitled to such a payment. However, the department has been advised that the HSE is undertaking a review of the person's case and they will be in contact with her shortly with a determination regarding her claim. The HSE has been in contact with the person concerned and advised her of the review.

630. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when back to school allowance will be awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29472/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme is administered on behalf of the department by the community welfare division of the Health Service Executive (HSE). Applications for the allowance may be made between the beginning of June and the end of September each year. A person may qualify for payment of an allowance if he or she is in receipt of a social welfare or health service executive payment, is participating in an approved employment scheme or attending a recognised education or training course, and has household income at or below certain specified levels.

The HSE — Dublin Wicklow and Kildare area has advised that due to the large number of back to school clothing and footwear claims received to date they are unable to confirm at this time that a claim has been received from the person concerned.

It may take a number of weeks to determine entitlement to payment for all applicants in this HSE Region. Applicants will be notified of the decision on their application by the HSE in due course. The person concerned may call the HSE free-phone number 1800 201 698 to ascertain the status of her claim at a later date.

Further details relating to the BSCFA scheme, the qualifying criteria and administrative arrangements for processing claims for each HSE area is available on the Department and HSE/CWS websites at <http://www.welfare.ie> <http://communitywelfareservice.ie/cws—public/>

631. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the maximum rate of payment due to a person should they qualify for the back to work allowance; and if she will make a statement on the matter. [29474/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The back to work programme currently consists of two schemes designed to support people on welfare into self-employment. The back to work enterprise allowance (BTWEA) is a two year scheme available to unemployed people, lone parents, and sickness related welfare recipients who are starting their own business. Under this scheme, participants retain 100% of their existing social welfare payment for the first year and 75% in the second year. The maximum rate payable is based on their current payment.

The short term enterprise allowance (STEA) is available to those who qualify for jobseeker's benefit and who wish to start their own business. They are afforded immediate access provided

they have 104 contributions paid or have established entitlement to statutory redundancy from their latest period of employment. It is payable at the same rate and for the same duration as their jobseeker's benefit. The maximum rate payable is the rate of jobseeker's benefit that they qualify for.

632. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if rent support in the region of €880 will be awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [29476/09]

**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. One of the conditions for entitlement to rent supplement is that the Health Service Executive is satisfied that the applicant is in need of accommodation and is unable to provide it from his or her own resources.

The Executive has advised that the person concerned has been refused rent supplement on the grounds that her current accommodation is sufficient to meet her accommodation needs.

It is open to the person concerned to appeal this decision to a HSE Appeals Officer.

#### **Social Welfare Appeals.**

633. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the position in relation to the rent allowance appeal in the case of persons (details supplied) in County Kildare; and if she will make a statement on the matter. [29480/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** A social welfare Appeals Officer has upheld the decision of a community welfare officer to refuse payment of rent supplement on the grounds that total household income is deemed to be sufficient to meet the accommodation costs of the persons concerned.

The Appeals Officer is satisfied that the means assessment, as carried out by the community welfare officer, is in accordance with relevant social welfare legislation.

#### **Social Welfare Benefits.**

634. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare qualifies for the back to school allowance; and if she will make a statement on the matter. [29482/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme is administered on behalf of the department by the community welfare division of the Health Service Executive (HSE). Applications for the allowance may be made between the beginning of June and the end of September each year. A person may qualify for payment of an allowance if he or she is in receipt of a social welfare or health service executive payment, is participating in an approved employment scheme or attending a recognised education or training course, and has household income at or below certain specified levels.

The HSE — Dublin Wicklow and Kildare area has advised that due to the large number of back to school clothing and footwear claims received to date they are unable to confirm at this time that a claim has been received from the person concerned.

It will take a number of weeks to determine entitlement to payment for all applicants in this HSE Region. Applicants will be notified of the decision on their application by the HSE in due course. The person concerned may call the HSE free-phone number 1800 201 698 to ascertain the status of her claim at a later date.

[Deputy Mary Hanafin.]

Further details relating to the BSCFA scheme, the qualifying criteria and administrative arrangements for processing claims for each HSE area is available on the Department and HSE/CWS websites at <http://www.welfare.ie> <http://communitywelfareservice.ie/cws—public/>

### **Anti-Poverty Strategy.**

635. **Deputy David Stanton** asked the Minister for Social and Family Affairs the level of consistent poverty; those at risk of poverty respectively; and if she will make a statement on the matter. [29538/09]

637. **Deputy David Stanton** asked the Minister for Social and Family Affairs the position regarding reducing the number of those experiencing consistent poverty, including children, to between 2% and 4% by 2012 in line with the National Action Plan for Social Inclusion; her views on whether the goal of elimination of consistent poverty by 2016 will still be achievable; and if she will make a statement on the matter. [29540/09]

638. **Deputy David Stanton** asked the Minister for Social and Family Affairs the groups in society that have the highest levels of consistent poverty; the steps she will take to reduce the poverty risk and poverty levels of these groups; and if she will make a statement on the matter. [29541/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Question Nos. 635, 637 and 638 together.

Combating poverty and building an inclusive society are key priorities for the Government. The overall goal of the National Action Plan for Social Inclusion (NAPinclusion) introduced in February 2007 is to reduce the number of those experiencing consistent poverty to between 2 per cent and 4 per cent by 2012, with the aim of eliminating consistent poverty by 2016. These commitments and the social inclusion commitments in the National Development Plan have wide ranging support, having been drawn up in consultation with the social partners and other stakeholders.

The latest results from the EU Survey on Income and Living Conditions (EU-SILC), released in December 2008, which applied to 2007, indicated at that stage that the reductions in poverty were on target to achieve both the 2012 and 2016 goals. It showed that the rate of consistent poverty in the population in 2007 was 5.1 per cent, down from 6.5 per cent in 2006 and 7.0 per cent in 2005.

The position of groups most vulnerable to consistent poverty is as follows. The proportion of children experiencing consistent poverty reduced from 10.3 per cent in 2006 to 7.4 per cent in 2007. This significant reduction may be, at least in part, due to the major reduction in the incidence of consistent poverty among lone parents from 33.9 per cent in 2006 to 20.1 per cent in 2007. The other age group vulnerable to consistent poverty is people living alone and their position remained the same, apart from a slight increase for those over age 65. Other groups with a relatively high level of consistent poverty include the unemployed whose rate reduced from 22 per cent to 17.5 per cent and those not at work due to sickness or disability whose rate reduced from 17.9 per cent to 15.8 per cent.

The major factor determining whether people are vulnerable to consistent poverty, demonstrated by the findings of this and other similar surveys, is employment. The rate of consistent poverty in 2007 for households where no one was at work was 16.3 per cent, (although this was down substantially from 21.2 per cent in 2006). This rate was 4 times the rate for households

where one person was at work. Where two people in a household were at work the rate was just 1.3 per cent.

Our challenge now is to create jobs for those without work. Economic policy is the major basis for creating jobs and reducing unemployment. I am confident that the Government is pursuing the right economic policies to achieve those aims. Employment participation, for example, is currently facilitated and incentivised by a range of education and employment supports made available by the Department of Social and Family Affairs to people in receipt of social welfare payments, particularly the long-term unemployed, lone parents, and sickness related welfare recipients. These include the Back to Education and Back to Work Enterprise Allowance Schemes. The Activation and Family Support Programme and the Second Chance Education Opportunities Scheme offer supports to social welfare customers and others to help them improve their employability and personal and family situations. People with families who are in lower paid employment are eligible to receive the Family Income Supplement which increases household income while enabling recipients to remain in, or take up, employment.

It is also more essential than ever in the current economic conditions to ensure that the resources devoted to social inclusion policies are used as effectively and efficiently as possible. The National Action Plan on social inclusion facilitates this through tackling poverty in a coordinated and ‘joined up’ way so as to ensure better results in relation to both the people supported and the substantial resources expended. The range of policies subject to the National Plan include actions on employment, social welfare, education, health, housing, disability and equality.

The Government’s commitment to prioritising the most vulnerable people in our society was clearly demonstrated in Budget 2009 which, despite the state of the public finances, provided increases of between 3% and 3.8% in basic social welfare rates. It is also vital however, that economic policies are pursued at this time that will enable better and more secure living standards for the future. Achieving the right combination of both economic and social policies will determine the extent to which we can achieve the overall goal of eliminating consistent poverty by 2016. I am confident that we are pursuing the correct combination of economic and social policies that will greatly increase the likelihood of achieving that goal.

### **Child Support.**

636. **Deputy David Stanton** asked the Minister for Social and Family Affairs the level of consistent and at risk of poverty levels respectively for children under 18 years; if research has been conducted by her Department on the effects of the reduction and subsequent removal of the early childcare supplement and the possible taxation of child benefit on poverty levels of children; and if she will make a statement on the matter. [29539/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Policy matters in relation to the Early Childcare Supplement are a matter for the Minister for the Health and Children in the first instance.

The Department of Social and Family Affairs, through the social welfare system, provides significant support to families with children. Child Benefit is the main child income support payment.

Results from the most recent survey of Income and Living Conditions in Ireland (IRL-SILC) 2007 survey published in Dec 2008 showed the consistent poverty rate for children, aged 0-17, decreased from 10.3% in 2006 to 7.4% in 2007. The percentage of children ‘at risk of poverty’ fell by over two per cent, from 22.3% in 2006 to 19.9% in 2007. These are the most recent figures SILC figures available.



[Deputy Mary Hanafin.]

Child income support payments have increased since 2007. More recently, a range of budgetary measures, effective from Jan 2009, costing over €56 million has been provided to benefit children and families with increases of between 3 % and 3.8 % in the basic payment rates.

However given the scale of the economic crisis, it is necessary to address all aspects of the public finances so as to avoid excessive borrowing and to ensure that resources are targeted at those who need them most. 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 Department of Finance, together with my Department and the Revenue Commissioners are considering the issues involved in both approaches. All issues, including the ones the Deputy has outlined, will form part of the overall consideration.

*Questions Nos. 637 and 638 answered with Question No. 635.*

### **Domiciliary Care Services.**

639. **Deputy Liz McManus** asked the Minister for Social and Family Affairs the reason she is removing the DCA for children with autism; if her attention has been drawn to the hardship that this is causing children with autism and their parents; her views on the value of the DCA for children with autism in the absence of the State providing adequate schooling for children with autism; if she will reconsider the removal of this allowance; and if she will make a statement on the matter. [29611/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** There has been no decision to remove the Domiciliary Care Allowance from children with autism. Of the first 249 applications for Domiciliary Care Allowance processed by the Department, 149 were refused and 100 awarded. Further examination of these cases shows that of those awarded, 12 children were specifically diagnosed with either, Autism, Autism Spectrum Disorder or Asperger's Syndrome and of the first 149 cases refused 16 children were specifically diagnosed with either Autism, Autism Spectrum Disorder or Asperger's Syndrome.

Eligibility for the allowance is not based primarily on the medical or psychological condition, but on the resulting lack of function of body or mind necessitating the degree of extra care and attention required. As such it is not possible to say if a child with autism or any other intellectual disability will or will not qualify for a payment under the scheme. Each application is assessed on an individual basis taking account of the evidence submitted.

Since the transfer to the Department the Domiciliary Care Allowance scheme is now a statutory scheme with the primary legislation provided for in the Social Welfare and Pensions Act 2008. Prior to the transfer the eligibility criteria for the scheme was set out by way of a Circular from the Department of Health and Children.

The Department uses a set of consistent and objective guidelines in determining the medical eligibility of children for the scheme. These guidelines were drawn up by a Group chaired by the Department's Chief Medical Advisor comprised of senior medical personnel from the HSE as well as eminent professionals in the areas of physical disabilities which affect children, and child psychiatry/psychology. All claims are assessed by designated Departmental Medical Assessors who have received special training in Human Disability Evaluation.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed by a different Medical Assessor



specially designated for this task. Where a person is not satisfied with the decision of a Deciding Officer they may appeal the decision to the Social Welfare Appeals Office.

The provision of adequate schooling for children with autism is a matter for my colleague the Minister for Education and Science.

### **Social Welfare Benefits.**

640. **Deputy Lucinda Creighton** asked the Minister for Social and Family Affairs the number of applications for rent allowance currently being processed; the average processing time; the equivalent figures for this period in 2007 and 2008; and if she will make a statement on the matter. [29756/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** 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. There are currently almost 90,000 people in receipt of rent supplement, an increase of 51% since the end of December 2007.

The rent supplement scheme is administered by the community welfare service of the Health Service Executive on behalf of the department and is delivered locally by community welfare officers. The operational arrangements for the processing of applications and the payment to qualifying individuals, is a matter for the respective community welfare division areas.

This year to date, almost 54,200 rent supplement claims have been registered computer system, of which 49,800 have been awarded a supplement. A further 30,800 rent supplement claims have been closed in the same period. There are currently almost 1,670 rent supplement claims pending payment.

A community welfare officer interviews applicants for rent supplement when they first present in order to determine if they satisfy the statutory qualifying conditions for entitlement. They also ensure that all the documentation required to make a decision has been provided. Claim details are recorded electronically in cases where it is established that rent supplement is payable. However, given the considerable pressures on the community welfare service, claim details are not always recorded on the system where no entitlement has been established to rent supplement. Where an appeal has been lodged with an appeals officer of the HSE, claim details are recorded electronically. For this reason, fully reliable statistics are not available on the total number of people for whom rent supplement claims are being processed at any given point in time. Average processing times are not available.

To qualify for rent supplement a person must satisfy a number of conditions. They must be a bona fide tenant, be habitually resident in the State, have a housing need and satisfy a means test. Also, the Health Service Executive must be satisfied that the accommodation is suited to the persons needs and the rent payable is within the prescribed limits.

The timescale for determining applications for rent supplement in individual cases is dependant, among other things, on the availability of the required information, such as details of the applicant's income, bank statements, information from landlords etc. Some aspects of the application are inevitably time consuming and delays can occur where investigations such as home visits or third party evidence are required. Delays can also arise if the applicant is slow to respond to requests for additional information.

The review of the administration of the mortgage interest supplement scheme is progressing. In addition to policy issues, the review will examine operational aspects of the scheme including

[Deputy Mary Hanafin.]

best practice in the recording, collating and maintenance of statistical data on the mortgage interest supplement scheme. The findings of this review and any recommendations in the area of recording, collating and maintenance of statistical data will be equally applicable to the rent supplement scheme.

### Social Insurance.

641. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the amount of PRSI contributions, separated by class, paid to her Department for each of the years 2000 to 2008. [29760/09]

642. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the amount of class S PRSI contributions paid to her Department from self-employed persons for each of the years 2000 to 2008. [29761/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to answer Questions Nos. 641 and 642 together.

The information requested by the Deputy is contained in the following tabular statement.

Table: Financing of the Social Insurance Fund, 2000 to 2008.

	2000	2001	2002	2003	2004	2005	2006	2007	2008 <sup>(1)</sup>
	€000	€000	€000	€000	€000	€000	€000	€000	€000
Sources of Finance									
Employer PRSI	2,763,419	3,251,639	3,520,443	3,692,896	4,000,313	4,532,572	5,167,274	5,762,011	5,944,212
Employee PRSI	745,569	819,752	974,219	1,077,203	1,257,639	1,196,858	1,380,234	1,539,147	1,633,519
Self-Employed PRSI	190,051	189,191	252,455	277,696	356,620	380,450	373,714	420,852	405,581
Investment Income	26,591	45,754	51,015	40,718	34,594	49,012	53,084	112,049	160,209
Other Receipts	210	19	111	19	454	126	105	88	19
<b>Total Income</b>	<b>3,725,838</b>	<b>4,306,355</b>	<b>4,375,924</b>	<b>5,088,532</b>	<b>5,649,620</b>	<b>6,159,018</b>	<b>6,974,411</b>	<b>7,834,147</b>	<b>8,143,540</b>

<sup>(1)</sup> Provisional.

### Departmental Contracts.

643. **Deputy Michael D’Arcy** asked the Minister for Social and Family Affairs the companies which have been successful in tendering for contracts for her Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if she will make a statement on the matter. [29838/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The information requested by the Deputy for the time period involved is not readily available and cannot be assembled without significant commitment of staff resources and consequential administrative costs. If the Deputy wishes to contact the Department with a query in relation to a specific contract he will be provided with the relevant information.

644. **Deputy Michael D’Arcy** asked the Minister for Social and Family Affairs if she contracted a company (details supplied) to build facilities on behalf of the State; if she is satisfied that sub-contractors were paid for works carried out; and if she will make a statement on the matter. [29852/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Office of Public Works (OPW) are responsible for property acquisition, project design, construction of new buildings and all major refurbishment projects on behalf of the Department and deal directly with contractors in that context and I have no function whatsoever in the matter.

### **Adoption Services.**

645. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the reason birth certificates for adopted persons are not available from Joyce House in Dublin on the same basis as all other birth certificates; if she will make arrangements to ensure that the same service is available to every citizen from Joyce House regardless of whether they were adopted or not; her views on the criticisms in the correspondence (details supplied); her views on whether the different treatment of adopted persons is appropriate; if she will ensure that there is a full review of the service in order that all of these deficiencies will be eradicated. [29887/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The provisions governing the registration of domestic adoptions and the issue of birth certificates drawn from the register of adoptions are set out in section 22 of the Adoption Act, 1952. Under these provisions, the Registrar General is charged with maintaining an Adopted Children Register and also to keep an index to make traceable the connection between each entry and the corresponding entry in the register of births. The index is not open to public inspection and no information from it may be given to any person except by order of a Court or of the Adoption Board. A certified copy of an entry in the Adopted Children Register, if purporting to be issued under the seal of Oifig an Ard-Chlaraitheora, shall, without further proof, be received as evidence of the facts stated therein and any requirement of law for the production of a certificate of birth shall be satisfied by the production of such certified copy.

Under the above provisions, birth certificates for adopted people are available only from the Office of the Registrar General. While it is appreciated that this may cause a degree of inconvenience in certain instances the security and confidentiality of the Adopted Children Register is of paramount importance and it is for this reason only that the restriction on availability exists. For this reason also, there are no plans to amend the legislation to change the current arrangements in relation to this matter.

At the moment persons applying to GRO for certificates of life events may do so in writing or by fax. Applications for certificates relating to adopted persons, made in Joyce House or in any registration office throughout the country are forwarded to the Office of the Registrar General and are processed as soon as possible. Payments are accepted by Visa or MasterCard. An on-line application facility for records of life events, including adoption events, is at an advanced stage of development and will be introduced shortly. Payments by credit card, including laser card, will be a feature of the on-line service.

### **Social Welfare Benefits.**

646. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the position, in view of the current economic climate and the financial circumstances which so many people who have mortgages find themselves in, regarding people who have mortgages and have been in receipt of mortgage supplement for at least 12 months; if she will confirm that mortgage interest supplement will be payable to people who qualify for periods in excess of 12 months, when their circumstances have not improved in the interim; and if she will make a statement on the matter. [29894/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The mortgage interest supplement scheme is designed to help those who have difficulty meeting their mortgage repayment schedule where their means are insufficient to meet their needs. The scheme provides a short-term “safety net” within the overall social welfare scheme to ensure that people do not suffer hardship due to loss of employment. A supplement may be paid in respect of mortgage interest only to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence.

There are currently 12,900 people in receipt of mortgage interest supplement, an increase of 213% over those in payment at end 2007.

The mortgage interest supplement scheme is administered by the community welfare service of the Health Service Executive on behalf of the Department and is delivered locally by community welfare officers.

In accordance with the statutory qualifying conditions, mortgage interest supplement is normally paid for the duration of the period for which entitlement exists. However, one of the statutory qualifying conditions for the receipt of mortgage interest supplement requires that the amount of mortgage interest payable by the claimant should not exceed such amount as the Executive considers reasonable to meet his or her residential and other needs and that it is reasonable to award a supplement having regard to the amount of any arrears outstanding on the loan. Where such circumstances arise, the Executive has the legislative power to award mortgage interest supplement for a period of not more than 12 months. A person is advised at the outset that the maximum duration of the mortgage interest payment will be 12 months. Before the 12 months has expired, entitlement to the supplement is reviewed and if there has been no change in circumstances, payment of mortgage interest supplement must be discontinued in accordance with the relevant legislative provisions.

Where there has been a change in circumstances such as sub-letting part of the accommodation or a change in the repayment arrangements e.g. an extension of the term of the loan, a review of the original decision may be warranted and a supplement awarded as appropriate, subject to all other statutory qualifying conditions being satisfied.

Guidelines on specific and immediate operational issues arising in the administration of the mortgage interest supplement scheme, including the exercise of additional discretionary provisions in the legislation, have recently been updated and issued to community welfare officers.

*Questions Nos. 647 to 649, inclusive, answered with Question No. 621.*

### **Child Support.**

650. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the plans to tax or means test the child benefit payment; and if she will make a statement on the matter. [29899/09]

651. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the estimated cost of means testing the child benefit payment; and if she will make a statement on the matter. [29900/09]

690. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the Programme for Government commitment to amalgamate qualified child allowances and family income supplements in order to develop a second tier of income support targeted at the poorest families; and if she will make a statement on the matter. [29944/09]

691. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the status of the Programme for Government commitment to continue to increase child benefit; and if she will make a statement on the matter. [29945/09]

704. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the estimated cost of means testing the child benefit payment; and if she will make a statement on the matter. [29958/09]

705. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the revenue which would be raised from applying income tax to child benefit; and if she will make a statement on the matter. [29959/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take questions numbers 650, 651, 690, 691, 704 and 705 together.

As the Deputy 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. Overall expenditure on child benefit grew from just under €965 million in 2001 to nearly €2.5 billion in 2008 as a result of these rate increases and growth in the number of eligible children. The Government was able to direct 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. In view of the complexities associated with the two options, the Commission of Taxation is currently examining the issues arising and their report will inform the Government's final decision on how best to proceed.

In relation to the Deputy's question regarding the costs of a possible means-testing of Child Benefit, this would depend on a range of factors including the range and complexity of income sources to be tested and the manner of how this would be implemented in practice.

The Programme for Government provides for the amalgamation of qualified child allowances and family income supplements in order to develop a second tier of income support targeted at the poorest families. The NESC Secretariat was asked to examine the issues and develop proposals for a second tier child income support scheme. However their research paper raises a number of significant issues which were not resolved by the NESC. These issues will be considered in the context of the future direction of child income support policy which is being kept under review by my Department.

As with the Programme for Government generally, any further improvements in the level of child benefit payments would have to be subject to overall budgetary resources.

The question of the amount of revenue to be raised from taxation of the CB payment is a matter for the Minister for Finance in the first instance.

### **Social Welfare Benefits.**

652. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number and value of child benefit payments made to children resident outside of the State since 2004 to date in 2009; the average time it takes to process these payments; and if she will make a statement on the matter. [29902/09]

653. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the changes made to the rate and duration of the early child care supplement since its inception; the date such changes were announced; the date such changes were introduced; and if she will make a statement on the matter. [29903/09]

654. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number and value of early child care supplement payment made per year since its inception; the number and value of early child care supplement payments made to children resident outside of the State since its inception; and if she will make a statement on the matter. [29904/09]

655. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the estimated full year cost of the early child care supplement in 2009; the estimated number of children eligible for the early child care supplement in 2009; the estimated number and value of payments made to children not resident here in 2009; and if she will make a statement on the matter. [29905/09]

656. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of outstanding early child care supplement applications waiting to be processed; the average time it takes to process payments, particularly for applications relating to children not resident here; and if she will make a statement on the matter. [29906/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 652 to 656, inclusive, together.

#### *Child Benefit*

The number and value of Child Benefit payments made to children resident outside the State from 2004 to date is as detailed in Table 1.

EU Migrant workers have an entitlement to Child Benefit and other “Family benefits” under EU Regulation 1408/71. Where a national of an EU state with a family is working in Ireland, the worker is entitled to payment of such benefits, even if the children of the worker are resident in the worker’s home country. The average time taken to process these payments is currently three months.

Table 1: Child Benefit Payment in Respect of Non-Resident Children 2004-2009

	2004	2005	2006	2007	2008	July 2009
Number of Non-Resident Children	806	725	1,444	4,311	9,909	11,517
Total Cost	€0.7m	€1.6m	€2.9m	€4.77m	€20.9m*	€22.1m (est.d for a full year)

\*The significantly increased expenditure in 2008 was largely a result of a major backlog of applications being approved that year.

#### *Early Childcare Supplement*

The Early Childcare Supplement was introduced in April 2006 and is administered by the Department of Social and Family Affairs on behalf of the Office of the Minister for Children and Youth Affairs.

Changes made to the rate and duration of this payment since its inception is as detailed in Table 2.



Table 2: Early Childcare Supplement Changes Since Inception

Changes	Date of announcement	Date of introduction	Details
ECS first Introduced	December 2005 (Budget 2006)	April 2006	€250 payable quarterly for children up to age six
Rate increased	December 2007 (Budget 2008)	January 2008	Increased to €275 quarterly
Payment frequency changed. Age limit decreased	October 2008 (Budget 2009)	January 2009	Payable monthly in arrears and age limit decreased to age five and a half
Rate decreased. Age limit decreased	February 2009 (Supplementary Budget)	March 2009	Rate decreased to €83 per month and age limit decreased to age five
Rate decreased	April 09 (Supplementary Budget)	May 2009	Rate decreased to €41.50
Payment to cease	April 09 (Supplementary Budget)	December 2009	Last payment will be made in December 2009

The number and value of Early Childcare Supplements made per annum since its inception is as detailed in Table 3.

Table 3: Number and Value of Early Childcare Supplement Payments Since Inception

Year	Average number of children	Value of payments	Average number of payments in respect of non-resident children	Total value of payments in respect of non-resident children
		€m		€m
2006	367,296	292	536	0.4
2007	382,182	417	1,724	1.1
2008	398,667	477	3,468	4.5
2009 (estd. for full year)	340,000	231	4,030	2.7

Early Childcare Supplement is a payment associated with the payment of Child Benefit. As such, no separate application process exists for the payment. Payment is automatically awarded in respect of eligible children.

The number of outstanding Child Benefit applications to be processed under EU Regulations is currently 3273. Of these, 3129 have been partially processed and are awaiting further information.

The number of outstanding resident Child Benefit applications is currently 858. Of these, 833 have been partially processed and are awaiting further information.

The average time taken to process payments is four weeks in respect of children born in Ireland and three months for children who are not resident in Ireland.

### Social Welfare Fraud.

657. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of staff employed by her who deal with fraud control; the number of staff who have been assigned away from fraud control to other work within her Department; and if she will make a statement on the matter. [29907/09]

658. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the target fraud control savings per social welfare payment per year since 2004 to date in 2009; the fraud control

[Deputy Olwyn Enright.]

savings achieved per social welfare payment per year since 2004 to date in 2009; and if she will make a statement on the matter. [29908/09]

659. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the target fraud control reviews per social welfare payment per year since 2004 to date in 2009; the fraud control reviews achieved per social welfare payment per year since 2004 to date in 2009; and if she will make a statement on the matter. [29909/09]

660. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of money she expects to save through anti-fraud initiatives in 2009; the amount of money saved to date; and if she will make a statement on the matter. [29910/09]

661. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people prosecuted in respect of social welfare fraud since 2004 to date in 2009 in each payment area; and if she will make a statement on the matter. [29911/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 657 to 661, inclusive, together.

Approximately 620 staff at local, regional and national level are engaged on a full or part-time basis on work related to the control of fraud and abuse of the social welfare system. About half of these work full time on control work, while the other half are responsible for routine investigations under the various schemes and for following up suspected cases of fraud where these are discovered. None of these staff are currently deployed to other work.

Traditionally it was estimated that 60% of the General Inspectors time was spent on undertaking control activity, including reviews and employer inspection work with the balance of Inspector's time devoted to new claim activity. This activity may also be regarded within the control framework. It includes identity checks, means investigations, and ensuring compliance with the various qualification conditions. However, it should be noted that due to increasing claim loads the actual resources available for control activity has reduced.

The Department is committed to ensuring that social welfare payments are available to those who are entitled to them. In this regard the control programme of the Department is carefully monitored and the various measures are continuously refined to ensure that they remain effective.

The Department has a target of over €600m for control savings in 2009.

Savings figures and review data for the first six months of the year will be available shortly and I will send them to the Deputy directly.

The control savings targets and actual savings achieved for 2004 to 20 08 are set-down in tabular statements.

The control review targets and actual reviews achieved for 2004 to 2008 are set-down in tabular statements.

The results of cases finalised in court for years 2004 to 2009 (end-June) are set-down in tabular statements.

The Department has a target of over €600m for control savings in 2009. Savings recorded to the end of May 2009 amounted to approximately €194m.

The control savings targets and actual savings achieved for 2004 to 2009 (end-May) are set-down in tabular statements).

The control review targets and actual reviews achieved for 2004 to 2009 (end-May) are set-down in tabular statements.

The results of cases finalised in court for years 2004 to 2009 (end-June) are set-down in tabular statements.

## Control Savings

2004 SCHEME	ANNUAL TARGET 2004	ANNUAL SAVINGS 2004	% ANNUAL TARGET ACHIEVED
	€m	€m	
UNEMPLOYMENT	134.000	119.783	89%
ILLNESS	60.000	55.939	93%
PENSIONS	126.000	172.168	137%
CHILD BENEFIT	13.000	18.711	144%
CARERS	4.000	5.784	145%
FIS	1.000	0.374	37%
SWA	10.000	1.973	20%
PAYE/PRSI	12.000	11.355	95%
TOTAL	360.000	386.086	107%

2005 SCHEME	ANNUAL TARGET 2005	ANNUAL SAVINGS 2005	% ANNUAL TARGET ACHIEVED
	€m	€m	
UNEMPLOYMENT	130.000	120.388	93%
ILLNESS	73.000	73.554	101%
PENSIONS	150.000	162.316	108%
CHILD BENEFIT	21.000	19.621	93%
CARERS	8.500	7.32	86%
FIS	1.500	8.74	583%
SWA	10.000	5.556	56%
PAYE/PRSI	9.000	9.091	101%
TOTAL	403.000	406.585	101%

2006 SCHEME	ANNUAL TARGET 2006	ANNUAL SAVINGS 2006	% ANNUAL TARGET ACHIEVED
	€m	€m	
JOBSEEKER'S	135.000	123.109	91%
ILLNESS	80.950	63.034	78%
PENSIONS	170.150	138.313	81%
CHILD BENEFIT	19.300	17.805	92%
CARERS	7.200	6.230	87%
FIS	8.400	12.257	146%
SWA	10.000	6.828	68%
PAYE/PRSI	10.000	7.632	76%
TOTAL	441.000	375.208	85%

[Deputy Mary Hanafin.]

2007 SCHEME	ANNUAL TARGET 2007	ANNUAL SAVINGS 2007	% ANNUAL TARGET ACHIEVED
	€m	€m	
JOBSEEKER'S	137.000	138.639	101%
ILLNESS	76.000	70.102	92%
PENSIONS	153.500	188.128*	123%
CHILD BENEFIT	23.500	18.067	77%
CARERS	7.500	4.728	63%
FIS	12.500	12.540	100%
SWA	10.000	9.333	93%
PAYE/PRSI	10.500	6.047	58%
TOTAL	430.500	447.584*	104%

\*These figures do not include Maintenance Recovery savings.

2008 SCHEME	ANNUAL TARGET 2008	ANNUAL SAVINGS 2008	% ANNUAL TARGET ACHIEVED
	€m	€m	
JOBSEEKER'S	150.000	100.639	67%
ILLNESS	88.500	72.776	82%
PENSIONS	198.500	223.241	112%
CHILD BENEFIT	30.000	48.595	162%
CARERS	8.000	6.951	87%
FIS	13.500	9.881	73%
SWA	13.000	7.697	59%
PAYE/PRSI	10.000	6.190	62%
TOTAL	511.500	475.971	93%

2009 YTD (May) SCHEME	YTD TARGET 2009	YTD SAVINGS 2009	% ANNUAL TARGET ACHIEVED
	€m	€m	
JOBSEEKER'S	69.004	24.288	35%
ILLNESS	33.469	34.179	102%
PENSIONS	85.195	86.848	102%
CHILD BENEFIT	30.83	33.341	108%
CARERS	3.33	3.746	112%
FIS	4.375	6.514	149%
SWA	4.165	2.862	69%
PAYE/PRSI	2.863	2.151	75%
TOTAL	233.231	193.930	83%

## Control Reviews

2004 SCHEME	REVIEWS TARGET 2004	REVIEWS ACHIEVED 2004	% OF TARGET
UNEMPLOYMENT	120,000	84,441	70%
ILLNESS	145,300	146,384	101%
PENSIONS	49,580	40,301	81%
CHILD BENEFIT	30,000	16,016	53%
CARERS	2,400	2,634	110%
FIS	15,200	15,983	105%
ER INSPECTIONS	10,000	6,645	66%
TOTAL	372,480	312,404	84%

*Unemployment Assistance was renamed Jobseeker's Allowance in Oct 2006. Unemployment Benefit was renamed Jobseeker's Benefit in Oct 2006.*

2005 SCHEME	REVIEWS TARGET 2005	REVIEWS ACHIEVED 2005	% OF TARGET
UNEMPLOYMENT	125,000	77,661	62%
ILLNESS	156,480	159,732	102%
OFP	21,500	24,907	116%
PENSIONS	33,500	25,452	76%
CHILD BENEFIT	35,000	16,438	47%
CARERS	3,500	2,950	84%
FIS	15,500	16,489	106%
ER INSPECTIONS	7,000	5,699	81%
TOTAL	397,480	329,328	83%

2006 SCHEME	REVIEWS TARGET 2006	REVIEWS ACHIEVED 2006	% OF TARGET
JOBSEEKER'S	125,000	73,389	59%
ILLNESS	156,480	164,771	105%
OFP	21,500	25,098	117%
PENSIONS	33,500	25,302	76%
CHILD BENEFIT	35,000	17,802	51%
CARERS	3,500	3,639	104%
FIS	15,500	19,172	124%
ER INSPECTIONS	7,000	4,853	69%
TOTAL	397,480	334,026	84%

[Deputy Mary Hanafin.]

2007 SCHEME	REVIEWS TARGET 2007	REVIEWS ACHIEVED 2007	% OF TARGET
JOBSEEKER'S	125,000	70,842	57%
ILLNESS	156,480	168,710	108%
OFP	46,508	43,156	93%
PENSIONS	33,492	15,936	48%
CHILD BENEFIT	35,000	16,360	47%
CARERS	3,500	2,998	86%
FIS	15,500	23,076	149%
ER INSPECTIONS	7,000	4,763	68%
TOTAL	422,480	345,841	82%

### Social Welfare Benefits.

662. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of overpayment awarded by her per year from 2004 to 2008 in each payment area; and if she will make a statement on the matter. [29912/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The overpayment information for years 2004 to 2008 requested by the Deputy is set-down in the tabular statements. The figures for 2008 are provisional.

In 2006 a new debt management strategy was developed for the Department. The overall goal of this strategy is to actively pursue the recovery of debt to maximise recovery levels, with due regard to value for money and with particular emphasis on recovery from people no longer dependent on welfare payments. The objectives of the strategy are:

- To maximise the recovery of overpayments;
- To efficiently record, report and monitor the occurrence and recovery of overpayments;
- To fulfil statutory, accounting and reporting obligations;
- To conduct overpayment and debt management as efficiently as possible.

Overpayments may be recovered in the following ways:

- a single payment covering the full amount owed;
- regular periodic payments;
- deduction(s) from the customers social welfare payment by taking civil proceedings.

Implementation of the debt management strategy to date has consisted of:

- A review of debt on the old computer system;
- The introduction of the ODM computer system;
- The issue of guidelines setting out debt management procedures and defining the responsibilities of areas in relation to debt management and debt management procedures;
- The restructuring of the Central Overpayments and Debt Management Unit.



## Overpayments 2004 to 2008

Social Welfare Vote Schemes	2004 Value	2005 Value	2006 Value	2007 Value	2008 Value
	€	€	€	€	€
Blind Pension	22,553	9,575	31,666	39,116	4,155
Back to Work Allowance	138,766	119,586	66,219	103,111	116,892
Back to Education Allowance				18,418	61,240
Child Benefit	1,673,455	1,967,698	3,241,782	2,489,377	3,229,321
Carers Allowance	713,715	1,058,210	883,662	383,129	2,046,425
Disability Allowance	1,271,099	2,166,557	2,570,976	2,524,905	2,818,827
Deserted Wife's Allowance	3,455	39,590	32,241	46,503	13,973
Equal Treatment	0	0	0	0.00	0.00
Early Childcare Supplement				2,681.00	-2,175.00
Fuel Allowance	504	0	2,370	2,374	2,760
Farm Assist	180,252	292,159	232,278	179,562	157,605
Family Income Supplement	99,266	163,344	206,826	123,234	287,418
Guardian Payment Non Contributory				58,201	274,014
One Parent Family Payment	22,768,406	12,457,770	8,366,814	4,662,427	8,626,654
Old Age Non Con Pension	7,893,425	6,824,892	6,259,303	7,441,346	7,843,583
Part-time Job Allowance	156	7,889	350	364	2,139
Pre-Retirement Allowance	140,619	160,252	212,144	153,781	212,133
Rent Allowance	0	0	18,362	355,601	92,201
Second Level Allowance	24,860	36,218	24,365	400	10,310
Single Woman's Allowance	0	0	0	0	1,434
Supplementary Welfare Allowance	1,321,341	989,724	2,816,183	2,382,290	1,515,675
Third Level Allowance	3,494	0	0	0	2,202
Unemployment Assistance*	7,669,200	8,067,715	8,480,491	10,401,109	8,914,219
Widow/er's Non-Con. Pension	307,434	318,721	456,450	270,797	129,145
SW Vote Schemes Total	44,231,999	34,679,900	33,902,481	31,638,726	36,360,150

## Overpayments 2004 to 2008

Social Insurance Fund Schemes	2004 Value	2005 Value	2006 Value	2007 Value	2008 Value
	€	€	€	€	€
Adoptive Parent Benefit				476	868
Carers Benefit	22,931	16,840	33,411	22,818	75,634
Carers Respite Grant				17,500	95,000
Constant Attendance Allowance				0	1,700
Guardian Pension Contributory				3,913	29,492
Disability Benefit*	1,411,156	1,298,501	1,713,461	2,423,692	3,276,728
Death Grant	635	0	0	0	0
Disablement Pension	74,244	29,347	65,575	26,763	44,556
Deserted Wife's Benefit	541,626	285,345	43,695	213,544	142,300
Equal Treatment	0	-24,275	0	0	0

[Deputy Mary Hanafin.]

Social Insurance Fund Schemes	2004 Value	2005 Value	2006 Value	2007 Value	2008 Value
	€	€	€	€	€
Health & Safety Benefit	938	0	9,577	1,951	2,896
Injury Benefit	14,033	34,533	23,807	22,041	31,416
Invalidity Pension*	875,856	1,325,987	1,558,795	2,425,349	1,322,276
Maternity Benefit	22,351	41,407	83,243	84,672	132,769
Medical Care	0	0	0	0.00	0.00
Old Age Contributory Pension*	976,168	609,209	805,677	3,542,598	3,482,991
Pay Related Benefit	8,100	-234	0	0.00	0.00
Retirement Pension*	478,403	288,458	468,559	401,504	373,913
Treatment Benefit	30,055	26,099	38,141	20,279	53,336
Unemployment Benefit*	6,555,175	5,656,493	5,722,241	7,155,906	8,026,254
Unemployability Supplement*	30,694	7,019	0	0.00	0.00
Widow/er's Contributory Pension	1,000,405	1,160,455	621,471	1,125,501	1,021,409
SIF Total	12,042,768	10,755,183	11,187,653	17,488,507	18,113,538
Grand Total	56,274,768	45,435,083	45,090,134	49,127,233	54,473,687

\*All of these schemes have been re-named from October 2006.

663. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people claiming jobseeker's benefit who notified her they will return to their home country or are seeking work in another EU country to date in 2009; the value of payment relating to same; and if she will make a statement on the matter. [29913/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The number of people who requested transfer of their Jobseeker Benefit, in line with EU Regulations, to their home country since 1 January 2009 is 2,479. The maximum length of time that a person can transfer their benefit entitlement to another country is seventy eight days (13 weeks). The Department has reciprocal arrangements in place with five EU Member States whereby reimbursement of payments made by those countries for the customers (83) involved is not claimed. The maximum exposure, therefore, to which the Department could be exposed for the remaining 2,396 customers amounts to €6,282,529. However, where customers find employment and consequently do not claim their full entitlement in their home country the costs to the Department will be reduced accordingly. It is not possible to give the final cost to the Department until such time as reimbursement requests are received and processed.

#### Budget Allocations.

664. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the budget allocation to her Department per year since 2000 and to date in 2009; and if she will make a statement on the matter. [29914/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The following table provides the budget allocation to the Department of Social and Family Affairs as published in the Revised Estimates Volume each year from 2000 to 2009. The amount for 2008 takes account of the Supplementary Estimate approved by the Dail for that year.

Year	Budget Allocation
	IR£m
2000	5,360
2001	6,096
	€m
2002	9,408
2003	10,230
2004	11,275
2005	12,199
2006	13,540
2007	15,335
2008	17,862
2009	21,271

### Departmental Expenditure.

665. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of money allocated to the family resource agency; the amount of money allocated to each family resource centre; the location of family resource centres; the number of people employed in each family resource centre; and if she will make a statement on the matter. [29915/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Funding for the Family Support Agency amounts to almost €36 million for 2009.

The main functions of the Agency include:-

- The Family and Community Services Resource Centre (FRC) Programme
- The scheme of grants to voluntary organisations providing marriage, child and bereavement counselling and related services
- The Family Mediation Service

Funding for the FRC Programme amounts to over €18 million for 2009, supporting 107 Family Resource Centres (FRCs) nationwide. The aim of this Programme is to combat disadvantage and support families in coping with difficulties. The emphasis in the FRCs is on the involvement of the local community in developing approaches to tackle the problems they face and on creating successful partnerships between the voluntary and statutory agencies in the area concerned. FRCs assess the needs of their local communities and ensure that there are services and supports in place to address these needs.

The additional information in respect of each FRC is being compiled and will be forwarded to the Deputy.

666. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if she has achieved savings of €29.796 million announced on 8 July 2008; the way these savings were made; the target savings to be made in 2009; the way these savings will be made; and if she will make a statement on the matter. [29916/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** On 8 July 2008 the Minister for Finance announced a range of measures which would be taken across the public service to control expenditure in 2008 to achieve savings on the Revised Estimates previously agreed for the public service. In the case of the Department of Social and Family Affairs, the expenditure control measures being undertaken were intended to achieve savings of €29.796 million.

These included savings on the Department's administrative budget in the areas of advertising and IT external service provision; a number of additional control activities; the deferment of the introduction of the Personal Advocacy Service by the Citizens Information Board; a reduction in funding to the Family Support Agency for new Family Resource Centres and the refurbishment of Family Mediation Service offices and reductions in spending on conferences, advertising and awareness raising activities by the Combat Poverty Agency.

The targeted savings were achieved in 2008.

The estimates approved by the Dáil in May 2009 include provision for reduced expenditure across a range of areas in 2009, some of which were a consequence of the measures introduced last year. However, no specific savings targets have been announced since the publication of the Revised Estimates Volume.

### **Consultancy Contracts.**

667. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the amount of money paid to consultants in each of the years from 2004 to date in 2009; the name of each consultancy firm; the work carried out by each; and if she will make a statement on the matter. [29917/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department has a major programme of business, organisational and technological change underway to enable it to modernise the services which it provides to its customers. Ensuring that the potential of Information Technology is fully utilised is a significant aspect of this.

Major IT projects require a high level of specialised technical expertise that often is not available within the Department. For this reason, the Department has a specific budget provision for IT External Service provision. IT External Service Provision is defined by the Department of Finance guidelines as where a person or organisation provides the services or the human/physical resources to meet the ICT needs of a Department. These requirements could include software development, network installation and management; infrastructure management, data centre hosting or managed services.

Consultancy is defined in the Department of Finance guidelines as where a person or organisation provides intellectual or knowledge based services (e.g. expert analysis and advice) through delivering reports, studies, assessments, recommendations, proposals etc that contribute to decision or policy making. For example, the Department has used consultancy expertise to support it in undertaking a review of the Social Insurance Fund and the equality review of the Social Welfare Code.

The total amount spent by the Department on consultants (IT external service provision and consultancy services) in each year since 2004 is set out in the table. The names of the individual companies, the purpose of the engagement services and the amounts paid are set out in Table 2.

Table 1: Consultancy and External Service Provision

Year	Total Paid	
	€	
2004	2,822,000	
2005	3,900,000	
2006	8,728,000	
	Consultancy Expertise	IT External Service Provision
	€	€
2007	1,035,000	7,067,907
2008	1,863,506	10,153,463
2009 (01/01/09 to 31/05/09)	227,429	3,484,377

Table 2

YEAR: 2004

Company	€	Purpose
BearingPoint Ireland Ltd.	1,826,186	Service Delivery Modernisation Programme Phase 2
Hewlett Packard Ireland Ltd.	383,782	Migration of Service Delivery Modernisation Phase 1 to Microsoft.net platform
Gartner	80,877	Organisational Review of the Department's Information Systems Division
Fujitsu Consulting	72,771	Service Delivery Modernisation Phase 1 Post Implementation Support
Gartner	55,055	ISD Research
Propylon	42,380	Support services in relation to Central Records System Development
IBM Ireland Ltd.	36,300	Service Delivery Modernisation Phase 2 — Organisational change programme
Similarity Systems Ltd.	30,885	Data Quality Audit on Customer Identity Data
Lansdowne Market Research Ltd.	30,492	Expenditure review of Atypical Working Arrangements in relation to the Unemployment Scheme
Accourt Ltd.	26,391	Development work in relation to Public Service Card
BT	20,691	Technical Support — GVPN (Networks)
Qualbase Ltd.	17,854	Database support for Oracle Financials Application.
First Impression Design	16,335	Paper on demographic, economic, social and other changes impacting family life.
Peoplesoft UK Ltd.	15,365	Maintenance of HRMS Peoplesoft application
Goodbody Economic Consultants	13,310	Social Housing Cost Review for SWA Scheme
Hewlett Packard Ireland Ltd.	13,190	Post implementation support for .NET Microsoft upgraded platform.
James Doran & Associates Ltd.	10,890	Review of Dental Benefits Scheme
Finglas Cabra Partnership Ltd.	10,000	Consultancy Research
Oracle EMEA Limited	9,433	Maintenance of Oracle Financials application
CPL Solutions Ltd	8,833	Consultancy in relation to REACH Project
Public Appointments Service	8,479	Human Resources Consultancy
Mr Robert Dowdall	8,140	Review of PRSI Benefit in Kind Scheme
Technical Guidance Ltd.	7,926	Report on Insurance and Introduction of Actuarial Tables

[Deputy Mary Hanafin.]

Company	€	Purpose
Olivia O'Leary	6,655	Family Fora Report
Touchpaper Ireland Limited	6,351	Implementation of HelpDesk for Facilities Management
Edward Delaney & Associates	6,156	Advice on Decentralisation
The Policy Institute	5,396	Synthesis Report on NGO submissions in relation to family policy.
Open Interface Ltd.	5,055	Consultancy in relation to Office of Social Inclusion (OSI) website
Community & Enterprise Department	5,000	Research relating to Families
Una Ryan	4,600	Research
Queen's University	4,590	Family Fora Report
Landsdowne Market Research Ltd.	3,872	Review the Back-To-Work Scheme
Economic and Social Research Institute (ESRI)	3,594	Research
Richard Pawson	3,542	Support on Service Delivery Modernisation Business Object Modernisation (BOM)
Excellence Ireland	2,985	Q-Mark Mock Audit
LAN Communications	2,542	Webmarshall Installation & Consultancy
Blue Wave Technology	2,541	Information Services Technical Support
Mel Cousins	2,178	Methodological advice in relation to unemployment schemes
Core Computer Consultants Ltd.	1,742	Maintenance on Corepay Salaries Application
Matheson Ormsby Prentice	1,452	Research on Occupational Pensions Policy
Eircom	1,392	Anti Virus Consultancy Services
DSP Global Ltd.	1,215	Consultancy in relation to Oracle financials application,.
Frank O'Brien	1,210	Preparation of Commentary
UCD	1,120	Families Research Programme
Management Support Services (Ireland) Ltd.	1,065	Personnel investigation
S.H.B. Carers Development Unit	882	Family Services Project (FSP) Carers Newsletter
Morse	750	Advice on Optical Drive
SQT Training	550	Consultancy Training

YEAR: 2005

Company	€	Purpose
BearingPoint Ireland Ltd.	2,074,225	Service Delivery Modernisation Programme (SDM Phase 2)
IBM Ireland Ltd.	505,243	Service Delivery Modernisation Programme
BearingPoint Ireland Ltd.	151,234	Development of the Business Object Modernisation to support Overpayments & Debt Management
Accourt Ltd.	141,895	Developing the business & functional requirements for E-payments
Horwath Consulting Ireland Limited	108,810	Review of Medical certification, reporting, review & assessment for illness, disability & carers' schemes
Prospectus Consultants	82,765	Review of the Management Advisory Committee (MAC)
Qualbase Ltd.	82,595	Database support for Oracle Financials application
IBM Ireland Ltd.	82,551	Development of a strategy for implementing change to support Overpayments & Debt Management System.



Company	€	Purpose
Millward Brown Irish Marketing Surveys Ltd.	73,000	Independent Customer Survey
SoftLaw Corporation (Europe) Ltd.	52,473	Proof of concept (POC) project in the use of legislative rule base technology (LRT)
Deloitte & Touche	51,425	Auditing consultancy
Price Waterhouse Cooper / Citicous	50,000	Embedding a structure, methodology and tools for managing Information Risk
Hewlett Packard Limited	47,698	Consultancy in relation to Visual Basic.NET
NTTX Limited	44,528	Health & Safety policy review
Indecon International Economic Consultants	39,812	Review of National Employment Action Plan
Nexus Europe (Ireland) Limited	38,667	Family Support Agency Software /Roll out of evaluation system for Family Resource Centres
Bayberry Consulting Ltd.	29,222	Payment and Agency Reconciliation Project (PARP)
Price Waterhouse Cooper	29,040	Officer identity & Access Management policy
Microsoft MIOL	20,226	Review of Service Delivery Modernisation Phase 2 technical architecture
Computer Associates PLC	19,602	Consultancy relating to Unicenter Systems Monitoring
Espion Ltd.	18,997	Network Perimeter Security
Hewlett Packard Ireland	18,690	Integration/performance testing/new architecture to diagnose problems.
XPERT Technology	14,520	Technical Support
Core International	11,479	Maintenance on Salaries application
Technical Guidance Ltd	11,193	Planning Unit Consultancy
Step toe & Johnson LLP	10,345	Planning Unit Consultancy
ESRI	8,430	Background research paper for development of strategic approach to supporting families
Dorothy Butler Scally	7,986	HR Consultancy
DSP Global Ltd.	7,485	Customisation of Oracle Financials Assets module to support DSFA business requirements.
Naked Objects Group Ltd.	7,260	Service Delivery Modernisation Phase 2 Review + Presentation
Polaris HR Limited	7,180	Personnel Investigations
Similarity Systems	6,050	Consultancy in relation to Overpayments and Debt Management Project
Red Dog Design	4,961	Design of Business Object Icons for Service Delivery Modernisation
Hewlett Packard Limited	4,764	Database support for Integrated Short-term Schemes system (ISTS)
Trinity College	4,500	Planning Unit Consultancy
Insight Test Services	4,500	IT Consultancy
Edward Delaney & Associates	4,477	Facilitation for Statement of Strategy Workshop; Vision Exercise
Mel Cousins	3,630	QA review of Back to Education Allowance Scheme
Propylon	2,723	Functionality Change Request
Compuware	2,552	IT Consultancy
Open Interface Ltd.	2,057	Website maintenance & services
Frank O'Brien	1,815	Planning Unit Consultancy
Blue Wave Technology	1,770	Maintenance on Parliamentary Question application
IFS Strategy Consulting	1,452	Transposition of Institutions Occupation Retirement Provisions (IORPS) Directive
Waterford Area Partnership	1,452	Consultancy on Cumas Report
Blue Wave Technology	1,180	Maintenance on Family Mediation Service Agency application.

[Deputy Mary Hanafin.]

Company	€	Purpose
Willem Adema	1,153	Presentation
Dr Valerie Richardson	900	Family Conference
HSE (Carers Development Unit/Services for Carers)	896	Family Service Project
Peoplesoft UK Ltd.	592	Maintenance of Peoplesoft application (Human Resource Management System)

YEAR: 2006

Company	€	Purpose
BearingPoint Ireland Ltd	6,990,986	Service Delivery Modernisation Programme & Business Object Modernisation Development
Price Waterhouse Coopers	257,047	Consultancy & Risk Analysis of IT systems
Horwath Consulting Ireland Limited	169,176	Review of Medical certification, reporting, review & assessment for illness, disability & carers' schemes.
IBM	164,555	Service Delivery Modernisation Phase 2
Accenture	162,947	Strategy for Document Records & Information Management.
Fujitsu Services CFS Ireland	133,709	Upgrade to Oracle Financials application
Hewlett Packard	120,445	Develop a strategy & recommendations on use of Microsoft Windows Active Directory
PA Consulting	105,919	Programme management for Overpayments & Debt Management (ODM).
Bayberry Consulting Limited	97,405	To support the development of the functional specification for Payment and Agency Reconciliation Project (PARP)
IQ Content Ltd	57,999	To support the development of a strategy for DSFA website www.welfare.ie
Hewlett Packard	51,219	Proof of Concept consultancy
BearingPoint Ireland	43,219	DSFA contribution to Shared Services contract with CMOD
Hewlett Packard	41,685	Ongoing software maintenance and support services for DISC
Imformatica Ireland Ltd	37,056	Customer Identity Data Quality Management Consultancy
Propylon	28,604	Ongoing software maintenance and support services for DISC
NTTX Limited	26,939	Health & Safety review
ESRI	24,200	Consultancy on Customer Profiling
Mel Cousins	23,812	Consultancy on review of the social welfare code
Prospectus Consultants	20,861	Review of the Management Advisory Committee (MAC).
Red Dog Design	16,553	Design of icons.
Policy Institute	16,190	To provide a NAPS / Consultation report.
Alldocs Limited	16,026	Scanning & indexing of customer, claim & administrative papers.
RITS	15,464	IT Forensic Investigations
Qualbase Ltd.	15,202	Database Support for Oracle Financials application
REHAB Care	13,782	Locall Leaflet Distribution for DSFA customers
Hewlett Packard	13,281	Integration of Overpayments & Debt Management Application with Service Delivery Modernisation.

Company	€	Purpose
IBM	11,587	Scanning services
Mel Cousins	8,470	Quality Assessment of the Review of the Supplementary Welfare Allowance Scheme
Core International	7,367	Corepay support & maintenance
Technical Guidance Ltd	4,840	Consultancy on Pensions Policy Review.
Hewlett Packard	4,805	Post implementation support for Child Benefit (CB) V1.3 Code Base
Petrus Consulting	4,742	Consultancy on Expenditure Review of Carer's review.
Data Conversion	4,295	Data Entry services
Mel Cousins	4,235	UA/UB Atypical Expenditure Review — assessment report
Open Interface Ltd.	4,006	Website Maintenance
Deloitte & Touche	3,267	ICT audit expertise
Agnition	1,815	Project Management Consultancy
SoftLaw Corporation (Europe) Ltd	1,753	Proof of concept (POC) project
Polaris HR Ltd. 2005	1,617	Personnel Investigations
Collette Gaughran	550	To assess IS needs for people in DSFA with a disability.
Irish Sign Link	270	Interpretation Services
Darren Malone	100	Website Development

## YEAR: 2007

Company	€	Purpose
Bearing Point Ireland Ltd	6,786,136	Service Delivery Modernisation (SDM) Programme
Accenture	281,243	DSFA Corporate Taxonomy
Mercer Human Resource Consulting	199,650	Actuarial Review of Social Insurance Fund
Informatica Ireland Ltd.	82,818	Customer Identity Data Quality Management
Fujitsu Services CFS Ireland	77,656	Financial Support Systems — Oracle Financials Upgrade
Deloitte & Touche	72,916	IS Audit consultancy
OECD	70,000	Thematic Review on reforming Disability Benefit
Hewlett Packard	58,962	ISS Active Directory Strategy
Hewlett Packard	51,219	IT Consultancy in relation to Business Object Modernisation/Open VMS
Inpute Technologies	48,540	Intelligent Character Recognitions/Optical Character Recognition
Naked Objects Group Ltd	47,160	Business Objects Modelling Advice and Expertise for Service Delivery Modernisation (SDM) Programme
Mel Cousins & Associates	44,322	Equality Review of the Social Welfare Code
NTTX Ltd	43,560	Report on Health & Safety Programme
Goodbody Economic Consultants	36,784	Study on Social Housing/Rent Supplement
Goodbody Economic Consultants	31,037	Reports on Economic Implications of Demographic Change and Pensioner Support Ratio
Core International	30,078	Provision of Retro-Overtime Module to Corepay, Online Payslips, Time & Attendance System
IPSOS MORI Ireland	27,104	Customer Service Survey (South East Region)
Steve Wylie	24,200	Consultancy support for production of an Information Communication Technology Strategy

[Deputy Mary Hanafin.]

Company	€	Purpose
Naked Objects Group Ltd	17,001	Business Object Support — Medical Referral Assessment Implementation
Red Dog Design Consultants	13,806	National Anti-Poverty Strategy (NAPS) Consultation Report
Price Waterhouse Cooper	12,100	Management Advisory Committee (MAC) Risk Management Assessment Workshop
Data Conversion	10,521	Live Register customer profiling
Polaris HR Ltd	9,623	Personnel Investigations
Prospectus Ltd	6,624	Management Advisory Committee (MAC) Review
Dr. Muireann Cullen, Nutrition & Health Foundation	5,850	Advice in relation to healthy eating & specialised diets (Dietary Supplement Allowance)
UCD Bursar's Office	5,227	Patterns & Trends Report (Family Affairs Unit)
Fujitsu Services CFS Ireland	3,150	DRIM Preparation & Design of Workshop
National Council for the Blind	2,500	Accessibility Consultancy Services
Edmond Cussen	1,800	Document Records Information Management (DRIM) Peer Review
Alldocs Limited	736	Capture of Documents in Electronic Format
Red Dog Design Consultants	436	Design Consultancy
Sign Language Interpreting Service	145	Sign Language Interpreting

YEAR: 2008

Company	€	Purpose
Bearing Point	5,432,151	Support & Maintenance of SDM Production System and Widows & Widowers (Contributory) Pension Schemes Project
Fujitsu Services	1,645,112	Payment & Agency Reconciliation Project
Hewlett Packard Ireland Limited	1,147,424	Development work in relation to corporate intranet portal and Office Systems Modernisation
Bayberry	676,147	Payment & Agency Reconciliation (business & organisational change)
Naked Objects	435,120	Business Objects Modelling Advice and Expertise (Service Delivery Modernisation Programme)
Accenture	368,573	Strategic Review of Client Eligibility Services
Hewlett Packard Ireland Limited	363,446	Consultancy support on migration of systems to Microsoft Exchange
PM Centrix	336,242	DSFA Website Redesign
Accenture	260,387	Systems Design & Development (General Register Office)
Grant Thornton	183,781	Strategic Review of Customer Facing Services
Mel Cousins	172,365	Equality Review of Social Welfare Code
ERSI	150,000	Assessment of impact of tax and welfare policy
Ernst & Young	120,000	Information Security Support
Deloitte	118,403	IS Audit Consultancy
Hewlett Packard Ireland Limited	81,266	Implementation of Centralised Infrastructural Management System
WRC Social & Economic Consultants	77,552	Review of Activation & Family Support Programme
Millward Brown	65,606	Family Income Supplement — Uptake Research Project

Company	€	Purpose
ERSI	51,847	National Employment Action Plan (NEAP) Evaluation
Core International	38,920	Travel & Subsistence Claim Processing
Inpute Technologies	38,784	Digital Documents
Lan Communications	37,455	Network Security Consultancy
Rits Information Security	30,454	Forensic Investigation Services
Fujitsu Services	27,116	Oracle Financials
ERSI	24,200	Live Register Customer Profiling
Core International	20,092	Time & Attendance System
Computer Associates	19,965	Implementation of Centralised Infrastructural Management System
Microsoft Ireland Ltd	17,120	Implementation of Centralised Infrastructural Management System
Core International	17,034	Corepay development & Upgrade
ERSI	16,000	Measurement & analysis of levels of consistent poverty
Camille Loftus- OPEN	14,000	Welfare to work review
Conal Devine Associates	10,905	CORE Functions — Organisational Design/Development and Configuration & Transition Management
Peoplesoft	8,057	Human Resource Management Support
Accenture	5,569	DSFA Corporate Taxonomy
Technical Guidance	5,392	Pensions Policy Report
Open Interface	484	Website Design (Office of Social Inclusion)

## YEAR: 2009 (Provisional to 31/05/09)

Company	€	Purpose
Bearing Point	1,568,989	Support & Maintenance of SDM Production System
Fujitsu Services CFS Ireland	794,368	Payment & Agency Reconciliation Project
Bearing Point	287,698	Widows & Widowers (Contributory) Pension Schemes Project
Hewlett Packard Ireland	277,649	Consultancy support on migration of systems to Microsoft Exchange
Bayberry Consulting Ltd	170,597	Payment & Agency Reconciliation (business & organisational change)
Microsoft Ireland Operations Ltd	128,522	Security of ICT Services
Inpute Technologies	100,585	Digital Documents
Bearing Point	86,045	Medical Review and Case Management Project
Accenture	64,055	Business Process Improvement
Naked Objects Group Ltd	60,932	Business Objects Modelling Advice (Service Delivery Modernisation Programme)
Naked Objects Group Ltd	53,460	Technical Development Advice (Service Delivery Modernisation Programme)
PM Centrix	42,470	Departmental Website Redesign Project
Accenture	27,454	Ongoing Support & Maintenance of Civil Registration System (General Register Office)
WRC Economic Consultants	19,440	Review of Activation & Family Support Programme
A&L Goodbody Solicitors	15,455	Pensions Policy Advice
Deloitte & Touche	14,087	IS Audit Consultancy / Computer Audit Assistance

### State Agencies.

668. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the bodies or agencies operating under the aegis of her Department; the financial allocation to same per year since their establishment; the number of staff employed by each per year since their establishment; the amount of money spent on public relations companies by each per year since their establishment; and if she will make a statement on the matter. [29918/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The four statutory bodies operating under the aegis of the Department are the Pensions Board, the Citizens Information Board, the Family Support Agency and the Social Welfare Tribunal. In addition the Pensions Ombudsman comes under the remit of the Department.

The Combat Poverty Agency has been integrated into the Office of Social Inclusion in the Department since 1 July 2009.

The information requested in respect of these bodies is set out in tables.

Agency/ Board	Financial Allocation per year since date of Establishment	Number of Staff employed per year since date of Establishment	Amount of money spent on public relation companies per year since date of establishment
	€		€
The Pensions Board			
Year			
1991	—	8	—
1992	—	11	—
1993	—	11	6,800
1994	—	14	2,746
1995	—	17	6,300
1996	—	17	8,510
1997	—	20	16,192
1998	58,160	20	28,367
1999	38,092	19	26,800
2000	67,139	19	42,996
2001	991,550	23	41,072
2002	885,249	33	60,457
2003	1,912,745	37	125,689
2004	1,927,951	38	111,232
2005	1,804,119	39	91,776
2006	2,162,470	39	113,383
2007	2,073,161	37	113,217
2008	1,000,000	39.5	92,764

*Notes: Financial Allocation*

1. Contribution by DSFA to Board policy work in period 1998-2001.
2. Contribution to Personal Retirement Savings Account (PRSAs) costs in period 2001-2007 This subvention ceased at the end of 2007.
3. National Pension Awareness Campaign (NPAC) costs from 2003.



Agency/ Board	Financial Allocation per year since date of Establishment	Number of Staff employed per year since date of Establishment	Amount of money spent on public relation companies per year since date of establishment
Office of the Pensions Ombudsman	€000 2003/4 — €842 2005 — €733 2006 — €653 2007 — €1,058 2008 — €961 2009 — €974	8 8 8 10 10 10	No public relations company engaged at any time.

Agency/ Board	Financial Allocation per year since date of Establishment	Number of Staff employed per year since date of Establishment	Amount of money spent on public relation companies per year since date of establishment
Social Welfare Tribunal	1982* 1983* 1984* 1985* 1986* 1987* 1988* 1989* 1990* 1991* 1992* 1993* 1994* 1995* 1996* 1997 — £9,000.00 1998 — £9,000.00 1999 — £6,000.00 2000 — £6,000.00 2001 — £6,000.00 2002 — NIL 2003 — €8,000.00 2004 — €3,000.00 2005 — €4,000.00 2006 — €4,100.00 2007 — €1,500.00 2008 — €6,000.00 2009 — €6,000.00	5 — Chairman and 4 ordinary members                           5 — Chairman and 4 ordinary members	NIL                                NIL NIL

[Deputy Mary Hanafin.]

\*Unfortunately it is not possible to ascertain the budget allocations for the Tribunal in respect of the years prior to 1997.

Agency/ Board	Financial Allocation per year since date of Establishment	Number of Staff employed per year since date of Establishment	Amount of money spent on public relation companies per year since date of establishment
Family Support Agency Established 06-05-2003	2003 : €17.280m	2003 : 32.80	2003 : Nil
	2004 : €20.185m	2004 : 35.10	2004 : Nil
	2005 : €24.460	2005 : 34.10	2005 : €25,017
	2006 : €28.025m	2006 : 38.70	2006 : €50,033
	2007 : €35.339m	2007 : 42.49	2007 : €50,033
	2008 : €35.981m	2008 : 38.98	2008 : €55,830
	2009 : €35.707m	2009 : 40.19	2009 : Nil
	Full-time equivalent posts.		

Agency/ Board	Financial Allocation per year since date of Establishment	Number of Staff employed per year since date of Establishment	Amount of money spent on public relation companies per year since date of establishment
Comhairle 2000 (part year only, est. 12/06/00)	€4.945m	70	€56,551
2001	€12.795m	72	€63,854
2002	€15.367m	75	€93,598
2003	€17.016m	85	€5,610
2004	€17.901m	90	Nil
2005	€20.997m	91	Nil
2006	€24.362m	92	Nil
Citizens Information Board (est. 21/02/07)	€28.140m	92	Nil
2007	€29.467m	88	Nil
2008	€28.000m	88	Nil
2009 (estimate)		(Ave no. of staff employed in the year, WTEs)	

### Departmental Bodies.

669. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the current working groups established by her and what they are examining; when they are due to report; and if she will make a statement on the matter. [29919/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Details of current working groups are set out in the table.

Name of Board/Agency	Name of Working Group established by the Minister	Purpose of Group	Date Report Due
Department of Social & Family Affairs	Working Group to Review the Disability Allowance Scheme	To review the disability allowance scheme having regard to its objectives and the extent to which they are being achieved.	Q4 2009
Department of Social & Family Affairs.	Working Group to Review information services provided to customers	To examine the information provision function of the Department and that of the Citizens Information Board in relation solely to its provision of information on DSFA related schemes.	Q4 2009
Department of Social & Family Affairs	Steering Committee to Review Child Income Support policy and associated spending programmes	To examine the objectives of child income support (CIS) policy, consider if they remain valid, if programme spending and associated administrative costs are well configured to meet these objectives and if alternative approaches would achieve better outcomes and impacts.	Interim report: Late 2009 Final report — Early 2010 See footnote below***
Department of Social & Family Affairs	Mortgage Interest Supplement Working Group Working Group to Review the Disability Allowance Scheme	To review the mortgage interest supplement scheme. To review the disability allowance scheme having regard to its objectives and the extent to which they are being achieved.	End 2009 Q4 2009

\*\*\*The establishment of the review of Child Income Supports was made in the context of the Government's Value for Money and policy review initiative and predates the Minister for Finance's announcement in the budget to progress with either the means testing or taxation of child benefit from 2010. The review looks at the wider range of Child Income support payments than Child Benefit and therefore will continue its deliberations into 2010.

### Job Creation.

670. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs when the JobSearch programme, which is being undertaken by FÁS in co-operation with her, was set up; and if she will make a statement on the matter. [29923/09]

671. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number and percentage of people referred to FÁS in 2007; the number and percentage of people who were interviewed by FÁS; the number and percentage of people placed in jobs, training or education; and if she will make a statement on the matter. [29924/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 670 and 671 together.

The National Employment Action Plan/Job Search, operated jointly with FÁS, is the main activation measure for jobseeker's. It has been in operation since 1998 and has proven successful in that period in assisting people on the live register back into employment. It provides for a systematic engagement of the employment services with unemployed people.

Under the Plan, all persons between the ages of 18 and 65 years who are approaching 3 months on the Live Register, are identified by the Department of Social and Family Affairs and referred to FÁS for interview with the aim of assisting them to enter/re-enter the labour market.

Numbers Referred, Interviewed by FÁS, Placed in Jobs/Training/Education & Total Leavers 2007/2008

Year	2007	% of Referrals	2008	% of Referrals
No's Referred	51,452		60,260	
No.'s Interviewed	32,124	62%	40,933	68%
Placed in Jobs Training or Education	7,621	15%	7,846	13%
Total Leavers	32,359	63%	33,919	56%

The Employment Action plan process is fundamental in addressing the progression needs of those on the Live Register. It provides a stimulus to job search and affords an opportunity to explore, under professional guidance, the full range of employment and training services offered by FÁS.

The number of referrals under the National Employment Action Plan has been increased from 6,500 to 12,250 cases per month. This represents an unprecedented increase in capacity of nearly 100% for this programme.

### Departmental Staff.

672. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 51 of 10 June 2009, the number of facilitators in each location; and if she will make a statement on the matter. [29925/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The facilitator service is available locally to all social welfare recipients via the local office network. Facilitators hold open clinics and meet with people who have been referred either by the social welfare local office or by other agencies. In addition, cases are selected and referred to facilitators by employment support section. An appointment can be made by contacting the facilitator directly or via the appropriate local office.

A list of facilitators in each location is as follows for the information of the Deputy.

Locations Of Facilitators	
Currently 60.5 Facilitators in Place	
Apollo House, Dublin	1
Athlone	1
Athy	1
Ballina	1
Ballyfermott	1
Ballymun	1
Bishop's Square, Dublin	1
Blanchardstown	1
Bray	1
Buncrana	1
Carlow	1
Castlebar	1
Cavan	1
Clondalkin	1
Clonmel	1
Coolock	1
Cork	5
Drogheda	1
Dun Laoghaire	1
Dundalk	1
Dungloe	1
Ennis	2
Finglas	1
Galway	2
Kilbarrack	1
Kilkenny	1
Killarney	1
Letterkenny	1
Limerick	2
Longford	1
Mallow	1
Maynooth — work sharing	0.5
Monaghan	1
Mullingar	2
Navan	1
Navan Rd, Dublin	1
Newbridge	1
North Cumberland St, Dublin	1
Nutgrove	1
Portlaoise	1
Sligo	1
Swords	1
Tallaght	1
Thomas St, Dublin	1
Thurles	1
Tralee	1

[Deputy Mary Hanafin.]

Locations Of Facilitators	
Tuam	1
Tullamore	1
Waterford	2
Wexford	3

*Question No. 673 answered with Question No. 621.*

### Social Welfare Benefits.

674. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people in receipt of the back to education allowance for each of the past five years and to date 2009; the cost for each of these years and to date 2009; and if she will make a statement on the matter. [29928/09]

675. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people who have applied for the back to education allowance for each of the past five years; the number of people who have been denied the allowance; and if she will make a statement on the matter. [29929/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 674 and 675 together.

Participants on the back to education allowance (BTEA) scheme transfer from another social welfare payment. Annual statistics are collated by the department for the number of participants on the basis of the relevant academic year. Statistics are not collated centrally on the number of applications received or the number who are refused entry to the scheme and, consequently, remain on their existing payment.

Details of the number of participants on the scheme (BTEA) for the academic years 2003/2004 to the 2008/ 2009 are presented in Table 1 below. Table 2 shows the annual expenditure on the scheme for full years from 2004 to 2008 and provisional figure for first six months of 2009. The tables show a significant increase in the number of participants and the level of expenditure on the scheme in recent years.

Table 1 — BTEA Participants 2004/2005 to 2008/2009

Academic year	Number of Participants
2004/2005	7,308
2005/2006	7,285
2006/2007	8,090
2007/2008	8,883
2008/2009	11,646

Table 2 — BTEA Expenditure 2004 to date

Year	Expenditure
	€
2004	44,160,264



Year	Expenditure
	€
2005	46,694,897
2006	52,069,963
2007	64,142,351
2008	77,135,921
End June 2009	45,0892,039 (Provisional figure)

676. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people in receipt of the back to work enterprise allowance for each of the past five years and to date 2009; the cost for each of these years and to date 2009; and if she will make a statement on the matter. [29930/09]

677. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people who applied for the back to work enterprise allowance for each of the past five years; the number of people who have been denied the allowance; and if she will make a statement on the matter. [29931/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 676 and 677 together.

The back to work enterprise scheme is designed to assist people on a social welfare payment return to work by setting up a self employment business. Participants on the back to work enterprise allowance (BTWEA) scheme transfer from another social welfare payment and retain a tapered percentage of their payment over a two year period.

Annual statistics are collated by the department for the number of participants on the scheme. Records are not collated as to the number of applications received annually or the number who are refused entry to the scheme and consequently remain on their existing payment.

Details of the number of participants in receipt of the back to work enterprise allowance since 2004 are presented in table 1 below. Table 2 shows the total expenditure on the back to work programme, which includes both the back to work enterprise allowance and the back to work employee allowance, for the full years 2004 to 2008 and provisional figures for the first 6 months of 2009. The back to work employee allowance has been closed to new applications since 1st May 2009 but existing participants continue to receive payment.

Table 1 — Back to Work Enterprise Allowance Participation levels 2004-2009

Year	Back to Work Enterprise Allowance
December 2004	6,855
December 2005	5,297
December 2006	4,373
December 2007	4,828
December 2008	4,604
End June 2009	4,388

[Deputy Mary Hanafin.]

Table 2 — Expenditure on Back to Work Allowance 2004-2009

Year	Expenditure on Back to Work Allowance
	€
2004	65,711,714
2005	53,562,879
2006	56,497,494
2007	71,071,990
2008	73,168,872
To end June 09	32,587,955 (Provisional)

678. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people who have applied for the short-term enterprise allowance; the number of people participating in this scheme; and if she will make a statement on the matter. [29932/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The short term enterprise allowance (STEA) was introduced by the Government to respond to the demand to provide support to someone who becomes unemployed and who wants to start their own business.

The short term enterprise allowance (STEA) is payable at the same rate and for the same duration as jobseeker's benefit. It has been available since 1st May 2009 to claimants who qualify for jobseeker's benefit, provided they have 104 contributions paid or have established entitlement to statutory redundancy from their latest period of employment. Anyone in this category with a viable business idea can avail of the scheme. Data is collated centrally in respect of awards only. At week ending 3rd July 2009 there were 148 people in receipt of the short term enterprise allowance.

#### **Tax and Social Welfare Codes.**

679. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress made regarding the programme for Government commitment to integrate the tax and social welfare systems fully to allow for more efficient data and money transfer mechanisms and to provide for a fully integrated PPS number; and if she will make a statement on the matter. [29933/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department has taken a lead role over the years in developing and implementing identity management policies and procedures based on the use of the Personal Public Services (PPS) number. This number was previously known as the Revenue and Social Insurance (RSI) number. The name was changed to indicate the broadening of its role to one which supports delivery of a broader range of public services but it is also still used for its original core purpose of providing a common identifier for the Revenue Commissioners and this Department.

As well as facilitating wider-scale exchange of information, the PPS number also has a role in the development of on-line services for individuals. The Department provides identity related services to a number of agencies in accordance with legislation.

The overall Government strategy is to realise the potential of the Information Society through innovation and modernisation of public services. As part of this, the Standard Authentication Framework Environment programme, co-chaired by this Department and the

Department of Finance, provides the basis for a consistent set of registration and authentication services for customer interaction with public services.

The Department is developing a Public Services Card (PSC), to replace the existing Social Services Card. The aim is to develop a card that acts as a key for access to public services in general, identifying and authenticating individuals as appropriate and where required. The necessary legislative provisions were included in the 2007 Social Welfare and Pensions Act.

In December 2008, the Department and the Revenue Commissioners signed a Memorandum of Understanding with the purpose of improving and intensifying the levels and scope of existing policy, consultative, administrative and operational co-operative arrangements between them. The Department and the Revenue Commissioners recognize the necessity for clear and unambiguous communication and consultation on any policy, legislative, administrative, operational and modernisation proposals which may have implications for either organisation. This will include, for example, proposals being brought forward in the context of, inter alia, the Budget, Finance Act(s), Social Welfare Act(s), and national social partnership agreements. The Department will continue to explore on the basis of these ongoing developments how greater data and money transfer efficiencies could be realised in the future.

### **Social Welfare Code.**

680. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to maintain policy of phasing and use of transition payments for persons coming off social welfare; and if she will make a statement on the matter. [29934/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department is conscious of the need to facilitate persons in receipt of social welfare payments when taking up employment opportunities. To ensure that supports are structured to support this objective, a number of measures have been introduced in recent years to remove disincentives to taking up employment and to assist in the transition from welfare to work.

These measures include the introduction of a tapered withdrawal of means-tested payments for unemployed people and people with disabilities who engage in employment and a tapered withdrawal of certain earnings for people in receipt of the rent and mortgage interest supplements.

Significant progress in removing poverty and inactivity traps is also shown in two important reforms which were introduced in 2007. These improved the method by which a person's earnings from employment, or the earnings of their partner, are assessed and facilitate persons in increasing their level of employment and income. This means that both adults associated with a jobseeker's allowance claim are now assessed in a similar manner and ensures that the families gain when earnings increase, encouraging qualified adults to move beyond long-term part-time employment. These changes are designed in particular to be progressive for women, who currently make up the majority of qualified adults in the social welfare system. Under the previous assessment procedures a trap existed whereby the loss in benefits to a household could exceed the gain in income attained by an increase in the earnings of a partner.

The changes also removed an anomaly in the assessment of means which discriminated against people with children, through the introduction of a daily earnings disregard of €20, benefiting many part-time workers, but particularly those with children. For example, a couple earning €290 per week over three days with two children gained over €112 per week jobseeker's allowance under the new arrangements.

[Deputy Mary Hanafin.]

In addition, Family Income Supplement (FIS) provides cash support for employees on low earnings with families or those seeking to make the transition from welfare to work. This preserves the incentive to remain in employment in circumstances where the employee might only be marginally better off than if he or she were unemployed and claiming other social welfare payments. Take-up of the scheme has increased significantly in recent years with almost 43,000 new and renewal FIS claims in 2008, compared to almost 37,900 in 2007.

In order to respond effectively to the growing numbers on the Live Register, the changing profile of jobseeker's generally and the current employment situation, it decided to refocus the existing resources from the Back to Work Schemes on helping people into self-employment. To this end, the employee strand of the Back to Work Allowance was closed to new applicants.

From 1st May 2009 it has been replaced by two schemes; a 2 year back to work enterprise allowance (BTWEA) and a 1 year short term enterprise allowance (STEA). The STEA is payable to claimants who qualify for jobseeker's benefit, provided they have 104 contributions paid or have established entitlement to statutory redundancy from their latest period of employment. It is payable at the same rate and for the same duration as jobseeker's benefit.

The overall purpose of the new arrangements is to financially assist those on the Live Register to set up a business almost immediately they become unemployed, thereby ensuring that their knowledge, skills and expertise are fully utilised at an early stage in promoting enterprise and employment in the economy.

The measures outlined, including those recently introduced, will have the effect of greatly reducing the incidence and extent of poverty traps and ensure that they will only arise at significantly higher income levels than previously applied.

My Department will continue to monitor the operation of its schemes with a view to ensuring that poverty traps and disincentives are removed.

681. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to ensure that women are treated fairly in the social welfare code and to examine the proposals in the Green Paper on Pensions; and if she will make a statement on the matter. [29935/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The social welfare system has been improved over recent decades to make it easier for people, and women in particular, to qualify for contributory pensions. Social insurance coverage has been extended to include new categories of employment such as part-time workers and qualifying conditions for pensions have been eased. The homemaker's scheme was introduced to limit the impact that periods spent out of the workforce on caring duties had on pension entitlements. The effect of these reforms, combined with increased workforce participation, will ensure that, in future, most people will qualify for a contributory pension in their own right.

A qualified adult increase is payable in respect of a spouse or partner who is wholly or mainly maintained by a claimant. Since 2002, pensioner couples have been able to choose to have the qualified adult portion of the pension paid direct to the spouse or partner. Many spouse partners without their own pension entitlement have received a direct payment in this way. Direct payment of the qualified adult increase became mandatory for all new pension claims from September 2007. Couples may opt to receive a single payment but only where the qualified adult indicates that she/he does not wish to receive a direct payment.

The Government committed itself to complete the process, begun in Budget 2007, to bring payments to qualified adults age over 66 up to the level of the state pension (non-contributory)

over a period of three years. Increases in subsequent Budgets have brought the qualified adult rate to 94% of the state pension (non contributory).

There are, of course, some older women who, for various reasons, cannot benefit from the many changes already outlined. Their position and that of others not covered by the social welfare pensions system is discussed in the Green Paper on Pensions which was published in October 2007. Following the conclusion of the successful consultation process last year, the Government has been considering a number of options to address the challenges facing our pensions system and which were raised in the Green Paper process. These issues relate to social welfare pensions, the sustainability of our pension system generally, the adequacy of current provision, and other complex issues around regulation, public sector pensions and retirement age.

Over the last year, the economic environment has changed considerably and the Government needs to ensure that any decisions made in the pensions area are robust enough to withstand new and unprecedented challenges.

It is entirely appropriate that the Government takes the time to arrive at sound decisions about the future of our pension system, given the potential of such decisions to significantly impact on this and future generations. The objective is a system that will deliver an adequate retirement income for all which is, affordable and sustainable for the State and for those who sponsor and provide pension schemes. It is expected that the national pensions framework will be finalised in the near future.

In addition, the Department of Social & Family Affairs is currently carrying out a technical review of the entire social welfare code to examine its compatibility with the Equal Status Act 2000 (as amended). The review is examining the schemes and services provided for both in social welfare legislation and the administrative schemes operated by the Department. It will identify any instances of direct or indirect discrimination on any of the nine grounds under the Act, including gender, that are not justified by a legitimate social policy objective or where the means of achieving that objective are either unnecessary or inappropriate.

The findings of this review will contribute to informed planning and policy making to ensure that the social welfare system reflects the needs and expectations of all citizens and is equitable in meeting those needs. The Review is due to be completed by end 2009.

682. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to recognise the role and economic contribution of spouses working on the farm within the social insurance system; and if she will make a statement on the matter. [29936/09]

697. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to better recognise the role and economic contribution of spouses working on the farm within the social insurance system; and if she will make a statement on the matter. [29951/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 682 and 697 together.

Spouses working for self-employed contributors are specifically excepted from social insurance contributions. However, spouses who are actively engaged in a commercial partnership, including the operation of a farm, as opposed to simply being the joint owners of a property, are treated as individual self-employed contributors and are thus liable to social insurance contributions.

[Deputy Mary Hanafin.]

The Programme for Government states that ‘The role and economic contribution of spouses working on the farm will be better recognised within the social insurance system’. On foot of this commitment an information leaflet, ‘Working with your spouse: how it affects your social welfare contributions and entitlements’, has been developed between the Department of Social & Family Affairs and the Revenue Commissioners to set out the social welfare and tax implications of families co-working in a shared business. It was published on the 25th of June, 2008.

Since June 2008 745 farm partnership applications have been received by my Department; 265 applications have been decided with 216 applications being granted partnership status.

683. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to continue to maintain the value of the lowest rate of social welfare payments as agreed in the national action plan on social inclusion; and if she will make a statement on the matter. [29937/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The commitment in the Programme for Government is to maintain the value of the lowest social welfare payment at least at €185.80 per week in 2007 terms over the course of the National Action Plan for Social Inclusion.

The Consumer Price Index increased by 4.1% since 2007. The lowest rate of social welfare payment was increased by €12 per week in the 2008 Budget and €6.50 in the 2009 Budget, a total increase of €17.50 or 9.4%. The rate currently stands at €204.30.

This level of increase is greater than movements in prices or wages over the same period thus ensuring that the value of the lowest payment has been more than maintained.

684. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to further increase eligibility for the carer’s allowance; and if she will make a statement on the matter. [29938/09]

687. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to develop a national carers’ strategy and that there will be appropriate consultation with the social partners; and if she will make a statement on the matter. [29941/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 684 and 687 together.

The Government is acutely aware of the sacrifices made by carers and has made many improvements in services and supports for carers.

The carer’s allowance scheme has been significantly improved in recent years and in Budget 2009, I continued this process. The rate of carer’s allowance for those aged 66 or over increased by €7 to €239 per week and for those aged under 66 by €6.50 to €220.50 per week. These increases took effect from January 2009. Recipients of carer’s allowance are also eligible for household benefits, free travel and the respite care grant.

Since 1997 weekly payment rates to carers have greatly increased, qualifying conditions for carer’s allowance have significantly eased, coverage of the scheme has been extended and new schemes such as carer’s benefit, half-rate carer’s allowance and the respite care grant have been introduced and extended.



The means test for carer's allowance has been significantly eased over the years, and is now one of the most generous means tests in the social welfare system, most notably with regard to spouse's earnings. Since April 2008, the income disregard has been set at €332.50 per week for a single person and €665 per week for a couple. This means that a couple with two children can earn in the region of €37,200 and qualify for the maximum rate of Carer's Allowance as well as the associated free travel and household benefits. A couple with an income in the region of €60,400 can still qualify for a minimum payment, as well as the associated free travel, household benefits package. These levels surpass the Towards 2016 commitment to ensure that those on average industrial earnings continue to qualify for a full carer's allowance.

From June 2005, the annual respite care grant was extended to all carers who are providing full time care to a person who needs such care, regardless of their income. The rate of the respite care grant has also been increased to €1,700 per year in respect of each care recipient since June 2008.

During 2008 an interdepartmental group, chaired by the Department of the Taoiseach, with secretariat support provided by my Department, undertook work, including a public consultation process to develop a National Carers' Strategy. However, because of the prevailing economic situation, it was not possible to set targets or time lines which could be achieved. In that context, rather than publishing a document which did not include any significant plans for the future, the Government decided not to publish a strategy. This position remains unchanged.

It is estimated that the combined expenditure on carer's allowance, carer's benefit, the respite care grant and half-rate carers will be €650 million in 2009.

#### **Social Welfare Benefits.**

685. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to double the non-means tested respite care grant to €3,000 per person cared for; and if she will make a statement on the matter. [29939/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Supporting and recognising carers in our society is, and has been, a priority of the Government since 1997. Over that period, weekly payment rates to carers have been greatly increased, qualifying conditions for carer's allowance have been significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit and the respite care grant have been introduced and extended.

In 2005, the respite care grant was extended to all people providing full time care and attention, regardless of their means or social insurance contributions and it was made payable in respect of each care recipient. From June 2007, the level of the grant was increased by €300 per year to €1,500 per year in respect of each person being cared for.

In Budget 2008, the level of the grant was increased by a further €200 per year to €1,700 in respect of each care recipient.

Any further increases in the level of the grant will have to be considered in the context of future Budgets.

#### **Social Welfare Code.**

686. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to extend the national fuel allowance scheme to cover eligible carers; and if she will make a statement on the matter. [29940/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department's social welfare recipients are assisted with heating costs through their basic payments, the fuel allowance scheme and the household benefits package of electricity and gas allowance. These schemes have been improved significantly in recent years.

The national fuel allowance scheme assists householders on long-term social welfare or health service executive (HSE) payments with meeting the cost of their heating needs during the winter season. The allowance represents a contribution towards a person's normal heating expenses. It is not intended to meet those costs in full.

Improvements to the fuel allowance in recent years include an easing of the means test, extending the duration of payment from 29 in 2006 to 32 weeks in 2009 and an increase in the rate of payment from €14 in 2006 to €20 (€23.90 in designated smokeless areas) in 2009. The income threshold for eligibility to fuel allowance was also increased in 2007 by €49 from €51 to €100 above the state pension (contributory) rate.

Almost 289,000 people benefited from the fuel allowance in 2006 at a cost of €130m while over 317,000 people are benefiting in 2009 at an estimated cost of €205m.

The carer's allowance scheme has been significantly improved in recent years and this process was continued in 2009. The rate of carer's allowance for those aged 66 or over increased by €7 to €239 per week and for those aged under 66 by €6.50 to €220.50 per week. These increases took effect from January 2009. Since 1997 weekly payment rates to carers have greatly increased, qualifying conditions have significantly eased, coverage of the scheme has been extended and new schemes such as carer's benefit, half-rate carer's allowance and the respite care grant have been introduced and extended.

The means test for carer's allowance has been significantly eased over the years, and is now one of the most generous means tests in the social welfare system, most notably with regard to spouse's earnings. Since April 2008, the income disregard has been €332.50 per week for a single person and €665 per week for a couple. These levels surpass the Towards 2016 commitment to ensure that those on average industrial earnings continue to qualify for a full carer's allowance.

From June 2005, the annual respite care grant was extended to all carers who are providing full time care to a person who needs such care, regardless of their income. The rate of the respite care grant has also been increased to €1,700 per year in respect of each care recipient since June 2008.

Recipients of Carers Allowance qualify for a Free Travel Pass, the Household Benefits Package, Island Allowance (where appropriate) and the Respite Care Payment. Income from Carer's Allowance is not taken into account in the assessment of means for a medical card.

Carer's Allowance is not a qualifying payment for a fuel allowance. Normally the carer must live with the person being cared for. However, in certain circumstances this requirement may be relaxed. In many cases the care recipient will already be in receipt of fuel allowance in his/her own right and only one fuel allowance is payable per household.

The rules on household composition and the means test for the purpose of qualifying for the fuel allowance determine the ability of applicant households to meet their normal heating requirements out of their own resources and to ensure that the maximum amount of support is targeted at those most in need of the fuel allowance support.

The extension of the national fuel scheme to eligible carers, as set out in the Agreed Programme for Government, will be examined in the context of the overall package of commitments relating to carers contained in the programme. Any additional costs arising from this or any other improvements to the scheme would also need to be considered in the light of annual

budgetary requirements, having regard to overall resources available for social welfare schemes generally.

*Question No. 687 answered with Question No. 684.*

688. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to implement a range of reforms to income support for lone parents, including removal of the cohabitation restriction; and if she will make a statement on the matter. [29942/09]

689. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress regarding the programme for Government commitment to replace lone parents' allowance with a new and improved family friendly allowance, and relaxing restrictions on work while retaining the social welfare payment; and if she will make a statement on the matter. [29943/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 688 and 689 together.

The Government discussion paper, "Proposals for Supporting Lone Parents," put forward proposals to tackle obstacles to employment for lone parents and other low income families. These included proposals for the extension of the National Employment Action Plan to focus on lone parents, focused provision of childcare and the introduction of a new social assistance payment for low income families with young children.

Under the proposals the lone parenthood category of payment would no longer exist. Instead, a new payment would be made to all parents (living alone or with a partner), with young children, on low income.

Any proposed new payment cannot be introduced without co-ordinated supports and services being put in place by a number of Departments and Agencies. Issues including access to child-care support, education, training and activation measures are being discussed with the relevant Departments and Agencies in tandem with the development of a new payment scheme.

To facilitate the development of the policy and operational details of the new scheme the Department, with the co-operation of FÁS, the Office of the Minister for Children and Youth Affairs and the Department of Education and Science, tested the proposals in 2008. The experience of this engagement process is feeding into the development of the approach to working with lone parents and qualified adults.

The Department is continuing to keep policies in relation to lone parents under consideration. However, the extent and speed at which these can progress will be impacted by the current economic climate.

*Question No. 690 answered with Question No. 650.*

*Question No. 691 answered with Question No. 650.*

### **Social Welfare Code.**

692. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to implement significant improvements to the back to school clothing and footwear allowance; and if she will make a statement on the matter. [29946/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The back to school clothing and footwear allowance scheme provides a one-off payment to eligible families to assist with

[Deputy Mary Hanafin.]

the extra costs when children start school each autumn. While the allowance is not intended to meet the full cost of school clothing and footwear but it provides important assistance towards these costs.

A person may qualify for payment of an allowance if s/he is in receipt of a social welfare payment (including family income supplement), or Health Service Executive payment, is participating in an approved employment scheme or attending a recognised education and training course and has household income at or below certain set levels.

The back to school clothing and footwear allowance scheme provided support for parents at a time of financial strain. Improvements to the scheme in recent years give a major boost towards meeting the financial costs associated with return to school for those who most need assistance.

The rates of the allowance have been increased significantly. Since 2006, the allowance has increased by 67% from €120 to €200 in respect of qualified children aged from 2 to 11 years and by 61% from €190 to €305 for those aged 12 to 2 years. As a special measure introduced in Budget 2009, an additional temporary allowance of € 215 is payable to 18 year olds in respect of whom half rate Child Benefit is payable. Total payment in respect of children in this category is €520 for the years 2009 and 2010.

In Budget 2009, the income thresholds for entitlement to back to school clothing and footwear allowance were increased by €50, bringing the income limit for the allowance for parents with one child from € 470.80 to € 560.00 (for couples) and €331.30 to €407.00 for lone parents, increases of almost 19% and 23% respectively. An estimated 18,000 more families will benefit from the scheme as a result of the increase in the income thresholds.

The number of children benefiting from the allowance increased from almost 162,000 in 2006 to over 200,000 in 2008 and it is estimated that in excess of 250,000 children will benefit in 2009. The number of families benefiting has increased from almost 79,000 in 2006 to 102,000 in 2008 with an estimated 140,000 families to benefit in 2009. Expenditure on the scheme has increased from €25m in 2006 to €48 m in 2008 with a financial provision of €68m made for 2009, a 172% increase in expenditure since 2006.

The improvements in BSCFA rates in recent years are very significant when viewed in the context of clothing and footwear price trends. According to the Consumer Price Index for May 2009, the overall cost of clothing and footwear has fallen by 10.8% over the past twelve months. Since December 2006, clothing and footwear costs have decreased by 16.8%.

Further improvements to the back to school clothing and footwear allowance scheme will be considered in the context of annual budgetary requirements, having regard to overall resources available for social welfare payments generally.

### **Departmental Programmes.**

693. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to implement significant improvements to the school meals programme; and if she will make a statement on the matter.  
[29947/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The school meals programme gives funding towards the provision of food services for disadvantaged school children through two schemes. The first is the statutory urban school meals scheme, operated by local authorities and part-financed by the Department. The second is the school meals local projects scheme

through which funding is provided directly by the Department to participating schools and local and voluntary community groups who run their own school meals projects.

The school meals programme has expanded significantly in recent years. Total expenditure has increased from € 13.6m in 2006 to € 32.4m in 2008. Provision has been made for expenditure of € 35m in 2009, an increase of 157 % on 2006. In 2006, 125,000 pupils in 1,400 schools benefited from the programme and this increased to almost 190,000 pupils and 1950 schools in 2008. It is expected that in excess of 200,000 pupils from approximately 1973 schools will benefit from the scheme in 2009. Priority for funding under the school meals local projects scheme is given to schools which are part of the Department of Education & Science's initiative for disadvantage schools, 'Delivering Equality of Opportunity in Schools' (DEIS). That Department has indicated that there are approximately 153,000 pupils enrolled in 875 DEIS schools. Pupils from 730 DEIS schools currently benefit under the school meals programme. This is an increase of 330 DEIS Schools since 2006.

The schools meals scheme is a direct intervention providing meals to children. The focus of school meals scheme will remain on disadvantaged children and the inclusion of additional eligible DEIS schools in the scheme will continue to be the Departments' main priority.

### **Social Welfare Code.**

694. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to review the standard means test for rent supplement and provide enhanced financial incentives to take up part-time employment, training, education or other progression items, minimising where possible, the impact of the sudden withdrawal of social welfare payments; and if she will make a statement on the matter. [29948/09]

695. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if her review of the rent supplement has been completed; the changes this review will make to the eligibility criteria and duration of payment of rent supplement; and if she will make a statement on the matter. [29949/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Question Nos. 694 and 695 together. Rent supplement is payable to people who are unable to meet the cost of renting private accommodation. The supplement is intended as a short-term income support to eligible tenants whose means are insufficient to meet their accommodation costs. There are currently almost 90,000 people in receipt of rent supplement, an increase of 51% since the end of December 2007. In recent years, a significant number of people have come to rely on rent supplement for extended periods. Over 32,600 people are getting a supplement for 18 months or more. For this reason, the rent supplement scheme has to be viewed in the context of overall housing policy, particularly in the case of long-term recipients.

The Rental Accommodation Scheme (RAS), which was introduced in 2004, gives local authorities specific responsibility for meeting the longer term housing needs of people receiving rent supplement for 18 months or more. Details of these cases are notified regularly by the Department to the local authorities. Local authorities meet the housing needs of these individuals through a range of approaches including the traditional range of social housing options, the voluntary housing sector and, in particular, RAS. Latest figures from the Department of the Environment, Heritage and Local Government (DoEHLG) indicate that to date, local authorities have transferred 20,000 people from rent supplement to RAS or social housing since 2005. In 2009 a target has been set of transferring an additional 7,000 households from rent supplement to RAS.



[Deputy Mary Hanafin.]

With regard to commitment to review of the rent supplement scheme and the associated means test, significant changes in the means test for rent supplement were implemented in 2007. Where a person, working up to 30 hours per week, has additional income in excess of the standard weekly rate of supplementary welfare allowance, the first €75 of such additional income together with 25% of any additional income above €75 is disregarded for means assessment purposes. This ensures that those returning to work or participating in training schemes are better off as a result of taking up such an opportunity. A person accepted as having a long term housing need under the RAS may engage in full time employment and still qualify for rent supplement.

The recent Supplementary Budget provided that the weekly minimum contribution which a person is required to pay towards their rent, be increased from €18 to €24 a week, with effect from 1 June 2009. This increased minimum weekly contribution aligns the rent supplement scheme more closely with the rent that local authority and RAS tenants have to pay. This should encourage more people to take up RAS and social housing offers.

The Supplementary Budget also provided for new maximum rent limits to take effect from 1 June 2009, to reflect the general reductions in private sector rent levels. Maximum rent limits were reduced by 6% to 7% on average ranging up to 10%, depending on the geographical area and household size. Rent supplement payments for existing tenants were similarly reduced from the same date.

Prior to the Supplementary Budget the Department analysed data from the Private Residential Tenancies Board, the CSO and a leading property rental website all of which showed significant drops in rental prices over the past year.

It is essential that state support for tenants who form a substantial section of the rental market, does not give rise to inflated rental prices. In the current climate, where there is a large number of vacant rental properties, it is expected that people should be able to get accommodation at the appropriate rental level.

The fact that there are almost 90,000 people are receiving rent supplement indicates that the scheme is effective in meeting needs. However, the rent supplement scheme will be kept under review and the Department will continue to work closely with the Department of the Environment, Heritage and Local Government in ensuring that RAS meets its objective of catering for those on long term rent supplementation while enabling rent supplement to return to its original role of a short-term income support and that local authorities are supported in providing a wide range of social housing supports for those with a long-term housing need.

*Question No. 696 withdrawn.*

*Question No. 697 answered with Question No. 682.*

### **Services for People with Disabilities.**

698. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to invest further in the Citizens' Information Board to enable them to engage advocacy officials to assist people with disabilities in accessing their entitlements; and if she will make a statement on the matter. [29952/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The provision of an advocacy service remains a priority for this Government. Significant resources have been provided since 2007, and will continue to be made available to the Citizens Information Board (CIB) for the development and provision of advocacy services for people including those with disabilities.



Funding of €6.1 million was provided to CIB in the period 2005 to 2008 for the development of advocacy services and for the implementation of the Disability Sectoral Plan. The estimated expenditure by CIB in 2009 for the provision of advocacy and disability services is €3.2m.

The Citizens Information Board has developed a Community and Voluntary Sector Advocacy Programme and has funded 46 separate advocacy projects. The overall focus of the programme is on representative advocacy for people with a disability. Projects either operate within a specific geographic area or are focused on a particular disability type.

Each of the projects poses different challenges, some requiring more intensive work with smaller caseloads while others have larger caseloads with shorter periods of client contact. Up to the end of June 2009, in excess of 5,000 members of the public have availed of the services provided by the projects.

The Citizens Information Board is monitoring the programme to ensure that the projects are operating in accordance with the Board's advocacy guidelines and a full evaluation of the Community and Voluntary Sector Advocacy programme will be completed in 2010.

The Citizens Information Board also provides advocacy through the Citizens Information Services focusing on access to services, welfare entitlements and employment rights. This type of mainstream advocacy is also open to people with disabilities and the Community and Voluntary Sector Advocacy programme is creating close links with the Citizens Information Services to ensure that people with disabilities are encouraged and supported to use the mainstream services where possible.

I am satisfied with the developments undertaken to provide advocacy services for people with disabilities through the Citizens Information Board. The funding provided has allowed for the continued increase in the number of people availing of the Community and Voluntary Sector Advocacy Projects and mainstream advocacy through the Citizens Information Services network. The Department will continue to work with the Citizens Information Board (CIB) to further enhance advocacy services for all citizens, including those with disabilities.

### **Money Advice and Budgeting Service.**

699. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to enhance the Money Advice and Budgeting Service by establishing it under legislation and that MABS would be given a central role in increasing access to affordable credit for low income earners and social welfare customers; and if she will make a statement on the matter. [29953/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Money Advice and Budgeting Service (MABS) provides assistance to people who are over-indebted and need help and advice in coping with debt problems. There are 53 independent companies nationwide with over 250 money advice staff operating the service. Almost €18 million has been provided in 2009 to assist the MABS in dealing with its workload.

The MABS provides a high quality personal service to the public and makes a difference to peoples lives. However, it has been recognised for some time that the Service needs a proper legislative basis and structure. The Programme for Government envisaged that such a new structure for the MABS would involve strong national leadership and would maximise the current local voluntary involvement in the service.

The Government has decided that this can best be achieved by placing the MABS with the Citizens Information Board. The MABS and Citizens Information Centres complement each other well as both are involved in providing information, advice and advocacy services to the

[Deputy Mary Hanafin.]

public. In addition, the Citizens Information Board has a long association with the MABS at both national and local level and was involved in establishing some of the original MABS pilot projects. The relevant legislative provisions are contained in part 4 of the Social Welfare (Miscellaneous Provisions) Act, 2008 which extends the functions of the Citizens Information Board to include responsibility for the provision of the MABS. The transition process has progressed satisfactorily and is on schedule for completion of the transfer of responsibility from the Department to the Citizens Information Board on 13th July 2009. The regulation of financial institutions, including the banks, sub prime mortgage lenders and the credit unions, is part of the statutory remit of the Financial Regulator. Legislative issues in relation to the Financial Regulator are dealt with by the Minister for Finance.

MABS will continue to work closely with key stakeholders including the Financial Regulator and the Irish Banking Federation to ensure that the best advice is available to people encountering debt difficulties. MABS is represented on the Financial Regulator's Consumer Consultative Panel and the Financial Education Steering Group. MABS was also recently invited to participate in a National Payments Implementation Plan Advisory Group workshop to examine the introduction of Basic Bank Accounts as part of the recapitalisation of financial institutions.

The Citizens Information Board will continue to support the MABS in this work on behalf of people on low incomes as well as providing strong management support to the voluntary and community sector in the provision of a quality local budgeting and advice service that meets the needs of people with debt difficulties.

### **Social Inclusion.**

700. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to continue to support the Office of Social Inclusion and review the effectiveness of the poverty proofing mechanisms currently being used; and if she will make a statement on the matter. [29954/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** With effect from 1st July 2009 (in line with the Government Decision announced in Budget 2009), the Combat Poverty Agency and the Office for Social Inclusion have been integrated to form a new division within the Department of Social and Family Affairs. The new division will combine the experience and expertise of the staff of both bodies. It will enable a strengthened and unified approach to the implementation of the Government's National Action Plan for Social Inclusion 2007 to 2016.

In accordance with the commitment made in the Programme for Government, the Office for Social Inclusion has been given the necessary support for reviewing the effectiveness of the poverty proofing mechanisms. Poverty proofing at national level has been developed, in the light of experience, into a more focused poverty impact assessment of policies. The overall aim of this new approach is to determine the impact of policies in the achievement of the goals, objectives and targets of the National Action Plan for Social Inclusion. This will not only determine whether the impact of policies is positive, neutral or negative, but the extent to whether there is potential to achieve more positive outcomes. These developments have been reflected in substantial revisions of the guidelines for Departments on poverty impact assessment, the most recent of which were made in March 2008. The overall aim is to work towards a situation where the process is mainstreamed into the development, review and evaluation of social inclusion related policies. The new division will, as a priority, continue the provision of assistance to government departments on the application of the poverty impact assessment guidelines, including their updating, as appropriate, in the light of experience

It will also advance further the significant work carried out by the Combat Poverty Agency on the implementation of poverty impact assessment at local level. In 2008, the Agency published guidelines on carrying out poverty impact assessment at local level as part of its updated guide to ‘Developing a Local Anti-Poverty and Social Inclusion Strategy’. The staff of the new division will continue to work with a number of local authorities on the application of new guidelines in a local government context.

The promotion and further development of poverty impact assessment will remain a key priority in the work of the new integrated division. It will feature as a significant theme in the National Programme for the EU Year (2010), on combating poverty and social exclusion. The new Division has been invited to give a presentation of its experience of poverty impact assessment at a Conference under the Luxembourg National Programme in April 2010, and a follow up conference will be held later that year in Dublin.

The experience gained from these processes at national and local level will assist in the ongoing development of training programmes for staff on their application of the poverty impact assessment guidelines across all government departments and local authorities, as part of their policy development, review and evaluation processes.

### **Departmental Agencies.**

701. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the progress in relation to the programme for Government commitment to continue to fully resource the Family Support Agency and its programmes of counselling, family resource centres; and if she will make a statement on the matter. [29955/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Family Support Agency was established on 6 May 2003 and its mission is to promote family and community well being through the provision of appropriate supports and services to families. Funding for the Agency has increased from €17.28 million in 2003 to almost €36 million for 2009.

The main functions of the Agency include:

- The Family and Community Services Resource Centre (FRC) Programme
- The scheme of grants to voluntary organisations providing marriage, child and bereavement counselling and related services
- The Family Mediation Service

The 2009 funding allocation includes over €18 million for the Family Resource Centre Programme, supporting 107 Family Resource Centres (FRCs) nationwide.

The Agency’s Counselling Grants Scheme provides financial support to voluntary and community organisations providing marriage and relationship counselling, marriage preparation courses, child counselling in relation to parental separation and bereavement counselling and support on the death of a family member.

In 2009, funding of over €11million is being granted to some 600 organisations. This includes funding of over €7.8 million for 29 major organisations who have been identified for multi-annual funding.

The Family Support Agency is responsible for the provision of family mediation to separating couples in Ireland. There are currently 16 family mediation centres throughout the country. Some 1,270 couples were assisted in 2008. Funding for the service in 2009 is over €3 million.

### Departmental Staff.

702. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the date on which the decision was made to transfer community welfare officers from the employment of the Health Service Executive to her Department; and the date on which this transfer is scheduled to take place. [29956/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Government decided in February 2006 to transfer certain functions from the Health Service Executive and from the Department of Health and Children to the Department of Social and Family Affairs, as part of its reform of the Health Sector. The functions concerned included the administration of the Supplementary Welfare Allowance scheme by Community Welfare Officers and related staff.

Considerable progress has been made in the transfer of functions programme. The General Register Office transferred in 2008 and the administration of Domiciliary Care Allowance is currently being transferred. While preparations for the transfer of Community Welfare Officers and related staff are very advanced, there are a number of industrial relations difficulties to be resolved before that transfer takes place.

Discussions have been underway for some time with the trade unions representing the staff concerned in the health sector and in the civil service. The issues which it has not been possible to resolve with the health sector unions have been referred to the Labour Relations Commission and it is expected that a meeting of the parties will take place at the Commission in late August or early September. Discussions are continuing with the civil service unions within the civil service industrial relations structure.

The objective is to achieve a collective agreement with both sets of unions and to arrange for the transfer to take place as soon as possible.

### Departmental Offices.

703. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if she will ensure that the Office for Social Inclusion will report to the Joint Committee on Social and Family Affairs on a biannual basis and lay an annual report before the Dáil Éireann; and if she will make a statement on the matter. [29957/09]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The preparation by the Office for Social Inclusion of an annual report is a key element in the social inclusion monitoring and evaluation processes set out in Towards 2016 — the social partnership agreement 2006-2015 and the National Action Plan for Social Inclusion (NAPinclusion) 2007 to 2016. The first annual Social Inclusion Report 2006-2007 prepared by the Office for Social Inclusion was published in November 2007. The report showed that progress was continuing and that the social inclusion targets were on track at that time. The report, in line with routine practice in the Department, was laid before the Houses of the Oireachtas.

The 2nd annual Social Inclusion Report covering the period from July 2007 to December 2008 is nearing completion and will be published early in September. The report will contain details of progress to date across all the various policy areas, an assessment the likely pace of progress in the years ahead, taking into account the current difficult economic conditions, and will identify new issues arising which might benefit from a more coordinated approach. The report will be presented to the Minister for Social and Family Affairs, the Cabinet Committee on Social Inclusion and the Social Partnership Steering Group which has an oversight role in relation to implementing the lifecycle framework which forms the bases for the NAPinclusion

and the social inclusion commitments in Towards 2016. The report will also be laid before the Houses of the Oireachtas.

The Director and senior officials of the Office for Social Inclusion attended the Joint Oireachtas Committee on Social and Family Affairs on 4th March 2009 to discuss the future role of the Office for Social Inclusion following the Government announcement in Budget 2009 that the Combat Poverty Agency was to be integrated with the Office for Social Inclusion within the Department of Social and Family Affairs. The Director and senior officials were invited to update the Committee on progress made in establishing the new integrated division and its proposed work plans and attended a meeting of the Committee on 8 th July 09.

*Questions Nos. 704 and 705 answered with Question No. 650.*

#### **Departmental Staff.**

706. **Deputy Fergus O'Dowd** asked the Minister for Defence the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department's presence in County Louth; and if he will make a statement on the matter. [28847/09]

**Minister for Defence (Deputy Willie O'Dea):** A total of 359 members of the Defence Forces are based at Aiken Barracks, Dundalk along with 9 civilian employees of my Department. An additional 2 members of the Defence Forces are based at Slua Hall, Drogheda. All of the personnel concerned have permanent, full-time positions.

Aiken Barracks, Dundalk and Slua Hall, Drogheda are both owned by my Department. There are no plans to close, amalgamate or expand either of these facilities. However, the operational and property requirements of the Defence Forces are under ongoing review.

#### **Public Service Review.**

707. **Deputy Richard Bruton** asked the Minister for Defence if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28893/09]

**Minister for Defence (Deputy Willie O'Dea):** The Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. Such papers were prepared in respect of the Defence Group of Votes. The Secretary General of my Department and the Chief of Staff of the Defence Forces met with the Special Group in the course of its deliberations.

The Minister for Finance has recently received the Report of the Special Group and it is anticipated that he will bring the Report to Government in the near future. Decisions on the release of the Report and associated documents will be made by Government in that context.

#### **Departmental Staff.**

708. **Deputy Joan Burton** asked the Minister for Defence the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career



[Deputy Joan Burton.]

break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29307/09]

**Minister for Defence (Deputy Willie O’Dea):** Nine members of staff have applied for the Incentivised Career Break Scheme and five members of staff have applied for the Incentivised Scheme for Early Retirement in my Department. A total of 14 civilian employees opted to retire in the past 12 months under voluntary early retirement schemes in connection with the closure of certain military facilities. As part of these schemes, the employees in question received statutory redundancy payments and other applicable benefits.

The relevant bodies under the remit of my Department are the Civil Defence Board, the Board of Coiste an Asgard and the Army Pensions Board. In relation to these bodies, I can confirm that no applications were received for the Incentivised Scheme for Early Retirement or the Incentivised Career Break Scheme. I can also confirm that there were no redundancies in these bodies in the past twelve months.

### **Defence Forces Reserve.**

709. **Deputy David Stanton** asked the Minister for Defence the number and rank of members of the Permanent Defence Force attached full time and part time to the Reserve Defence Force in each of the years 2005, 2006, 2007, 2008 and to date in 2009; the cost each year respectively; and if he will make a statement on the matter. [29532/09]

710. **Deputy David Stanton** asked the Minister for Defence the reductions in the Permanent Defence Force staff attached to the Reserve Defence Force which are planned in 2009; when they will be implemented; the expected savings arising from same; and if he will make a statement on the matter. [29533/09]

711. **Deputy David Stanton** asked the Minister for Defence the number and rank of Reserve Defence Force members who were discharged, resigned or retired in 2007, 2008 and to date in 2009 respectively; the number attested in each of these years; and if he will make a statement on the matter. [29534/09]

712. **Deputy David Stanton** asked the Minister for Defence if promotions in the Reserve Defence Force above the rank of private are permitted; if not, the way he proposes to ensure the continuity of the force; and if he will make a statement on the matter. [29535/09]

**Minister for Defence (Deputy Willie O’Dea):** I propose to take Questions Nos. 709, 710, 711 and 712 together.

The strength of the RDF Cadre 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.

I am informed by the military authorities that as at 31 May 2009 421 personnel were serving with the RDF Cadre. There were 360 personnel in the first two categories above. A breakdown



of these, by rank is provided in Table 1. In addition 61 members are on long-term attachment. Table 2 provides a breakdown, by rank of these. Tables 3-6 provide this information for the years 2005-2008 respectively.

The full costs associated with the RDF Cadre are not recorded under separate headings within the PDF expenditure records. Consequently, this information is not readily available but I will communicate further to the Deputy in due course.

The recent Government Decision on savings measures on public service numbers is being implemented in the Defence Forces. The economic reality is such that the Government decision must be implemented.

While there are no immediate plans to reduce the number of Cadre members, it can be anticipated that flexibility and re-structuring will be required arising from the implementation of the Government cost saving measures. I intend, within the resources available, to retain the capacity of the organization to operate effectively across all roles.

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. It is anticipated that this review, together with the general budgetary situation, will also assist in informing decisions regarding the future of the Reserve.

The numbers of members of the Reserve discharged, resigned and retired over the last three years are presented in Table 7 below. This also includes the numbers enlisted in the same periods.

In the context of the Government Decision on the implementation of savings measures on public service numbers and the reduced budgetary provision available for 2009, all recruitment to the Reserve Defence Force had been suspended.

Following a review and examination of Reserve Defence Force personnel numbers and budget, I am satisfied that there is sufficient provision to allow for paid training for existing members of the Army Reserve and Naval Service Reserve this year. Accordingly, I have recently approved the commencement of limited recruitment to fill vacancies which may arise due to existing Army Reserve or Naval Service Reserve members resigning or being discharged during 2009, in the normal manner. This limited recruitment will be monitored and kept under review in the light of the uptake of paid training within the Reserve Defence Force and the future budgetary provision.

My Department, in the first instance, is progressing the position in regard to promotions in the Permanent Defence Force. In this regard, I have made a submission to my colleague, the Minister for Finance. The implications of the Government Decision regarding promotion insofar as it relates to the Reserve Defence Force is currently being examined by my officials in conjunction with the military authorities.

TABLE 1: CADRE STRENGTH MAY 2009

	LT COL	COMDT	CAPT	LT	2LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE	2	5	7			14	1	24	30	9	64	3	81
1 S BDE S.W.A <sup>1</sup>						0		1	2	11	14	25	39
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	32	28	8	69	3	85
4 W BDE S.W.A						0				14	14	28	42
RDFTA <sup>2</sup>	1	1				2	1	1	1		3		5
RDFTA S.W.A						0					0		0
NSR			1	2		3	3		4	2	9	3	15
NSR S.W.A						0					0		0
TOTAL Cadre	6	19	11	2	0	38	7	87	91	26	211	21	270
Total SWA	0	0	0	0	0	0	0	1	2	26	29	61	90

1 S.W.A.: Serving without appointment.

2 TA: Training Authority.

TABLE 2: ATTACHMENTS CADRE STRENGTH — MAY 2009

	LT COL	COMDT	CAPT	LT	2LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE			2			2		1	8	7	16	19	37
2 E BDE		2	6	1		9				1	1		10
4 W BDE						0				2	2	9	11
NS RDF						0				1	1	2	3
TOTAL	0	2	8	1	0	11	0	1	8	11	20	30	61

TABLE 3: CADRE STRENGTH DECEMBER 2005

Brigade	LT COL	COMDT	CAPT	LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE	1	8	7	0	16	1	28	17	30	76	31	123
2 E BDE	0	6	0	0	6	1	19	12	6	38	15	59
4 W BDE	1	9	6	0	16	0	25	16	32	73	45	134
DFTA	1	1	0	0	2	0	0	1	0	1	0	3
NS RDF	0	2	2	0	4	4	0	5	0	9	4	17
TOTAL	3	26	15	0	44	6	72	51	68	197	95	336

IN ADDITION / ATTACHMENTS CADRE STRENGTH DECEMBER 2005

	LT COL	COMDT	CAPT	LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE	0	1	1	0	2	0	1	10	8	19	23	44
2 E BDE	0	2	6	0	8	0	1	2	2	5	1	14
4 W BDE	0	0	0	0	0	0	1	1	0	2	0	2
NS RDF	0	0	0	0	0	0	2	2	0	4	0	4
TOTAL	0	3	7	0	10	0	5	15	10	30	24	64

TABLE 4: CADRE STRENGTH DECEMBER 2006

Brigade	LT COL	COMDT	CAPT	LT	2 LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE	1	6	8	0	0	15	1	21	16	4	42	1	58
1 S BDE S.W.A							1	4	3	24	32	32	64
2 E BDE	1	6	0	0	0	7	1	19	19	7	46	16	69
2 E BDE S.W.A							0	0	0	2	2	13	15
4 W BDE	1	8	3	0	0	12	0	23	16	5	44	4	60
4 W BDE S.W.A							0	2	0	25	27	26	53
DFTA	1	1	0	0	0	2	1	1	1	0	3	1	6
DFTA S.W.A							0	0	0	0	0	0	0
NSR	0	2	2	0	0	4	4	0	5	0	9	4	17
NSR S.W.A											0		0
TOTAL	4	23	13	0	0	40	8	70	60	67	205	97	342

IN ADDITION / ATTACHMENTS CADRE STRENGTH DECEMBER 2006

	LT COL	COMDT	CAPT	LT	2 LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE	0	0	1	0	0	1	0	1	8	8	17	22	40
2 E BDE	0	1	6	0	0	7	0	1	2	0	3	0	10
4 W BDE	0	0	0	0	0	0	0	0	1	2	3	14	17
NS RDF	0	0	0	0	0	0	0	0	2	2	4	0	4
TOTAL	0	1	7	0	0	8	0	2	13	12	27	36	71

TABLE 5: CADRE STRENGTH DECEMBER 2007

Brigade	LT COL	COMDT	CAPT	LT	2 LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 SBDE	1	6	9	0	0	16	1	26	18	6	51	3	70
1 SBDE S.W.A	0	0	0	0	0	0	1	4	3	15	23	25	48
2 E BDE	1	5	0	0	0	6	1	30	25	9	65	12	83
2 E BDE S.W.A	0	0	0	0	0	0	0	0	0	2	2	8	10
4 W BDE	1	10	3	0	0	14	0	27	21	4	52	4	70
4 W BDE S.W.A	0	0	0	0	0	0	0	0	0	18	18	26	44
DFTA	1	1	0	0	0	2	1	1	1	0	3	0	5
DFTA S.W.A	0	0	0	0	0	0	0	0	0	0	0	0	0
NSR	0	1	3	0	0	4	3	0	3	2	8	3	15
NSR S.W.A	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	4	23	15	0	0	42	7	88	71	56	222	81	345

IN ADDITION / ATTACHMENTS CADRE STRENGTH DECEMBER 2007

	LT COL	COMDT	CAPT	LT	2 LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 SBDE	0	0	0	0	0	0	0	1	8	7	16	23	39
2 E BDE	0	1	7	2	0	10	0	1	1	0	2	0	12
4 W BDE	0	0	0	0	0	0	0	0	1	2	3	12	15
NS RDF	0	0	0	0	0	0	0	0	1	3	4	0	4
TOTAL	0	1	7	2	0	10	0	2	11	12	25	35	70

TABLE 6: CADRE STRENGTH DECEMBER 2008

Brigade	LT COL	COMDT	CAPT	LT	2 LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE	2	5	7			14	1	28	30	8	67	3	84
1 S BDE S.W.A						0	1	1	2	11	15	25	40
2 E BDE	1	5				6	1	29	28	7	65	12	83
2 E BDE S.W.A						0				1	1	8	9
4 W BDE	2	8	3			13	1	29	29	8	67	3	83
4 W BDE S.W.A						0				14	14	28	42
RFTA	1	1				2	1	1	1		3		5
RFTA S.W.A						0					0		0
NSR		2		2		4	3		2	1	6	3	13
NSR S.W.A						0				2	2		2
TOTAL	6	21	10	2	0	39	8	88	92	52	240	82	361

IN ADDITION / ATTACHMENTS CADRE STRENGTH DECEMBER 2008

	LT COL	COMDT	CAPT	LT	2 LT	TOTAL OFFICERS	CS	COMS	SGT	CPL	TOTAL NCOS	PTES	GRAND TOTAL
1 S BDE		1	2			2		1	9	7	17	22	41
2 E BDE			7	1		9			1		1	1	11
4 W BDE						0				2	2	8	10
NS RDF						0			2		2	1	3
TOTAL	0	1	9	1	0	11	0	1	12	9	22	32	65



TABLE 7: RDF Discharges, Resignations, Retirements &amp; Enlistments

	Discharges Enlisted Personnel	Officers Resigned/Retired	Enlisted
2007	1,497	34	972
2008	1,544	51	1,037
2009	680 (May 09)	19	322
Total	3,721	104	2,331

### Airport Exclusion Zones.

713. **Deputy Leo Varadkar** asked the Minister for Defence if he will review the Baldonnell exclusion zone; and if he will make a statement on the matter. [29695/09]

**Minister for Defence (Deputy Willie O’Dea):** Section 36 of the Defence Act, 1954 provides the Minister of Defence with the authority to introduce protected area orders in respect of the vicinity of Casement Aerodrome or other military aerodrome. These zones were first introduced in 1955. Since the introduction of the Planning and Development Act the details of these restrictions have been incorporated into the various Development Plans for South Dublin County Council. The zones have been reviewed on a number of occasions and my Department is currently considering the most recent review. South Dublin County Council will be advised of the out come of this review in the context of the latest revision of the Development Plan.

The rationale behind the presence of the exclusion zone is one of flight safety and the safeguarding of members of the public in the vicinity of the Aerodrome. This is in line with international practice at all airports.

### Departmental Contracts.

714. **Deputy Michael D’Arcy** asked the Minister for Defence the companies which have been successful in tendering for contracts for his Department in the past 5 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29830/09]

**Minister for Defence (Deputy Willie O’Dea):** Due to the substantial volume of information sought by the Deputy, it is impossible for my Department and the Defence Forces to collate all of the relevant material within any reasonable timescale.

The Deputy may wish to consider re-submitting a more specific question or he may wish to write directly to the Contracts Branch of my Department for the particular information that he is seeking. My Department will arrange to compile an answer to any such question as soon as possible thereafter.

715. **Deputy Michael D’Arcy** asked the Minister for Defence if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29844/09]

**Minister for Defence (Deputy Willie O’Dea):** My Department has not engaged the services of CLG since 2002. It is my understanding that there is no issue in my Department regarding the non payment of sub-contractors.

### **Register of Electors.**

716. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the reason a person (details supplied) in Dublin 5 is not allowed to vote in a referendum; and if he will make a statement on the matter. [29378/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In order to be able to vote at elections and referenda in this jurisdiction, a person's name must be entered in the register of electors for a constituency in the State in which the person ordinarily resides.

Subject to this primary requirement, the person's citizenship then determines the polls at which he or she is entitled to vote. Irish citizens who are registered to vote may vote at all polls. British citizens may vote at Dáil, European and local elections; other EU citizens may vote at European and local elections; and non-EU citizens may vote at local elections only.

While electoral law is subject to ongoing review, there are no proposals to alter the existing arrangements.

### **Tax Code.**

717. **Deputy Tom Hayes** asked the Minister for the Environment, Heritage and Local Government his views on introducing a small business rate relief scheme similar to the one that has been introduced in Northern Ireland; and if he will make a statement on the matter. [29383/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Rates are local property taxes that are levied by local authorities on commercial properties that are rateable under the Valuation Act 2001. The determination of the annual rate on valuation which is applied to property valuation to calculate rates is a decision taken locally by the elected members of a local authority in their annual budget.

In order to support economic activity and employment, both nationally and locally, and to protect the interests of communities, I specifically requested that local authorities exercise restraint in setting any increases in commercial rates in their 2009 Budgets. Local authorities recognise the challenging environment in which business operates and have responded positively to this request. The national average increase in annual rates on valuation in 2009 is 1.15%, with many authorities not introducing any increase at all.

I have also asked that each county and city council establish a small Business Support Unit, or alternative, to act as a point of contact to ensure a quick, streamlined and coordinated response to existing and new businesses from local authorities in areas such as planning, water and roads.

I recognise the importance of rates income as a contribution to the cost of services provided by local authorities. These services are of considerable benefit to all in the local authority area, including ratepayers and businesses generally. The introduction of rates relief for new business could result in a diminution in the ability of local authorities to deliver such services or in the rates income forgone through such a scheme being raised through an increase in rates charges on other establishments. I will continue to keep the approach to rates by local authorities under regular review.

### **Turbary Rights.**

718. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local

Government if he will review the decision to ban turf cutting on 32 designated bogs in 2009; and if he will make a statement on the matter. [28781/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I refer to the reply to Question No. 40 on 24 June. The position is unchanged.

#### **National Parks.**

719. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the steps he will take to support the establishment of a wilderness park in the north midlands cut away bogs; and if he will make a statement on the matter. [28790/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I assume that the Question refers to the proposal from a local group to establish a ‘North Midlands Peatlands Park’ — formerly titled a ‘National Wetlands Wilderness Park’ — in the cut-away area of the Mount Dillon group of bogs in Longford and Roscommon, which is owned by Bord Na Móna.

It is estimated that some 80,000 hectares of cutaway Bord Na Móna bog will become available by 2050. While I have no direct role in this matter, in principle I would very much welcome any arrangement between Bord Na Móna and local groups to restore the natural and amenity value of harvested bogs. I understand that the Mount Dillon group of bogs is contracted to supply Lough Ree Power for some time. In this regard, it is a matter for the local group proposing this initiative to engage directly with Bord Na Móna, as owners of the bogs concerned.

#### **Social and Affordable Housing.**

720. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if the incremental purchase scheme as presented in the Housing (Miscellaneous Provisions) Bill 2008 will be applicable, on its commencement, to existing residents of voluntary housing schemes; and if he will make a statement on the matter. [28806/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Under the incremental purchase scheme, currently operating on a pilot basis but for which statutory provision has been made in the Housing (Miscellaneous Provisions) Bill 2008, housing authorities and approved bodies may designate a proportion of their new build housing stock for sale under the scheme.

While the scheme does not apply to existing local authority or voluntary housing stock, households currently in receipt of social housing support can apply to purchase a dwelling which has been designated for sale under the incremental purchase scheme. Those households currently in receipt of social housing support include tenants of a local authority, voluntary/co-operative tenants and those being housed under the Rental Accommodation Scheme.

#### **Local Authority Housing.**

721. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the Housing Finance Agency is applying interest rates of the order of 11% to local authority loans despite the reductions in European Central Bank interest rates; and if he will make a statement on the matter. [28833/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The applicable interest rate paid by local authority borrowers on fixed rates is set by reference to prevailing fixed interest rates at the time of loan draw down. Loans in respect of which interest rates in excess of 10% apply were issued by local authorities prior to 1991 and reflect the long-term costs of the funds to the Housing Finance Agency (the Agency) prevailing at the time these loans were advanced. Rates were fixed for the life of the loan (generally 25-30 years). The introduction of variable interest rates for local authority mortgages provided borrowers with increased flexibility and choice.

Borrowers with these long term fixed rate local authority mortgages, which are no longer available, are permitted to redeem such loans without any interest rate penalty and refinance them in the private sector. This represents a significant concession, having regard to the redemption penalties (of up to six months interest or more) applied by commercial lending agencies in the event of early redemption of such mortgages. Early redemption without penalty means that the Agency — which operates on a self-financing basis — has had to bear the losses on such loans.

In 2001, the position regarding high fixed interest rates on local authority loans was reviewed in consultation with the Department of Finance. This review determined that a State subsidy to reduce such interest rates would not be appropriate, particularly given the cost already being borne by the State where the holders of such loans availed of the option to refinance in the private sector without penalty.

#### **Local Authority Status.**

722. **Deputy Tom Hayes** asked the Minister for the Environment, Heritage and Local Government if he has received an application from Newbridge Town Council, County Kildare, to change the status of that council; and when he will make a decision regarding same. [28834/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** No such application is currently before my Department.

#### **Water and Sewerage Schemes.**

723. **Deputy Tom Hayes** asked the Minister for the Environment, Heritage and Local Government the number of waste water treatment projects that South Tipperary County Council has applied for funding for in tabular form; the stage these projects are at; the amount of funding required for each project; and if he will make a statement on the matter. [28835/09]

724. **Deputy Tom Hayes** asked the Minister for the Environment, Heritage and Local Government the water services investment projects South Tipperary County Council has applied for funding for; the stage these projects are at; the amount of funding required to complete each project; and if he will make a statement on the matter. [28836/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 723 and 724 together.

Details of all major water and sewerage schemes included for funding by my Department in South Tipperary are set out in the Water Services Investment Programme 2007-2009 which is available in the Oireachtas Library. Additional information in relation to progress on individual contracts under this Programme, or in relation to activity generally under the small public schemes measure of the devolved Rural Water Programme, may be obtained from the Council.

### Natural Heritage Areas.

725. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government if he will expedite payment to farmers who have opted to sell bogland under special areas of conservation and national heritage areas; and if he will make a statement on the matter. [28842/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Having regard to available budgetary resources, priority is being given under the bog purchase scheme this year to those wishing to sell their interest in the 32 raised bog sites which were nominated for designation as Special Areas of Conservation in 1999. For these sites the derogation by the Government, which allowed the continuation of turf cutting for personal domestic use, expires in 2009.

A further 23 raised bog Special Areas of Conservation were nominated for designation in 2002. In these cases, the ten year derogation will expire in 2012.

Seventy-five Natural Heritage Areas were designated in 2004, and the 10 year derogation period for them will not expire until 2014.

Land transactions within those areas, where the derogation will not expire this year, will not qualify for priority attention this year.

### Departmental Staff.

726. **Deputy Fergus O'Dowd** asked the Minister for the Environment, Heritage and Local Government the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department's presence in County Louth; and if he will make a statement on the matter. [28850/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** There are no staff employed by my Department and based in office accommodation in County Louth.

### Decentralisation Programme.

727. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the position regarding a matter (details supplied); and if he will make a statement on the matter. [28859/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Office of Public Works (OPW) has responsibility for the provision of office accommodation under the decentralisation programme and it is managing the development of the Department's new headquarters on the Newtown Road in Wexford.

I have been advised by the OPW that following recent discussions between OPW and the contractor, the building is expected to be completed in mid-Autumn 2009. In the interim, the Department, through the OPW, has secured further temporary accommodation for its staff in Wexford and it is estimated that some 120 staff will be working from Wexford by September 2009.

The transfer of staff into the new office will take place as soon as the building has been handed over by the OPW to the Department.

### **Building Regulations.**

728. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government the position regarding efforts to address all outstanding issues for pyrite affected home owners; and if he will make a statement on the matter. [28865/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The position on this matter was most recently set out in reply to Question No. 350 of 26 May 2009.

As indicated, the resolution of problems being experienced by homeowners whose homes have been affected by pyrite are matters between the parties concerned, namely, the building owner, the builder and the builder's insurers. Where the construction of a building is the subject of a contract between the client and the builder, enforcement is a civil matter.

When the issue of pyrite arose, and following an intervention from my Department, the National Standards Authority of Ireland (NSAI) proceeded to publish a new amended Standard Recommendation on the use of aggregates as infill for civil engineering and road construction work. The new Standard Recommendation came into effect on 7 December 2007 and it is intended to address the quality standards of new homes and buildings insofar as problems relating to pyrite are concerned. My Department incorporated this NSAI Standard Recommendation into the relevant Technical Guidance Document (TGD-C) of the Building Regulations. A copy of the relevant amendment to TGD-C is available on my Department's website at [www.environ.ie](http://www.environ.ie). My Department has also notified Local Authorities, the Construction Industry Federation, the Irish Home Builders' Association and other key stakeholders of the provisions of the amended TGD-C. In addition, I am aware that HomeBond has included the amended NSAI Standard Recommendation in their published 6th edition of the House Building Manual.

### **Litter Pollution.**

729. **Deputy Michael D'Arcy** asked the Minister for the Environment, Heritage and Local Government the number of fines issued for litter offences in Counties Wicklow, Wexford, Kildare, Meath and Louth in the past year; and if he will make a statement on the matter. [28866/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Statistics on local authority enforcement action on litter, including the numbers of fines issued for litter offences, are submitted by local authorities to my Department every six months; the latest figures available relate to the period July — December 2008 and are obtainable from the Oireachtas Library.

### **Public Service Review.**

730. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28896/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department made a submission to the Special Group on Public Service and Expenditure Programmes outlining the range of activities undertaken by my Department as well as providing detailed information on the associated funding and staffing arrangements. In addition, the



Secretary General and senior officials met with the Group to discuss these matters. I understand that the Special Group is about to present its report to the Minister for Finance.

### **Closed Circuit Television Systems.**

731. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if there are regulations governing the use of security cameras when they have the capacity to invade the privacy of adjoining residences; and if he will make a statement on the matter. [28905/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Under section 3 of the Planning and Development Act 2000, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in use of any structures or other land. It is a matter for a developer to ensure that a proposed development satisfies all statutory planning requirements. Certain development or classes of development are exempted from the requirement for planning consent in accordance with the Planning and Development Regulations 2001-2008. Schedule 2 Part 1 Class 32 of the regulations provides for an exemption from planning requirements for security cameras within an airport. There is no other specific exemption for security cameras in the regulations.

### **Special Protection Orders.**

732. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the date an appeal was lodged by Dublin Port against an order for the introduction of a special protection order on part of Dublin Bay; the action he will take to deal with this appeal; the system for conducting the hearing and obtaining input from interested parties; the time frame within which appeals must be decided; and if he will make a statement on the matter. [28906/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My proposal to designate South Dublin Bay and Tolka Estuary Special Protection Area was advertised on 28 May 2008. An appeal from Dublin Port Company concerning the inclusion of part of the site within the SPA was received on 25 August 2008. My Department met representatives of the Dublin Port Company on 13 January 2009 to discuss its appeal. Based on information provided by Dublin Port Company and the scientific advice of my Department, on 4 March 2009 I informed the Company that it was not my intention to exclude the area in question from the SPA. The Company then availed of the opportunity to have the matter considered by the Designated Areas Appeals Advisory Board. The board considered this appeal on 2 July 2009 and has submitted its recommendations to me in recent days. I expect to be in a position shortly to inform the Company of my decision in this matter.

### **Housing Aid for the Elderly.**

733. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the number of people who have applied for housing aid for older people, mobility aids grants and housing adaption grants in Dublin and outside Dublin; the number whose applications were successful; the amount of money released under the schemes in 2007, 2008 and to date in 2009; and if he will make a statement on the matter. [28908/09]

734. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Question No. 174 of 26 February 2009, if he will provide the 2009

[Deputy Denis Naughten.]

allocations; if additional funds will be provided to deal with the backlog; the number awaiting approval in each area; and if he will make a statement on the matter. [29264/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Questions Nos. 733 and 734 together.

My Department's involvement with the Housing Adaptation Grant Schemes for Older People and People with a Disability and the Mobility Aids Grant scheme 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 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, together with a 33% contribution from the resources of the local authority. The detailed administration of these schemes, including the assessment and approval of individual applications, is the responsibility of the relevant local authority. Details of the Exchequer funding provided to each Local Authority under the new Housing Adaptation Grant Schemes for Older People and People with a Disability, the Mobility Aids Grant scheme, the old Disabled Persons and Emergency Repairs grant schemes for 2007 and 2008, and the total allocation for 2009 from Exchequer and local authority sources, are set out in the table which follows this reply. At this stage I do not envisage making further allocations to local authorities in respect of the operation of these schemes in 2009. However, I will review the funding position later in the year, in the event of under spending by local authorities of their allocations for the grant schemes or other allocations under the wider social housing investment programme.

	2007	2008	2009
	€	€	€
<i>County Councils</i>			
Carlow	782,807	1,534,923	1,375,500
Cavan	753,977	1,568,060	1,312,500
Clare	857,560	2,100,790	1,490,000
Cork	3,622,522	5,784,957	6,285,000
Donegal	2,790,698	3,112,498	4,820,000
Dun Laoghaire/ Rathdown	1,245,293	1,692,890	2,160,000
Fingal	1,036,073	1,331,236	1,795,000
Galway	1,196,745	1,671,884	2,074,000
Kerry	1,701,174	2,320,709	2,950,000
Kildare	1,079,483	1,822,582	1,870,000
Kilkenny	534,311	596,350	930,000
Laois	1,734,170	1,829,228	1,910,000
Leitrim	1,030,084	1,310,551	1,790,000
Limerick	1,019,313	1,082,995	1,665,000
Longford	418,699	966,847	727,500
Louth	1,193,251	2,030,581	2,067,500
Mayo	1,630,838	2,011,125	2,775,834
Meath	1,586,679	3,283,476	1,000,000
Monaghan	1,253,446	1,470,218	2,177,500
North Tipperary	1,031,729	1,432,124	1,790,000
Offaly	861,935	993,344	1,465,000

	2007	2008	2009
	€	€	€
Roscommon	1,101,955	1,579,457	1,910,000
Sligo	322,914	493,490	560,000
South Dublin	2,630,134	2,975,713	4,545,000
South Tipperary	882,395	1,358,885	1,530,000
Waterford	998,389	1,690,822	1,707,500
Westmeath	958,321	1,361,958	1,660,000
Wexford	1,340,572	1,656,321	2,325,000
Wicklow	709,099	1,416,332	1,230,000
<i>City Councils</i>			
Cork City	1,218,359	1,546,070	2,112,500
Dublin City	8,309,518	9,227,259	14,400,000
Galway City	687,851	922,136	1,270,000
Limerick City	468,401	791,513	915,000
Waterford City	293,958	481,126	512,500
<i>Borough Councils</i>			
Sligo Borough	272,296	300,894	472,750
Total	47,554,949	65,749,344	79,562,584

### Water and Sewerage Schemes.

735. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government when he will provide Roscommon County Council with final approval for the waste water treatment plants under the Roscommon towns and villages sewerage scheme which form part of the Water Services Investment Programme 2007 to 2009; the reason for the delay; and if he will make a statement on the matter. [29269/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Roscommon Towns and Villages Sewerage Scheme is included for funding in my Department's Water Services Investment Programme 2007-2009. I understand that work is under way on the collection networks element of this scheme. In addition, my Department approved Roscommon County Council's contract documents to procure the waste water treatment plants for the ten towns and villages under a Design Build Operate contract last January. Accordingly, it is now a matter for the Council to seek tenders for those plants.

736. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government when he will provide Roscommon County Council with final approval for the water treatment plants under the regional supply upgrade programme; and if he will make a statement on the matter. [29270/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I assume the question refers to the Arigna, Boyle-Ardcarne stage 2, Roscommon central and south Roscommon regional water supply scheme, which is included for funding in my Department's Water Services Investment Programme 2007-09 at an estimated cost of €54 million. My Department awaits the submission of additional documentation from Roscommon County Council to enable the Department to complete its examination of the Council's contract documents for the scheme.

737. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government when he will provide Roscommon County Council with final approval for the completion of the capital works and treatment plans on the amalgamated group water schemes; and if he will make a statement on the matter. [29271/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department issued approval last month to Roscommon County Council's tender report for the Roscommon group water supply scheme design build operate bundle that will involve the procurement of water abstraction and treatment facilities for six group water schemes and two public water schemes in Roscommon and one group water scheme in County Leitrim under a single design build operate contract. It is now a matter for the council to advance this scheme to construction. Accordingly, any further information on progress with this contract may be had from the Council.

#### **Public Service Staff.**

738. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29310/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** To date, my Department has received 32 applications under the Incentivised Scheme for Early Retirement. The final date for the receipt of applications under the scheme is 1 September 2009. Some 43 applications were received under the Special Incentive Career Break Scheme by the closing date of 1 July 2009. Two Civilian Drivers were made redundant following the reduction in the numbers of Ministers of State, which was announced by the Taoiseach in April of this year. Information on the number of applications received by the local authorities under both schemes is not yet available in my Department. The final dates for receipt of applications by the local authorities for the Incentivised Scheme for Early Retirement and Career Break Schemes are 1 September 2009 and 31 July 2009 respectively. My Department does not compile data for the number of staff made redundant by each local authority. A total of three applications have been received under the Incentivised Scheme for Early Retirement and seven under the career break schemes for bodies under the aegis of my Department to date. Six staff were made redundant by the National Building Agency in the last 12 months.

#### **Voluntary Housing Schemes.**

739. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the support he will provide to voluntary housing schemes which provide housing units for returning Irish emigrants; and if he will make a statement on the matter. [29331/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Under my Department's Capital Assistance Scheme, funding of up to 100% of the approved cost is available for the provision of accommodation for groups with special housing needs including the elderly and returning emigrants who qualify under the Safe Home programme. Under the programme, the Safe Home organisation assesses applications from elderly returning emigrants and compiles a list of eligible applicants for use by approved housing bodies and local authorities in the allocation of accommodation in new schemes. Up to 25% of accommodation in new Capital Assistance Scheme funded projects

throughout the country may be allocated to elderly returning emigrants who satisfy the eligibility criteria and are included in the Safe Home waiting list.

### **Special Areas of Conservation.**

740. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps being taken to protect Scragh Bog and Garriskil Bog in relation to proposals to upgrade the M4 from Mullingar to Roosky; and if he will make a statement on the matter. [29332/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department has had extensive consultations regarding a number of sites of ecological interest along the possible route corridor, including both of the bogs mentioned, which are Special Areas of Conservation. A single route proposal is now expected, arising from the wider consultation process, and this will facilitate further consideration, as appropriate, including in regard to the need for any mitigating measures. My Department will make comments and, if necessary, recommendations to An Bord Pleanála on receipt of a copy of the Environmental Impact Statement which will be required.

### **Environmental Impact Statements.**

741. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps that have been taken following the judgement of the European Court of Justice on Ireland's failure to carry out an environmental impact assessment in respect of the Derrybrien wind farm project; and if he will make a statement on the matter. [29333/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In its judgment of 3 July 2008, the European Court of Justice found, *inter alia*, that development consents given for a wind farm development and associated works at Derrybrien, County Galway, were not preceded by environmental impact assessments which conformed to the requirements of Council Directive 85/337/EEC. My Department is engaged in ongoing discussions with the European Commission concerning Ireland's response to this judgment, and appropriate provision will be made in the Planning and Development (Amendment) Bill 2009 under which the status of developments encompassed by this judgment will be addressed in a manner to be agreed with the Commission. While I have no function in the determination of the current planning status of the wind farm in question, my Department has met local representatives and the local authority to discuss the wind farm and issues arising.

### **Quarrying Activity.**

742. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the position regarding the need to prevent environmental damage from quarrying on the hill of Slane, County Meath; and if he will make a statement on the matter. [29334/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department understands from Meath County Council that there is no quarrying taking place on or near the Hill of Slane.

### **Anti-Social Behaviour.**

743. **Deputy Olwyn Enright** asked the Minister for the Environment, Heritage and Local Government the legislation in place to assist residents in private housing estates who are experi-

[Deputy Olwyn Enright.]

encing difficulties with their neighbours; and if he will make a statement on the matter.  
[29356/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Action to deal with anti-social behaviour is primarily a matter for An Garda Síochána. In the case of private rented dwellings landlords are, however, responsible for enforcing the obligations that apply to their tenants under the Residential Tenancies Act, 2004. The Act, in this regard, prohibits a private rental tenant engaging in anti-social behaviour in, or in the vicinity of, a dwelling to which the Act applies and allows a landlord to terminate any tenancy where the tenant is engaging in or allowing others to engage in such behaviour, subject to a notice period of only 7 days in the case of serious anti-social behaviour or 28 days in the case of less serious but persistent behaviour. The Residential Tenancies Act also provides for a third party affected by anti-social behaviour to, subject to certain conditions, take a case to the Private Residential Tenancies Board against a landlord who has failed to enforce tenant obligations. The Board can direct the landlord to ensure that tenants comply with their obligation and can enforce compliance through the Courts. A specific condition is that the third party complainant must have taken all reasonable steps to resolve the matter by communicating or attempting to communicate with the parties to the tenancy concerned. The Private Residential Tenancies Board may furnish to a person proposing to make a third party complaint the name and address of the landlord concerned or his or her agent. The Board may be contacted at their offices at O'Connell Bridge House, Dublin 2, or by phone or email, contact details of which are available on their website.

#### **Local Authority Inspections.**

744. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the number of inspections carried out by local authorities on privately rented properties by city and county councils; the number of cases taken to Court over the past year; the amount of money raised to date in 2009 from fines imposed; and if he will make a statement on the matter. [29358/09]

745. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the number of inspections carried out on privately rented properties by local authorities where the minimum standards were not met nationally; the breakdown for each city and county council; and if he will make a statement on the matter. [29359/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I propose to take Question Nos. 744 and 745 together.

Minimum standards for rental accommodation are prescribed in the Housing (Standards for Rented Houses) Regulations 2008, as made under section 18 of the Housing (Miscellaneous Provisions) Act 1992. All landlords have a legal obligation to ensure their rented properties comply with these regulations. Responsibility for enforcing the regulations rests with the relevant local authority, supported by a dedicated stream of funding allocated by my Department. This funding increased significantly between 2005 and 2008, rising from €1.5 million to €4 million. I am pleased that I will be in a position to maintain funding for this purpose in 2009 at the 2008 level of €4 million, bringing total funding allocations since 2004 to €15 million. In general, local authorities have significantly expanded their inspection activity in recent years with the number of inspections more than doubling, from 6,815 to 14,008, between 2005 and 2007. Details of the inspections of private rented accommodation carried out, the dwellings inspected which did not meet the statutory standards and prosecutions initiated up to 2007 on



a county and city basis are included in my Department's Annual Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and on my Department's website, [www.environ.ie](http://www.environ.ie). Work is under way on finalising the 2008 data which will be published later this summer. However, preliminary figures indicate a year-on-year increase of approximately 23% in the number of inspections carried out, with over 17,200 inspections completed in 2008. This further significant increase reflects the positive impact of the overall Action Programme on Standards, including increased funding, introduced on foot of a commitment in the Towards 2016 social partnership agreement, and progress with the implementation of the Rental Accommodation Scheme. The preliminary figures also indicate that of the 14,880 dwellings inspected in 2008, 2,854 did not meet the minimum standards and 8 prosecutions were initiated by local authorities. Information is not available to my Department on the amount of money raised to date from fines imposed in 2009.

It is a matter for each individual local authority to decide the specific details of its enforcement strategy and inspection arrangements. However, in discharging their responsibilities to the rental sector, authorities have been asked to have regard to the good practice guidelines for local authorities on standards in the private rented sector, *Strategic Planning, Effective Enforcement*, which were published by the Centre for Housing Research in November 2007. They make a range of recommendations on relevant issues, including targeting inspection activities. Following the enactment of the Housing (Miscellaneous Provisions) Bill 2008, a comprehensive new sanctions regime will be available to local authorities. Fines for non-compliance with the regulations will be significantly increased. The maximum fine will be increased from €3,000 to €5,000. The fine for each day of a continuing offence will be increased from €250 to €400. However, a report published by the Centre for Housing Research in November 2007 points out that landlords' responsiveness to notices of non-compliance issued by local authorities has ensured that the need to prosecute is relatively low. The report also concludes that the low volume of cases taken each year suggests that most examples of non-compliance are on a relatively minor scale.

#### **Housing Aid for the Elderly.**

746. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government the funding granted to Mayo County Council for the scheme for housing aid for older people, the housing adaptation grant for people with a disability and the mobility aids housing grant to date in 2009; the amount of these allocations issued to Mayo County Council; if 2010 allocations have been decided upon; and if he will make a statement on the matter. [29365/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** An allocation of €2,775,834 was notified to Mayo County Council on 7 May, 2009 in respect of the operation of the schemes concerned in 2009. To date, €480,363 has been recouped to the Council by my Department. The allocations for these schemes for 2010 will be determined in light of the overall level of funding available.

#### **Environmental Information Service.**

747. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if he will respond to a matter (details supplied); and if he will make a statement on the matter. [29380/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** There are no plans to terminate the ENFO service, a sub-section of my Department, which has

[Deputy John Gormley.]

provided an excellent service to the public in its 20 years of operation. The service has been under review in light of technological advances, people's expectations of instant access to up-to-date information, the number of State and other bodies now providing environmental information, the growing interest in such information and the State's obligation to facilitate access to such information in an integrated manner. These considerations, together with the need to optimise cost-efficiency in service provision, have led to the development of a new enhanced service, details of which are being finalised and will be announced in the coming weeks.

### **Social and Affordable Housing.**

748. **Deputy James Reilly** asked the Minister for the Environment, Heritage and Local Government the number of applicants at the end of June 2009 on the social housing lists and affordable housing lists in each local authority area in tabular form; the total of each category nationwide; and if he will make a statement on the matter. [29395/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The number of households on a local authority's waiting list fluctuates as households on the list are allocated housing and new households apply for housing support. My Department does not hold information on the number of people on waiting lists in local authorities. A statutory assessment of housing need is carried out every three years by all housing authorities in accordance with the terms of the Housing Act 1988. The last assessment took place in 2008 and indicated that there were 56,249 households in need of social housing support, an increase of some 30% on these corresponding figure in 2005. Further information regarding the assessments is available on my Department's website, *www.environment.ie*, including a breakdown of the net need figure by housing authority. My Department does not collect national figures on the number of people applying for affordable housing. The management of affordable housing lists remains a matter primarily for the housing authorities themselves.

749. **Deputy James Reilly** asked the Minister for the Environment, Heritage and Local Government the building plans and quantity of social houses and affordable houses for the years 2009, 2010 and 2011 by local authority area; the funding set aside for such plans; and if he will make a statement on the matter. [29396/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** A total of €1.415 million in voted Exchequer capital and current funding is being provided for the various social housing and affordable housing programmes in 2009. The provision for 2010 and 2011 will be finalised in the context of the Estimates processes for each of those years. As part of a further restructuring of the Social Housing Investment Programme, I recently announced new arrangements for the delivery of social housing under which housing authorities may enter into long-term leases of private dwellings as a means of meeting housing need. The new leasing initiative, under which authorities will procure properties on long term leases of 10 to 20 years, is designed further to widen the sources of supply and thereby help create a flexible range of delivery mechanisms for local authorities to meet social housing needs. It is expected that through this measure at least 2,000 additional homes will be procured this year. Taking all the social housing programmes together, including those of the voluntary and co-operative housing sector, and having regard to the capacity to access suitable housing available in the current housing market, including through the new long-term leasing initiative, some 7,000 completions are expected to be achieved this year. The use of leasing arrangements in the coming years in the provision of social housing will allow

for a substantial increase in the number of households who will have their housing needs met compared with what would otherwise be possible without such a restructuring of the Social Housing Investment Programme, given the prevailing budgetary and economic climate. In relation to affordable housing, it is evident that the housing market has changed very significantly since 2007, with substantial improvements in the affordability of housing. The question of future commitments in relation to affordable housing will obviously have to take this into account, together with the extent to which there is a significant quantum of completed affordable housing currently available for sale.

750. **Deputy James Reilly** asked the Minister for the Environment, Heritage and Local Government the number of social houses provided in the past five years; the number of affordable houses provided over the same period; and if he will make a statement on the matter. [29397/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Information on social housing starts and completions, including acquisitions, and on affordable housing activity is published in my Department's Annual and Quarterly Housing Statistics Bulletins, copies of which are available in the Oireachtas library. Bulletins from 2000 onwards are also available on my Department's website, *www.environ.ie*.

#### **Water and Sewerage Schemes.**

751. **Deputy James Reilly** asked the Minister for the Environment, Heritage and Local Government his plans for sewage waste water treatment plants in the Fingal County Council area; the amount of funding that will be set aside for the proposed plant at an area (details supplied) in County Dublin; when this plant will be commissioned; if it will be subject to cutbacks and delays; and if he will make a statement on the matter. [29398/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Details of all major water and sewerage schemes included for funding by my Department in Fingal are set out in the Water Services Investment Programme 2007-09, a copy of which is available in the Oireachtas Library. Additional information in relation to progress on individual contracts under the programme, or in relation to activity generally under the small public schemes measure of the devolved Rural Water Programme may be obtained from Fingal County Council. In so far as the Portrane, Donabate, Rush and Lusk scheme is concerned, my Department awaits the submission of additional documentation from the council to enable the Department to complete its examination of the council's tender report for the waste water treatment plant element of the scheme. I understand the council is in the process of preparing contract documents for the collection networks.

#### **Waste Management.**

752. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that Dublin County Council is changing the waste collection permits for private waste operators operating in the Dublin area in order that it can direct the commercial waste of private operators to incineration as well as domestic waste; his views on whether this is a threat to private operators jobs and that it is not likely to stop the private sector investing in this area when the country is in need of further investment and job creation; and if he will make a statement on the matter. [29401/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department has received correspondence, and is aware of media reporting regarding the

[Deputy John Gormley.]

imposition by Dublin City Council of a condition relating to the direction of waste in recently issued waste collection permits. While, as Minister, I am precluded under the Waste Management Act from involvement in specific decisions of local authorities where a statutory function has been conferred on them, I do have an interest in ensuring that regulatory systems for which the Department makes legal provision operate in a manner conducive to ensuring equity between service providers. My Department has always made it clear that the primary purpose of the permitting system is to facilitate appropriate controls on commercial waste activities for the purposes of environmental protection, that it is reasonable that all commercial collectors permitted by an authority should be subject to equivalent controls and obligations, and that conditions attaching to permits should not be such as to distort competition between operators and should be reasonable and proportionate. Regulatory matters, including in relation to competition between operators, will be addressed in the context of Government decision-making on the review of the existing regulatory framework for waste management and the overall review of waste management policy provided for in the programme for Government. Issues surrounding the direction of waste should not be isolated from the broader regulatory and policy review, now nearing conclusion, with possibly perverse effects for both private sector waste management companies and local authorities. However, my Department is holding a public consultation in the context of a strategic environmental assessment of a proposed ministerial direction under section 60 of the Waste Management Act which would, in part, seek to prevent the direction of waste to landfills and incinerators while permitting the direction of waste to other facilities higher in the waste hierarchy. My Department has written to Dublin City Council to seek an update regarding a request by the Irish Waste Management Association for a meeting with the Council to discuss this particular issue. I hope a mutually satisfactory outcome can be achieved.

### **Housing Grants.**

753. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will release funding to Kildare County Council to meet requirements in respect of disabled persons grants; and if he will make a statement on the matter. [29488/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** I refer to the reply to Question No. 474 of 7 July, 2009. The position is unchanged.

### **Constitutional Amendments.**

754. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government his views on amending the constitution to lower the age limit for election to Dáil Éireann from 21 years to 18 years and the Presidency from 35 years to 18 years; and if he will make a statement on the matter. [29576/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I refer to the reply to Question No. 455 of 7 July in connection with lowering the age limit for election to Dáil Éireann. Article 12.4.1 of the Constitution provides that a citizen must be 35 years of age to be eligible for election to the office of President. A lowering of the qualification age would require a constitutional amendment and there are no current proposals in this regard.

### **Local Authority Funding.**

755. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local

Government further to Question Nos. 603 and 604 of 22 April 2009, the status of these proposals; the date by which he expects each of these proposals to be fully completed; and if he will make a statement on the matter. [29578/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department approved funding for 2009 totalling €12 million to local authorities and bodies under its aegis to continue a programme of work begun in 2005 under the National Disability Strategy. My Department has written to all Local Authorities informing them of their allocations. Local authorities and other public bodies have a key role in implementing the requirements of the Department's Sectoral Plan under the Disability Act 2005. The funding will assist them in continuing the invaluable work of providing for the needs of those with disabilities and seeking to meet these needs in the most efficient manner possible. It will be used to provide disability awareness training and undertake accessibility audits, adapt information systems and equipment for people with disabilities, and to provide and improve, where needed, accessibility to public buildings, roads and pavements, parks, amenities, heritage sites and other public areas for which local authorities have responsibility. The process to bring about the merger of the Local Government Management Services Board and the Local Government Computer Services Board is at an advanced stage. As indicated previously, the question of underpinning legislation will be finalised in the second half of 2009. Operational arrangements are at an advanced stage. Decisions have been taken regarding the location of the merged body, and the implications of these have been communicated to all staff. The process for the recruitment of the Chief Executive Officer of the merged organisation is in hand, with an appointment expected in the last quarter of 2009. Proposals for the design of the new organisation have been developed, and staff in both organisations are co-operating at a practical level on a daily basis.

#### **Environmental Policy.**

756. **Deputy Liz McManus** asked the Minister for the Environment, Heritage and Local Government the position regarding Ireland's Kyoto targets; if he will support and push for higher targets at EU level leading into the talks in Copenhagen; and if he will make a statement on the matter. [29608/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The EPA is responsible for emission projections. Its most recent analysis, which reflected the ESRI's then assessment of the changed economic situation, was published in March 2009. The updated figures indicated a Distance to Target for the Kyoto period 2008-2012 in the range of 1.3-1.8 million tonnes per annum, a reduction of around 3 million tonnes from the projections of Autumn 2008. In the current economic climate, an unusually high degree of uncertainty attaches to all projections. It is now clear that the economic contraction will be deeper than assumed in the March projections. It is, accordingly, possible that Ireland will now meet its Kyoto target for the non-trading sector without using carbon credits. It is important to emphasise that the effect of the recession on our emissions is a short-term one and it would be a serious mistake to ease off on our efforts to address the underlying trend. When economic growth resumes, the emphasis has to be on putting Ireland on course to achieving a sustainable, low carbon economy. All relevant Government Departments are working on the development of further measures to reduce Ireland's greenhouse gas emissions. This work is overseen by the Cabinet Committee on Climate Change and Energy Security. Ireland is committed under the EU climate and energy package agreed in December 2008 to achieve, by 2020, a 20% reduction on 2005 levels of greenhouse gas emissions in the sectors of the economy not covered by the EU emissions trading scheme. This 20% target is binding in EU law, as will any adjustment to it in the light of the outcome to the Conference of the Parties to the UN Framework



[Deputy John Gormley.]

Convention on Climate Change in Copenhagen later this year. The objective of the ongoing international negotiations under the Framework Convention on Climate Change is to reach agreement on a comprehensive global response to climate change at the Copenhagen conference. Ireland fully supports the EU position set out in the conclusions adopted by the Council on 2 March 2009 and subsequently. It is of the utmost importance that a new agreement is reached in Copenhagen in order to avoid any gap in the response to climate change when the Kyoto Protocol expires at the end of 2012. A key element of an effective outcome at Copenhagen will be continued leadership by developed countries in tackling climate change and I believe that a new agreement must set binding post-2012 greenhouse gas emission limitation or reduction targets for developed countries.

### **Docklands Development.**

757. **Deputy Simon Coveney** asked the Minister for the Environment, Heritage and Local Government if he will clarify his statement (details supplied); the other related projects he is referring to in the statement; his plans for the development of Cork Docklands; the time scale and cost that will be involved; and if he will make a statement on the matter. [29618/09]

767. **Deputy Simon Coveney** asked the Minister for the Environment, Heritage and Local Government if a decision (details supplied) was made by him or as a Cabinet decision. [29722/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 757 and 767 together.

I refer to the reply to Question Nos. 477, 478 and 499 of 7 July 2009. The Cork Docklands Development Forum Report envisages very significant investment in public infrastructure, including the provision of an Eastern Gateway Bridge and the relocation of the port to Ringaskiddy. Due to the prevailing budgetary conditions, decisions in relation to the bridge, enabling link roads and port re-location, for which funding has been sought under the Gateway Innovation Fund, have been deferred. Future decisions will be subject to the overall capital funding position to be determined as part of the annual Estimates process.

### **Litter Pollution.**

758. **Deputy Michael P. Kitt** asked the Minister for the Environment, Heritage and Local Government his plans, in view of the high level of litter pollution due to chewing gum, to introduce a tax or a levy on chewing gum; and if he will make a statement on the matter. [29626/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I recently published the 2008 National Litter Pollution Monitoring System results which showed that chewing gum constitutes almost 31% of litter nationally, second only to cigarette related litter at 46%. The empirical data from the results indicate, however, that the general litter levels recorded nationally have decreased steadily over the last number of years. This position is supported by the improved results also reported by Irish Business Against Litter in its annual Litter League. While it would not be possible to ascertain absolute levels of chewing gum litter in Ireland, if overall national litter levels are decreasing while the percentage represented by chewing gum has remained constant, this suggests that the chewing gum litter situation has improved in line with national progress. My Department entered into a negotiated agreement designed to tackle chewing gum litter with the chewing gum industry in March 2006. This three-year programme involved a major outdoor advertising campaign, a wide-reaching schools



education module, in-store and around store advertising, point of sale materials and the promotion of greater awareness of litter law enforcement through higher visibility of litter fines for irresponsible disposal of gum in the local authority areas throughout the country. The third and final awareness campaign is currently underway in 28 of the 34 city and county councils and also in two town council areas. I am carrying out a comprehensive review of the negotiated agreement programme to evaluate its impact on chewing gum litter levels countrywide with a view to informing future policy development in this area. All options, including the possible introduction of a levy on chewing gum or a further negotiated agreement, will be examined.

### **Local Authority Housing.**

759. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government the reason Kildare County Council's allocation for local authority housing has been reduced by 44% in 2009, when nationally there was a 27% reduction. [29630/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** In January 2009, to facilitate local authorities in planning for and managing projects, provisional allocations were notified to authorities. Following this, my Department held Housing Action Plan meetings with all housing authorities during which the direction and content of social housing supply and improvement programmes were discussed. The final allocations which issued to all housing authorities, including Kildare County Council, took into account housing need and the information received during the course of this round of Action Plan meetings. While the intention was to ensure that the final allocations would be as close as possible to the provisional allocations, adjustments had to be made to reflect each authority's existing commitments, as agreed during the Housing Action Plan process and the funding available under the Revised Estimates for 2009. All housing authorities including Kildare County Council plan their social housing investment programmes having regard to the specific social housing priorities in their areas, to the Exchequer funding allocations and the suite of social housing supply options available to them. In recent years, the supply options have been expanded, and in addition to construction, include an increased number of acquisitions, in particular under Part V agreements, new arrangements with private landlords under the Rental Accommodation Scheme and, more recently, the long-term leasing initiative, for which €20 million has been set aside in 2009. At the same time there has also been an expansion in the scale of accommodation provided through the voluntary and co-operative housing sector. Kildare County Council is provided with a specific allocation of €1.945 million in respect of the Rental Accommodation Scheme for 2009 as part of their final housing allocation of €37.7 million. No proposals have yet been received from the Council under the long-term leasing initiative.

760. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government the reason County Leitrim, with a population of 28,837 people according to census 2006, received €1,790,000 for house grants for older people and people with a disability, whilst County Kildare, with a population of 186,075 people according to Census 2006 only received €1,870,000. [29631/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The annual allocations to local authorities under the schemes concerned are calculated on foot of detailed discussion between my Department and individual authorities and on the basis of a number of criteria, including the level of applications on hand that have been assessed as eligible, applications yet to be assessed and projections for new applications to be received during the year. It is a matter for each local authority to decide on

[Deputy Michael Finneran.]

the specific level of funding to be directed towards each of the individual schemes, from within the combined allocation notified to them by my Department, and to manage the operation of the schemes in their areas from within their allocation.

### **Local Government Reform.**

761. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government when he will publish the White Paper on Local Government Reform. [29637/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The White Paper on Local Government will be published later this year following, *inter alia*, the Government's consideration of the Report of the Commission on Taxation.

### **Water and Sewerage Schemes.**

762. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if he has received contract documents for the Castlewarden to Ballygoran water supply scheme in County Kildare. [29638/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Kildare County Council's revised contract documents for the scheme are still awaited in my Department.

### **Water Quality.**

763. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the instruction he has issued to local authorities in the past two months on performing on farm inspections under the European Communities (Good Agricultural Practice for Protection of Water) Regulation 2009; and if he will make a statement on the matter. [29670/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Local authorities operate under the general supervision of the EPA in relation to the performance of their environmental functions. Article 29(6) of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009 requires, *inter alia*, the EPA to make recommendations and give directions to a local authority in relation to the monitoring and inspections to be carried out for the purposes of the regulations. The EPA issued a direction to local authorities under this article on 7 April 2009.

### **Grant Payments.**

764. **Deputy Dan Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding funding owed to an association (details supplied). [29682/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Funding of €1,281,914 was approved under my Department's capital assistance scheme for this project. To date, €1,217,818 has been paid to Cork County Council, which is responsible for the administration of the scheme in its area. An application from the council for funding of €90,000 under the Communal Facilities Grant scheme has been received and is being considered in the light of available resources and competing demands.

765. **Deputy Dan Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding outstanding moneys owed to an association (details supplied). [29683/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Funding of €1,419,801 was approved for this project under my Department's capital assistance scheme. To date, €1,348,811 has been paid to Cork County Council, which is responsible for the administration of the scheme in its area. An application from the council for supplementary funding to meet the cost of site remediation works is under consideration in my Department and a decision will be made as soon as possible.

#### **Waste Management.**

766. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if the site clearance works for the Poolbeg incinerator, Dublin have commenced or will commence; the person at whose cost they have been undertaken; if he will confirm that the costs that will neither be incurred or be underwritten by the State; and if he will make a statement on the matter. [29703/09]

777. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if he will confirm the exposure to the State, in the form of Dublin County Council, will be in monetary amount in respect of the put and pay element of the Poolbeg incinerator contract; the amount the State will have to pay in respect of the 320,000 tonnes which Dublin County Council has committed to provide; if he expect to make any payments for waste not provided to the incinerator; if he will confirm that this is the total liability for the State in respect of the put and pay element of the Poolbeg contract and that the State does not have any other exposure; and if he will make a statement on the matter. [30067/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 766 and 777 together.

In line with national policy, the Exchequer does not fund new heavy waste infrastructure, landfills or incinerators. These are to be provided as purely private sector commercial initiatives or by way of public private partnerships with local authorities. In consequence, the capital cost of this project will not fall to be met by the Exchequer. In addition, my Department has not provided any guarantee to Dublin City Council in respect of this project, including in regard to any commitments as to the volume of waste to be provided to the plant. The issue of site clearance works and any costs associated with them are a matter for Dublin City Council.

*Question No. 767 answered with Question No. 757.*

#### **Register of Electors.**

768. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government if he is satisfied with the regime for ensuring the accuracy of the electoral register and for preventing electoral fraud; and if he will make a statement on the matter. [29724/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In law, the preparation of the Register of Electors is a matter for each local registration authority. It is their duty to ensure, as far as possible and with the cooperation of the public, the accuracy and comprehensiveness of the Register. Electoral law provides that each application for entry to the supplement to the Register must be signed in the applicant's local Garda station in the presence of a member of the Garda Síochána, who must first be satisfied as to the person's

[Deputy John Gormley.]

identity before signing, dating and stamping the form. The Garda may request photographic or other identification. Where the applicant is unable to go to the local Garda station, and sets out the reason in writing, the form can be signed in the presence of an official of their registration authority. Again, photographic or other identification may be required. If neither option is viable due to physical illness or physical disability, the application form must be accompanied by a medical certificate. I consider that the current arrangements strike a reasonable balance between having a flexible supplement facility and, at the same time, ensuring that there are adequate measures in place to counteract any possible abuse. Electoral law also provides for significant measures in relation to voter identification and the prevention of personation.

#### **Electronic Voting.**

769. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the number of e-voting machines which have been disposed of since his announcement of 23 April 2009; and if he will make a statement on the matter. [29725/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** On 23 April 2009, I announced that the Government had decided not to proceed with the implementation of electronic voting in Ireland. The Government decision provided for the establishment of an Interdepartmental Task Force, chaired by my Department, to bring the project to an orderly conclusion, and to oversee the disposal of the electronic voting and counting equipment and the ending of storage arrangements. The process includes discussions with the original supplier as well as consideration of several expressions of interest that have been received by my Department, with a view to obtaining best value for money. The Task Force had its first meeting earlier this month.

#### **Local Authority Funding.**

770. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government if he is monitoring the level of development levies and contributions payable to local authorities; if his attention has been drawn to the fall in the amount being paid; if he is working with local authorities to tackle this problem; and if he will make a statement on the matter. [29748/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department provides the necessary statutory and policy framework within which individual development contribution schemes are adopted by each local authority. However, the adoption of development contribution schemes is a reserved function of the locally elected members of each planning authority. It is a matter for the members to determine the level of contribution and the types of development to which they will apply. Each planning authority is also required to include details of contributions received and contributions owing to it, together with information on how the contributions have been expended, in the statutory annual report of the authority. As with all local charges, the invoicing and collection of development levy amounts is a matter for the local authority concerned to manage in the light of prevailing local circumstances and in accordance with normal accountancy procedures. Development contributions have been an important addition to the capital funding resources of local authorities but they are only one element and local authorities generate capital income from a variety of sources. My Department will continue to work closely with local authorities on this and other matters.

#### **Local Authority Funding.**

771. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local

Government the funding and budgetary situation of each of the local authorities here; and if he will make a statement on the matter. [29749/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Funding for service provision, as opposed to capital infrastructure, comes from a range of income sources such as commercial rates, housing rents, environmental and other waste charges and charges for non-domestic water services. Taken as a whole these provide over half of the current funding needs of local authorities. The balance comes from the Local Government Fund in the form of General-Purpose Grants and through a number of specific State grants; the latter include the local and regional road grants from the Department of Transport. General-Purpose Grants are the contribution that my Department makes to local authorities to meet the gap between the cost to them of providing a reasonable level of day-to-day services and the income they obtain from other sources. In October 2008 I announced provisional General-Purpose Grant allocations of €935.2m. As a result of lower than anticipated motor tax receipts it has been necessary to reduce the General-Purpose Grant allocation to local authorities by some €30m. General-Purpose Grants are discretionary and it is a matter for each local authority to prioritise its spending, within the resources available to it, across the range of services it provides.

In the Budget of October 2008, the Government announced its intention to introduce a €200 charge on non principal residences, and the legislation necessary to give effect to this measure will be debated in the House today. The charge will apply mainly to the owners of residential rental property, holiday homes and vacant properties unless the vacant property is newly constructed but unsold. The charge will be collected and retained by local authorities. It is the first locally based revenue stream to be made available to local authorities in the last thirty years. I consider this to be a very significant development as it will reduce the dependency of local authorities on central funding.

The Government decision to introduce public sector pension-related measures applies to all public sector employees, including those employed by local authorities. The pension related deductions in respect of local authority staff are being retained by local authorities and there will be a corresponding reduction in the Exchequer contribution to the Local Government Fund resulting in a neutral impact on local authority finances.

I am satisfied that the level of funding provided through both general purpose grants and the new revenue stream arising from the charge on non principal private residences makes a significant contribution towards enabling all local authorities to provide a reasonable level of services to the public. The revised General-Purpose Grant allocations for each local authority are set out in the following table.

Local Authority	Revised General Purpose Grant 2009
Arklow Town Council	1,634,797
Athlone Town Council	1,917,374
Athy Town Council	767,623
Ballina Town Council	1,632,670
Ballinasloe Town Council	920,181
Birr Town Council	817,077
Bray Town Council	4,531,181
Buncrana Town Council	980,244
Bundoran Town Council	601,052
Carlow County Council	11,910,119

[Deputy John Gormley.]

Local Authority	Revised General Purpose Grant 2009
Carlow Town Council	1,831,382
Carrickmacross Town Council	605,674
Carrick-on-suir Town Council	1,164,428
Cashel Town Council	684,703
Castlebar Town Council	1,037,375
Castleblaney Town Council	496,043
Cavan County Council	18,832,045
Cavan Town Council	867,812
Clare County Council	14,883,494
Clonakilty Town Council	626,151
Clones Town Council	583,122
Clonmel Borough Council	3,295,919
Cobh Town Council	1,254,730
Cork City Council	25,764,998
Cork County Council	51,707,370
D.Laoire/Rathdown County Council	37,165,016
Donegal County Council	40,140,417
Drogheda Borough Council	4,688,795
Dublin City Council	94,709,663
Dundalk Town Council	5,289,816
Dungarvan Town Council	1,037,498
Ennis Town Council	2,461,593
Enniscorthy Town Council	1,235,578
Fermoy Town Council	874,009
Fingal County Council	30,404,698
Galway City Council	8,830,378
Galway County Council	36,888,227
Kells Town Council	502,483
Kerry County Council	26,457,145
Kildare County Council	25,754,427
Kilkenny Borough Council	1,893,103
Kilkenny County Council	20,020,063
Killarney Town Council	1,865,408
Kilrush Town Council	647,720
Kinsale Town Council	419,623
Laois County Council	17,580,214
Leitrim County Council	14,820,652
Letterkenny Town Council	1,176,732
Limerick City Council	11,050,841
Limerick County Council	24,864,456
Listowel Town Council	795,421
Longford County Council	14,118,480
Longford Town Council	1,232,768
Louth County Council	12,725,378
Macroom Town Council	629,483
Mallow Town Council	1,132,311
Mayo County Council	36,586,871



Local Authority	Revised General Purpose Grant 2009
Meath County Council	27,601,149
Midleton Town Council	572,789
Monaghan County Council	15,094,413
Monaghan Town Council	1,184,794
Naas Town Council	1,484,461
Navan Town Council	582,061
Nenagh Town Council	1,140,538
New Ross Town Council	987,575
Offaly County Council	15,704,327
Roscommon County Council	21,065,007
Skibbereen Town Council	450,894
Sligo Borough Council	3,142,285
Sligo County Council	16,997,791
Sth Dublin County Council	24,676,357
Templemore Town Council	658,712
Thurles Town Council	1,014,871
Tipp NR County Council	18,630,156
Tipp SR County Council	22,788,742
Tipperary Town Council	871,488
Tralee Town Council	3,280,851
Trim Town Council	582,432
Tullamore Town Council	1,324,142
Waterford City Council	8,064,061
Waterford County Council	22,059,029
Westmeath County Council	20,625,403
Westport Town Council	859,045
Wexford Borough Council	2,348,994
Wexford County Council	21,282,429
Wicklow County Council	19,922,275
Wicklow Town Council	1,648,281
Youghal Town Council	1,163,499
<b>Total</b>	<b>905,155,681</b>

### Waste Management.

772. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding the necessary environmental clean up at the former steel plant site on Haulbowline Island, County Cork. [29779/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Government has considered the position in relation to the former Irish Steel/Ispat site at Haulbowline noting the outcome of the site investigations; the requirement for various works and further monitoring recommended by the environmental consultants and the development issues, particularly technical constraints, site boundary issues, zoning issues and regulatory requirements, meriting early address. The Government decided that the Office of Public Works would chair a working group to develop a structured and coherent approach to the further management and development of the site with Cork County Council continuing to discharge site management responsibilities on an agency basis.

### Departmental Contracts.

773. **Deputy Michael D'Arcy** asked the Minister for the Environment, Heritage and Local Government the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29833/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The detailed information sought in the question is not readily available and its compilation would involve a disproportionate amount of time and work. The Department procures all goods and services in accordance with the Department of Finance Public Procurement Guidelines.

774. **Deputy Michael D'Arcy** asked the Minister for the Environment, Heritage and Local Government if he contracted a company (details supplied) to build facilities on behalf of the State; if he has satisfied himself that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29847/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department has not contracted the company in question to build facilities on behalf of the State.

### Departmental Expenditure.

775. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if he has carried out, during 2008 and during the first six months of 2009, advertising campaigns to promote policies or programmes being implemented by him; the name of the campaign or relevant programme; the cost of advertising in publications, broadcast advertising, outdoor advertising and consultancy or production costs; and if he will make a statement on the matter. [29871/09]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department carries out a number of advertising campaigns relevant to its remit, in order to promote awareness and behaviour change, to consult with the public, or to provide information. Details of advertising campaigns to promote policies or programmes being implemented by my Department carried out during 2008 and the first six months of 2009 are set out in the following table. Costs shown include the total cost of advertising in publications, broadcast advertising or outdoor advertising, which incorporates consultancy and production costs, where applicable.

Advertising Campaign	Cost (including VAT)	Year
National Climate Change Awareness Campaign	862,666	2009
Information for Electors relating to the European, Local and Dáil Bye-elections held on 5 June 2009	141,797	2009
Introduction of Housing (Standards for Rented Houses) Regulations 2008	3,655	2009
Public Consultation Process for the Review of Residential Tenancies Act 2004	5,915	2009
Promotion of EU Life+ Funding Programme for Environmental Projects	5,258	2009
Public Consultation Process for the European Communities (Freshwater Pearl Mussel) Regulations 2009	7,068	2009
Public Consultation Process for Draft Management Plans for the Freshwater Pearl Mussel	6,392	2009
National Biodiversity Week 2009	4,794	2009
National Climate Change Awareness Campaign	3,476,958	2008

Advertising Campaign	Cost (including VAT)	Year
Public Consultation Process for “Increasing Affordable Housing Supply” Report	5,128	2008
Public Consultation Process on Noise Pollution	4,536	2008
Draft Register of Electors Awareness Campaign	137,115	2008
Public Awareness Campaign on Lisbon Treaty Referendum	223,793	2008
Public Consultation Process for Electoral Area Boundary Committee	23,721	2008
Fire Safety Promotion	437,603	2008
Launch of Green Paper on Local Government Reform	17,889	2008
Public Consultation Process on National Biodiversity Plan	6,455	2008
National Biodiversity Week 2008	4,689	2008
Public Consultation Process on Irish Language Scheme	5,362	2008
Public Consultation Process on World Heritage Tentative List	11,475	2008
Public Consultation Process on Standards for Rented Houses	2,668	2008
101 Fun things to do with your Kids 2008	1,392	2008
Heritage Week	8,450	2008
Open Season Regulations allowing hunting of Muntjac Deer	7,880	2008

### Health and Safety Programmes.

776. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the amount of funding he has allocated to individual projects on domestic violence for each of the past five years; and if he will make a statement on the matter. [29882/09]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Capital funding is available through my Department’s Capital Assistance Scheme to approved voluntary housing bodies to provide accommodation to meet the special housing needs of groups including the elderly, the homeless, persons with disabilities and victims of domestic violence. Given that the accommodation provided by voluntary housing bodies for victims of domestic violence may often be in multi-purpose accommodation or may not be categorised specifically as refuges, a separate figure is not available for capital expenditure on accommodation for victims of domestic violence.

My Department recoups to local authorities 90% of approved current accommodation costs in the operation of homeless facilities, including certain facilities provided specifically to accommodate people who become homeless as a result of domestic violence. The facilities for which my Department has provided funding and the amounts recouped in respect of each project over the past five years are set out in the following table: Revenue funding recouped by Department of the Environment, Heritage and Local Government to local authorities in respect of facilities provided specifically to accommodate people who become homeless as a result of domestic violence.

[Deputy Michael Finneran.]

Local Authority	2004	2005	2006	2007	2008
	€	€	€	€	€
<b>REFUGEES</b>					
Athlone TC, Esker House	51,919.59	16,298.05	0.00	0.00	0.00
Clonmel BC, Cuan Saor Refuge	100,477.14	80,381.71	80,381.72	102,577.52	102,577.50
Cork City, Cuan Lee	57,315.60	60,025.50	61,938.68	64,106.52	64,292.28
Donegal Co Co, Letterkenny	5,439.46	3,839.54	28,516.07	28,196.10	15,099.79
Drogheda BC, Drogheda	8,007.86	23,494.36	29,413.83	24,096.60	24,096.60
Dublin City, Coolock	181,022.00	301,702.22	241,362.00	241,362.00	241,362.00
Dundalk TC, Dundalk	62,332.88	57,145.50	0.00	41,220.90	82,782.00
Ennis TC, Clare Haven Services	210,816.00	210,240.00	215,294.85	242,024.40	226,274.28
Galway City, Waterside House	92,988.90	108,662.40	129,524.95	88,285.49	116,401.87
Kilkenny County	73,260.29	58,384.30	58,384.31	58,384.31	67,127.83
Limerick City, Adapt House	208,597.52	208,597.52	215,898.42	230,573.85	230,573.88
Mayo County, Castlebar	7,955.10	33,219.43	10,012.50	35,603.27	33,750.00
Meath County, Navan	83,667.60	83,210.40	83,439.00	41,376.60	125,501.00
Sth Dublin County, Saoirse Housing Tallaght	0.00	0.00	65,091.32	57,376.56	85,813.77
Kerry County, Adapt Tralee	149,111.28	148,479.30	148,570.20	148,664.71	149,108.58
Waterford City, Oasis Housing	91,786.04	99,732.60	100,096.20	99,734.40	99,732.60
Wexford BC, Wexford Town	92,034.36	91,782.90	91,782.90	91,782.90	83,736.18
	1,476,731.62	1,585,195.73	1,559,706.95	1,595,366.13	1,748,230.16
<b>TRANSITIONAL</b>					
Dundalk TC, Sonas Dundalk	32,670.00	32,670.00	0.00	65,752.20	33,441.50
Mayo County, Sonas Ballina	34,511.55	42,436.65	39,136.03	48,920.00	29,352.00
Dublin City, Sonas Ballymun	60,981.32	63,115.21	65,008.80	66,959.11	68,298.32
Dublin City, Sonas Killester	79,029.46	81,795.61	84,249.91	86,777.11	88,512.32
Dublin City, Sonas Ranelagh	35,210.71	36,441.43	5,408.78	17,110.80	17,452.80
Dublin City, Sonas Ringsend	71,514.90	74,017.81	83,017.80	85,508.56	87,218.12
Sth Dublin County, Sonas Fortunestown Tallaght	0.00	19,490.63	26,766.90	27,569.69	28,121.40
Sth Dublin County, Sonas Kilronan Clondalkin	78,274.85	81,014.40	83,445.30	85,948.20	87,667.20
	392,192.79	430,981.74	387,033.52	484,545.67	440,063.66
<b>TOTAL FUNDING</b>	1,868,924.41	2,016,177.47	1,946,740.47	2,079,911.80	2,188,293.82

*Question No. 777 answered with Question No. 766.*

### **Energy Conservation.**

778. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources the number of people who have applied for grants in respect of energy savings in Dublin and outside Dublin; the number whose applications were successful; the amount of money released under the scheme to date in 2009; and if he will make a statement on the matter. [28907/09]

779. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the position regarding the greenhouse home energy scheme on a county basis; the amount of money spent out of the budget of €100 million; the number of households which have availed of the scheme by category (details supplied); and if he will make a statement on the matter. [28800/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I propose to take Questions Nos. 778 and 779 together.

The Programme for Government commits €100m to the Home Energy Saving Scheme (HES), of which €49m has been made available in 2009. The scheme provides grant assistance to homeowners for energy efficiency measures such as attic and wall insulation, efficient boilers, heating controls and Building Energy Rating (BER) assessments. The scheme has been open to applications for just over three months and to date has attracted over 14,000 household applications, of which 2,282 are in Dublin. Some €19m has already been committed under the scheme. Payment of grant aid is fully contingent on individual works being completed. While just €638k has been paid to homeowners in respect of work completed to date, payment trends are expected to escalate as homeowners complete their works over the coming weeks and months. The number of approvals per measure is shown in Table 1.

Table 1: No. of HES approvals per measure

Measure Type	Number	Percentage %
Roof Insulation	10,273	32.5
Cavity Wall	7,626	24.1
Dry-Lining Insulation	2,227	7.0
External Insulation	658	2.1
Heating Controls Upgrade	1,278	4.0
High Efficiency Gas Boiler with Heating Controls Upgrade	2,208	7.0
High Efficiency Oil Boiler with Heating Controls Upgrade	3,415	10.8
Before/After BER	3,944	12.5
Total Live Measures Number	31,629	

The Greener Homes Scheme (GHS), which has been open for applications since 2006, provides grant assistance for renewable energy based heating systems. Grant commitments under the GHS to date are €66m, of which over €57m has been paid. The numbers of approvals and payments under the GHS are listed in Table 2.

Table 2: No. of GHS approvals and payments

Residential Technology	Number of approved	Installed and paid
Biomass	5,946	5,420
Heat Pump	5,953	5,308
Solar	15,624	11,307
Wood Gasification Boiler	84	37
Total	27,607	22,072

### Alternative Energy Projects.

780. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the efforts being made to develop wave energy projects here; if he will refer specifically to research and development projects in third level institutions here; if efforts are being conducted in collaboration with Northern Ireland; and if he will make a statement on the matter. [28802/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Government's Ocean Energy Strategy includes a programme of grant support to companies developing full scale prototypes and the development of a test site for full scale electricity generation in County Mayo. The Ocean Energy Strategy is being overseen and implemented by the Ocean Energy Development Unit in Sustainable Energy Ireland working in partnership with all key players.

A key priority under the Strategy is to increase the research and design capabilities in ocean energy in Ireland. The wave-tank facility at the Hydraulics and Maritime Research Centre (HMRC), University College Cork, is Ireland's centre of excellence in ocean energy research, modelling and technical support for early stage device developers. The Centre's capabilities have been enhanced in recent years and it has been successful in securing significant EU project funding. The Centre also provides testing, modelling and technical advisory services to wave and tidal device developers.

The facility will continued to be enhanced with the provision of €2.5m of funding under the Ocean Energy Strategy to the upgrading of the existing wave basin test tank and research capabilities at the facility over the period 2008 to 2010. Research at the HMRC is also being supported through funding of over €3 million over 7 years, under the Parsons Initiative, initiated by my Department and managed by Science Foundation Ireland.

Other R&D initiatives in the ocean energy sphere include Innovation Partnerships, funded by Enterprise Ireland, involving collaborative research between third level and industry, at Limerick and Maynooth Universities.

The Ocean Energy Development Unit is also liaising closely with Northern Ireland colleagues on a number of initiatives, designed to deliver the benefits of ocean energy development for the economy of the island as a whole.

Two specific collaborations include a review of Engineering and Specialist Support Requirements for the ocean energy sector; and an economic study for ocean energy development. Both of these studies will inform the ongoing development and commercialisation of ocean energy on the island.

781. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources his plans to develop wind energy here; the efforts that have been made by public agencies and publicly funded universities or institutes of technology in this respect; if these efforts involve 32 county collaboration; and if he will make a statement on the matter.  
[28803/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Government has set targets to increase the contribution from renewable energy sources to electricity consumed to 15% by 2010 and 40% by 2020. The All Island Grid Study published jointly by my Department and the Department of Enterprise, Trade & Investment Northern Ireland in 2008 confirmed that an all island target of 42% for renewable energy was technically feasible. There is ongoing liaison with Northern Ireland on progressing renewable energy objectives.

The primary support programme to achieve these targets is the Renewable Energy Feed-In Tariff (REFIT) which supports renewable energy plants exporting power into the grid. The available data on renewable energy projects with connection offers and awaiting connection offers under the Gate 3 process shows that the majority of projects are wind energy. In February last I announced measures to encourage the on-site micro-generation of electricity in domestic homes and farms from wind turbines and other renewable technologies. Among the



measures is a guaranteed price up to 19 cent per kilowatt hour for electricity produced and exported to the national grid. This feed-in tariff will apply to the first 4,000 micro-generation installations countrywide over the next 3 years. In addition Sustainable Energy Ireland (SEI) has commenced an electricity micro-generation programme to support a number of micro-scale projects including wind turbines to resolve future technical issues including: requirements for the future certification of turbines and certification and training of installers.

Considerable research has been undertaken by the ESRI, SEI and third level institutions including UCD, UCC, DIT and Queens University, on the island of Ireland into the technical and market aspects of integrating significant amounts of wind and other renewable energy technologies into the island's electricity system. This research, together with ongoing R&D supports, from SEI in particular, is critically underpinning the accelerated delivery of our national and EU renewable energy targets.

### **Departmental Staff.**

782. **Deputy Fergus O'Dowd** asked the Minister for Communications, Energy and Natural Resources the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department's presence in County Louth; and if he will make a statement on the matter. [28845/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** My Department does not employ any staff in County Louth.

### **Public Service Review.**

783. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28891/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** At the commencement of its work, the Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. Such a paper was prepared in respect of the Communications, Energy and Natural Resources Vote. The Special Group met the Secretary General and officials of my Department in the course of its deliberations. I am aware that the Minister for Finance recently received the Report of the Special Group, and that he will be bringing the Report to Government in the near future. Decisions on the release of the Report and associated documents will be made by Government in that context.

### **Telecommunications Services.**

784. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources his plans to ensure the provisions of broadband under the national broadband scheme in an area (details supplied) in County Sligo. [29288/09]

785. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources the position regarding a matter (details supplied). [29289/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I propose to take Questions Nos. 784 and 785 together.

Broadband services are provided over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, satellite and fibre by private sector service providers. I understand that broadband is available in Lecklasser, County Sligo from wireless and satellite service providers. It is important to clarify that, in designing the NBS, which was approved by the EU Commission, a balance had to be struck between reaching as many unserved areas as possible and minimising the impact of the scheme on businesses already providing broadband services in rural areas.

EU state aid and competition rules govern how states can intervene in areas where there are existing service providers. The nature of broadband networks is such that they provide a coverage footprint over a certain area rather than an individual link to isolated premises. It was essential to guard against the NBS coverage footprint spilling over, to an extent which would be unacceptable from a state aids perspective, into surrounding areas already served by existing service providers.

Accordingly, to include individually unserved premises that are located within EDs deemed to be already served within the scope of the NBS would have given rise to an unacceptable level of market distortion and therefore, such areas had to be excluded. More recently, the EU Commission has announced the European Economic Recovery Plan (EERP). My Department is currently considering how isolated unserved rural premises, including any unserved premises in Sligo, might be addressed by an appropriate intervention under the EERP and within the State.

Details of the availability of broadband services in Lecklasser, Co Sligo are in the following table and are also available at [www.broadband.gov.ie](http://www.broadband.gov.ie). Broadband Service Providers in Lecklasser, Ballintrillick, Co. Sligo

Platform	Service Provider	Website	Phone
Wireless	Fastcom Broadband	<a href="http://www.fastcom.ie">http://www.fastcom.ie</a>	1890 71 71 71
Satellite	Applied Solutions	<a href="http://www.ADSLnow.ie">http://www.ADSLnow.ie</a>	1890 924 854
	Avonline	<a href="http://www.avonlinebroadband.co.uk">http://www.avonlinebroadband.co.uk</a>	0044 800 073 1102
	Broadband Wherever	<a href="http://www.broadbandwherever.net">http://www.broadbandwherever.net</a>	0044 800 068 3358
	Cross Country Broadband Limited	<a href="http://www.crosscountrybroadband.com">http://www.crosscountrybroadband.com</a>	053 92 55428
	Digiweb Satellite	<a href="http://www.broadband.digiweb.ie">http://www.broadband.digiweb.ie</a>	042 939 3300
	e3 Broadband	<a href="http://www.e3broadband.ie">http://www.e3broadband.ie</a>	1850 303333
	ehotspot	<a href="http://www.ehotspot.ie">http://www.ehotspot.ie</a>	0044 1262 409109
	Eircom Satellite	<a href="http://www.eircom.ie">http://www.eircom.ie</a>	1901
	Fastnet Broadband Satellite	<a href="http://www.fastnetbroadband.com">http://www.fastnetbroadband.com</a>	01 2303746
	Media Satellite Ireland Limited	<a href="http://www.mediasat.ie">http://www.mediasat.ie</a>	1850 202 144
	National Broadband Limited	<a href="http://www.nbb.ie">http://www.nbb.ie</a>	045 982130
	Orbitlink	<a href="http://www.orbitlink.ie">http://www.orbitlink.ie</a>	01 8601995
	Pure Telecom Limited	<a href="http://www.puretelecom.ie">http://www.puretelecom.ie</a>	01 2895555
Satellite Broadband Ireland	<a href="http://www.satellitebroadbandireland.ie">http://www.satellitebroadbandireland.ie</a>	044 9372514	

#### Public Service Staff.

786. **Deputy Joan Burton** asked the Minister for Communications, Energy and Natural Resources the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early

retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29305/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** To date, three members of staff in my Department have applied for the incentivised early retirement scheme (ISER). In addition, nine staff have applied for the incentivised career break scheme (ICBS), which closed for applications on 1 July 2009.

Two civilian drivers to the former Minister of State at my Department, ceased employment in my Department in 2009, following the recent reallocation of Minister of State assignments.

In relation to the Agencies under my Department's remit the following table shows the latest figures available.

Agency	ISER	ICBS
ComReg	1	0
SEI	0	0
CER	0	0
BCI	0	0
Digital Hub	0	0
Central and regional fisheries boards	0	0
OSi	5	3

#### **Telecommunications Services.**

787. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the steps he will take to provide broadband services to County Donegal communities that can not avail of broadband from existing suppliers and are not covered by the national broadband scheme; and if he will make a statement on the matter. [29349/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** When considering the exclusion of certain unserved premises from the National Broadband Scheme (NBS), it is important to clarify that, in designing the NBS, which was approved by the EU Commission, a balance had to be struck between reaching as many unserved areas as possible and minimising the impact of the scheme on businesses already providing broadband services in rural areas.

EU state aid and competition rules govern how states can intervene in areas where there are existing service providers. The nature of broadband networks is such that they provide a coverage footprint over a certain area rather than an individual link to isolated premises. It was essential to guard against the NBS coverage footprint spilling over, to an extent which would be unacceptable from a state aids perspective, into surrounding areas already served by existing service providers.

Accordingly, to try to include individually unserved premises that are located within EDs deemed to be already served within the scope of the NBS would have given rise to an unacceptable level of market distortion and therefore, such areas had to be excluded. More recently, the EU Commission has announced the European Economic Recovery Plan (EERP). My Department is currently considering how isolated unserved rural premises, including any unserved premises in Donegal, might be addressed by an appropriate intervention under the EERP and within state aid rules.

### Postal Services.

788. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources the position in relation to the planned liberalisation of the postal market here and the impact this will have on An Post. [29354/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Irish postal market is due to be liberalised from 1st January 2011 as set out in the 3rd EU Postal Directive. My Department is currently developing a framework dealing with the key issues to be decided in transposing the Directive into Irish law by the end of 2010. The initial consultation process has been completed and the views submitted as well as the experiences of other countries are being examined to inform the development of the framework. Following this, the necessary legislation will be prepared.

While it is Government policy that An Post remains a strong and viable company, in a position to compete in a liberalised market, it is the responsibility of the board and management of the company to make strategic decisions regarding its future and how it will prepare itself for future competition, particularly in advance of the deadline for full liberalisation.

In preparation for competition, it is vital that the company restructures itself effectively and that management and trade unions in An Post work together to transform the company into an efficient, innovative and modern service provider by implementing the agreed restructuring programme and providing innovative new service arrangements for the public.

### Alternative Energy Projects.

789. **Deputy Tom Hayes** asked the Minister for Communications, Energy and Natural Resources the number of wind turbines contributing to the national grid; the number awaiting connection to the national grid; and if he will make a statement on the matter. [29392/09]

798. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources the number of wind connections to the grid; the percentage of electricity generated from wind; the amount which comes from onshore versus offshore wind; the number of applications awaiting grid connections; and if he will make a statement on the matter. [29606/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I propose to take Questions Nos. 789 and 798 together.

There are currently over 1,400 megawatts (MWs) of renewable powered electricity generating plants connected to the electricity grid of which in excess of 1,000 MWs is wind-powered plant, followed by hydropower with 240 MWs approximately, and various biomass projects constituting the remainder. There are an additional 1,400 MWs, approximately, of renewable powered project proposals, which have received connection offers. A further 3,900 MWs of renewable powered capacity are awaiting connection offers under the Gate 3 Decision recently published by the Commission for Energy Regulation.

Approximately 70%, of the 1400 MWs of generating capacity currently operating, is wind-powered capacity, including one 25 MW offshore project. Wind powered capacity also constitutes more than 90% of both the 1400 MWs of additional capacity which have connection offers but are not yet built and the 3900 MWs capacity which is in Gate 3 awaiting connection offers.

Renewable energy powered technologies contributed 12.2% of electricity consumed in 2008, compared to 4.4% in 2003. A detailed breakdown by technology for 2008 will be available later this year, when Sustainable Energy Ireland publishes the Annual Energy Statistics.

### Telecommunications Services.

790. **Deputy Tom Hayes** asked the Minister for Communications, Energy and Natural

Resources the status of the national broadband scheme; the number of projects which will be completed by end 2009 under that scheme; the amount of allocated funding which has been spent to date in 2009; and his plans for people who are on carrier lines in areas to be covered by the NBS. [29393/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** In December 2008, my Department entered into a contract with “3”, a Hutchison Whampoa company, for the delivery of the National Broadband Scheme (NBS). 3 will be required to provide services to all residences and businesses that are located within the NBS area and who seek a service.

Challenging roll-out targets have been agreed with 3 and NBS services have already been launched in a small number of rural areas at the end of April 2009. The network is being rolled out progressively and 3 are on track to reach 48% of Electoral Divisions by year end. All of the EDs in the NBS coverage area are required to be enabled by the end of September 2010. The EDs to be covered by end July have been identified and are now highlighted on 3’s NBS coverage map available at <http://www.three.ie/nbs/index.htm>. 3 has commenced its marketing campaign in these areas to announce the forthcoming service availability.

Further information regarding the NBS and the most up-to-date rollout information can be found by contacting 3’s dedicated NBS customer service team on 1913 or by accessing 3’s website at <http://three.ie/nbs/>

Details of the availability of broadband services in the specific areas not covered by the NBS are available at [www.broadband.gov.ie](http://www.broadband.gov.ie)

The overall Exchequer investment in the scheme will be €79.8m of which circa €16m has been spent to date. The project is eligible for EU co-funding under the ERDF 2007-2013. Any fixed residential or business customer including those on carrier lines within the NBS coverage area can apply for a broadband service under the scheme.

#### Departmental Agencies.

791. **Deputy Simon Coveney** asked the Minister for Communications, Energy and Natural Resources if he has provided money since 2000 to date in 2009 to semi-State energy companies to fund infrastructure investment; the borrowing limit set for each semi-State energy company; the debt for each semi-State; his views on the manner in which investment is funded; and if he will make a statement on the matter. [29527/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The information requested by the Deputy is set out in the table:

State-sponsored body	Exchequer funding provided?	Statutory Borrowing limit	Debt as detailed in most recently published Annual Report
Bord Gáis	No	€3 billion	2008 – €1.2 billion
Bord na Móna	No	€400 million	2008 – €96 million
EirGrid	No	€750 million	2008 – €37 million
ESB	No	€6 billion	2007 – €1.9 billion
National Oil Reserves Agency (NORA)	No	€1 billion	2007 – €158 million
Irish National Petroleum Corporation (INPC)	No	Nil	Nil

[Deputy Eamon Ryan.]

The activities of NORA are financed by a levy on sales of certain oil products. The INPC has no operational capacity or function but discharges certain residual statutory functions in relation to environmental liability obligations on foot of the sale of Whitegate in 2001. INPC's funding derives from the sale of its business and commercial interests in 2001.

The income of the State-sponsored energy companies is generated through their regulated and/or commercial activities. The companies do not have any recourse to Exchequer funding and their investment programmes in strategic energy infrastructure and other capital projects are funded through approved borrowing.

### Departmental Expenditure.

792. **Deputy Simon Coveney** asked the Minister for Communications, Energy and Natural Resources the amount spent on travel, both national and international, within his Department since the 2007 general election in tabular form. [29529/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Expenditure incurred by my Department since its formation in June 2007 on national and international travel is detailed in the following table.

Year	National	International
	€	€
2009 (to 7th July 09)	136,068	133,943
2008	392,305	496,869
2007 (June to December)	285,332	379,811

These amounts include all costs associated with travel such as transport, accommodation and subsistence costs.

### Television Licence Fee.

793. **Deputy Simon Coveney** asked the Minister for Communications, Energy and Natural Resources his plans to reform the way the television licence system is operated here; and if he will make a statement on the matter. [29530/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I have previously stated my view that in the future we may have to move away from the television licence as a basis for the funding of public service broadcasting. I have, however, no immediate plans in this regard.

However, it is also my view that the licence fee has served us well to date, despite its limitations. It has ensured some measure of independence for RTÉ from both political and commercial pressures. It has also acted as a direct link between audiences and RTÉ, reminding the national public service broadcaster to whom its public service duty is ultimately owed. As such we must review proposed alternatives with caution and due diligence.

Every effort has been made in the Broadcasting Bill 2008 to help make the television licence system more efficient and to reduce evasion, including providing for a fixed payment penalty mechanism and that the television licence fee may be pursued by An Post as a civil debt rather than prosecuted as a criminal offence, thus providing alternatives to criminal proceedings.



### Telecommunications Services.

794. **Deputy Frank Feighan** asked the Minister for Communications, Energy and Natural Resources the position in relation to the provision of broadband for areas in Counties Leitrim and Roscommon. [29567/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Broadband services are provided by private service providers over various platforms including DSL (i.e over the telephone lines), fixed wireless, mobile, cable, satellite and fibre.

Details of broadband availability from service providers together with the availability of broadband services in specific areas, including areas in County Leitrim and County Roscommon, are available at [www.broadband.gov.ie](http://www.broadband.gov.ie). Additionally, the National Broadband Scheme (NBS) will bring broadband services to some areas of County Leitrim and County Roscommon. Details of the areas to be covered by the NBS can be found at [www.three.ie/nbs](http://www.three.ie/nbs). These areas are shown in the following list on an Electoral Division (ED) basis.

#### National Broadband Scheme (NBS)

##### Electoral Divisions (ED) to be Covered by the NBS in Co. Leitrim

ED Name	ED Reference No.
AGHACASHEL	ED 117001
AGHAVAS	ED 117004
ANNADUFF	ED 117006
ARIGNA	ED 117007
BALLAGHAMEEHAN	ED 117008
BARNAMEENAGH	ED 117010
BREANDRUM	ED 117013
BUNNYBEG	ED 117014
CARRIGALLEN EAST	ED 117016
CARRIGALLEN WEST	ED 117017
CASTLEFORE	ED 117019
CLOONE	ED 117022
CLOVERHILL	ED 117024
CORRALA	ED 117025
CORRIGA	ED 117026
DRUMREILLY EAST	ED 117031
DRUMREILLY NORTH	ED 117032
DRUMREILLY SOUTH	ED 117033
DRUMREILLY WEST	ED 117034
DRUMSNA	ED 117036
FENAGH	ED 117038
GARADICE	ED 117039
GLENANIFF	ED 117042
GLENCAR	ED 117044
GLENFARN	ED 117045
GORTERMONE	ED 117046
GORTNAGULLION	ED 117047
GOWEL	ED 117048
GREAGHGLASS	ED 117049
KEELDRA	ED 117051

[Deputy Eamon Ryan.]

ED Name	ED Reference No.
KESHCARRIGAN	ED 117052
KILLARGA	ED 117054
KILLYGAR	ED 117055
KILTUBBRID	ED 117056
KILTYCLOGHER	ED 117057
LISGILLOCK	ED 117060
MAHANAGH	ED 117062
MOHER	ED 117065
NEWTOWN GORE	ED 117068
OUGHTERAGH	ED 117069
RIVERSTOWN	ED 117071
ROWAN	ED 117073
SRAMORE	ED 117074
STRALONGFORD	ED 117076
YUGAN	ED 117078

## National Broadband Scheme (NBS)

Electoral Divisions (ED) to be Covered by the NBS in Co. Roscommon

ED Name	ED Reference No
AGHAFIN	ED 197001
ALTAGOWLAN	ED 197002
ARTAGH SOUTH	ED 197005
AUGHRIM EAST	ED 197009
AUGHRIM WEST	ED 197010
BALLAGHADERREEN	ED 197011
BALLINLOUGH	ED 197012
BALLINTOBER	ED 197013
BALLYFORMOYLE	ED 197016
BUCKILL	ED 197024
CALTRAGH	ED 197026
CAMS	ED 197027
CARNAGH	ED 197028
CASTLETEHEEN	ED 197034
CLOONFLOWER	ED 197037
CLOONTEEM	ED 197039
CLOONYGORMICAN	ED 197041
CREEVE	ED 197046
CROGHAN	ED 197049
CROSSNA	ED 197050
DUNAMON	ED 197055
EDMONDSTOWN	ED 197057

ED Name	ED Reference No
KEADEW	ED 197064
KILBRIDE NORTH	ED 197065
KILBRYAN	ED 197067
KILGLASS SOUTH	ED 197072
KILLUMMOD	ED 197076
KILMORE	ED 197078
KILTULLAGH	ED 197081
LACKAN	ED 197082
LISMAHA	ED 197085
LOUGH ALLEN	ED 197087
OAKPORT	ED 197092
OGULLA	ED 197093
ROCKHILL	ED 197094
ROCKINGHAM	ED 197095
ROSMOYLAN	ED 197099
TAGHMACONNELL	ED 197105
TULSK	ED 197109
TURROCK	ED 197112

### Fishing Industry Development.

795. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 393 of 28 April 2009, the progress made in this area; when he expects the process to have been completed; and if he will make a statement on the matter. [29581/09]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Conor Lenihan):** As previously advised, primary legislation is required for the restructuring of the inland fisheries sector, which includes the creation of a single strengthened national inland fisheries authority to be known as Inland Fisheries Ireland. Details of the draft Heads of Bill for this purpose, as approved by Government, have been made available for the information of the boards, management and staff, as well as interested stakeholders.

This project remains on track and it is expected that the legislation will be published in late summer, progressed through the Oireachtas later this year and that the new structures will be in place before the end of 2009.

### Smart Economy.

796. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources his views on the proposal (details supplied); if he will request that an independent assessment be carried out of the proposal; and if he will make a statement on the matter. [29587/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I have no plans to have an independent assessment of the proposals in the policy document referred to by the Deputy carried out. My views on the proposals contained within the document were articulated during the Dáil debate on 29 April last and are on the record of the House. More generally I am satisfied that the policy issues in my area of responsibility referred to in the document will continue to be addressed through implementation of the Programme for

[Deputy Eamon Ryan.]

Government, the Government policy paper of December last “Building Ireland’s Smart Economy” and through ongoing policy implementation.

### **Energy Resources.**

797. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources when he will publish the biofuels obligation; the position regarding biofuels; if he is satisfied that biofuels imported into Ireland are sustainable; the percentage of transport fuels in transport which are biofuels; the percentage of biofuels which are imported; the location from which they are imported; and if he will make a statement on the matter. [29605/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Programme for Government commits to the introduction of a Biofuel Obligation, which will underpin delivery of the national biofuel target and which will take full account of EU biofuels policy. My Department is currently finalising proposals for the necessary legislation, with a view to the introduction of the Obligation in 2010. The Biofuels Obligation will also integrate the EU Sustainability Criteria, which are currently being finalised. The objective is to ensure that all biofuels counted towards the national obligation are fully sustainable in line with EU legal requirements.

The EU sustainability criteria will be the first internationally agreed set of rules governing the origins of biofuels. The commodities from which biofuels are made, are internationally traded, which can make it difficult to determine their ultimate origin. Those companies participating in the Mineral Oil Tax Relief (MOTR) schemes are required to inform my Department as to the origin of the biofuels utilised there. The acknowledged difficulties in tracking biofuels back to origin underline the importance of an international sustainability scheme, such as that planned by the EU.

To date, the use of biofuels in Ireland has been incentivised under the MOTR schemes. Up to the end of 2008, a total of 40% of the biofuel available in Ireland under the MOTR Scheme II was imported from European Union Member States. On the basis of the provisional figures available for 2008 the market penetration rate for biofuels as a percentage of road transport fuels was approximately 1.6%, which is an increase from 0.6% in 2007.

*Question No. 798 answered with Question No. 789.*

### **Broadcasting Services.**

799. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources if he is satisfied that RTÉ has the capacity to roll out a full digital terrestrial television infrastructure by the end of 2009 due to funding challenges; and if he will make a statement on the matter. [29609/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Under the Broadcasting (Amendment) Act 2007, RTÉ, the Broadcasting Commission of Ireland (BCI) and the Commission for Communications Regulation (ComReg) have obligations to provide for the rollout of Digital Terrestrial Television (DTT) and to assist in the development of a plan for analogue switch off.

There is no requirement on RTÉ to roll out a full DTT infrastructure by end 2009. I am informed by RTÉ that a considerable part of the DTT network has already been built by the company. This build represents the most difficult and costly part of the build plan as it includes the main transmitter sites in Ireland. It is expected that the first phase of DTT services, the

date of commencement of which is not yet decided, will provide coverage of about 85% of the country. In order to develop a viable and reliable national DTT service, additional build work will be necessary. In particular, the country's minor transmitter sites will need to be upgraded.

This will provide 'infill' coverage to ensure that the DTT service is reliable and to ensure that outlying areas in the West, North, North West and South of the country, those areas most reliant on the analogue terrestrial service, are also served by DTT. I am confident that the DTT network will be built in time for the switch off of the analogue television services in 2012.

800. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources the effects of the Wales analogue switch-off in autumn 2009 on television viewers in the south east; the counties which will be affected; the measures in place to ensure minimal disruption; his advice for the affected viewers; if he will provide information and support to these viewers; and if he will make a statement on the matter. [29610/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Wales is set to switch off its analogue television services in autumn 2009. As the Deputy will realise this is a development over which I have no control. It is likely to impact viewers along the South East of the country who currently receive overspill of the UK television signals. Viewers on cable and satellite will not be affected.

The Broadcasting Commission of Ireland (BCI) has statutory responsibility for the licensing of DTT and is currently engaged in negotiations with a consortium in this regard. Depending on the commercial DTT package available, persons who subscribe to future commercial DTT services should be able to receive UK television channels currently available via analogue overspill.

#### **Telecommunications Services.**

801. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the position regarding Parliamentary Question No. 396 of 28 April 2009; and if he will make a statement on the matter. [29673/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The position remains that any future broadband investment decisions, including investment in any further phases of the Metropolitan Area Networks (MANs) Programme, will be guided by (i) the policy paper on Next Generation Broadband, which I published last month, (ii) the Value for Money and Policy Review undertaken on Phase I of the MANs Programme, (iii) the availability of resources, and (iv) other analyses as appropriate.

#### **Departmental Contracts.**

802. **Deputy Michael D'Arcy** asked the Minister for Communications, Energy and Natural Resources the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29962/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** In the time available the information requested by the Deputy cannot be extracted and collated into a reply. The scope of the request is such that it would require the commitment of significant resources and staff time that cannot be justified. If the Deputy has a specific issue that he wishes to have examined, I will arrange to have it looked into

803. **Deputy Michael D'Arcy** asked the Minister for Communications, Energy and Natural Resources if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29842/09]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I can advise the Deputy that the company in question has not been contracted to build any facilities by my Department.

Contracts entered into by bodies operating under the aegis of my Department are day to day operational issues for those bodies and therefore a matter for them.

#### **Foreshore Licences.**

804. **Deputy Michael McGrath** asked the Minister for Agriculture, Fisheries and Food when a foreshore lease will be put in place between his Department and the Port of Cork in relation to a pier in Cork (details supplied). [29778/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** This is a longstanding case involving leasing arrangements put in place initially in 1937.

Following refurbishment of the pier in the late 1990s, the Port of Cork indicated a wish to alter the leasing arrangement with a view to ultimately acquiring the freehold of the area of foreshore in question. At a meeting between officials of my Department and representatives of the Port Company held in December 2007, a number of crosscutting issues associated with the Company's proposal were discussed.

The complexities of this case are receiving ongoing attention within my Department as a matter of priority and every effort is being made to arrive at a solution which will, if possible, meet the needs of the company.

#### **Harbours and Piers.**

805. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the number of non-tidal ports in Counties Donegal, Sligo, Mayo, Galway and Clare; the names and number of ports, other than non-tidal, for these counties; and if he will make a statement on the matter. [28794/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** My Department, owns, manages and operates two Fishery Harbour Centres in the counties referred to. Namely Killybegs Fishery Harbour Centre in Donegal and Ros An Mhíl Fishery Harbour Centre in Galway.

Large fishing vessels can access both of these Fishery Harbour Centres at all stages of the tide.

Information with regard to ports not under the control of my Department should be sought from the Department of Transport and the Department of Environment Heritage and Local Government.

#### **Fishing Industry Development.**

806. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 219 of 2 April 2009, the position to date regarding a fishery (details supplied); and if he will make a statement on the matter. [28808/09]



**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The cockle fishery remains closed due to restrictions arising from our obligations under the Birds & Habitats Directives and a related European Court of Justice Judgement. A plan outlining Ireland's roadmap to compliance with these Directives has been submitted to DG Environment and a follow-up meeting between Irish officials and the Commission took place in May.

DG Environment advised that it was positively disposed towards an interim approach for wild fisheries whereby best available data together with the collection of some limited additional data would be used as an interim assessment to consider the impacts of these activities on the Natura sites. This assessment would inform and determine possible fishing opportunities, based on a precautionary approach. Fisheries opened in Natura sites would, in any case, have to be subject to stringent management arrangements (including possibly limiting access, restrictions on areas fished / gears used, time spent fishing) and additional control arrangements. As soon as full data is available on sites, these fisheries will be subject to full Appropriate Assessment under the Directives.

In the case of the fishery specified a lot of work has been carried out at this site including most recently a stock survey. However the fishery will not be considered for opening until the Road map for compliance submitted to DG Environment has been formally accepted. That response is currently awaited from the Commission. In line with the provisions of the road map any proposed fishery will be subject to an interim assessment and a fishery will be subject to the outcome of that assessment.

My officials are in regular contact with the fishermen's representatives and will continue to keep them updated on developments in this regard.

#### **Grant Payments.**

807. **Deputy Dan Neville** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 571 of 9 June 2009, if an application for funding under the farm waste management grant in respect of a person (details supplied) in County Limerick has been successful. [28814/09]

**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 22 June 2009.

#### **Departmental Staff.**

808. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department's presence in County Louth; and if he will make a statement on the matter. [28843/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The information requested by the Deputy is set out in the table.

Drogheda Local Office

Staff	Number		
Executive Officer	1	Fulltime	Permanent
Staff Officer	1	Fulltime	Permanent
Clerical Officer	1 3 (50%)	Fulltime Partime	Permanent Permanent
Veterinary Officers	3	Fulltime	Permanent
District Superintendent	1 1 (3 day week)	Fulltime Partime	Permanent Permanent
Supervisory Agricultural Officer	1	Fulltime	Permanent
Technical Agricultural Officer	6	Fulltime	Permanent

Dundalk AES Office

Staff	Number		
Clerical Officer	2	Fulltime	Permanent
Supervisory Agricultural Officer	2	Fulltime	Permanent
Technical Agricultural Officer	1	Fulltime	Permanent

In relation to accommodation costs, I understand that these offices are state owned.

A comprehensive review of my Department's local offices is being considered. I expect to make an announcement once the process is complete and the decisions taken.

**Grant Payments.**

809. **Deputy Edward O'Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding farm grant payments in respect of a person (details supplied) in County Cork. [28876/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named is an applicant under both the Farm Waste Management and the Farm Improvement Schemes. In both cases on completion of the works concerned, grant-aid was calculated in accordance with my Department's Standard Costs or on the total of the eligible receipts/invoices submitted by the applicant, whichever is the lesser.

**Public Service Review.**

810. **Deputy Richard Bruton** asked the Minister for Agriculture, Fisheries and Food if he made submissions to the McCarthy Group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of these proposals; and if he will make a statement on the matter. [28889/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** At the commencement of its work, the Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure.

The Special Group met the Secretary General and senior officials of the Department of Agriculture, Fisheries and Food in the course of its deliberations. The Group has not made proposals to my Department.

### Departmental Schemes.

811. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food further to parliamentary Question No. 313 of 18 December 2008, the funding paid to date; the funding committed to projects; the successful projects and the funding allocated to each; and if he will make a statement on the matter. [29261/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Under my Department's Marketing and Processing Scheme of Investment Aid grant-aid of €16.8 million was awarded in December 2008 to 66 enterprises in the horticulture (13 projects awarded €5.4m), livestock marts (22 projects awarded €3.6m) and small meat (31 projects awarded €7.8m) sectors. This package is expected to contribute to investment on projects in the region of €70 million. Details of the awards are set in the table. Payments to date in respect of this multi-annual investment package amount to €237,095.

My Department is also funding the Dairy and Beef and Sheepmeat Funds under which awards of €114 million and €69 million have been made. The Funds are managed on my Department's behalf by Enterprise Ireland. Payments to date amount to €33 million.

Capital Investment Scheme for Marketing and Processing Livestock Mart Sector

County	Project(s)	Location	Grant
			€
Cork	Cork Marts	Fermoy	396,462
Donegal	East Donegal Co-Op Livestock Mart	Raphoe	84,451
	Milford Co-Op Livestock	Milford	56,851
Galway	Headford Co-Op Mart	Headfordt	117,607
	Ballinasloe Livestock Mart	Ballinasloe	64,255
	Athenry Co-Op Livestock Mart	Athenry	42,560
	Gort Co-Operative Livestock Mart	Gort	20,160
Laois	Mountrath Mart	Mountrath	60,452
	Ballinakill Mart	Ballinakill	143,923
Leitrim	Connacht Gold Co-Op Mart	Mohill	369,690
	Midland and Western Livestock Improvement Society	Carrick-on-Shannon	891,404
Limerick	Golden Vale Co-Op Mart	Kilmallock	48,384
Kerry	Listowel Livestock Mart Ltd	Listowel	98,193
	Marglann an Daingin Teoranta	An Daingin	218,771
	Kenmare Livestock Mart Co-Op	Kenmare	23,720

[Deputy Brendan Smith.]

County	Project(s)	Location	Grant
			€
Mayo	Connacht Gold Co-Op Mart Balla	Balla	338,576
Meath	Carnacross Mart	Carnacross, Kells	42,285
Offaly	Golden Vale Co-Op Mart	Tullamore	48,384
Roscommon	Elphin Co-Op	Elphin	42,336
Tipperary	Mid-Tipperary Co-Op Mart	Thurles	231,222
	Central Auction Services Co-Op	Roscrea	147,674
	Central Auction Services Co-Op	Nenagh	115,791

## Capital Investment Scheme for Marking and Processing Meat Sector

County	Project(s)	Location	Grant
			€
Carlow	Carlow Foods Ltd	Fenagh, Co Carlow	306,681
Cork	Gubbeen Farmhouse	Schull	49,968
	Skeaghanore Fresh Farm Duck	Ballydehob	248,653
	Hodgins Sausage Ltd	Mitchelstown	331,935
	Finns Meats	Mitchelstown	178,844
	Jack McCarthy Ltd Craft Butchers	Kanturk	99,893
Donegal	Swilly Meats Ltd	Ballybofey	464,554
Dublin	M&K Meats	Rathcoole	100,571
	Sandyford Meats	Sandyford	107,547
	Courtney Food Services	Kimmage	36,422
	Hicks Foods Ltd	Ballymount	83,687
Galway	Heaney Meats Catering Co	Casla, Connemara	637,110
Kerry	PLM Foods	Glenfisk, Killarney	167,619
Kildare	Brady Family Food	Timahoe, Naas	567,689
	McConnon's Meats	Rathangan	487,570
Laois	Festa Fine Foods	Portlaoise	195,115
Leitrim	Campbell Meats	Drumshanbo	215,797
Limerick	Ashgrove Meats	Newcastle West	44,760
Longford	Louis Herterich	Longford	138,700
	Sheelin Meats Ltd	Granard	167,675
Louth	Ashbrook Foods Ltd	Dundalk	99,594
Mayo	Imam Casing & Foods	Ballyhaunis	407,846
Meath	Traditional Meat Company	Oldcastle	670,093
	Boyne Valley Meats	Garristown	359,825

County	Project(s)	Location	Grant
Monaghan	Farney Foods Ltd	Carrickmacross	€ 98,831
	Connolly Meats	Scotstown	126,696
Roscommon	O'Brien Butchers	Whitehall	174,267
	Gilligans Farm Fresh Meats	Four Mile House	223,855
Tipperary	Darcy Meats	Nenagh	219,806
Wexford	Thomas Kinsella Meats	Enniscorthy	125,090
Wicklow	Michael Whelan Pudding Manufacturers	Blessington	618,923

Capital Investment Scheme for Marketing and Processing Horticulture Sector

County	Project(s)	Location	Grant
Dublin	K&K Packs	The Ward	€ 551,967
	Neil Kerrigan	Lusk	882,913
	Dublin Meath Growers	The Ward	115,755
	GVS — Groomes	Balbriggan	749,621
	Keelings Softfruits	St Margarets	967,931
	Vincent Thorne	Rush	310,210
	Kildare	Boylan Fruits Ltd	Johnstownbridge
Meath	Pat Reynolds and Sons	Navan	266,889
Monaghan	Gold Circle Mushrooms	Monaghan	187,742
Offaly	Milne Foods Ltd	Birr	795,966
Tipperary	Con Traas Ltd	Cahir	109,495
Waterford	Meadowfresh Foods	Tallow	317,515
Wicklow	Dolmenview Ltd t/a O'Hanlon Herbs	Glenealy	65,513

**Proposed Legislation.**

812. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when he will publish the new animal health and welfare Bill; the reason for the delay in its publication; and if he will make a statement on the matter. [29272/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Work is proceeding on drafting the Animal Health and Welfare Bill which gives effect to a number of commitments in the area of animal health and welfare contained in the Programme for Government. Following the public consultation process initiated on the bill in 2008, almost 400 submissions/comments were received from stakeholders, including organisations and individuals, with an interest in animal health and welfare issues. My officials met with a wide range of organisations and this element of the process was very informative and provided an opportunity for organisations to elaborate on their respective submissions. Drafting of the bill is now continuing taking account of the further comments received.

### Public Service Staff.

813. **Deputy Joan Burton** asked the Minister for Agriculture, Fisheries and Food the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29303/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** To date 34 staff in my Department have applied for the incentivised scheme of early retirement and 53 staff have applied for the special incentive career break. With regard to state agencies under the aegis of my Department, the number of staff who have applied for the incentivised scheme of early retirement and the special incentive career break is a matter for the Bodies themselves as part of their day-to-day activities. Four industrial staff members in my Department were made redundant in the past 12 months.

### Fisheries Protection.

814. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will introduce a quota system for sand dogs; and if he will make a statement on the matter. [29336/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The EU Fisheries Council acting on a proposal from the EU Commission decides which fish stocks are subject to a Total Allowable Catch (TAC) and quota regime. The Commission in formulating its proposal takes account of the latest scientific advice on fish stocks. Sand dog, otherwise known as lesser spotted dogfish, *Scyliorhinus canicula* is not currently subject to a TAC and quota regime.

### Rural Environment Protection Scheme.

815. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the amount paid out in REP scheme payments in County Donegal to date in 2009; when he expects to have awarded all Donegal REP scheme payments; and if he will make a statement on the matter. [29342/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** To date a total of €1,142,294.93 has been paid in 2009 in respect of REPS 3 and 4. REPS 3 payments continue to be made on an ongoing basis. Under EU rules, payments to REPS 4 participants may be made in two instalments, the first at 75% on completion of all administrative checks and area checks on all files and the remaining 25% once all on-farm inspections have been completed. The majority of applicants for REPS 4 in 2007 and 2008 have received the first stage of their payments and I expect to be in a position to release the second stage in these cases within weeks. A small number of applications are still being processed. Payment of the first REPS 4 instalment for 2009 will be made in the autumn.

### Food Labelling.

816. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food if he will introduce legislation requiring operators in the retail and catering sectors to provide country of origin information on pig meat, poultry and sheep meat; and if he will make a statement on the matter. [29394/09]



**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** My Department submitted to the EU Commission draft national legislation that would require the country of origin to be indicated on pigmeat, poultrymeat and sheepmeat and on food products containing over 70% of these meats. My Department engaged in extensive communications with the Commission with a view to justifying and pressing the case for the proposed legislation. The Commission, however, adopted a negative opinion in relation to the proposal on the grounds that it was not consistent with the EU Labelling Directive. The Commission has however reviewed the Labelling Directive and has brought forward proposals for new food labelling regulations. These regulations will be considered by Council of Health Ministers and the question of origin labelling continues to be pursued in that context.

#### **Forestry Sector.**

817. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food further to parliamentary Question No. 413 of 28 April 2009, if the merger of COFORD back into his Department has been completed; and if he will make a statement on the matter. [29582/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The work of COFORD will be subsumed into the Department with effect from 1 August this year. The Board of COFORD will continue to operate in an advisory capacity to the Department on the areas of forestry and forestry research.

#### **Shipwreck Salvage.**

818. **Deputy Jim O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the action he will take in relation to the boat wrecks which have been abandoned for some years at an area (details supplied) in County Cork; if same will be removed; and if he will make a statement on the matter. [29677/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The removal of boat wrecks comes under section 52 of the Merchant Shipping (Salvage and Wreck) Act 1993 which permits a harbour authority or, in certain circumstances, a local authority to take steps to remove the wreck. Accordingly, my officials have raised this matter with the Department of Transport as the 1993 Act comes under that Department’s remit.

#### **Aquaculture Licences.**

819. **Deputy Jim O’Keeffe** asked the Minister for Agriculture, Fisheries and Food if he will ensure that the application for the transfer of an aquaculture licence (details supplied) in County Cork will be approved in view of the fact that applications therefore were made in 2007; and if he will make a statement on the matter. [29678/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The assignment of an aquaculture licence by the licensee to a third party requires the consent of the Minister for Agriculture, Fisheries and Food. The individual in question applied on 18 September 2007 to my Department for approval to assign to another person the area in Roaringwater Bay covered by his aquaculture licence. The application was forwarded in the normal way to the Department’s consultees for their consideration. At this point the application is still under consideration by my Department’s Engineering Division. It is understood that a comprehensive survey of all sites in the bay will be required before Engineering Division is in a position to respond. Every effort will be made to expedite this application having regard to the issues outlined above.

### Grant Payments.

820. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Galway will be awarded their REP scheme four payment; and if he will make a statement on the matter. [29794/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** To comply with European Union regulations all REPS 4 applications and plans, including adjusted plans, are subject to eligibility and other checks. The checking procedures are in the final stages and I expect that payment in this case will issue in the next few weeks.

### Departmental Contracts.

821. **Deputy Michael D’Arcy** asked the Minister for Agriculture, Fisheries and Food the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29960/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The information sought by the Deputy is not readily available within my Department. Given the timeframe comprehended in his question it would take a disproportionate amount of time to retrieve and compile. However, should the Deputy have a specific query on contracts awarded by my Department, I will be happy to have that matter examined.

822. **Deputy Michael D’Arcy** asked the Minister for Agriculture, Fisheries and Food if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied that sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29840/09]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** My Department has no contract with the company named by the Deputy.

### School Staffing.

823. **Deputy Terence Flanagan** asked the Minister for Education and Science if he will deal with a matter (details supplied); and if he will make a statement on the matter. [28861/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I understand that the Deputy’s question refers to general operatives employed by City of Dublin VEC. Officials of my Department contacted the VEC and established that these employees had fixed term contracts for the period from September 2008 to June 2009 (i.e. the school year). This is in line with the usual practice in the VEC.

### Departmental Staff.

824. **Deputy Fergus O’Dowd** asked the Minister for Education and Science the number of staff employed by his Department in County Louth by location; if such staff are permanent, temporary, part time or on fixed contracts and so on; the accommodation used by such staff and if same is owned, leased or otherwise rented by his Department; the cost of same per annum; if leased, when such lease expires; his proposals to close, amalgamate or expand his Department’s presence in County Louth; and if he will make a statement on the matter. [28848/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department currently has 7 staff assigned to the National Educational Psychological Services (NEPS) based at Donore Road Industrial Estate, Drogheda, Co. Louth and 3 school inspectors based at the Regional Development Centre, Dundalk Institute of Technology. All are permanent employees. The office properties that accommodate the staff concerned are leased by the Property Management Services of the Office of Public Works (O.P.W.) who act as an agent on behalf of Government Departments in relation to the rental/lease of office properties. As such the cost and terms of leases are a matter for the O.P.W. There are no proposals at present to alter the existing staffing or accommodation arrangements.

#### **Adult Education.**

825. **Deputy Billy Timmins** asked the Minister for Education and Science the position on graduates who are in receipt of the jobseeker’s allowance; if there are new courses they can avail of; and if he will make a statement on the matter. [28868/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I recently announced a new initiative whereby unemployed workers will have access to 2,500 new places on part-time undergraduate and postgraduate courses from September 2009. All 2,500 places will be on courses that support the goals of the Government’s “Smart Economy” plan and particularly those relating to specific skills needs of exporting sectors identified by the Expert Group on Future Skills Needs. 1,000 of these places will be available for unemployed graduates to undertake part-time postgraduate diplomas or conversion programmes at levels 8 to 9 on the National Framework of Qualifications (NFQ).

The scheme will be open to people who have been on the Live Register for at least six months on 1 September 2009, or who have been awarded Statutory redundancy and have an entitlement to a relevant social welfare payment. One of the conditions for people participating on these new part-time places is that they continue to be available and seeking work. Once they satisfy these conditions they will be entitled to retain their social welfare payments. Where they receive an offer of full-time work they must take up this offer of employment.

Details of the third level institutions providing these places and information on how to apply for a place will be announced in the coming weeks. The information will also be made available through local FÁS and Department of Social and Family Affairs offices. Unemployed graduates on full-time postgraduate programmes may also be eligible for support under the Department’s Student Maintenance Grant Scheme. Provision of grants are subject to a means test and other eligibility criteria. Further information on how to apply for a student maintenance grant is available on the Student Finance website: [www.studentfinance.ie](http://www.studentfinance.ie)

#### **School Staffing.**

826. **Deputy Richard Bruton** asked the Minister for Education and Science if schools who were forced to merge junior infants with senior infants classes, with class sizes of 30 and more, have grounds for appealing for additional teaching resources under the terms of the teacher allocation scheme; and if he will make a statement on the matter. [28874/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Combined classes are a feature of the majority of schools in the country and this arrangement has no adverse implications for the quality of the education children receive. While the staffing schedule allocates on the basis of an average number of pupils each individual school decides on how to arrange its classes. In terms of class sizes almost 80% of primary pupils were in classes of less than 30 pupils during the last school year. With over 20,000 individual classes spread across all schools throughout

[Deputy Batt O’Keeffe.]

the country there will inevitably be differences in individual class sizes. Some schools can have class sizes of greater than 27 or 28 but this is often because of a local decision by a school to use its teaching resources in order to have smaller numbers in other classes.

Where it is possible, I believe that principals should consider the benefits of having smaller multi-grade classes as against having particularly large differences in class sizes at different levels in the school. In general, the view of my Department is that, where combined classes are formed, mixed-ability classes are preferable and my Department recommends random selection as a fair and educationally sound approach to the assignment of pupils to such classes.

It is open to any Board of Management to submit an appeal under certain criteria to an independent Appeal Board which was originally established to adjudicate on appeals on mainstream staffing allocations in primary schools. Details of the criteria for appeal of mainstream staffing are contained in the staffing schedule, Circular 0002/2009 which is available on my Department’s website. The Appeal Board operates independently of the Department and its decision is final.

### **Schools Building Projects.**

827. **Deputy Jimmy Deenihan** asked the Minister for Education and Science when work will commence on the proposed new school for a school (details supplied) in County Kerry based on the amalgamation of schools in the area; and if he will make a statement on the matter. [28883/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy may be aware, I announced in September 2008 that the project for the school in question was to proceed to re-tender and construction. My Department’s Building Unit is currently awaiting a Stage 2B (Detailed Design) submission, to comply with the new form of Government Construction Contract. Once it is received and examined, my officials will be in contact with the school authorities regarding further progress.

### **Public Service Review.**

828. **Deputy Richard Bruton** asked the Minister for Education and Science if he made submissions to the McCarthy group on potential savings in his Department; the contents of the submissions made; if the McCarthy group made proposals to him; the contents of the proposals; and if he will make a statement on the matter. [28894/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** At the commencement of its work, the Special Group on Public Service Numbers and Expenditure Programmes requested all Departments to prepare evaluation papers outlining potential areas for savings in staff numbers and expenditure. Such papers were prepared in respect of the Education and Science Vote. The Special Group met the Secretary General of the Department of Education and Science in the course of its deliberations.

The Report of the Special Group has recently been submitted to the Minister for Finance, who will be bringing it to Government in the near future. Decisions on the release of the Report and associated documents will be made by Government in that context.

### **School Enrolments.**

829. **Deputy Richard Bruton** asked the Minister for Education and Science the average class sizes for primary and secondary schools in areas (details supplied) in County Dublin in 2006,

2007, 2008 and to date in 2009 broken down by school; and if he will make a statement on the matter. [28903/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department does not calculate class size information by Dublin postal code. However the Statistics section of my Department’s website now contains class size data at individual primary school level for the 2006\2007 and 2007\2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the summer. Class size data is not calculated at individual post primary school level. Teacher allocations to all second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. In accordance with these rules each school management authority is required to organise its subject options within the limit of its approved teacher allocation. The deployment of teaching staff in the school, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authorities.

### **Schools Building Projects.**

830. **Deputy Richard Bruton** asked the Minister for Education and Science the number of schools in areas (details supplied) in County Dublin that require building work and their band rating; and if he will make a statement on the matter. [28904/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to confirm that applications have been received from a number of schools in the areas to which the Deputy refers, for major capital investment. All applications for capital funding are assessed in the School Capital Appraisal Section of my Department. As part of the assessment process, a project is assigned a band rating under published prioritisation criteria for large scale building projects. These criteria were devised following consultation with the Education Partners. The following is the list of the number of projects in each Band as requested by the Deputy.

Band 1 — 2 schools;

Band 2 — 13 schools;

Band 3 — 7 schools;

Band 4 — 2 schools.

### **Special Educational Needs.**

831. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28930/09]

832. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28931/09]

833. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of



[Deputy Olwyn Enright.]

same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28932/09]

834. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28933/09]

835. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28934/09]

836. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28935/09]

837. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28936/09]

838. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28937/09]

839. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28938/09]

840. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28939/09]

841. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28940/09]

842. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28941/09]

843. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of



same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28942/09]

844. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28943/09]

845. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28944/09]

846. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28945/09]

847. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28946/09]

848. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28947/09]

849. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28948/09]

850. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28949/09]

851. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28950/09]

852. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28951/09]

853. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28952/09]

854. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28953/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 831 to 854, inclusive, together.

I wish to advise the Deputy that the total number of whole-time equivalent Special Needs Assistants (SNAs) employed in Primary schools in County Laois on 30 June 2008 was 127 and on 30 June 2009 was 130. The total number of whole-time equivalent Special Needs Assistants employed in Secondary, and Community and Comprehensive schools in Co Laois on 30 June 2008 was 11 and on 30 June 2009 was 12. My Department is not in a position to provide the information in relation to the large number of individual schools as requested by the Deputy.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating additional resource teachers and SNAs to primary and post primary schools to support children with special educational needs. The NCSE operates within my Department’s criteria in allocating such support. The allocation for any school and any adjustments to that allocation depends on a number of factors such as the number of pupils with care needs leaving, the number of new pupils with care needs and/or the changing needs of the pupils. The Deputy will be aware that the NCSE has been requested by my Department to arrange for its SENOs to review SNA allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. The review is currently underway and it is intended that it will be completed during 2009. It is open to a school or parent to contact their local SENO to discuss any special education needs that pupils may have.

855. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28954/09]

856. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28955/09]

857. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28956/09]

858. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28957/09]

859. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28958/09]

860. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28959/09]

861. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28960/09]

862. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28961/09]

863. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28962/09]

864. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28963/09]

865. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28964/09]

866. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28965/09]

867. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28966/09]

868. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28967/09]

869. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28968/09]

871. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of

[Deputy Olwyn Enright.]

same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28970/09]

872. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28971/09]

873. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28972/09]

874. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28973/09]

875. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28974/09]

876. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28975/09]

877. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school. [28976/09]

878. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28977/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 855 to 869, inclusive, and 871 to 878, inclusive, together.

I wish to advise the Deputy that the total number of whole-time equivalent Special Needs Assistants (SNAs) employed in Primary schools in Co Laois on 30 June 2008 was 127 and on 30 June 2009 was 130. The total number of whole-time equivalent Special Needs Assistants employed in Secondary, and Community and Comprehensive schools in Co Laois on 30 June 2008 was 11 and on 30 June 2009 was 12. My Department is not in a position to provide the information in relation to the large number of individual schools as requested by the Deputy.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating additional resource teachers and SNAs to primary and post primary schools to support children with special educational needs. The NCSE operates within my Department’s criteria in allocating such support.

The allocation for any school and any adjustments to that allocation depends on a number of factors such as the number of pupils with care needs leaving, the number of new pupils with care needs and/or the changing needs of the pupils.

The Deputy will be aware that the NCSE has been requested by my Department to arrange for its SENOs to review SNA allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. The review is currently underway and it is intended that it will be completed during 2009.

It is open to a school or parent to contact their local SENO to discuss any special education needs that pupils may have.

870. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28969/09]

879. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28978/09]

880. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28979/09]

881. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28980/09]

882. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28981/09]

883. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28982/09]

884. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28983/09]

885. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28984/09]



886. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28985/09]

887. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28986/09]

888. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28987/09]

889. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28988/09]

890. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28989/09]

891. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28990/09]

892. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of special needs assistants in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in SNA allocation to the school; and if he will make a statement on the matter. [28991/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 870 and 879 to 892, inclusive, together.

I wish to advise the Deputy that the total number of whole-time equivalent Special Needs Assistants (SNAs) employed in Primary schools in Co Laois on 30 June 2008 was 127 and on 30 June 2009 was 130. The total number of whole-time equivalent Special Needs Assistants employed in Secondary, and Community and Comprehensive schools in Co Laois on 30 June 2008 was 11 and on 30 June 2009 was 12. My Department is not in a position to provide the information in relation to the large number of individual schools as requested by the Deputy.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating additional resource teachers and SNAs to primary and post primary schools to support children with special educational needs. The NCSE operates within my Department’s criteria in allocating such support.

The allocation for any school and any adjustments to that allocation depends on a number of factors such as the number of pupils with care needs leaving, the number of new pupils with care needs and/or the changing needs of the pupils.



The Deputy will be aware that the NCSE has been requested by my Department to arrange for its SENOs to review SNA allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. The review is currently underway and it is intended that it will be completed during 2009.

It is open to a school or parent to contact their local SENO to discuss any special education needs that pupils may have.

*Questions Nos. 871 to 878, inclusive, answered with Question No. 855.*

### **School Staffing.**

893. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28992/09]

894. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28993/09]

895. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28994/09]

896. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28995/09]

897. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28996/09]

898. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28997/09]

899. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28998/09]

900. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [28999/09]

901. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29000/09]

902. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29001/09]



916. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29015/09]

917. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29016/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 893 to 917, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006/2007 and 2007/2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public, detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist. The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

918. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29017/09]

919. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29018/09]

920. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29019/09]



935. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29034/09]

936. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29035/09]

937. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29036/09]

938. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29037/09]

939. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29038/09]

940. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29039/09]

941. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29040/09]

942. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29041/09]

943. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29042/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 918 to 929, inclusive, and 931 to 943, inclusive together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006/2007 and 2007/2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that



[Deputy Batt O’Keeffe.]

relevant information is openly available to the public, detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist. The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

930. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29029/09]

969. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29068/09]

970. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29069/09]

971. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29070/09]

972. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29071/09]

973. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29072/09]

974. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29073/09]

975. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29074/09]

976. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29075/09]





990. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29089/09]

991. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29090/09]

992. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29091/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 930 and 969 to 992, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006/2007 and 2007/2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public, detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist. The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

*Questions Nos. 931 to 943, inclusive, answered with Question No. 918.*

944. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29043/09]

945. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29044/09]

946. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29045/09]

947. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29046/09]

948. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29047/09]

949. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29048/09]

950. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29049/09]

951. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29050/09]

952. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29051/09]

953. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29052/09]

954. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29053/09]

955. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29054/09]

956. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29055/09]

957. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29056/09]

958. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29057/09]

959. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29058/09]

960. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29059/09]

961. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29060/09]

962. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29061/09]

963. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29062/09]

964. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels. [29063/09]

965. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29064/09]

966. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29065/09]

967. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29066/09]

968. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29067/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 944 to 968, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006\2007 and 2007\2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement

of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public detailed information on the opening position for primary schools is published on my Department's website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist.

The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

*Questions Nos. 969 to 992, inclusive, answered with Question No. 930.*

993. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29092/09]

994. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29093/09]

995. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29094/09]

996. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29095/09]

997. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29096/09]

998. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29097/09]

999. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29098/09]







1013. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29112/09]

1014. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29113/09]

1015. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29114/09]

1016. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29115/09]

1017. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29116/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 993 to 1017, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006\2007 and 2007\2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist. The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.



1031. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29130/09]

1032. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29131/09]

1033. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29132/09]

1034. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29133/09]

1035. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29134/09]

1036. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29135/09]

1037. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29136/09]

1038. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29137/09]

1039. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29138/09]

1040. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29139/09]

1041. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29140/09]

1042. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29141/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1018 to 1042, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006\2007 and 2007\2008 school years. The information includes the number

[Deputy Batt O’Keeffe.]

of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

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1043. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29142/09]

1044. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29143/09]

1045. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29144/09]

1046. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29145/09]

1047. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29146/09]

1048. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29147/09]





1062. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29161/09]

1063. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29162/09]

1064. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29163/09]

1065. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29164/09]

1066. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29165/09]

1067. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29166/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos 1043 to 1067, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006\2007 and 2007\2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist. The final staffing position for all schools will therefore not be known until the



autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

1068. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29167/09]

1069. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29168/09]

1070. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29169/09]

1071. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29170/09]

1072. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29171/09]

1073. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29173/09]

1074. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29175/09]

1075. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29176/09]

1076. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29177/09]

1077. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29178/09]

1078. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29179/09]

1079. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29180/09]

1080. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29181/09]

1081. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29182/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1068 to 1081, inclusive, together.

The Statistics section of my Department’s website now contains class size data at individual school level for the 2006/2007 and 2007/2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range and the number of teachers in each school. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the year.

I am committed to providing information in relation to the allocation of teachers to schools and 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.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist.

The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

1082. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29183/09]

1083. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29184/09]

1084. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; and the reason for a change in staffing levels. [29185/09]

1085. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29186/09]

1086. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29187/09]

1087. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29188/09]

1088. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29189/09]

1089. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29190/09]

1090. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29191/09]

1091. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29192/09]

1092. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29193/09]

1093. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29194/09]

1094. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29195/09]

1095. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29196/09]

1096. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29197/09]

1097. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29198/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1082 to 1097, inclusive, together.

Teacher allocations to all second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. In accordance with these rules each school management authority is required to organise its subject options within the limit of its approved teacher allocation. The deployment of teaching staff in the school, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authorities.

I have always accepted and acknowledged that the decision in the Budget last October to increase the pupil teacher ratio across all second-level schools will have an impact on class sizes and subject choices in our post-primary schools from the commencement of the 2009/10 school year. Schools will make choices as a consequence of the changes made in the Budget. Some will decide to increase class size particularly in the subjects taken by most students. Some may decide to eliminate some subjects from the choice of subjects that they offer. Some will combine increasing the numbers in some classes with eliminating subjects. In making such decisions individual schools may also decide to prioritise some subjects or programmes over others. Some schools may give a priority to Junior cycle or particular subjects at Junior cycle and others may prioritise Senior Cycle and particular Leaving Certificate subjects.

At the level of individual schools the changes in relation to the allocation of teaching posts will impact in different ways depending on whether enrolment is rising or declining and the degree to which any one school has more teachers than it is entitled to under the allocation processes. Across the school system generally there will inevitably be an impact on class sizes and My Department will through the normal process of examining applications for curricular concessions endeavour to ensure continuity of provision for those already preparing for the certificate examinations. The changes at second level are more likely to impact on the range of subjects that schools will be able to offer those starting the Junior or Leaving Certificate programmes next September.

I undertook to publish information in relation to the allocation of teachers to schools and this was done earlier this year in relation to primary schools. The Deputy may be interested to know that information on the current position regarding teacher allocations to second level schools, whether enrolment related or otherwise, will be published on my Department’s website in the coming period. 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. The information will represent the position at this stage and is not the final position. At this point allocations for such as special needs, language support and curricular needs are still in process. The information will be further updated later in the year when final allocations are determined and the final position regarding supernumerary posts remaining in school emerges.

1098. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29199/09]

1099. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29200/09]

1100. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29201/09]

1101. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29202/09]

1102. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29203/09]

1103. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29204/09]

1104. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29205/09]

1105. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29206/09]

1106. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29207/09]

1107. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29208/09]

1108. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29209/09]

1109. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29210/09]

1110. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29211/09]

1111. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29212/09]

1112. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29213/09]



1113. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29214/09]

1114. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29215/09]

1115. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29216/09]

1116. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29217/09]

1117. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29218/09]

1118. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29219/09]

1119. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29220/09]

1120. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29221/09]

1121. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29222/09]

1122. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29223/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1098 to 1122, inclusive, together.

Teacher allocations to all second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. In accordance with these rules each school management authority is required to organise its subject options within the limit of its approved teacher allocation. The deployment of teaching staff in the school, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authorities. I have always accepted and acknowledged that the decision in the Budget last October to increase the pupil teacher ratio across all second-level schools will have an impact on class sizes and subject choices in our post-primary schools from the commencement of the 2009/10 school year.



Schools will make choices as a consequence of the changes made in the Budget. Some will decide to increase class size particularly in the subjects taken by most students. Some may decide to eliminate some subjects from the choice of subjects that they offer. Some will combine increasing the numbers in some classes with eliminating subjects. In making such decisions individual schools may also decide to prioritise some subjects or programmes over others. Some schools may give a priority to Junior cycle or particular subjects at Junior cycle and others may prioritise Senior Cycle and particular Leaving Certificate subjects.

At the level of individual schools the changes in relation to the allocation of teaching posts will impact in different ways depending on whether enrolment is rising or declining and the degree to which any one school has more teachers than it is entitled to under the allocation processes. Across the school system generally there will inevitably be an impact on class sizes and My Department will through the normal process of examining applications for curricular concessions endeavour to ensure continuity of provision for those already preparing for the certificate examinations. The changes at second level are more likely to impact on the range of subjects that schools will be able to offer those starting the Junior or Leaving Certificate programmes next September.

I undertook to publish information in relation to the allocation of teachers to schools and this was done earlier this year in relation to primary schools. The Deputy may be interested to know that information on the current position regarding teacher allocations to second level schools, whether enrolment related or otherwise, will be published on my Department's website in the coming period. 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. The information will represent the position at this stage and is not the final position. At this point allocations for such as special needs, language support and curricular needs are still in process. The information will be further updated later in the year when final allocations are determined and the final position regarding supernumerary posts remaining in school emerges.

1123. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29224/09]

1124. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29225/09]

1125. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29226/09]

1126. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29227/09]

1127. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29228/09]

1128. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29229/09]

1129. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29230/09]

1130. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29231/09]

1131. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Offaly in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29232/09]

1132. **Deputy Olwyn Enright** asked the Minister for Education and Science the number of teachers in a school (details supplied) in County Laois in 2008; the number of same in 2009; the reason for a change in staffing levels; and if he will make a statement on the matter. [29233/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1123 to 1132, inclusive, together.

Teacher allocations to all second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. In accordance with these rules each school management authority is required to organise its subject options within the limit of its approved teacher allocation. The deployment of teaching staff in the school, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authorities.

I have always accepted and acknowledged that the decision in the Budget last October to increase the pupil teacher ratio across all second-level schools will have an impact on class sizes and subject choices in our post-primary schools from the commencement of the 2009/10 school year. Schools will make choices as a consequence of the changes made in the Budget. Some will decide to increase class size particularly in the subjects taken by most students. Some may decide to eliminate some subjects from the choice of subjects that they offer. Some will combine increasing the numbers in some classes with eliminating subjects. In making such decisions individual schools may also decide to prioritise some subjects or programmes over others. Some schools may give a priority to Junior cycle or particular subjects at Junior cycle and others may prioritise Senior Cycle and particular Leaving Certificate subjects.

At the level of individual schools the changes in relation to the allocation of teaching posts will impact in different ways depending on whether enrolment is rising or declining and the degree to which any one school has more teachers than it is entitled to under the allocation processes. Across the school system generally there will inevitably be an impact on class sizes and my Department will through the normal process of examining applications for curricular concessions endeavour to ensure continuity of provision for those already preparing for the certificate examinations. The changes at second level are more likely to impact on the range of subjects that schools will be able to offer those starting the Junior or Leaving Certificate programmes next September.

I undertook to publish information in relation to the allocation of teachers to schools and this was done earlier this year in relation to primary schools. The Deputy may be interested to know that information on the current position regarding teacher allocations to second level schools, whether enrolment related or otherwise, will be published on my Department’s website in the coming period. 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. The information will represent the position at this stage and is not the final position. At this point allocations for such as special needs, language support and curricular needs are still in process. The information will be further updated later in the year when final allocations are determined and the final position regarding supernumerary posts remaining in school emerges.

### **Schools Recognition.**

1133. **Deputy Denis Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 664 of 8 July 2008, the progress to date; and if he will make a statement on the matter. [29251/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I understand that the Deputy is referring solely to progress on the commitment in the Programme for Government in relation to the centres in the pilot scheme.

I am pleased to advise that broad agreement has been reached on the core conditions to enable the centres to be recognised as special schools. Applications have now been received for special school recognition as well as applications from two organisations seeking recognition as school patrons. My Department has recently requested some further documentation in order to fully consider the applications.

### **Pupil-Teacher Ratio.**

1134. **Deputy Denis Naughten** asked the Minister for Education and Science the breakdown of primary school class sizes for each county showing in each case the number of pupils in classes of 19 and under, 20 to 24, 25 to 29, 30 to 35, 36 to 39 and 40 plus; and if he will make a statement on the matter. [29252/09]

1148. **Deputy Brian Hayes** asked the Minister for Education and Science the breakdown by county of the number of children at primary level in classes of 30 or more; and if he will make a statement on the matter. [29405/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1134 and 1148 together.

Information in relation to average class size and pupil teacher ratio is provided in the annual census of primary schools. The details for the current school year (2008/2009) are currently being compiled by my Department and the final outcome will be available later in the summer.

The Deputy may be interested to know that the Statistics section of my Department’s website now contains class size data at individual school level for the 2006\2007 and 2007\2008 school years. The information includes the number of pupils in each class, the number of pupils in each class size range, and the number of teachers in each school.

### **School Curriculum.**

1135. **Deputy Denis Naughten** asked the Minister for Education and Science if he will establish a time scale for the introduction of physical education as an examination subject; and if he will make a statement on the matter. [29273/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In accordance with the Rules and Programme for Secondary Schools, all second-level schools should provide Physical Education as part of the curriculum. The programme that each school plans and delivers should be based on my Department’s approved syllabuses and the teaching hours should be registered in

[Deputy Batt O’Keeffe.]

the school timetable. The syllabuses have been developed on the basis of a time allocation of two hours per week.

A revised syllabus in Physical Education as a non-examinable subject at junior cycle was implemented, phased over a 3 year period, beginning in 2003, supported by a comprehensive programme of professional development for teachers. No date was agreed for implementation at senior cycle, and issues concerning the inclusion of PE as an examination subject at Leaving Certificate level remain to be addressed. In the meantime, the Council made proposals for a fundamental re-structuring of senior cycle into subjects, short courses and transition units. The proposals included the provision of PE as a subject, and the inclusion of a short course in Sports Studies. It was considered that the inclusion of PE as both a subject and Sports Studies short course could only be examined within the broader context of plans for senior cycle reform generally.

The Council has continued to undertake further analysis and development work with schools on the issue of senior cycle reform. It currently has a specialist committee working on a syllabus for Leaving Certificate Physical Education and will have a draft available for consultation with schools towards the end of the current year. When revised proposals are submitted to my Department, the implementation implications will be examined in the context of the overall priorities and resources available to the education sector at that stage.

This Government has worked hard to improve the opportunities for young people to get physical exercise both in school and in their local communities. In a new school building or refurbishment/extension, PE facilities are included as part of the design, and new PE equipment such as balancing benches and gym mats are funded as part of any major building programme.

A special PE funding package of €3 million issued to post-primary schools in 2007, providing a grant of €4,000 per school towards the cost of replacing and upgrading PE equipment. This grant was issued, as a once-off measure, to enable schools to replace older equipment such as goalposts, PE mats, benches etc.

So, through an increased focus on exercise in school and in the community, we are working to encourage more children and young people to get active. Indeed, the second ‘State of the Nation’s Children’ report launched by the Minister for Children and Youth Affairs found that children in Ireland are doing well on physical activity, ranking first across the 41 participating countries in being physically active for at least 4 hours per week.

### **Public Service Staff.**

1136. **Deputy Joan Burton** asked the Minister for Education and Science the number of staff in his Department, including all authorities, agencies or other institutions under the aegis of his Department, who have applied for the incentivised early retirement scheme and the incentivised career break scheme; the number who have been made redundant in the past 12 months; and if he will make a statement on the matter. [29308/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** To date, 13 applications have been received from staff of my Department to retire under Circular 12/09: Incentivised Scheme of Early Retirement. The closing date for this scheme is 1 September, 2009.

In addition, 24 applications for career breaks have been received from staff of this Department under Circular 13/09: Special Civil Service Incentive Career Break Scheme 2009, by the closing date of 1 July, 2009.

I can confirm that no staff of my Department have been made redundant in the past 12 months. Data on staff made redundant by bodies under the aegis of the Department is not readily available and will be forwarded to the Deputy as soon as it is available.

The application of these schemes to the wider education sector has only recently been agreed with the Department of Finance. Circulars issued on 26 June, 2009, to bodies in the wider education sector, with employees eligible for these schemes and on 2 July, 2009 to bodies in the higher education sector. As agreed between this Department and the Department of Finance, the closing dates for applications are 14 August, 2009, for the Special Civil Service Incentive Career Break Scheme 2009 and 11 September, 2009, for the Incentivised Scheme of Early Retirement. I have requested officials of my Department to forward information on numbers of applications in the education sector to you following the closing dates of the two schemes.

### **School Accommodation.**

1137. **Deputy Joanna Tuffy** asked the Minister for Education and Science the position regarding the temporary accommodation for a school (details supplied) in Dublin 22; and if he will make a statement on the matter. [29330/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** It is the intention of my Department to provide the school to which the Deputy refers with a new building. In this regard, agreement has been reached to provide the new building on a V.E.C. owned site.

The progression of all large scale building projects, including the project in question, 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.

### **Special Educational Needs.**

1138. **Deputy Joanna Tuffy** asked the Minister for Education and Science if he will reconsider his decision to cut the mild general learning disability class at a school (details supplied) in County Dublin; and if he will make a statement on the matter. [29335/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to assure the Deputy 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.

All primary schools were allocated additional teaching resources under the General Allocation Model to enable them support pupils with high incidence special educational needs including mild general learning disability (MGLD). Schools can decide how best to use this allocation based on the needs of the pupils. Most pupils with a MGLD are included in ordinary classes with their peers and are supported by their class teacher. The curriculum is flexible so that teachers can cater for the needs of children of different abilities.

The Deputy will be aware that teacher allocations to schools typically increase or decrease depending on pupil enrolment. In the case of classes for MGLD the normal pupil teacher ratio that applies is 11:1. My Department however permits schools to retain a teaching post where it has a minimum of 9 pupils in the class. This minimum was not fulfilled in a number of classes, including in this school, and therefore schools no longer qualify to retain the classes.



[Deputy Batt O’Keeffe.]

Following an appeal from the school, my Department did review the decision taken. However, the school’s special class enrolment was insufficient to warrant the retention of the post. I wish to advise the Deputy that in addition to the general staffing for the 2009/10 school year, the school also has six learning support resource teachers, one language support teacher, two teachers for two special classes and one resource teacher for traveller pupils.

I wish to reiterate that pupils with a mild general learning disability have, and will continue to have, access to additional teaching resources to support their education. However, there is a requirement to make appropriate use of the resources available and along with all other areas of expenditure, provision is dependent on the resources available to the Government.

### **School Services Staff.**

1139. **Deputy Joe McHugh** asked the Minister for Education and Science his position regarding circular 0040/2009 in view of the ongoing campaign by school secretaries to receive salary and service recognition; his views on the fact that the same circular will have a detrimental effect on this campaign; and if he will make a statement on the matter. [29338/09]

1145. **Deputy Ruairí Quinn** asked the Minister for Education and Science the reason he has authorised boards of management to divert moneys provided for paying school secretaries and caretakers and instead spend these moneys on day-to-day running of schools as per circular 0040/09; if his attention has been drawn to the poor remuneration school secretaries and caretakers find themselves in; if he expects these staff to pay the costs of mismanagement of the economy by offsetting the loss of income schools face since the 2009 Budgets; and if he will make a statement on the matter. [29363/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1139 and 1145 together.

Circular 40/2009 clarifies issues relating to the allocation of funding for primary schools. The circular states that capitation funding provided this year for general running costs and funding provided for caretaking and secretarial services may be regarded as a common grant from which the Board of Management can allocate according to its own priorities. In due course, both grant schemes will be merged. In the interim, both grants will continue to be paid according to existing timelines and calculated separately as heretofore.

I have consistently said that it is my intention to streamline and rationalise the different grant schemes that provide funding to primary schools. This will ensure that school management has greater autonomy over how funding is allocated. For example, as outlined in the circular, schools that are not in receipt of DEIS funding may utilise capitation or caretaker/secretarial funding to support book rental schemes or to otherwise help provide books for individual pupils where this is considered by a Board of Management to be a priority for the school.

With regard to salaries for secretaries and caretakers, a forum has recently been set up with the aim of establishing the position in schools regarding the terms and conditions of employment of school secretaries and caretakers. The forum is jointly chaired by the Department of Education and Science and the Department of Finance and includes the relevant management bodies and the unions involved (SIPTU and IMPACT).

In order to establish the factual position of secretaries and caretakers, a survey, developed in conjunction with the school management bodies and the relevant unions, was carried out in all schools recently. The results of the survey will feed into the work of the forum.



### Schools Building Projects.

1140. **Deputy Joe McHugh** asked the Minister for Education and Science the position regarding all school building projects in County Donegal; if he will list all projects and all deadlines that were set at the outset of the projects; when the projects will be completed; and if he will make a statement on the matter. [29344/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The tabular statement provides the list of current major building projects in County Donegal requested by the Deputy.

Expected completion dates are provided for those projects which are currently on site and for which contracts have been placed. However, for the remaining projects, until a contract is in place, it is not possible to provide a definitive timescale for their completion.

#### Projects under construction in Donegal in 2009

Roll No.	School Details	Project	Expected Completion Date
16642G	Clonmany Mixed NS	new 8 classroom school	Sep-09
20054L	Scoil Eoghan, Moville	new 8 classroom school	Sep-09
19333I	Dooish N.S., Ballybofey	3 classroom extension plus 1 classroom ASD Unit	Dec-09

In addition the following projects are in architectural planning but until a contract is in place it is not possible to give an expected completion date.

#### Projects under construction in Donegal in 2009

Roll No.	School Details	Project	Current Status
17268N	SN an BH M O Cleirigh, Creevy	3 classroom extension plus refurbishment	Out to tender at present
71240U	Finn Valley College, Stranorlar	New school for 325 pupils	In advanced Arch Planning
18219F	SN Chonaill, Bun Beag	Extension/Refurbishment	In advanced Arch Planning
18052S	Scoil Mhuire gan Smal, Letterkenny	Extension/Refurbishment	In advanced Arch Planning
16672P	St. Patricks Primary School Lurgybrack	Extension/Refurbishment	In advanced Arch Planning
91409A	Pobail Scoil, Gweedore	PE Hall	In advanced Arch Planning
20150H	Holy Family NS, Ballyshannon	Extension/Refurbishment	In advanced Arch Planning
19971R	Gaelscoil Adhamhnain, Letterkenny	Extension/Refurbishment	In early Arch Planning
62830R	St Eunan’s College, Letterkenny	Extension/Refurbishment	In early Arch Planning

### School Accommodation.

1141. **Deputy Joe McHugh** asked the Minister for Education and Science if the forward planning section review of the additional accommodation which will be required at primary and post primary level for 2009 and onwards includes an assessment of the provision of primary and post primary school capacity in Moville, Buncrana, Carndonagh, Milford, or Ramelton; if he will report on each of these towns individually; and if he will make a statement on the matter. [29345/09]

1142. **Deputy Joe McHugh** asked the Minister for Education and Science if the forward planning section review of the additional accommodation which will be required at primary and post-primary level for 2009 and onwards includes an assessment of the provision of primary and post-primary school capacity in Letterkenny, County Donegal; and if he will make a statement on the matter. [29346/09]

1143. **Deputy Joe McHugh** asked the Minister for Education and Science the status of the forward planning section review of the additional accommodation which will be required at primary and post-primary level for 2009 and onwards in the Inishowen area; if this review includes primary and post-primary schools in County Donegal; and if he will make a statement on the matter. [29347/09]

1144. **Deputy Joe McHugh** asked the Minister for Education and Science the status of the Forward Planning Section review of the additional accommodation which will be required at primary and post-primary level for 2009 and onwards in the Letterkenny area; if this review includes primary and post-primary schools in County Donegal; and if he will make a statement on the matter. [29348/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1141 to 1144, inclusive, together.

Forward Planning Section of my Department has carried out a study of the country to identify the areas where, due to demographic changes, there may be a requirement for significant additional school provision at both primary and post-primary levels over the coming years. This study has been conducted using data from the Central Statistics Office, the General Register Office and the Department of Social & Family Affairs in addition to recent schools’ enrolment data.

The study indicates that the requirement for additional primary provision in years 2010, 2011 and 2012 is likely to be greatest in a total of 42 locations across the country based on significant changes to the demographics of those areas. The process of circulating this information to all existing school Patrons has commenced and it will be open to Patrons to bring forward proposals for the expansion of existing schools or indeed to put themselves forward as Patron for any new primary school. The requirement for the establishment of new schools will of course be lessened where it is possible to expand and extend existing schools in those areas.

Forward Planning Section is in the process of carrying out detailed analysis and reports for each of these locations in order to identify the school accommodation requirements for each area up to and including the school year 2014/2015. School accommodation requirements in the Letterkenny area and its environs will be considered as part of this detailed study of the 42 areas identified. It is expected that the report on the Letterkenny area will be completed in the coming weeks.

When the detailed reports are completed for these 42 areas the Forward Planning Section will continue to work on preparing reports on a priority basis for the remainder of the country. The school accommodation needs in County Donegal will be fully considered in this context.

*Question No. 1145 answered with Question No. 1139.*

#### **Institutes of Technology.**

1146. **Deputy Tom Hayes** asked the Minister for Education and Science the situation regarding an estate (details supplied) in County Tipperary; if his Department is closer to having

functions of Tipperary Institute of Technology based there; and if he will make a statement on this development for Clonmel and surrounding areas. [29389/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Officials from my Department recently visited the estate referred to by the Deputy and met with representatives from the Institute to discuss the proposed relocation and associated matters arising including the potential benefits for the surrounding area. All matters discussed at the meeting remain under consideration within my Department.

### **Schools Building Projects.**

1147. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding approval for an extension to a school (details supplied) in County Cork. [29403/09]

**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 project. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a band rating of 1.1.

Following a site examination it was established that additional land is required to extend the existing school site to facilitate the proposed building project of a 16 classroom school. My Department is liaising with the neighbouring Community School with regard to a proposed land transfer to achieve an extended school site.

When the issue of the site has been resolved, the progression of this project, as with all large scale building projects, from initial design stage through to construction phase will be considered in the context of the Department’s multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

*Question No. 1148 answered with Question No. 1134.*

### **School Staffing.**

1149. **Deputy Brian Hayes** asked the Minister for Education and Science the overall reduction in teacher numbers at primary and second level for the 2009-10 school year compared to the 2008-09 school year as a result of the change to the staffing schedule; and if he will make a statement on the matter. [29406/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am committed to providing information in relation to the allocation of teachers to schools and 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.

To be clear there is no doubt that the budget measures concerning staffing will have an impact. There is simply no easy way to control or reduce public expenditure.

At the level of individual schools the changes in relation to the allocation of teaching posts will impact in different ways depending on whether enrolment is rising or declining and the degree to which any one school has more teachers than it is entitled to under the allocation processes. Across the school system generally there will inevitably be an impact on class sizes and at post-primary level the changes will impact on the capacity of individual schools to offer

[Deputy Batt O’Keeffe.]

as wide a range of subject choices as heretofore in future years. My Department will through the normal processing of examining applications for curricular concessions endeavour to ensure continuity of provision for those already preparing for the certificate examinations. The changes at second level are therefore more likely to impact on the range of subjects that schools will be able to offer to those starting the Junior or Leaving Certificate programmes next September.

The Deputy may be interested to know that information on the current position regarding teacher allocations to second level schools, whether enrolment related or otherwise, will be published on my Department’s website in the coming period. 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. The information will be further updated later in the year when final allocations are determined.

All the above allocations, primary and post-primary are provisional at this stage and reflect the initial allocation position. The final position for any one school will depend on a number of other factors such as the allocation of support teachers, additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes.

The final staffing position for all schools will ultimately not be known until the Autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and any appeals to the Staffing Appeals Boards will have been considered. The appellate process is particularly relevant at post-primary level where any specific curricular needs of the school concerned are considered. Also at post-primary there is no effective system wide redeployment scheme at present and this can mean that schools may end up retain teachers, though over quota.

1150. **Deputy Brian Hayes** asked the Minister for Education and Science the number of unqualified personnel employed at both primary and second level; and if he will make a statement on the matter. [29407/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The number of unqualified teachers on a regular contract of employment in June 2009 within the post primary sector is 53 and 377 within the Primary sector.

Schools may have to employ unqualified casual/non-casual teachers where it is not possible to obtain a trained substitute teacher for short term absences.

1151. **Deputy Brian Hayes** asked the Minister for Education and Science the number of special needs assistants who have been removed from the classroom in the past year or had their hours reduced as a result of the ongoing review of special needs assistants here; the breakdown by county of the changes to SNA staffing levels; and if he will make a statement on the matter. [29408/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to advise the Deputy that the total number of whole-time equivalent Special Needs Assistants (SNAs) employed in Primary schools in June 2008 was 8,375 and in June 2009 was 8,582. The total number of whole-time equivalent SNAs employed in Post Primary schools in June 2008 was 1,826 and in June 2009 was 2,014. My Department is not in a position to provide the information in relation to the large number of individual schools as requested by the Deputy.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating additional resource

teachers and SNAs to primary and post primary schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support.

The allocation for any school and any adjustments to that allocation depends on a number of factors such as the number of pupils with care needs leaving, the number of new pupils with care needs and/or the changing needs of the pupils.

The Deputy will be aware that the NCSE has been requested by my Department to arrange for its SENOs to review SNA allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. The review is currently underway and it is intended that it will be completed during 2009.

It is open to a school or parent to contact their local SENO to discuss any special education needs that pupils may have.

1152. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase the number of primary teachers by at least 4,000 and the staffing schedule to be reduced from a general rule of at least one teacher for every 27 pupils in 2007-08 by one point a year, to one for every 24 pupils by 2010-11; and if he will make a statement on the matter. [29409/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I have consistently said that the 2009 Budget required difficult choices to be made across all areas of public expenditure. These decisions were made to control public expenditure and to ensure sustainability in the long run. In this respect Education, while protected to a much greater extent than most other areas of public expenditure, could not be totally spared. This obviously impacted on the ability to follow through on commitments in the Programme for Government. The various impacts at school level were included in the Budget day announcements. Even with the budget measures in place there will still be a significantly increased borrowing requirement in 2009.

In relation to staffing, when the country was able to afford it we reduced the basis on which primary teachers are allocated to schools from being based on an average number of primary pupils per teacher from 35 pupils in 1995/96 down to the current level of 27 pupils. This is reflected in the improvements that we have made on class sizes over the years and these improvements reflect our commitment to education. The change to a new average of 28 pupils per teacher from September 2009 has to be viewed in that context. Although it reverses some of the progress that we have made in recent years I had no option but to curtail the annual increase in teacher numbers. The reduced class sizes for the most disadvantaged in our DEIS schools of an average of 1 teacher for every 20 pupils in Junior classes and an average of 1 teacher for every 24 pupils in Senior classes are not affected by the Budget decision.

While the budget measures will impact on class sizes it will be necessary in the more testing economic climate ahead for us to continue to target and prioritise our resources to maximum effect for everyone. While teacher numbers are important numerous influential reports have highlighted the fact that teacher quality is the single most important factor — far and above anything else — in improving educational outcomes for children. Ensuring high quality teaching and learning is a challenge and dealing with factors that inhibit it represent a challenge for the Government, the Department, school management and indeed the teacher unions.

In terms of the position at individual primary school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September 2008. The annual process of seeking this enrolment data from schools took place in the autumn and the data has since been received and processed in my Department enabling the commencement



[Deputy Batt O’Keeffe.]

of the processes by which teaching resources are allocated to schools for the school year that begins next September.

My Department has written to the primary schools that are projected to have a net loss or gain in classroom teaching posts in September, 2009. As part of my efforts to ensure that relevant information is openly available to the public detailed information on the opening position for primary schools is published on my Department’s website. This provisional list sets out the details on individual schools that, taken collectively, are projected to gain 128 posts and to lose 382 posts — a net reduction of 254 posts. It is my intention to have this information updated and ultimately to set out the final position when the allocation processes are completed.

The final position for any one school will depend on a number of other factors such as additional posts for schools that are developing rapidly and posts allocated as a result of the appeals processes. The operation of redeployment arrangements also impacts on the final position as a teacher can remain in his or her existing school where a suitable redeployment position does not exist. The final staffing position for all schools will therefore not be known until the autumn. At that stage the allocation process will be fully completed for mainstream classroom teachers and appeals to the Staffing Appeals Board will have been considered.

I am confident that as the global economy improves it will be possible to build again on the significant achievements of recent years and do so in a manner consistent with overall prudent management of the Irish economy.

#### **Pupil-Teacher Ratio.**

1153. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to prioritise reductions in the size of classes in the core subjects of Irish, English and mathematics at second level; and if he will make a statement on the matter. [29411/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The particular Programme for Government commitment referred to by the Deputy would require additional teaching posts in second level schools and therefore cannot be considered until the public finances are stabilised, economic recovery is underway and tax revenues improve.

#### **Teaching Qualifications.**

1154. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to reform the initial teacher training programmes, ensure that all teacher training colleges reserve places for students from disadvantaged areas and prioritise high quality in career professional development for teachers and principals; and if he will make a statement on the matter. [29412/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy may be aware that the Teaching Council has a statutory role in relation to the review of standards required for entry into the teaching profession, including the standards of knowledge, skill and competence required for the practice of teaching. In the context of Section 38 of the Teaching Council Act, the Teaching Council has begun work on the development of its strategy for the Review and Accreditation of Programmes of Initial Teacher Education. To this end, the Council held a series of consultation fora for stakeholders in education in February and October last year, and the Council will continue to consult with education partners, including my Department, over the course of their work. I look forward to receiving the Council’s Strategy in due course.



Regarding the reservation of places for students from disadvantaged areas, the Colleges of Education operate direct entry schemes for such applicants. The intake of students via this stream of entry to initial teacher education programmes has admittedly been low; this is due to a number of factors including low numbers of applicants and the fact that some students from disadvantaged areas apply successfully for teacher education programmes via the ‘normal’ route. My Department will continue to monitor the intake of students from disadvantaged areas in the Colleges of Education and will liaise with the Colleges as necessary.

My Department continues to prioritise high quality in-career professional development for teachers and principals. There are a range of national programmes in place to support teachers’ professional and personal development covering such diverse areas as curricular or syllabus change, support for teaching and learning methodologies, improving teachers’ competence in the teaching of the Irish language as a communicative tool, child protection, student behavioural issues, development of leadership skills in schools, whole school planning, addressing the teaching of children with special educational needs and so on. In addition, the national network of education centres provides a range of local and summer courses for teachers, which respond to identified needs and advance the quality of teaching and learning generally.

### Capitation Grants.

1155. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase day to day funding for schools in real terms and double the capitation grant for primary schools; and if he will make a statement on the matter. [29413/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** This Government’s continued prioritisation of education is evidenced from our investment in 2009 of €9.6 billion — over treble what it was in 1997.

The increase of €302m in the Education budget for 2009 is therefore a real achievement in the current economic climate. Education is one of only three Government Departments to have increased funding in 2009.

The budget for education is showing an increase of just over 3% overall, while the 2.6% increase in current expenditure sets the growth in expenditure for education in 2009 second only to Social Welfare. The commitment in relation to doubling the capitation grant to primary schools can only be looked at and considered in the context of the overall economic and budgetary position.

I am aware of the funding pressures on schools and I fully recognise the contribution of parents fund-raising to support their local school. In relation to day to day funding for schools I have prioritised funding for primary schools.

The Education Budget for 2009 has provided for improvements to the overall level of day to day funding for primary schools which will see funding increase from €167 million in 2008 to almost €190 million in 2009.

This builds on the progress has been made in recent years that has seen the primary school capitation grant increased from €81.26 per pupil in 2000 to its current rate of €200. This represents an increase of 146% in the standard rate of capitation grant since 2000.

The primary capitation grant has been improved by more than €21 to bring the rate to €200 per pupil and the ancillary services grant for primary schools will also be improved by €3.50 to €155 per pupil.

[Deputy Batt O’Keeffe.]

Taken together, these increases mean that primary schools eligible for the full ancillary services grant will get €355 per pupil — or almost €25 extra — in this school year to cover their day to day running costs, with a primary school of 300 pupils getting €7,475 more. In 2000, a primary school with 300 pupils was in receipt of less than €40,000 to meet its day to day running costs. That same school under these new rates will receive €106,500. This excludes the salary of teachers and Special Needs Assistants which are paid by my Department.

Furthermore enhanced rates of capitation funding are paid in respect of children with special educational needs who attend special schools or special classes attached to mainstream schools. The current rates range from €512 to €986 per pupil — an increase of 59% from the rate in 2006.

By any standards there have been very significant improvements within a relatively short period of time and the Government is committed to further increasing funding for schools as resources permit. While increasing resources is important, we must also focus on measures to enhance the quality of education in our schools to ensure that increased resources lead to the best possible outcomes for our children.

We are committed to investing in education but we have to invest at a level that is consistent with what we can afford and what is sustainable at the moment given economic circumstances. I am confident that as the global economy improves it will be possible to build again on the significant achievements of recent years and do so in a manner consistent with overall prudent management of the Irish economy.

### **Departmental Expenditure.**

1156. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to complete the process of equalisation of funding at second level within two years; and if he will make a statement on the matter. [29414/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The funding arrangements made by my Department for second-level schools reflect the sectoral division of our second-level system. At the core of all arrangements is reliance upon capitation as the principal determinant of funding.

My Department provides funding to secondary schools by way of per capita grants, which affords schools considerable flexibility in the use of these resources to cater for the needs of their pupils.

There have been significant improvements in recent years in the level of funding for voluntary secondary schools. With effect from January 2009, the standard per capita grant was increased by €14 per pupil and now amounts to €345 per pupil. In addition, voluntary secondary schools have benefited by the increase of €8 per pupil in 2009 in the support services grant bringing that grant to €212 per pupil.

The cumulative increase of €22 per pupil in a voluntary secondary school brings the aggregate grant to €557 per pupil. These grants are in addition to the per capita funding of up to €40,000 per school that is also provided by my Department to secondary schools towards secretarial and caretaking services. For example, in the case of a secondary school with 500 pupils, this brings annual grants towards general expenses and support service to over €318,500. The corresponding figure in 2000 was approximately €147,300.

Budget allocations for schools in the Community and Comprehensive school sector, along with those in the VEC sector, are increased on a pro rata basis in line with increases in the per capita grant paid to voluntary secondary schools. All schools are eligible for recurrent per capita grants towards special classes and curricular support grants.

My Department has provided an estimated €18.4 million per annum to voluntary secondary schools in equalisation funding to date.

These significant increases in the funding of post-primary schools are a clear demonstration of my commitment to prioritise available resources to address the needs of schools. I will consider how best to complete the process of equalisation of funding at second level, as envisaged in the Programme for Government 2007-2012, having regard to available resources.

### **Waste Management.**

1157. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to examine the provision of waste and water allowances to schools, with charges becoming effective after these agreed allowances are exceeded; and if he will make a statement on the matter. [29415/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am very much aware of the cost pressures on schools, including those arising from waste charges and the changes in relation to water charges.

With regard to waste charges, there is a commitment in the Programme for Government to examine the feasibility of introducing waste allowances for schools. The progression of this commitment is primarily a matter for my colleague, the Minister for the Environment, Heritage and Local Government. My predecessor was in contact with the Minister for the Environment, Heritage and Local Government on this issue, and my Department will of course input to and support as required any work being done by that Department on the commitment.

The Government agreed a transition period to full water charges in the case of non fee-charging recognised schools. The Department of the Environment, Heritage and Local Government has advised local authorities of the detailed arrangements regarding the implementation of this decision.

The transitional arrangements afford schools the opportunity to put in place water conservation arrangements and practices and to undertake works that can help reduce water usage significantly before full water charges are introduced. By virtue of good water conservation, schools can be in a much stronger position to reduce the impact of water charges on their overall budgets.

Under the transition arrangements agreed by the Government, schools pay a flat rate per pupil fee as follows: 2007 — €3 per pupil; 2008 — €3.50 per pupil; and 2009 — €4 per pupil.

Guidance was also issued to schools on the most appropriate measures to minimise excess consumption of water and to reduce wastage where it exists. In addition, water conservation issues will continue to be addressed by my Department as a matter of routine where new schools are being built or where major renovations are being carried out to existing schools under the schools modernisation programme. Furthermore, those schools with very high water consumption will be identified and contacted with a view to introducing measures to help them reduce water usage.

In the context of reducing water costs for schools, it has been demonstrated that fitting simple water-saving devices to toilets and sinks can reduce water consumption considerably at

[Deputy Batt O’Keeffe.]

very little cost, as can other small works such as fixing easily identifiable leaks. Primary school authorities may use their annual minor works grant to fund such measures.

My Department remains in close liaison with the Department of Environment and Local Government regarding water conservation and is supportive of any initiatives by it and local authorities that will help reduce water costs for schools.

In relation to day-to-day funding for schools, I prioritised funding for primary schools in the recent budget, increasing the standard rate of capitation grant at primary level to €200 per pupil. The increases in the enhanced rates for special needs pupils in special classes and special schools brings the top rate up to almost €1,000 per pupil.

The capitation grant for post-primary schools has been increased by 4.3%, representing an increase of €14 per pupil, to bring it to €345 per pupil from January 2009. Voluntary secondary schools benefitted also from an increase in the school services support grant by €8 per pupil from January 2009. This means, for example, that a secondary school with an enrolment of 500 pupils will receive an additional €11,000 in funding in 2009.

While I clearly aim to improve funding as soon as circumstances permit, I am anxious to make the capitation grant mechanism the single funding channel for schools.

### **Schools Building Projects.**

1158. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to establish a developing areas unit in his Department to liaise with local authorities, identify locations where new schools are needed and ensure that they are delivered in the fastest possible timeframe; and if he will make a statement on the matter. [29416/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy will be aware the Programme for Government contains a commitment to establish a Developing Areas Unit to liaise with local authorities, identify where new schools are needed and ensure that they are delivered in the fastest possible timeframe. This Unit was established early in 2008.

This fast-track approach to the provision of school buildings delivered 26 major building projects in 2008 providing accommodation for about 7,000 students and ensured there was no shortage of pupil places. Twenty of these buildings consist of eight-classroom units and the remainder are 16-classroom units. They are located in areas which have experienced rapid population growth over the past number of years.

Vital to the successful delivery of the programme in 2008 was the co-operation of the relevant local authorities who worked closely with my Department on the acquisition of sites and on general pre-planning issues.

A further “rapid delivery” programme of urgently required new schools is being delivered in time for September 2009 opening.

The Forward Planning Section of my Department is identifying the areas where significant additional accommodation will be required at primary and post-primary level for 2009 and onwards.

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.

### Site Acquisitions.

1159. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to improve the arrangements for acquiring sites for schools; and if he will make a statement on the matter. [29417/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Programme for Government sets out a number of measures in relation to school provision including improving arrangements for the planning of new schools.

A Code of Practice in relation to “The Provision of Schools and the Planning System”, which was published in July 2008 sets out the best practice approaches that should be followed by planning authorities and by my Department in ensuring that the planning system plays its full part in facilitating the timely and cost-effective provision of school facilities.

This Code of Practice, which was published as a statutory planning guideline, sets out the fundamental principles or agreed actions that will foster greater partnership between the planning authorities and my Department.

These principles include:

1. Forecasting Future Education Demand,
2. Planning for New Schools through Local Authority Development Plans,
3. Planning Considerations relating to the location of schools,
4. Site Development Standards,
5. School Development Proposals and the Development Management Process,
6. School Site Identification and Acquisition.

### Schools Building Projects.

1160. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ensure the maximum use of the top class standard designs for primary schools that have been developed to deliver new buildings in the fastest timeframe possible; and if he will make a statement on the matter. [29418/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Professional and Technical staff in my Department continuously review and update the design of school buildings. A suite of technical guidance documents is available on my Department’s website to assist external design teams in best practice in the design and development of projects and to encourage a complete design team approach from project conception to completion.

My Department has developed Generic Repeat Designs and flexible design templates to reduce the cost, speed up the delivery of new schools particularly in developing areas and ensure that the most up to date technologies are used. Innovative methods, using appropriate off site construction technologies, have been employed to provide new school buildings in developing areas in very short timeframes.

1161. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to prioritise energy efficiency and eco design in new school buildings; and if he will make a statement on the matter. [29419/09]



**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department is at the forefront of design with respect to energy efficiency in school buildings and this performance has been recognised at both national and international level with sustainable energy awards for excellence in Design and Specification.

The Department’s Technical Guidance Documents which set the benchmark for low energy design in schools are clearly focused on energy efficiency and are based on solid energy research projects.

It has been demonstrated that all Primary Schools designed and built in line with the above policy and the technical guidance documents can have an energy performance that is 2.3 times more efficient than international best practice and nearly five times more efficient than schools built in the late 1980s.

My Department’s policy is supported by a strong research programme with over thirty research projects at various stages currently in hand.

A hybrid approach is taken with respect to low energy design in schools based on maximising natural resources and energy efficient technologies. Schools are positioned to maximise gain from the sun during the day for passive solar heating and natural daylight. Passive solar design saves 20% of the early morning heating period and adequate natural daylight when combined with automated lighting systems in the classrooms can eliminate the need for electrical light for up to 80% of the schools teaching hours.

Energy efficient boilers and individual room temperature controls combined with a strong emphasis on air tight testing and high insulation levels minimise heat requirements. Water usage is minimised through automatic shut off taps and dual flush toilets, while local water blending valves are provided to prevent scalding and rain water recovery is provided.

My Department is conducting a demonstration and research project to evaluate the suitable application and performance and compatibility of biomass systems with school heating requirements in terms of heating demand characteristics, controls, reliability, fuel storage and maintenance and operation. This project comprises the design, installation and monitoring of Biomass heating systems in Primary and Post Primary Schools. Fifteen boiler systems are presently installed.

The project also includes the development of a good practice guide for the design and installation of biomass heating systems in schools specifically aimed at school design teams and managers and will lead to the development of a suite of case studies on the selected projects.

Furthermore, in order to improve energy efficiency in existing schools I have introduced a new €20 million scheme to improve roof and cavity wall insulation levels in school buildings across the country. The devolved energy efficiency scheme, which is being implemented with the help of Sustainable Energy Ireland, allows schools to apply for funding on a once-off basis to upgrade the fabric insulation in attics and the external cavity walls of their buildings. My Department is providing 100pc grant-aid for these projects which can be carried out over the summer months, weekends or other times when the schools are closed.

To expedite claims and streamline the application process for the scheme, an on-line application form, frequently asked questions and other guidance documents for schools are on [www.energyeducation.ie](http://www.energyeducation.ie).

### **School Accommodation.**

1162. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to promote and support the use of school facilities by community groups and other appropriate services and design new



schools in order to facilitate multi use; and if he will make a statement on the matter. [29420/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The primary responsibility of my Department in this area is the provision of school facilities for the effective delivery of the primary and post-primary curricula. In addition, school authorities have a considerable degree of autonomy in relation to how their premises are managed and utilised at local level.

However, the Government recognises that there is a lack of recreational facilities for community use in certain areas which could be met if school premises were made available to the wider community. To encourage schools in this respect, my Department issued a circular to all school authorities in late 2005 urging trustees and Boards of Management to make their facilities available, where possible, for community education and recreation purposes.

Decisions in relation to the use of school facilities remain entirely at the discretion of the school authorities, subject to the condition that the needs of the students attending the school are prioritised in the first instance. It is also important that schools should ensure that insurance and security are covered as it is unlikely that the school’s insurance policy would cover non-school activities or that a caretaker would be routinely available to open/lock up premises.

My Department has also progressed a number of school building projects within the Fingal and Adamstown areas of Dublin with local authorities/developers to produce an integrated solution to education and community facilities that matches the delivery of new housing.

In respect of PPP schools, the contract arrangements provide for school facilities to be available for community use when not required by the school.

My Department’s position generally is that the availability of such facilities should be self-funding i.e. adequate to cover the heat/light/caretaking arrangements as well as making some contribution to the repair of wear and tear on premises caused by increased use.

### **Schools Building Projects.**

1163. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to abolish the local contribution to building projects and to the rental of accommodation; and if he will make a statement on the matter. [29421/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy is aware, the Programme for Government contains a commitment to abolish the local contribution towards the costs of school building projects and the rental of school accommodation. This matter is currently under consideration within my Department.

### **Schools Refurbishment.**

1164. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase the minor works grant 1999 to improve funding to schools to maintain their buildings in good condition; and if he will make a statement on the matter. [29422/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In November 2006 the funding for the minor works grant was increased by 44% on the previous year. Around €27m was paid out that year and a similar amount for the 2007/8 and 2008/9 school years to primary schools throughout the country to enable thousands of small scale works to be completed without the

[Deputy Batt O’Keeffe.]

need to interact with my Department. Individual primary schools received a grant in the sum of €5,500 plus €18.50 per pupil.

The level of grant to be paid under the grant scheme for the 2009/2010 school year will be considered in the context of available funding.

### **Schools Building Projects.**

1165. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ensure that when the State builds a new school on land which it owns, the building will be in the ownership of his Department; and if he will make a statement on the matter. [29423/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** All buildings constructed on land in the ownership of the State remain in the ownership of the Minister or a Vocational Education Committee as appropriate.

### **School Staffing.**

1166. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase the number of release days for teaching principals at primary level and expand the pilot scheme of substitute cover for principals release days; and if he will make a statement on the matter. [29424/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** All Programme for Government commitments to improve public services are contingent on the economic and budgetary environment and the need for prudent expenditure and fiscal management. The commitment in relation to increasing the number of release days for teaching principals and expanding the pilot scheme of substitute cover for principals release days can only be looked at and considered in the context of the overall economic and budgetary position that might prevail in the coming years and the competing priorities for available resources.

### **In-service Training.**

1167. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide improved training options for principals, middle management and aspiring school leaders; and if he will make a statement on the matter. [29425/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Since 2003 the Leadership Development for Schools Programme (LDS) has expanded the range of supports and services that it offers to school leaders and over 9000 teachers from principals to middle managers have successfully completed LDS module programmes such as Misneach, Spreagagh, Forbairt, Tánáiste, Cumasú and Cothú. This investment has now led us to a point where there are structured professional development opportunities for all school leaders in our system from their point of appointment to day of retirement.

In September 2008 LDS, in conjunction with NUI Maynooth, introduced Toraíocht, a formal training programme for aspiring school leaders. The Toraíocht Programme was designed in conjunction with the Department of Education at Maynooth and the wider educational partners and responds to the need for professional development that prepares school leaders of the future. 160 places were available on the programme and in total 240 applicants sought a place. This programme leads to an award of a Post-Graduate Diploma from NUI, Maynooth. For the

next round of Toraíocht which is scheduled to commence this September there were over 200 applicants for the 160 places.

### **School Staffing.**

1168. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to review the role of middle management and put a new system in place; and if he will make a statement on the matter. [29426/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** This is one of a number of commitments which are being advanced under the auspices of the Teachers Conciliation Council, which is the agreed forum for dealing with the pay and conditions of service of Teachers. The Parties to the forum include representatives of the managerial authorities of schools, the teacher unions and the Departments of Education & Science and Finance. The purpose is to ensure that maximum benefit is derived from the management structure in schools to assist school authorities in the running of schools.

### **Information and Communications Technology.**

1169. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to maximise the use of information technology to cut down on administration and put a database in place to track primary pupils; and if he will make a statement on the matter. [29427/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department continues to seek to reduce the administrative overhead for schools through the use of information technology most notably in providing on-line facilities to streamline the collection of data and reduce the number of manual tasks. The esinet portal through which these on-line services are delivered already provides an On-Line Claims System (OLCS) which allows each primary school and Voluntary Secondary, Community and Comprehensive school record absences and submit claims to the Department for the payment of casual and non casual teachers and Special Needs Assistants. This system has significantly reduced the process of manual form filling at school level and manual data input at Department level. A Returns service has also been provided to enable post primary schools upload pupil data.

With regard to the database to track primary pupils, it has not been possible to begin the development of the Learners Database this year however it is intended that it will proceed as soon as resources permit.

### **In-service Training.**

1170. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ensure that the new boards of management that will take up office in 2007 have access to training support on a wide range of issues; and if he will make a statement on the matter. [29428/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Intensive training for boards of management at both primary and post primary level has been taking place since 2007. The essential core areas that are covered in the training are Financial Management, Child Protection Guidelines, Health & Safety, Employment Law and Human Resource Management. Other areas that are covered in training include Background Information re: the Education System, Role and Function of the Board, How a BoM Operates, Policies and Procedures. All represen-

[Deputy Batt O’Keeffe.]

tative bodies form part of the Steering Committee for BoM training and these bodies also provide training in additional areas which they identify pertaining to their respective values.

The BoM Training is administered by Drumcondra Education Centre.

My Department has provided funding of €1,060,000 to date for this training which has proved extremely worthwhile and will remain committed to ensuring that the boards of management of schools will continue to receive appropriate training to tackle the issues that they will face in the ever changing needs of schools.

### **Physical Education Facilities.**

1171. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide a dedicated fund for investment in physical education facilities for schools; and if he will make a statement on the matter. [29429/09]

1173. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide physical education equipment grants to schools every three years; and if he will make a statement on the matter. [29431/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1171 and 1173 together.

The Government is committed to promoting appropriate levels of exercise for our children and young people — both in their communities and at school. In a new school building or refurbishment/extension, PE facilities are included as an intrinsic part of the design.

A special PE funding package of €6.5 million issued in 2006 to primary schools, and in 2007 a similar package of €3 million issued to post-primary schools. In addition, since 2000, my Department has provided in excess of €5.5m in grant-aid to primary schools to facilitate the provision of coaching or mentoring in connection with physical education or to purchase resource materials associated with the provision of physical education. Such materials and equipment would normally have a useful life of several years.

The extent and quality of local sports facilities has been improved dramatically in recent years, with more than €450 million invested by the Government since 1998 in over 5,000 projects through the Sports Capital Programme. At the same time, PE, general purpose and outdoor play facilities have been provided for schools all over the country through the School Building Programme.

Expenditure on PE equipment and PE facilities in schools will arise for consideration in the context of the funding available for my Department’s multi-annual School Building and Modernisation Programme.

1172. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to make physical education mandatory at second level and put a revised PE curriculum for senior cycle students in place; and if he will make a statement on the matter. [29430/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In accordance with the Rules and Programme for Secondary Schools, all second-level schools should provide Physical Education as part of the curriculum. The programme that each school plans and delivers should be based on my Department’s approved syllabuses and the teaching hours should be registered in

the school timetable. The syllabuses have been developed on the basis of a time allocation of two hours per week.

A revised syllabus in Physical Education as a non examinable subject at Junior Cycle was introduced in post-primary schools in September 2003 and implemented on a phased basis over the period to 2005, supported by a comprehensive programme of professional development for teachers. No date was agreed for implementation at senior cycle, and issues concerning the inclusion of PE as an examination subject at Leaving Certificate level remain to be addressed. In the meantime, the National Council for Curriculum and Assessment made proposals for a fundamental re-structuring of senior cycle into subjects, short courses and transition units. The proposals included the provision of PE as a subject, and the inclusion of a short course in Sports Studies. It was considered that the inclusion of PE as both a subject and Sports Studies short course could only be examined within the broader context of plans for senior cycle reform generally.

The Council has continued to undertake further analysis and development work with schools on the issue of senior cycle reform. It currently has a specialist committee working on a syllabus for Leaving Certificate Physical Education and will have a draft available for consultation with schools towards the end of the current year. When revised proposals are submitted to my Department, the implementation implications will be examined in the context of the overall priorities and resources available to the education sector at that stage.

This Government has worked hard to improve the opportunities for young people to get physical exercise both in school and in their local communities. In a new school building or refurbishment/extension, PE facilities are included as part of the design, and new PE equipment such as balancing benches and gym mats are funded as part of any major building programme.

A special PE funding package of €3 million issued to post-primary schools in 2007, providing a grant of €4,000 per school towards the cost of replacing and upgrading PE equipment. This grant was issued, as a once-off measure, to enable schools to replace older equipment such as goalposts, PE mats, benches etc.

So, through an increased focus on exercise in school and in the community, we are working to encourage more children and young people to get active. Indeed, the second “State of the Nation’s Children” report launched recently by the Minister for Children and Youth Affairs found that children in Ireland are doing well on physical activity, ranking first across the 41 participating countries in being physically active for at least 4 hours per week.

*Question No. 1173 answered with Question No. 1171.*

### **School Staffing.**

1174. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase the number of guidance counsellors at second level; and if he will make a statement on the matter.  
[29432/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department makes a specific allocation of teaching posts in respect of guidance to schools in the second level system. This allocation is based on the pupil enrolment in September of the preceding school year.

As a result of the decision to allocate an additional 100 posts to guidance from September 2005 an enhanced guidance allocation provision has been put in place from the commencement of the 2005/06 school year. This enhanced provision means that in the case of schools in the Free Education Scheme, the level of allocation ranges from 8 hours per week for schools with



[Deputy Batt O’Keeffe.]

enrolments below 200 pupils to 47 hours per week for schools with an enrolment of 1,000 pupils or more. The additional posts included provision for a further improvement in the allocation of Guidance hours for post-primary schools participating in the DEIS programme — Delivering Equality of Opportunity in Schools. The allocation for these schools now ranges from 11 hours per week for schools with enrolments below 300 to 55 hours per week for schools with an enrolment of 1,000 pupils or more. There are currently a total of 708 whole time equivalent posts allocated for guidance in post primary schools.

All Programme for Government commitments to improve public services are contingent on the economic and budgetary environment and the need for prudent expenditure and fiscal management. The commitment in relation to increasing the number of guidance counsellors at second level can only be looked at and considered in the context of the overall economic and budgetary position that might prevail in the coming years and the competing priorities for available resources.

### **Road Safety.**

1175. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ensure that education is provided in road safety at different stages of the school system, including a specific transition year course; and if he will make a statement on the matter. [29433/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I believe that schools have a role to play both in teaching students about road safety issues and in helping them to develop the attitudes necessary to promote safe behaviour on the roads.

The Social Personal and Health Education (SPHE) programme, which is mandatory in primary schools and at junior cycle level, provides a framework under which the generic values and skills which underpin responsible decision-making, and respect for the rights and safety of others, can be developed and promoted among students. SPHE has a specific personal safety strand within the programme, and this provides a mechanism through which road safety issues for all can be best dealt with in an age appropriate way.

In February of 2007, the Road Safety Authority launched the RSA MACE “Safe to School” campaign at primary level. The programme is aimed at helping primary school children learn effective road safety lessons. The 2007 campaign covered walking to school safely, in 2008 the campaign is focused around the topic of Cycling to School Safely. A dedicated website, [www.safetoschool.ie](http://www.safetoschool.ie), has also been launched as part of the campaign.

The Streetwise programme for junior cycle pupils was launched in UN Road Safety Week on 24 April 2007. It covers road safety across 9 topics — walking, cycling, seatbelts, airbags, speed, driver fatigue, motor cycle safety, hazard recognition and the engineering aspects of road safety — to be delivered over nine class periods.

In addition, a Road Safety programme for Transition Year, developed by the Road Safety Authority in collaboration with my Department, the National Council for Curriculum and Assessment and the Second level Support Service was introduced as a mainstream option in September 2008 following a successful pilot phase.

My Department will continue to work with the Road Safety Authority to strengthen the role of schools in promoting road safety even further. A range of measures are also being taken to promote safety on school buses.



### **Stay Safe Programme.**

1176. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to require all primary schools to implement the stay safe child abuse protection programme; and if he will make a statement on the matter. [29434/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Continuing Professional Development to support the implementation of the Stay Safe programme is provided by the Child Abuse Prevention Programme (CAPP). Results of a survey on the uptake of Stay Safe carried out by CAPP and my Department in 2006 showed that at that time: 2,514 schools (84.19%) were providing the programme; 472 (15.81%) were not providing the programme; and 263 schools (8.8% of respondents) were not teaching the sections on inappropriate sexual contact and secrecy.

Of the 472 schools that were not teaching stay safe, 240 (8.0% of respondents) reported that child abuse prevention was covered as part of the curriculum.

Following this survey my Department has been taking a targeted approach to the provision of training. Two additional primary school teachers were seconded to CAPP in September 2007 to assist with this training which is being directed at those schools that had indicated they are not implementing the programme.

The following table illustrates the most up to date position in relation to the provision of training by CAPP for teachers in the 735 schools that were either not providing the programme, or not teaching particular sections of it:

- Total in Target Group — 735.
- Training Delivered/Organised — 488.
- Further follow up required — 177.
- Have not yet availed of training — 70.

The figure of 488 schools that have received training quoted above represents training for 3,660 teachers and 802 special needs assistants.

In addition to this targeted training, CAPP continues to provide in-service training and support to all primary schools on request.

In the 2008/2009 school year CAPP has provided training to approximately 979 schools, over 6,000 teachers and 1,400 special needs assistants.

### **Student Councils.**

1177. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to encourage the establishment of student councils and provide for formal liaison arrangements between them and their school’s board of management; and if he will make a statement on the matter. [29435/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Education Act 1998 provides for the establishment of student councils, intending them to play an integral and important role in the post-primary school community. Student councils provide a representative structure through which students can debate issues of concern and undertake initiatives of benefit to the school and wider community.

[Deputy Batt O’Keeffe.]

Section 27 of the Act, requires Boards of Management of schools to establish and maintain procedures for the purposes of informing students in a school of the activities of the school. The procedures established and maintained for this purpose shall facilitate the involvement of the students in the operation of the school, having regard to the age and experience of the students, in association with their parents and teachers. Students of a post-primary school may establish a student council and a board of management of a post-primary school shall encourage the establishment by students of a student council and facilitate and give reasonable assistance to students who wish to establish a student council and to student councils when they have been established.

An assistant National Co-ordinator with responsibility for student councils was appointed to the Second Level Support Service in 2007. This co-ordinator has designed and is delivering a programme of professional development to respond to the identified needs and to support teachers with establishing student councils in their schools. In addition, this co-ordinator provides support to the whole school: management, staff and the students prior to establishing its students council and to the students on the council, following their election.

As part of Whole School Inspection, the Inspectorate engages with the student council of the school and where there is no council they recommend that a council should be established. Information on the establishment of a student council is available on a school by school basis from the school’s inspection reports.

Both the work of the Inspectorate and the National Co-ordinator provide valuable information to my Department in relation to the establishment of student councils across post primary schools. My Department understands that student councils have been established in the majority of post-primary schools and that the remaining schools are in the process of establishing councils.

### **School Curriculum.**

1178. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the Programme for Government to complete the senior cycle review that is currently being undertaken by the National Council for Curriculum and Assessment; and if he will make a statement on the matter. [29436/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The NCCA proposals for reform envisaged re-structuring of senior cycle programmes into subjects, short courses and Transition Units, a strengthening of practical project and portfolio assessment, a spread of assessment events with subjects having two assessment components, and embedding of key skills into subjects.

In response, the then Minister Mary Hanafin. T.D. welcomed the embedding of core skills, the inclusion of a second assessment component, and the moves to standardise transition units. She asked that change be implemented on a phased basis over a significant period of time, minimising disruption, taking account of logistical and cost factors and system capacity to change. The Minister asked the NCCA to prioritise the reconfiguration of subjects generally within the Leaving Certificate in order to embed key skills, and to provide for a second assessment component. She indicated her concern the TYP should remain as a single year programme for equity reasons. On short courses, she asked the NCCA to develop as an exemplar a short course in Enterprise education, building on the existing Links Modules, so that the Department could better assess the implementation issues.

The NCCA has established a network to undertake development work with schools. A standardised framework for Transition Unit descriptors has been developed, and organisations are using these as new programme options for TYP are being developed. Reforms are under way in Irish to strengthen oral competence and to increase the proportion of marks for the oral examinations to 40% for all new entrants to second level from 2007/8.

The NCCA has submitted short courses in Enterprise and Psychology and a curriculum framework for Social Personal and Health Education at senior cycle to the Department for consideration, but I am not in a position to advance implementation of these at present. The Council is also engaging in consultation with schools on a new subject, Politics and Society in senior cycle, and on revised draft syllabuses in Leaving Certificate Physics, Chemistry and Biology.

A revised syllabus in Design and Communications Graphics and a new subject Technology were introduced in 2007 and examined for the first time in the Leaving Certificate 2009.

1179. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to review the format and content of transition year; and if he will make a statement on the matter. [29437/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The proposals of the National Council for Curriculum and Assessment for reform of senior cycle envisaged a re-structuring of programmes into subjects, short courses and transition units. The Council proposed the development of Transition Units as 45 hour units of study which would provide a broad range of experiences for learners, incorporating innovative methodologies and supporting the development of key skills. The Council proposed that school based assessment would be inbuilt into each transition unit, and models for the validation of schools to develop their own Transition Units would be explored.

The units would cover such areas of learning as creative applications, skills, personal achievement, sampling of subjects, enterprise, civic and social education, and work and future.

In response, the then Minister Mary Hanafin TD welcomed the measures to standardise transition units, and indicated her concern that the Transition Year Programme should remain as a single year programme for equity reasons.

The NCCA has established a network to undertake development work with schools. A standardised framework for Transition Unit descriptors has been developed, and organisations are using these as new programme options for TYP are being developed. The descriptors are designed to promote better planning and communication and provide for greater clarity and coherence in the implementation of the programme. They require schools to set out the aims of the unit, its learning outcomes, how key skills are being integrated, what methodologies and assessment approaches will be taken and how it will be evaluated.

New Transition Units have been developed and posted to the NCCA website in a range of areas and a guide has been produced to help schools to develop their own units in keeping with the descriptor format. Schools may forward their Transition Units to the NCCA for further feedback and support. Guidelines have also been developed for agencies and non governmental organisations wishing to develop a Transition Unit, and a range of Transition Units are currently being developed by these bodies.

1180. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ring-fence funding for science laboratories, improve science equipment in schools, and ensure a greater focus on

[Deputy Brian Hayes.]

high quality science education at all levels; and if he will make a statement on the matter. [29438/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As part of the multi-annual school building programme, the Government has invested heavily in the modernisation of school facilities throughout the country including science facilities in post-primary schools. Provision of science facilities is an intrinsic part of all major projects at post-primary level.

Schools have also received devolved capital grants under the Summer Works and Emergency Works Schemes to enable them to refurbish science laboratories.

Additionally, the Government has funded the provision of class materials, basic general equipment and chemicals for practical work for the Sciences. My Department also spent in excess of €13m in 2004 to facilitate the introduction of a revised Junior Science syllabus. Schools received a basic grant of €3500 per science laboratory to enable them to provide the new curriculum.

Expenditure on science laboratories and science equipment in schools will arise for consideration in the context of the funding available for my Department’s multi-annual School Building and Modernisation Programme.

1181. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase resources and services for gifted children; and if he will make a statement on the matter. [29439/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Schools at both primary and second level use strategies such as curriculum differentiation, curriculum enrichment and acceleration to facilitate the development of pupils who are exceptionally able.

Recently devised syllabi and curricula for second-level schools have been designed in such a way to enable teachers cater for the wide range of pupil ability. The revised primary curriculum, which has been supplied to every primary teacher, recognises the importance of developing the full potential of the child and caters for pupil diversity, including meeting the needs of exceptionally able pupils.

Content is outlined in the curricula at both levels and process is also heavily emphasised. Enabling children to learn how to learn is stressed and facilitated. The development of language skills, investigatory and problem-solving skills, higher-order thinking skills and working individually, and as a member of a group, are all encouraged at both levels. While the use of information and communication technologies and the use of class and school libraries are of benefit in project work with all pupils, they have a special importance for pupils who are exceptionally able.

In addition, the National Council for Curriculum and Assessment (NCCA), in collaboration with its counterparts in Northern Ireland, the Council for Curriculum Examination and Assessment, has produced draft guidelines for teachers of exceptionally able students. These guidelines issued to all Primary and Post Primary schools in November 2007 along with a questionnaire for feedback. Over the last few months the NCCA has sought feedback on the draft guidelines from teachers, school management and other interested individuals and organisations.

These draft guidelines are designed to raise awareness of the social, emotional and academic needs of exceptionally able students and to assist teachers in planning their teaching and learning. They feature ways in which teaching and learning can be effectively differentiated for such

students, in particular how learning skills can be embedded in increasingly complex content. Case studies included in the guidelines present rich real-life contexts which consider the issues around exceptionality through the eyes of teachers, parents and students.

The Special Education Support Service also provides support for school personnel working with talented/gifted students.

The 1998 Education Act requires Boards of Management of each school to publish the policy of the school relating to participation by students with special educational needs, including students who are exceptionally able. The measures schools take in this regard are required to be stated in the school plan. It is the duty of the Board of Management to ensure that appropriate education services are made available to such students.

1182. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to encourage more schools to offer alternative curricula such as the junior certificate schools programme and the leaving certificate applied course; and if he will make a statement on the matter. [29440/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** There are currently 221 schools/centres offering the Junior Certificate School Programme (JCSP), and the Leaving Certificate Applied (LCA) is currently offered in some 380 schools/centres and taken by around 6% of students each year.

The DEIS (Delivering Equality of Opportunity in Schools) Action Plan for Educational Inclusion provides for extended access to the JCSP for second-level schools with the highest concentrations of disadvantage. An additional 30 schools joined the programme in 2007, and a further 24 schools joined in 2008.

Arrangements are being made for the final phase of rollout of JCSP to DEIS schools in 2009/10. Participation in the programme is supported by an enhanced pupil:teacher ratio and by the provision of professional development support to schools and teachers.

Participation in the Leaving Certificate Applied programme is also supported by an enhanced pupil:teacher ratio and by the provision of professional development support to schools and teachers. Given the budgetary situation my Department is not in a position to approve further expansion of the Leaving Certificate Applied Programme at present, except where schools can deliver it from within existing resources. Schools already offering the programme are not affected by this.

In the October Budget, a number of separate grant payments to second-level schools were abolished including the those for the Junior Certificate School Programme and the Leaving Certificate Applied.

However, I made provision for the rates of capitation grant for post-primary schools to be increased by 4.3%, representing an increase of €14 per student, to bring it to €345 per student from January 2009. In addition, voluntary secondary schools will benefit from an increase of €8 per student in the school services support grant from January 2009. This will mean, for example, that a secondary school with an enrolment of 500 students will receive an additional €11,000 in funding in 2009.

### **Youthreach Programme.**

1183. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase the number of Youthreach places in line with Towards 2016; and if he will make a statement on the matter. [29441/09]



**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Towards 2016 provided for an increase of 1,000 places on the Youthreach programme from 2007 to 2009. In 2007, funding was provided for 400 places and these were allocated to VECs. As a result there are almost 3,700 places available nationwide on the Youthreach programme in over 100 centres run by VECs.

Due to the difficult budgetary position it has not been possible to allocate further funding for the creation of additional places.

#### **Disadvantaged Status.**

1184. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide a scholarship scheme for children from disadvantaged areas to attend courses in the Gaeltacht and funding for summer courses in the children's local areas; and if he will make a statement on the matter. [29442/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** With regard to the summer courses in Irish for primary school children in designated disadvantaged schools, these commenced on a pilot basis in 2007 and are referred to as Campaí Samhraidh. Children's command of Irish is improved through participation in a range of activities, including music, arts and crafts and games, conducted through the medium of Irish. The programmes are developed by teachers working to guidelines produced by the Department of Education and Science. The scheme is run by Dublin West Education Centre in conjunction with the Primary Professional Development Service. A grant of €5420 is paid to each participating school to cover the project costs. In 2009, funding of €160,000 has been provided to cover the costs of training the teachers and project costs for participating schools. There are 20 schools participating in the week long course and each school has capacity for up to 36 students from 3rd to 6th class.

The Gaeltacht Scholarship scheme has been established. It is designed to enable children enrolled in designated disadvantaged post-primary schools to attend Coláistí Gaeilge. In 2007, 91 students availed of the scheme at a cost of €66,554 and 128 students availed of the scheme in 2008 at a cost of €100,454.

#### **Information and Communications Technology.**

1185. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment made in the programme for Government to give the opportunity to second level students to acquire an ECDL qualification in computers by the time they leave school; and if he will make a statement on the matter. [29443/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The curriculum in schools is devised on the basis that ICT is not a subject but rather a tool to be integrated into the teaching and learning of all subjects. The National Council for Curriculum and Assessment has developed an ICT framework which sets out a structured approach to ICT in curriculum and assessment. This sets out the types of learning appropriate for students during the period of compulsory education, and provides a guide to teachers for embedding ICT across the curriculum. It is supported by a website which will provide exemplars of teaching and learning in different settings, and show the classroom application of learning outcomes and demonstrations in the ICT framework. The overall implementation of ICT in schools is supported by the National Centre for Technology in Education which provides for extensive training and guidance for schools on the integration of ICT into teaching and learning.



The European Computer Driving Licence is a widely used private sector qualification providing basic competences in a range of functions such as word-processing, spreadsheet, database, presentation, web browsing and e-mail. There are also other qualifications attesting to similar or higher levels of skill, some of which are included in the national framework of qualifications. The 2005 census of post primary and special schools undertaken by the National Centre for Technology in Education indicates that 75.7% of schools, and 46% of special schools, offered certification opportunities in ICT. 74% of post primary schools and 32% of special schools offered external certification, primarily using ECDL. Other awards in ICT offered included FETAC, City and Guilds, Royal Society of Arts, Microsoft, etc. Many schools offer ECDL as part of the Transition Year Programme.

### **DEIS Programme.**

1186. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to compete the roll-out of the DEIS action plan to ensure a comprehensive package of targeted supports for school children in the most disadvantaged areas; and if he will make a statement on the matter.  
[29444/09]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** DEIS (Delivering Equality of Opportunity in Schools), the action plan for educational inclusion, provides for a standardised system for identifying levels of disadvantage and an integrated School Support Programme (SSP). As a result of the identification and review processes, 876 schools have been included in the School Support Programme (SSP) under DEIS. These comprise 673 primary schools (urban and rural) and 203 second-level schools. The plan, which is being rolled out on a phased basis over the period 2005 to 2010 involves an additional annual investment of some €40m on full implementation. It has also involved the creation of about 300 additional posts across the education system generally.

Since DEIS was launched in 2005, considerable progress has been made in relation to the roll out of supports to participating schools. All DEIS schools are supported by the provision of additional financial supports. In respect of the 2008/09 school year, grants amounting to approximately €10.5 million issued to the 673 DEIS Primary schools while almost €3.4 million was paid in the course of the year in respect of the 203 DEIS Post Primary schools.

In addition to this approximately €1million was paid to 74 Post Primary Schools receiving grants under pre-existing schemes while some 1,900 primary schools received almost €3.3 million of grant assistance to assist them with their respective levels of dispersed disadvantage.

2006 saw the implementation of targeted class size reductions of 20:1 in junior classes and 24:1 in senior classes in urban/town primary schools serving the most disadvantaged communities.

In line with DEIS priorities there has been a significant development of literacy and numeracy programmes, including Reading Recovery and Ready set go, maths for schools in the urban primary strand of DEIS. Support has been extended to 19 family literacy project.

Access to the Junior Certificate School Programme (JCSP) has been extended with 23 DEIS schools joining the programme in 2008/2009. The JCSP is now available in 163 DEIS schools. 138 DEIS schools are currently providing the Leaving Certificate Applied (LCA) programme, 5 of these schools joined in 2008/2009.

There are currently 25 DEIS schools in the Demonstration Library Project of the targeted top 50 DEIS schools, including 10 schools that joined the project in 2008/2009.

[Deputy Seán Haughey.]

During 2006 Home School Community liaison and School Completion Programme services were extended to those urban/town primary schools and second-level schools not already benefiting from them. Access to teacher/co-ordinator support for any of the rural primary schools, not already in receipt of such support under a previous measure has also been implemented.

An additional 80 posts were provided under DEIS for the expansion of HSCL and in the region of €30 million has been allocated to HSCL for 2009. 184,000 pupils attending 651 schools (281 post primary and 370 primary) have access to Home School Community Liaison, with approx. 50,000 of these pupil's families being specifically targeted for the services of 450 local Home School Community Liaison Coordinators.

Some €31 million has been allocated to the School Completion Programme in the current school year. 124 projects, targeting over 36,000 young people, are now participating in the School Completion Programme and spanning 26 counties. The 124 projects includes 81 projects originally selected to participate in SCP in 2002 and 43 new SCP clusters created in 2006/07 including the new DEIS schools.

Templates for three year action plans to support school planning were introduced into schools in the primary strand of DEIS during autumn 2007. Planning templates have been introduced in DEIS post primary schools in the current school year.

My Department has commenced a comprehensive evaluation of measures under DEIS that will continue over the period to 2010.

### **Literacy Levels.**

1187. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ensure that all children are tested in literacy and numeracy at two stages during their primary school education; and if he will make a statement on the matter. [29445/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department issued Circular 0138/2006 in December 2006 to primary schools requesting that they ensure that standardised testing is implemented on an annual basis for all pupils in English reading and Mathematics at the end of first class or the beginning of second class, and at the end of fourth class or the beginning of fifth class, beginning in the calendar year 2007.

The introduction of the measure was supported by a national programme of teacher professional development in assessment for learning. Grants of €1.65m, €1.7m and €1.76m issued to schools in December 2006, December 2007 and December 2008 for the cost of test materials, teachers' manuals, test scoring services or test-related software.

The implementation of standardised testing at school level is being complemented by a separate programme of national monitoring so that national trends in different categories of school can be tracked over time. Schools in the DEIS programme have already been sampled by the Educational Research Centre for this purpose, the sample of English medium schools has been undertaken this year, and Irish medium schools will be sampled in 2010. The development work for this was completed in 2008.

Guidelines on assessment developed by the National Council for Curriculum and Assessment were published in October 2007 and issued to all teachers to assist schools in developing and implementing a policy on assessment practice in classrooms and on reporting to parents.

### **Disadvantaged Status.**

1188. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to recruit extra staff to the Educational Welfare Board and the National Educational Psychological Service, both of which will prioritise disadvantaged schools; and if he will make a statement on the matter. [29446/09]

**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 National body with responsibility for school attendance. The general functions of the Board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The service has been developed incrementally, and, in April 2007, sanction was given to the Board for 15 additional staff bringing the total authorised staffing posts to 109 of which 104 are currently filled. In 2009 the allocation to the Board is €9.9 million. The funding allocation to the Board has increased incrementally as the service developed and since its establishment in 2003.

In May this year I announced plans to expand the remit of the NEWB with effect from the 1st September 2009, to include responsibility for the Home School Community Liaison (HSCL), the School Completion Programme (SCP) and the Visiting Teacher Service (VTS) for Traveller pupils as well as the National Educational Welfare Service. The expanded remit will bring together four individual services under one common management team thereby providing for a single, more focused, strategic direction at local, regional and national levels reflecting equally the nature and strength of each of the services.

The integration of these services brings together some 750 personnel employed throughout the country under the management of the new expanded NEWB. The underlying rationale for this new single strategic approach, acknowledging and utilising the combined strengths and capacities of the four services, is to deliver better outcomes for children, families and schools.

Combining these four services to deliver a composite service at national, regional and local levels is a positive development and one that will in time realise significant benefits. During the transition to full integration all services are committed to maintaining continuity of services to children, families and schools.

The National Educational Psychologist Service currently has a staffing complement of 159 psychologist staff distributed over some 22 regional and local offices nationwide.

As the Deputy is aware, in regard to further improving the service to schools, I was pleased to announce recently, an increase in the funding available to NEPS which will allow for the recruitment of additional psychologists. Recruitment of these psychologists is currently underway from an existing panel of qualified personnel and upon its depletion discussions will commence between my Department and the Public Appointments Service in relation to the establishment of a new panel in this regard.

### **Psychological Service.**

1189. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to prioritise early assessment and increase the number of educational psychologists in his Department's National Educational Psychological Service to 200 by 2009; and if he will make a statement on the matter. [29447/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The National Educational Psychologist Service currently has a staffing complement of 159 psychologist staff distributed over some 22 regional and local offices nationwide.

As the Deputy is aware, in regard to further improving the service to schools, I was pleased to announce recently, an increase in the funding available to NEPS which will allow for the recruitment of additional psychologists. Recruitment of these psychologists is currently underway from an existing panel of qualified personnel and upon its depletion discussions will commence between my Department and the Public Appointments Service in relation to the establishment of a new panel in this regard.

### **Special Educational Needs.**

1190. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide each child with special needs with the right to an individual education plan; and if he will make a statement on the matter. [29448/09]

1191. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to implement the Education for Persons with Special Educational Needs Act 2004 in full; and if he will make a statement on the matter. [29449/09]

1203. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to complete the roll out of the Education for Persons with Special Educational Needs Act 2004, giving all children with special needs, the right to an individual education plan to ensure the best outcome for them, and putting in place a new appeals procedure; and if he will make a statement on the matter. [29463/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1190, 1191 and 1203 together.

The Deputy will be aware that a significant number of sections of the Education for Persons with Special Educational Needs (EPSEN) Act, 2004 have been commenced, principally those establishing the National Council for Special Education (NCSE) and those promoting an inclusive approach to the education of children with special educational needs. Specifically, the following sections have been commenced: 1, 2, 14(1)(a), 14(1)(c), 14(2) to 14(4), 19 to 37, 40 to 53.

The Deputy is also aware that the EPSEN Act makes provision for an education plan for each individual pupil with special educational needs, and this will become mandatory when the relevant sections of the Act are commenced. In preparation for this, the NCSE have published guidelines on the Individual Education Plan process and a copy issued to all primary and post primary schools at the commencement of the 2006/2007 school year. These guidelines provide advice and assistance to schools, teachers and parents on devising and implementing individual education plans.

The Special Education Appeals Board (SEAB) was established under the EPSEN Act, to hear and determine appeals under the Act. Board members are presently working to ensure that appropriate structures and processes will be in place once the relevant sections of the act, which would allow appeals to be undertaken, are commenced.

As required under the Act, the NCSE provided a report making recommendations regarding the implementation of EPSEN which suggested additional investment over a period of years of up to €235m per annum across the education and health sectors. Having considered the NCSE report, and consulted with the education partners, the Department of Health and Children and the HSE, my Department identified a range of options for the implementation of EPSEN. My Department's opinion is that the level of investment required would be greater than that envisaged in the NCSE report.

In the light of the current financial circumstances, it is therefore not possible to proceed with full implementation in 2010 as originally envisaged. However, the Government will keep the matter under review and is committed to the full implementation of EPSEN at the earliest possible date.

I want to reiterate that children with special educational needs will continue to receive an education appropriate to their needs. The NCSE will continue to support schools, parents and children, and teachers and special needs assistants will continue to be deployed to schools to meet children's needs. Additional funding was provided as part of last October's budget and is being used to strengthen and enhance health and education services and continue the preparation for the full implementation of the Act at a later date.

1192. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to improve second level provision for children with special needs; and if he will make a statement on the matter. [29450/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** A key priority for the Government over the past decade has been to improve the provision of additional resources for all pupils with special educational needs (SEN), including those attending post-primary schools.

Second level schools should be informed and guided in their support of students with SEN by the guideline document "Inclusion of Students with Special Educational Needs: Post-Primary Guidelines". This was produced by the Inspectorate of my Department in 2007 and provides practical advice and guidance to schools on the organisation and co-ordination of resources to maximise the support to each individual student.

My Department, either directly or through the National Council for Special Education, provides for a range of supports in second level schools to enable them cater for students with SEN. These supports include additional teachers, special needs assistants, investment in assistive technology, specialist equipment and special transport arrangements.

The precise model of provision made available at second level will depend on the assessed needs of the students involved. A key priority for my Department is to facilitate the maximum possible inclusion of students with special educational needs while always allowing for individuals for whom inclusion with mainstream peers may not be in their best interests.

Some students are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, the provision of special dedicated classes within the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios.

At present there are over 4,700 adults working solely with students with special educational needs in second level schools, including over 2,700 teachers and more than 2,000 Special Needs Assistants.

While the increase in such supports over the last 10 years has significantly improved second level provision for students with SEN, the Programme for Government commitment was also



[Deputy Batt O’Keeffe.]

being considered in the context of the proposals for the implementation of the Education for Persons with Special Educational Needs (EPSEN) Act. In the light of the current financial circumstances, it is not possible to proceed with full implementation of EPSEN in 2010 as originally envisaged. However, the Government will keep the matter under review and is committed to the full implementation of EPSEN at the earliest possible date.

Although implementation of the Act has been deferred, my Department continues to support schools, parents, children and teachers in providing for an appropriate education for pupils with SEN. I want to reiterate that students with special educational needs will continue to receive an education appropriate to their needs. The National Council for Special Education will continue to support schools, parents and children, and teachers and special needs assistants will continue to be deployed to schools to meet children’s needs. Additional funding was provided as part of last October’s budget and is being used to strengthen and enhance health and education services and continue the preparation for the full implementation of the Act at a later date.

### **School Staffing.**

1193. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to further increase the number of language support teachers from 1,450 to 1,800; and if he will make a statement on the matter. [29451/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In light of the Budget 2009 decision in relation to language support my Department has 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 1,500 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.

1194. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide access to English language classes for adult immigrants; and if he will make a statement on the matter. [29452/09]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** My Department provides for English language training for adult immigrants (English for Speakers of Other Languages, ESOL) through the adult literacy budget. Funds are allocated to VECs who are the main statutory providers of ESOL tuition. In 2008, over 12,500 learners availed of ESOL tuition, up from 6,000 in 2003. Over 61,000 participants have availed of English language tuition since 2003.



My Department also provides for the English language and socialisation needs of adult refugees through the Adult Refugee Programme (ARP), formerly Integrate Ireland Language and Training (IILT). The ARP is co-ordinated nationally by County Dublin VEC and provided locally by other VECs, as demand arises. The 2009 provision for the ARP is approximately €2.8 million.

An independent review was commissioned to assist in the development of a national English language training policy and framework for legally-resident adult immigrants based on extensive stakeholder consultation. The report in this regard is under consideration by the Minister for Integration.

### **School Transport.**

1195. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to review the school transport system, including the catchment boundaries; and if he will make a statement on the matter. [29453/09]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** A Value for Money Review of the School Transport Scheme, including catchment boundaries, is currently being undertaken by my Department and is due to be completed by the end of the year.

The Steering Committee of the Review is looking at the original objectives of the scheme, whether these objectives remain valid today, the extent to which the objectives are being achieved and whether there are possibilities for economies or efficiencies that would improve the value for money of the scheme. In this context, the review is also looking at fundamental issues such as catchment boundaries, which is in line with the commitment in the Programme for Government.

The review, when completed, will be published and sent to the Oireachtas Select Committee on Education and Science.

### **Literacy Levels.**

1196. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to expand the number of adult literacy training places by 4,000 on top of the extra 3,000 places put in place in 2007; and if he will make a statement on the matter. [29454/09]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** Adult Literacy services are funded by my Department through annual grants to the Vocational Education Committees (VECs), which deliver the services locally.

Community groups and community development projects may also apply to their local VEC for funding to provide adult literacy tuition.

The Adult Literacy service has expanded significantly in recent years from 5,000 participants in 1997 to almost 50,000 in 2008. Expenditure increased from €1,000,000 in 1997 to €30,000,000 in 2008. In 2009, funding is being maintained at similar levels to 2008. Due to the difficult budgetary position it has not been possible to provide funding for any further increase in places.

### **Adult Education.**

1197. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to increase the number

[Deputy Brian Hayes.]

of places on the back to education initiative to 10,000 and expand the vocational training opportunities scheme; and if he will make a statement on the matter. [29455/09]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** The Back to Education Initiative (BTEI) commenced in October 2002. It provides flexible, part-time options across Further Education and an opportunity to combine a return to learning with family, work and other responsibilities. It is aimed at adults with less than upper second level education, including unemployed adults.

The Programme for Government (2007-2012) provided for an increase in the number of places on the BTEI to 10,000. 1,000 additional places were allocated in 2007 and a further 500 places were allocated in 2008 bringing the total number of places to 9,500.

For 2009, difficult choices around priorities for investment had to be made to control public expenditure and to ensure sustainability in the long run. In this context, it was necessary to reduce the number of places on the BTEI by 500, returning it to the 2007 level of 9,000. This reduction should be seen in the context of the significant increase in expenditure on the BTEI in the last six years, up from €6,000,000 in 2002 to €18,750,000 in 2008.

The Vocational Training Opportunities Scheme (VTOS) was introduced in 1989 to encourage adults over the age of 21 and in receipt of unemployment payments to return to education and training. Over the following years, the Scheme was expanded to people in receipt of other payments, such as One-Parent Family allowances, Disability allowances and Invalidity Pension.

VTOS is a full-time second chance education and training initiative delivered and managed locally by the VECs. Its primary target group is the longer-term unemployed, the low-skilled and disadvantaged. Courses of up to two years duration and between levels 3 and 6 on the National Qualifications Framework are offered. Tuition, stationery and books are provided free of charge. A childcare grant and meal and travel allowances are also available to students and they can access the adult guidance service.

There are 5,000 VTOS places available nationally every year. Due to the difficult budgetary position it has not been possible to increase the numbers further.

It should be noted that there has been a significant increase in expenditure on VTOS in the last five years, up from approximately €51,000,000 in 2003 to €71,000,000 in 2008.

### **Educational Disadvantage.**

1198. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the Programme for Government to further increase third level participation rates, with a special focus on persons from disadvantaged areas; and if he will make a statement on the matter. [29458/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The capacity of higher education institutions to address key national objectives, including increasing access and participation, is supported through core and strategic funding allocated under the Human Capital Priority of the NDP. The Social Inclusion Priority of the NDP also supports increased participation by disadvantaged groups through funding allocated through the higher education grant scheme and the third level access measure.

The combination of these measures, as well as the investment of other resources across the education system are achieving their intended objective. Targets for increased participation in higher education set by the Action Group on Access in 2001 have been achieved, both by

disadvantaged and mature entrants to the sector. Evaluations of progress show that all of these measures have contributed to significantly increased participation rates in higher education.

New targets have been set in the National Plan for Equity of Access to Higher Education 2008-13.

- In 1998 the overall participation rate in higher education was 44%. By 2004 it had risen to 55%. The HEA estimate that in 2007 participation rose to 64% of the relevant age cohort. A target of 65% has been set by the National Access Plan for 2013 and a target of 72% by 2020.
- In 1998 mature students represented 5% of entrants to higher education; in 2006 this had increased to 13%. A target of 20% by 2013 has been set by the National Access Plan 2008-13.
- In 1998 just 23% of young people aged 17-19 from a socio-economic disadvantaged background entered higher education. By 2004 this had increased to 33%. A new target of 45% participation by 2020 has been set by the National Access Plan 2008-13.

In addition, the more recent Labour Market Activation measures that are underway are also supporting access to higher education through an expansion in part-time places as well as a broadening of entry routes through the preparatory and accelerated entry mechanisms which have been put in place over the past few months. The strategy on Higher Education, currently in preparation, will address participation issues as part of its work.

### **Third Level Fees.**

1199. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to introduce a new system of means-tested free fees for approved part-time courses; and if he will make a statement on the matter. [29459/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The implementation of this Programme for Government commitment will be considered in the context of the development of policies on how best to meet the future funding requirements of the higher education sector, having regard to available resources.

### **Third Level Sector.**

1200. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to promote more explicit arrangements for student transfer between institutes of technology and universities and open new routes of access from the further education sector to third level sector; and if he will make a statement on the matter. [29460/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department, together with the National Qualifications Authority of Ireland (NQAI) and the Higher Education Authority (HEA) supports the work of third level institutions in broadening routes of access to higher education. The National Plan for Equity of Access to Higher Education 2008–2013, which I launched in July 2008, seeks to encourage the broadening of entry routes to higher education institutions to greater reflect the fundamental changes being brought about through implementation of the National Framework of Qualifications (NFQ).

[Deputy Batt O’Keeffe.]

The NQAI have undertaken a major study on the Implementation and Impact of the National Framework of Qualifications and it is expected that the report will deal with a number of issues in relation to access, transfer and progression at all levels of the NFQ. The report is expected to be published by September 2009. The NQAI’s Qualifax service, which gives information on programmes of education at all levels throughout the State, includes information on progression opportunities for those who complete programmes.

FETAC (Further Education and Training Awards Council) Level 5 and 6 qualifications are accepted as a basis for admission to the majority of higher education institutions and these qualifications are used as a route of access by increasing numbers of CAO applicants each year. The proportion of higher education places accepted by holders of FETAC major awards has grown from less than 3% in 2005 to over 10% in 2008 (4,309 students).

The Higher Education Links Scheme (HELs), introduced in 1995, links specific FETAC Level 5 Certificates and Level 6 Advanced Certificates to reserved places on a variety of higher education programmes. More recently, under an additional Pilot Scheme, course places are open to both FETAC applicants and Leaving Certificate applicants. Both schemes are intended to facilitate greater progression to third level programmes.

In October 2008 FETAC published a leaflet outlining current progression routes for holders of the FETAC Advanced Certificate — Craft, formerly known as the National Craft Certificate. This leaflet details progression routes to Levels 6, 7 and 8 full-time and part-time courses offered by a number of higher education institutions.

While almost all universities are prepared to consider applications for transfer from HETAC (Higher Education and Training and Awards Council) or DIT (Dublin Institute of Technology) qualifications, the number of transfers has been falling as opportunities to progress to degree level programmes within the institutes of technology have increased.

1201. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to provide a multi-annual capital fund of €2 billion for higher education institutions to support investment in the developing of modern campus facilities with leading edge teaching and learning infrastructure; and if he will make a statement on the matter. [29461/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In the two years 2007 and 2008, the Government has invested in excess of €300m in developing the country’s higher education infrastructure. In 2009 an additional €200m is being invested. Investments since 2007 have enabled the Government to expend €82m on dedicated research projects under Cycles 3 and 4 of the Programme for Research in Third Level Institutions (PRLTI) thereby advancing national strategic objectives of creating a knowledge economy. The Deputy will also be aware that earlier this year I announced the launch of Cycle 5 of PRLTI with planned investments of €300m in generating research capacity.

In addition to PRLTI sponsored initiatives, the Government has funded a €58m investment programme in upgrading existing research facilities. A total of 19 higher education institutions around the country benefited from this scheme, with €54m expended last year. In 2007, the Government invested €28m in funding a dedicated research equipment grant.

In terms of under graduate facilities, the Government has provided almost €30m to the institute of technology sector between 2007 and 2008 to enable institutes undertake programmes of minor works. Due to the success of this scheme, it has been expanded in 2009 to include the 7 Universities and an increase in the scope of the works, bringing the total cost of

the scheme to €40m in 2009 alone. Additionally, there are 13 mainstream large scale capital projects currently at construction within the sector. Among them are in IT Building at NUI Cork; an Engineering Building at Athlone IoT; the refurbishment of the Carroll's Facility at Dundalk IoT and the second phase of the campus re-development at Mary Immaculate College of Education in Limerick. Phase 1 of the campus development at Mary Immaculate College completed construction in 2008 together with a further 15 projects.

A further 10 capital projects are at varying stages of planning with the target of being on site later this year or early in 2010. Among them are the Engineering School at NUI Galway; new library facility at NUI Maynooth; a new Law School and a new Science facility at UCD and the re-development of St. Patrick's College of Education in Dublin. These latter projects are separate from the Third Level Public Private Partnership Programme which involves three bundles of 17 projects across 9 institutions. These building projects will deliver enhanced facilities in the key strategic areas such as Engineering, IT, Science and Technology, Catering, Tourism and the Arts.

### **Student Representation.**

1202. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to appoint two student representatives to each of the Higher Education Authority and the National Qualifications Authority of Ireland; and if he will make a statement on the matter. [29462/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The commitment to appoint a second student representative to the Board of the Higher Education Authority (HEA) is considered when appointments are being made, having regard to the need to ensure an overall balance of stakeholder interests. The HEA engages extensively with student interests as an integral part of its ongoing work and the USI plays an active role in this process and continues to ably represent its constituency.

Section 6 of the Qualifications (Education and Training) Act 1999 sets out the composition of the National Qualifications Authority of Ireland and provides for one member of the Authority to be representative of learners. As part of the Budget Speech in October 2008, the Minister for Finance announced the Government decision to amalgamate the National Qualifications Authority of Ireland with the Further Education and Training Awards Council and the Higher Education and Training Awards Council. The Department of Education and Science published a consultation paper in May 2009 on the implementation of the Government decision and it proposes a maximum of six members on the board of the new organisation. It proposes that members of the amalgamated organisation would have expertise in key areas but would not be nominated by stakeholders. The paper acknowledges the importance of there being a learner perspective on the board.

*Question No. 1203 answered with Question No. 1190.*

### **In-Service Training.**

1204. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the programme for Government to ensure that all teachers and assistants have access to specialist training; and if he will make a statement on the matter. [29464/09]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department has provided for a comprehensive system of continuing professional development (CPD) for teachers in the



[Deputy Batt O’Keeffe.]

area of special educational needs. Central to this is the “Special Education Support Service” (SESS) which was established in September 2003. The service consolidates co-ordinates, develops and delivers a range of professional development initiatives and support structures for school personnel working with students with special educational needs in a variety of educational settings. These settings include mainstream primary and post-primary schools, special schools and special classes.

The CPD provided by the SESS covers a range of specialties, including *inter alia*:

- Autistic Spectrum Disorders (ASDs);
- Dyslexia;
- Challenging Behaviour;
- Post-primary issues in Special Educational Needs;
- Specialist training for Autism Units attached to schools.

The SESS has also been involved in the provision of intensive CPD for teachers working in new Autism Units opened since 2007. The SESS provides a wide range of supports and interventions in the area of Autism via online training, face-to-face training, phone advice and individualised support for schools identified with continuing professional development needs. The approaches include Language and Communication, Managing Inclusion, Curriculum Access for Pupils with General Learning Disabilities and Autism, Sensory Integration, PECS, TEACCH, Social Stories, and Applied Behaviour Analysis. Delivery of this CPD begins prior to their entry to the units and continues following the opening of the unit with ongoing in school support as well as programmes of CPD. Furthermore, as part of an initiative rolled out for the 08/09 school year, teachers can have SESS CPD in the area of ASDs accredited by St Angela’s College in Sligo.

My Department has established a Special Educational Needs Behaviour Team as part of the SESS. This team has responsibility for the delivery of CPD and support to consolidate teachers’ knowledge and skills in behavioural support and in the application of behavioural principles to learning through the use of contemporary applied behaviour analysis strategies.

In addition, my Department funds several third level courses in teacher training colleges and universities. These include:

- Combined Post-Graduate Diploma Programme of Continuing Professional Development for Teachers involved in Learning Support and Special Education (available in seven colleges across the country) (300 places available annually).
- Masters in Special Educational Needs (St. Patrick’s College, Drumcondra) (16 places available annually).
- Graduate Certificate in the education of pupils with ASD (St. Patrick’s College, Drumcondra) (18 places available annually).
- Online Certificate/Diploma in Education (Special/Inclusive Education) (225 places available annually).

My Department is also currently examining all available options with regard to the provision of CPD to provide teachers with the skills necessary for the design, implementation and eval-



uation of learning and teaching programmes for students learning through the medium of Irish Sign Language.

CPD also forms a significant part of the preparatory work necessary for the successful implementation of the Education for People with Special Educational needs (EPSEN) Act. The SESS will provide one full day of CPD for the Principal and a number of key teaching staff in all Primary and Post-Primary schools during 2009. This programme of CPD commenced in primary schools in May 2009 and is expected to commence in post-primary schools in Autumn. The CPD centres on principles of best practice in relation to individualised planning for students with special educational needs.

The Special Education Support Service (SESS) provided over 25,000 continuing professional development (CPD) places in 2008. 36,000 places are to be provided by the SESS in 2009.

In terms of training for Special Needs Assistants, my Department currently funds a certificate for Special Needs Assistants delivered by:

- St. Angela's college, Sligo (55 places available annually).
- Mary Immaculate College, Limerick (45 places available annually).
- Church of Ireland College of Education, Rathmines (25 places available annually).

Introductory courses are also provided through Education Centres, which can be taken as a stand alone course or as part of the above-mentioned certificate.

### **Special Educational Needs.**

1205. **Deputy Brian Hayes** asked the Minister for Education and Science the progress made in regard to the commitment given in the Programme for Government to provide for improved access to lifelong learning for adults with disabilities; and if he will make a statement on the matter. [29465/09]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** My Department is committed to encouraging and facilitating the participation of people with disabilities in Further Education by providing supports to enable their access to the various programmes on offer.

The Back to Education Initiative (BTEI) provides part-time Further Education programmes for adults to give them an opportunity to combine a return to learning with family, work and other responsibilities. People with disabilities are one of the target groups of the programme.

The Vocational Training Opportunities Scheme (VTOS), while primarily targeting the unemployed, also facilitates people with disabilities. Under VTOS, full-time courses of one or two years duration are provided to participants to enhance their employability.

Adults with disabilities may also avail of adult literacy courses provided by VECs around the country. A grant has been provided to the Irish Deaf Society to train tutors to give literacy tuition. A grant is also awarded annually to the Dyslexia Association of Ireland as a contribution towards assessments.

An action research pilot project is continuing in a number of Further Education Colleges in the Dublin area. This project is supported by three Disability Support Officers, the National Training and Development Institute and flexible additional funds for transport, equipment, interpreters, etc. The service identifies and offers support to students and staff around the area of disability. The provision of awareness-raising sessions and participation in college open and recruitment days is also an integral element of the role of the Support Officers.

[Deputy Seán Haughey.]

My Department is also currently working with the National Office for Equity of Access to Higher Education and the Association on Higher Education and Disability (AHEAD) to address special education needs of adults in further education.

In 2007/08, a total of 3,099 students with disabilities attending third level and further education accessed funding through the Fund for People with Disabilities which is administered by the Higher Education Authority. The total amount provided to students through this fund was €13.53 million. Of this €2.88 million was allocated to 331 students in the further education sector up from €1.745 million and 279 students in 2006/2007.

In 2008, AHEAD, in conjunction with the National Council for Guidance in Education (NCGE) launched a Handbook for Guidance and Information Officers on disability issues in Further Education.

Following the input of key stakeholders on possible ways forward for the development of services for people with intellectual disabilities, a scoping paper on the parameters of provision for adults with disabilities in adult education and lifelong learning was received in 2008. This is forming part of the consideration and development of an overall policy to address special needs and disability in Further Education.

### **School Curriculum.**

1206. **Deputy Brendan Howlin** asked the Minister for Education and Science if his attention has been drawn to the fact that pupils of a school (details supplied) in County Wexford have no teachers for physical education, music or speech and drama; his views on whether children with special needs can benefit from participation in arts based subjects and physical education; if he will review the teaching complement in this school with a view to broadening the curriculum to include PE, music and speech and drama; and if he will make a statement on the matter. [29528/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I believe that the arts and physical education have an important role to play in the education of the individual. Music, the visual arts and drama provide for sensory, emotional, intellectual and creative enrichment and contribute to the young person’s holistic development and self esteem. Physical Education plays an important role in promoting physical and motor development, promoting social interaction and co-operation with others, an understanding of fair play, an experience of success, and enjoyment and positive attitudes towards physical activity. It is important that participation for all in physical education is promoted for all in accordance with children’s abilities.

Arts education (visual arts, music and drama) and physical education are core elements of the integrated curriculum for primary school pupils. All qualified primary teachers including new graduates of the Colleges of Education for primary teaching are qualified to teach all aspects of the primary school curriculum including physical education, music and drama.

The school referred to by the Deputy is a Special School catering for pupils with a Mild General Learning Disability. The school have a staffing of an administrative principal as well as 10 teaching posts with an enrolment of 96 pupils. This is in excess of the staffing allocation that the school is entitled to in the context of its classification. In the circumstances, my Department has no plans to review the teaching complement in the school.

### **Educational Qualifications.**

1207. **Deputy Denis Naughten** asked the Minister for Education and Science his plans to introduce a certification system for interpreters, especially those working with Government and its agencies; and if he will make a statement on the matter. [29557/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** It is open to providers of higher education to establish and provide certified programmes of education and training in the field of interpreting. For example, I am aware of a programme leading to a Graduate Certificate in Community Interpreting provided by Dublin City University. There are also many people in the interpreting industry who have certified qualifications from outside the State.

It is a matter for those seeking interpreting services, including Government Departments and State Agencies, to determine their requirements depending on the particular context in which the service is required.

### **Schools Building Projects.**

1208. **Deputy Frank Feighan** asked the Minister for Education and Science the position in relation to a proposed school (details supplied). [29565/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The post primary school project referred to by the Deputy is included in the list of seven schools which I have approved for inclusion in the 3rd Bundle of schools to be procured via Public Private Partnership.

This Bundle is in the pre procurement stage and my Department has completed a round of stakeholders’ meetings in each of the locations where PPP schools are to be provided. A detailed output specification and Public Sector Benchmark is being prepared and outline planning permission will be sought for each location.

On successful completion of this process, the Bundle will be handed over to the National Development Finance Agency (NDFA) for procurement.

The indicative timeframe for the delivery of a PPP school currently stands at approximately 4 years from the date the Bundle is announced.

1209. **Deputy Liz McManus** asked the Minister for Education and Science if he has received an application by a school (details supplied) for emergency works; his views on this application; the position regarding this school; and if he will make a statement on the matter. [29603/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Planning and Building Unit of my Department has no record of an application for emergency funding from the school in question. Should an application be received it will be assessed and the school authorities notified of the outcome without delay.

A proposed major capital project to refurbish and extend the school building is at an advanced stage of architectural planning. In light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the further progression of the proposed project at this time.

### **Schools Recognition.**

1210. **Deputy Liz McManus** asked the Minister for Education and Science his views on calls for the need to recognise a school (details supplied) in County Wicklow; and if he will make a statement on the matter. [29604/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to advise the Deputy that a single school is funded by my Department to provide education for pupils with a moderate, severe or profound general learning disability or pupils who have autism. Some of school’s classes take place in a separate building, referred to by the Deputy, and this may have led some observers to think that these classes are a separate entity. This is not the case. There is one single school that caters for all the pupils.

[Deputy Batt O’Keeffe.]

This school has full Departmental recognition and therefore the issue of recognition of a component part of the school does not arise.

### **Schools Building Projects.**

1211. **Deputy James Reilly** asked the Minister for Education and Science the school building programme for north Dublin in the next three to five years; the number of secondary schools that are planned and the areas; the expected build cost; if sites have been acquired; if funds have been approved for these schools; the number of national schools that are planned and the areas; the expected build cost; if sites have been acquired; if funds have been approved for these schools; if the school building programme in north Dublin will be subject to cutbacks and delays; and if he will make a statement on the matter. [29612/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The forward Planning Section of my Department has carried out a study of the country to identify the areas where, due to demographic changes, there may be a requirement for significant additional school provision at both primary and post-primary levels over the coming years. The school accommodation needs in north Dublin will be fully considered in this context.

The progression of all large scale building projects, including the projects for the area in question, from initial design stage through to construction phase 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 individual projects at this time.

### **Teaching Qualifications.**

1212. **Deputy Ruairí Quinn** asked the Minister for Education and Science the reason the Teaching Council has repeatedly delayed certifying a primary degree for a person (details supplied) in Dublin 7; if he will confirm that they are suitably qualified in order that they may confirm their place in the postgraduate course. [29616/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Since its establishment on 28 March 2006, the Teaching Council is the designated authority for the recognition of qualifications for teaching in the State.

I have made enquiries with the Teaching Council regarding this case and have been advised that the Council has been in contact with the applicant on an ongoing basis and understands that a decision is required shortly and that once a decision has been made the applicant will be informed of the outcome without delay.

### **Teachers’ Remuneration.**

1213. **Deputy Ruairí Quinn** asked the Minister for Education and Science the reason his Department is seeking to reclaim €2000 from the salary of a person (details supplied); if he will reconsider the decision to deduct €220 a month from their salary; and if he will make a statement on the matter. [29617/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The case referred to by the Deputy is being examined by officials from my Department. I will arrange for the Deputy to be advised of the position as soon as possible.

### School Staffing.

1214. **Deputy Emmet Stagg** asked the Minister for Education and Science further to Parliamentary Question No. 442 of 26 May 2009, if sanction for the recruitment of a replacement caretaker has been given. [29635/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy is of course aware of the Government decision to implement a recruitment and promotion moratorium in the public sector. In the VECs, positions other than teacher and SNA posts in schools, and teacher equivalents that are directly providing tuition to pupils in schools, in special programmes or in an adult and further education, are comprehended by this decision.

In the case of the replacement caretaker referred to by the Deputy, my Department obtained the sanction of the Minister for Finance for a limited derogation to apply. In that regard approval was given to Co. Kildare VEC to award a fixed term contract to one person to act in a temporary capacity. The contract was awarded on the basis that its duration was limited to the period of the Certificate Examinations in June 2009, and accordingly the sanction has now expired. My Department has recently requested approval from the Department of Finance for the exemption from the moratorium in this case to be continued. However, the Department of Finance has confirmed that the moratorium applies to VECs and therefore Co. Kildare VEC, like all other public sector organisations, will have to make arrangements to continue to provide the best level of service it can manage within the resources available to it.

### Schools Refurbishment.

1215. **Deputy Emmet Stagg** asked the Minister for Education and Science if the tender for the required extension to a school (details supplied) in County Kildare has been awarded. [29639/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The tender report for the proposed extension/refurbishment project at the school in question was received in my Department on 30th June. It is currently being assessed by the Professional and Technical Staff of the Building Unit. When this assessment is complete the project will be considered for the construction stage.

### Site Acquisitions.

1216. **Deputy Emmet Stagg** asked the Minister for Education and Science if there has been progress in purchasing a site for a school (details supplied) in County Kildare. [29640/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I wish to advise the Deputy that my Department recently sanctioned approval for Kildare VEC to purchase a site for the school in question. I am advised that negotiations are at an advanced stage. The Deputy will appreciate that given the commercial sensitivities in relation to the acquisition of sites generally, I am not in a position to comment any further at this time.

### Schools Building Projects.

1217. **Deputy Emmet Stagg** asked the Minister for Education and Science when tenders will be invited for a permanent school (details supplied) in County Kildare. [29641/09]

1218. **Deputy Emmet Stagg** asked the Minister for Education and Science when tenders will be invited for the required extension to a school (details supplied) in County Kildare. [29642/09]



**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1217 and 1218 together.

As the Deputy will be aware, in February, I announced details of 43 major building projects to proceed to tender and construction. The projects at the schools referred to by the Deputy were both included in this announcement.

My Department is currently awaiting the submission of the Stage 2b documentation from the schools’ Design Teams on these projects. Until this documentation is received and approved it will not be possible to provide a definitive timescale for the progression of these projects to tender stage.

1219. **Deputy Emmet Stagg** asked the Minister for Education and Science when tenders will be invited for the required extension to a school (details supplied) in County Kildare. [29643/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The building project for the school to which the Deputy refers was included in my announcement on 12 February of 43 major building projects to proceed to tender and construction during 2009.

The project is currently at an advanced stage of architectural planning and the next step will be to submit an application for planning permission to the local authority. Until planning permission has been secured and stage 2b of architectural planning has been approved it will not be possible to give an indication of the timeframe for completion of the tender process.

#### **Schools Refurbishment.**

1220. **Deputy Emmet Stagg** asked the Minister for Education and Science if he will sanction the appointment of a design team for the required extension to a school (details supplied) in County Kildare. [29644/09]

**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 1.1 band rating. The project is ready for the appointment of a design team.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme.

However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

#### **School Accommodation.**

1221. **Deputy Emmet Stagg** asked the Minister for Education and Science further to Parliamentary Question No. 144 of 9 April 2009, if there has been finalisations in relation to recommendations regarding a Gaelcoláiste for north Kildare. [29645/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The forward Planning Section of my Department is still in the process of identifying the areas where significant additional accommodation will be required at primary and post-primary level for future years.

Factors under consideration include population growth, demographic trends, current and projected enrolments, recent and planned housing developments and the 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.



Post-primary accommodation requirements in the North Kildare area, and any subsequent issues which may arise, such as the need for a new gaelcholaiste will be considered in this regard.

1222. **Deputy Emmet Stagg** asked the Minister for Education and Science his plans to ensure there are sufficient places for children wishing to attend a school (details supplied) in County Kildare in September 2009. [29646/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school to which the Deputy refers applied to my Department for large scale capital funding to provide for an 8 classroom extension to the existing school. More recently the school has sought a devolved grant to purchase a four classroom room modular build with the capacity to extend, in time, to eight classrooms.

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. 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.

In the meantime it is open to the school management to apply to my Department for funding towards the provision of temporary accommodation to meet any shortfall in accommodation that might arise pending the progression of the large scale building project.

#### **Departmental Correspondence.**

1223. **Deputy Ruairí Quinn** asked the Minister for Education and Science further to Parliamentary Question 40 of 2 July 2009, if he will provide a copy of the relevant protocols which dealt with the release of his interest in vacant Catholic national schools before the current version was agreed; and if he will make a statement on the matter. [29700/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am arranging to have a copy of the legal indentures used by the Department forwarded to the Deputy.

#### **Schools Refurbishment.**

1224. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the provision of an extension for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29704/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department has approved the project to which the Deputy refers to proceed to appointment of a design team. The Board of Management for the school is currently at the final stages of appointing a design team to commence architectural planning on this project. My Department recently requested further information on the proposed design team from the school. When this information is received my Department will revert to the school regarding the appointment of the design team and the commencement of architectural planning.

1225. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the provision of an extension for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29705/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is at an early stage of Architectural Planning and the school in question has recently been authorised to progress this project to Stage 2A — Developed Sketch Scheme.

[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.

1226. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the provision of an extension and new car park for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29706/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is at an early stage of architectural planning.

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 Deputy will understand that it is not possible to advance all projects at the same time. It was not possible to include the project for this school in the February announcement. Therefore, it is unlikely that it will be progressed further in 2009.

The proposed building project for the school will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme for 2010 and subsequent years.

#### **Site Acquisitions.**

1227. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the acquisition of additional lands for a school (details supplied) in County Dublin; and if he will make a statement on the matter. [29707/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I refer the Deputy to my reply to PQ No. 292 of 28 January, 2009. The position remains unchanged. There are no plans to acquire additional lands for the school in question.

#### **Schools Refurbishment.**

1228. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the provision of a sports hall and extension for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29708/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is at an early stage of Architectural Planning. I am pleased to inform the Deputy that my Department recently gave authorisation for this project to proceed to seek planning permission.

#### **Site Acquisitions.**

1229. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the acquisition of site and permanent buildings for a school (details supplied) in County Dublin; and if he will make a statement on the matter. [29709/09]

1231. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the acquisition of a site and permanent buildings for a school (details supplied in Dublin 15; and if he will make a statement on the matter. [29711/09]

1232. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the acquisition of site and permanent buildings for a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29712/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 1229, 1231 and 1232 together.

I wish to advise the Deputy that my Department requested Fingal County Council earlier this year to acquire permanent sites for the schools in question under the terms of the Fingal Memorandum Agreement. I am advised that negotiations are ongoing. Due to the commercial sensitivities relating to site acquisitions, I am not in a position to comment further on the matter at this time.

The acquisition of the sites will be dependant on the successful outcome of negotiations held by the local authority and will also need to be considered in the context of the capital budget available to my Department for school buildings generally.

### **Schools Refurbishment.**

1230. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the refurbishment of a school (details supplied) in Dublin 15; and if he will make a statement on the matter. [29710/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can confirm to the Deputy that the school to which he refers has applied for major capital grant aid. The school’s application has been assessed in accordance with the published prioritisation criteria of my Department and has been assigned a Band rating of 2.4.

The progression of all large scale projects, including this project, will be considered in the context of the 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.

Since 2004, the school has received significant funding under the Summer Works Scheme and the Emergency Works Scheme for refurbishment works on areas such as roofs, drainage, windows and toilets. The school was also awarded a grant under the Permanent Accommodation Scheme for the provision of permanent classrooms.

In addition, two projects under the Summer Works and Emergency Works Schemes relating to refurbishment of science labs and roof works have been approved for the school in 2009.

*Questions Nos. 1231 and 1232 answered with Question No. 1229.*

### **School Accommodation.**

1233. **Deputy Leo Varadkar** asked the Minister for Education and Science the position regarding the provision of permanent buildings for a school (details supplied) in County Dublin; and if he will make a statement on the matter. [29713/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am pleased to inform the Deputy that construction has started on a permanent 24 classroom building for the school to which the Deputy refers.

1234. **Deputy Leo Varadkar** asked the Minister for Education and Science his plans to proceed with a new primary school on the former Phoenix Park Racecourse in 2010 which was previously postponed; and if he will make a statement on the matter. [29714/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school referred to by the Deputy was announced to open in September 2008 under VEC patronage as a pilot under the new VEC community model. However, as the anticipated demand did not materialise, the project was postponed.

The 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 years. The area referred to by the Deputy will be included in this process.

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 the area.

#### **School Patrons.**

1235. **Deputy Leo Varadkar** asked the Minister for Education and Science his view on Educated Together’s application to establish a second level school under their patronage; and if he will make a statement on the matter. [29715/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department is currently considering a number of broad policy issues relating to the recognition process for second level schools. To facilitate full consideration of all of the issues involved, my Department has sought legal advice from the Office of the Attorney General in relation to the system of patronage at second level. Officials from my Department have already met with their counterparts in the Office of the Attorney General to discuss the matter.

I can assure the Deputy that the application from Educate Together to be recognised as a patron body at second level will be fully examined within the context of the legal, financial and other factors that I must consider.

#### **School Accommodation.**

1236. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding the provision of adequate accommodation for a primary school (details supplied) in County Cork for the 2009-10 school year. [29721/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The school to which the Deputy refers applied to the Department for approval to re-locate to alternative accommodation for the 2009/10 school year. The Department have been in contact with the school authority regarding revised costings and are currently awaiting same from the school. The matter will be further considered on receipt of a reply.

#### **Schools Building Projects.**

1237. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding the planned development of a new school (details supplied) in County Cork. [29763/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am pleased to inform the Deputy that a project for a new 16 classroom building for the school to which he refers, was included in the list of 25 major school building projects which I announced on the 12 of February last to enter into architectural planning.

Officials in my Department are currently assessing the most appropriate construction model for this project. I anticipate that my officials will be in contact with the school authorities shortly.

### Schools Refurbishment.

1238. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding planned refurbishment work and a new building for a school (details supplied) in County Cork. [29764/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The building project for the school to which the Deputy refers is at an early stage of architectural planning. 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 Deputy will understand that it is not possible to advance all projects at the same time. It was not possible to include the project for this school in the February announcement. Therefore, it is unlikely that it will be progressed further in 2009.

The proposed building project for the school will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme for 2010 and subsequent years.

1239. **Deputy Michael McGrath** asked the Minister for Education and Science the position in relation to a planned extension to a school (details supplied) in County Cork. [29765/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am happy to inform the Deputy that the project for this school was included in my February announcement of projects to commence architectural planning in 2009. The brief formulation for this project is nearing completion and my Department will shortly be in touch with the school authority regarding the appointment of a design team.

### Schools Building Projects.

1240. **Deputy Michael McGrath** asked the Minister for Education and Science when tender documents will be published for a planned new building for a school (details supplied) in County Cork. [29766/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The building project for the school to which the Deputy refers 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 of the school and the design team subsequently attended a briefing in my Department’s offices in Tullamore at which they were appraised of the next steps necessary to progress the project to tender and construction.

A Stage 2(a) submission was approved by my Department in March 2009. The Design Team are currently working on a Stage 2(b) submission which, when completed, will be submitted to my Department. Following receipt and approval of the Stage 2(b) submission my Department will revert to the school regarding next steps in the progression of the project towards tender and construction.

### Schools Refurbishment.

1241. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding planned extension and refurbishment works at a school (details supplied) in County Cork. [29767/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project at the school to which the Deputy refers was included in my February announcement of 25 projects to commence architectural planning. The project is currently awaiting the appointment of a Design Team.



1242. **Deputy Michael McGrath** asked the Minister for Education and Science the position regarding a planned extension to a school (details supplied) in County Cork; and the time line for the completion of the project.. [29768/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The building project for the school referred to by the Deputy is at an advanced stage of architectural planning.

A Stage 2(a) submission was approved by my Department in January 2009. The Design Team are currently working on a Stage 2(b) submission which, when completed, will be submitted to my Department. Following receipt and approval of the Stage 2(b) submission my Department will revert to the school regarding next steps in the progression of the project towards tender and construction.

### **Schools Building Projects.**

1243. **Deputy Olwyn Enright** asked the Minister for Education and Science the position regarding an application by a school (details supplied) in County Laois; if he will make an announcement in relation to same in 2009; and if he will make a statement on the matter. [29792/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is currently at an advanced stage of architectural planning. 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 Deputy will understand that it is not possible to advance all projects at the same time. It was not possible to include the project for this school in the February announcement. Therefore, it is unlikely that it will be progressed further in 2009.

The proposed building project for the school will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme for 2010 and subsequent years. In the interim the school has recently been allocated an all-in grant for the provision of an additional classroom to meet its current needs.

1244. **Deputy Olwyn Enright** asked the Minister for Education and Science the position regarding an application by a school (details supplied) in County Laois; if he will make an announcement in relation to same in 2009; and if he will make a statement on the matter. [29793/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Department received an application for large scale capital funding to provide accommodation to cater for the amalgamation of the two primary schools in the town referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 1.4 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 the Department’s multi-annual School Building and Modernisation Programme. 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.

1245. **Deputy Olwyn Enright** asked the Minister for Education and Science the position regarding an application by a school (details supplied) in County Offaly; if he will make an announcement in relation to same in 2009; and if he will make a statement on the matter. [29795/09]



**Minister for Education and Science (Deputy Batt O’Keeffe):** The building project for the school to which the Deputy refers is currently at an advanced stage of architectural planning. 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 further in 2009.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase 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.

#### **Schools Refurbishment.**

1246. **Deputy Thomas Byrne** asked the Minister for Education and Science the progress made on the provision of new classrooms at a school (details supplied) in County Meath. [29811/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am pleased to advise that tenders were returned on 1st July for the school to which the Deputy refers. The Design Team are currently preparing a tender report for submission to the Department. Upon receipt of this report, the project will be considered for progression to construction.

#### **Vocational Training Opportunities Scheme.**

1247. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science if his attention has been drawn to a situation at a college (details supplied) in County Wicklow; and if he will make a statement on the matter. [29828/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The situation referred to by the Deputy relates to a Post Leaving Certificate (PLC) course. Conditions of approval for PLC courses require that certification on completion of the programme is appropriate, e.g. FETAC Level 5 Certificate or FETAC Level 6 Advanced Certificate on the National Framework of Qualifications (NFQ). Certification of the course referred to by the Deputy is awarded at FETAC Level 5 on the NFQ.

#### **Departmental Contracts.**

1248. **Deputy Michael D’Arcy** asked the Minister for Education and Science the companies which have been successful in tendering for contracts for his Department in the past 20 years; the other companies which tendered for the same contracts; the tender prices for these contracts; and if he will make a statement on the matter. [29831/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My Department procures a wide range of goods, services and works. These range from goods and services procured in connection with my Department’s operational requirements to procurement in connection with major programmes of expenditure such as the schools capital programme. The information sought by the Deputy is not readily available and would require a significant allocation of staffing resources in sections throughout my Department to compile. It is the case that the bulk of the relevant records are held in central storage and the retrieval costs alone would be considerable. For these reasons it is not feasible to provide the information requested.

However, if the Deputy has an interest in any particular types of contract awarded in particular years my Department will endeavour to provide the relevant information.

1249. **Deputy Michael D’Arcy** asked the Minister for Education and Science if he contracted a company (details supplied) to build facilities on behalf of the State; if he is satisfied himself sub-contractors were paid for works carried out; and if he will make a statement on the matter. [29845/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am aware that the company to which the Deputy refers was contracted by my Department to build a number of schools as part of my 2008 “rapid delivery” programme in developing areas. The construction of the schools under the programme was procured by my Department under design and build contracts. My Department’s contractual relationship in each case was with the main contractors.

In general all sub-contractors employed on school building projects are employed directly by the Main Contractor or indirectly by the Main Contractor through other sub-contractors. It is a matter for all sub-contractors to agree terms and conditions and a schedule of payments with the Main Contractor or with the entity with whom they are in contract. As the Department had no direct contractual relationship with sub-contractors engaged by the company in question, it holds no information relating to same.

**Third Level Courses.**

1250. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of people enlisted in third level courses in agriculture, fisheries and food for 2009; the number of people enlisted in third level courses in agriculture, fisheries and food in each year for the past ten years; the funding and subsidies available to colleges for the provision of these courses; and if he will make a statement on the matter. [30144/09]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The number of students enrolled in universities and Institutes of Technology in agriculture, fisheries and food courses in the academic years 1998/1999 to 2007/2008 is included in the table. Final numbers of students taking these courses in the current academic year is not yet available. It should also be noted that graduates from other disciplines may also find employment in these industries.

Standard funding arrangements and supports apply to courses in the agricultural, fisheries and food-processing disciplines, with funding allocated in the normal manner through the Higher Education Authority’s Recurrent Grant Allocation Model.

Full-time undergraduates	1998/99	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
University (Level 8)	1,498	1,493	1,457	1,325	1,234	1,204	921	871	616	876
IoTs (Level 6-8)	—	—	429	509	684	857	849	767	812	850
Total	1,498	1,493	1,886	1,834	1,918	2,061	1,770	1,638	1,428	1,726