



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

*Tuesday, 23 February 2010.*

|  |    |
|--|----|
| Ceisteanna—Questions   |    |
| Taoiseach ... ..   | 1  |
| Minister for Social and Family Affairs                                     |    |
| Priority Questions ... ..  | 12 |
| Other Questions ... ..   | 24 |
| Adjournment Debate Matters ... ..  | 29 |
| Termination of Ministerial Appointment: Announcement by Taoiseach          | 29 |
| Leaders' Questions ... ..  | 29 |
| Requests to move Adjournment of Dáil under Standing Order 32 ... ..        | 32 |
| Order of Business ... ..   | 33 |
| Personal Explanation by Minister of State ... ..                           | 39 |
| Finance Bill 2010: Financial Resolutions ... ..                            | 40 |
| Referral to Joint Committee: Motion ... ..                                 | 40 |
| Diseases of Animals Acts: Motion ... ..                                    | 41 |
| Petroleum (Exploration and Extraction) Safety Bill 2010 [ <i>Seanad</i> ]: |    |
| Second Stage ... ..  | 41 |
| Referral to Select Committee ... ..  | 62 |
| Private Members' Business  |    |
| Unemployment: Motion ... ..  | 62 |
| Adjournment Debate   |    |
| Hospital Procedures ... ..   | 84 |
| Public Transport ... ..  | 86 |
| Gangland Killings ... ..   | 88 |
| Water and Sewerage Schemes ... ..  | 90 |
| Questions: Written Answers ... ..  | 93 |

# DÁIL ÉIREANN

---

## DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

---

### TUAIRISC OIFIGIÚIL OFFICIAL REPORT

---

---

IMLEABHAR 703

VOLUME 703

---

---

*Dé Máirt, 23 Feabhra 2010.*

*Tuesday, 23 February 2010.*

---

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

---

*Paidir.*

*Prayer.*

---

#### **Ceisteanna — Questions.**

---

#### **Departmental Records.**

1. **Deputy Enda Kenny** asked the Taoiseach the files released recently by his Department under the National Archives Act 1986; and if he will make a statement on the matter.

[48394/09]

2. **Deputy Enda Kenny** asked the Taoiseach the number of files withheld by his Department from the National Archives in respect of the year 1979; and if he will make a statement on the matter. [48398/09]

3. **Deputy Eamon Gilmore** asked the Taoiseach the number of files withheld by his Department in respect of the files transferred to the National Archives in respect of the year 1979; the number withheld under section 8(4)(a) of the National Archives Act 1986; the number withheld under section 8(4)(b); the number withheld under section 8(4)(c); and if he will make a statement on the matter. [1279/10]

4. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the number of files from his Department released under the National Archives Act; the number withheld regarding the year 1979; and if he will make a statement on the matter. [3458/10]

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

The evaluation of files for release to the National Archives is carried out by designated officials in my Department. I have no role in that process. As files are processed for release each year, it is normal that some are certified by the appropriate officials for retention on the grounds set forth in the Act. Some 805 files, or file parts, were transferred to the National Archives to be released for public inspection on 1 January 2010. Five files were withheld.

Of the five files withheld, four were withheld under sections 8(4)(b) and 8(4)(c) and one was withheld under sections 8(4)(a), 8(4)(b) and 8(4)(c). Files can be withheld under section 8(4)(a) on public interest grounds. Files can be withheld under section 8(4)(b) if they pertain to information obtained in confidence. Files can be withheld under section 8(4)(c) if their release may cause distress, danger or defamation. In the case of the Northern Ireland files, 86 files were released and no files were withheld in full. Some 56 files were released without any abstractions while 30 files contained documents which were either abstracted or had partial abstractions made on them.

In total, 119 entire documents were held from 23 files and partial abstractions were made on 26 documents from 20 files. Abstractions were made under section 8(4)(a), 8(4)(b) and 8(4)(c). The abstractions related to certain security information, reports of confidential discussions and certain personal information.

**Deputy Enda Kenny:** I remember well 27 August 1979 when the assassination of Lord Mountbatten took place and 18 British soldiers were killed by two IRA landmines at Warrenpoint, County Down. I also recall the arrest of several people involved in the Mullaghmore bomb by Garda James Lohan at Granard later that day.

The situation has moved on greatly in that time and everyone is pleased with developments over the past number of years. Is the Taoiseach concerned, however, about the resurrection of dissident republicans? The bomb in Newry yesterday was potentially catastrophic for the ongoing peace discussions on the Hillsborough Castle Agreement. I have raised this matter with the Taoiseach over the past several months. Is he happy with the level of co-operation that exists between the Garda and the PSNI, which I understand is at a very high level? Has he been briefed on the extent of recruitment of young and vulnerable males, in particular, in this jurisdiction to join the dissident republican movement? Is he in possession of information from the security and intelligence forces that will allow the Garda and the PSNI to work together to put an end to this?

I note in 1979 that the then British Prime Minister, Margaret Thatcher, contemplated sanctions against Irish people living in Britain, such as withdrawing their opportunity to vote in British elections, if there was not greater co-operation between the security forces. In the end, they were never proceeded with but, given that this was considered over 30 years ago, does the Taoiseach have a view on the use of Irish passports in an assassination in the United Arab Emirates a week ago? Has the Taoiseach been fully briefed by the Minister for Foreign Affairs? Is the Minister happy that the Israeli Government was not involved in this? Has the Taoiseach been briefed on the ongoing security measures that can be taken for protecting passports?

I must add for the benefit of the Minister for Transport, Deputy Noel Dempsey, who is sitting next to the Taoiseach that this does arise in a question on the National Archives. We learn lessons from the past, as I am sure he does too.

**The Taoiseach:** A Cheann Comhairle, as the questions relate to the National Archives Act, I do not have any supplementary material on issues other than that. That said, the bomb that went off in Newry must be condemned out of hand. The security co-operation between the Garda and the PSNI is at an all-time high. I met with both the PSNI Chief Constable and the

Garda Commissioner only yesterday at an aside meeting of the British Irish Parliamentary Assembly plenary session. They both reported on the level of co-operation, which I know from both of them directly is regarded as being at an optimum.

I do not have supplementary information on the other matter raised but the Minister for Foreign Affairs has made the Government's position clear on it.

**Deputy Enda Kenny:** Is the Taoiseach aware of the problem of physical storage space for the National Archives? It should not be a problem considering so much space is available which would be up to standard for housing archival material. They can be then readily available to students, historians or members of the public who are inclined to look at them. The situation is very poor and the archive needs extra space.

What is the position of historic Irish manuscripts held abroad in monasteries and various universities? I understand there are 1,100 authentic Irish manuscripts dating back to the Middle Ages, many of which are beginning to deteriorate in the monasteries and universities where they are held. In the interests of our country it would be appropriate that a full-scale survey is carried out by the National Archives, under the Department of the Taoiseach, so that these can be preserved and retained for future generations of Irish people. For example, the annals of Inis Fallen are held in Oxford and were sent to Kerry for a few weeks a number of years ago. My understanding is that there are 1,100 of these, some of which have been untouched for years and which are starting to disintegrate and deteriorate. In the interests of the country and those who come behind us, the Taoiseach might take an interest in this to see whether a scoping exercise, as they call it these days, can ascertain the scale of this, where the manuscripts are, their condition, and to make arrangements with the authorities in those countries to preserve if not return the manuscripts. I would like to see them in Ireland at the end of the day.

**The Taoiseach:** The principal National Archive storage accommodation is located at the headquarters offices at Bishop Street and the Four Courts. It is acknowledged that the National Archives suffer from a long-standing storage challenge on a constrained site. While efforts have been made to accommodate the State records within its Bishop Street premises, the accommodation currently available is unsatisfactory. Under the current economic circumstances, the planned major capital investment to redevelop the entire Bishop Street facility for the National Archives, involving the subsequent closure of its Four Courts storage, is not affordable.

Storage difficulties in the National Archives have been approached from two perspectives. At the instigation of the Department of Arts, Sport and Tourism, the OPW has agreed to produce a short to medium-term solution to the storage and accommodation needs of the archive within the Bishop Street complex. The OPW will prepare proposals and has provided off-site storage for some series of records. In addition, the OPW has indicated it will move certain Department of Agriculture, Fisheries and Food records still in use, mainly relating to the Land Commission, out of Bishop Street and this will free up space for the National Archives proper. The administrative staffing of the National Archives, which was admittedly relatively small, has been strengthened by the Department in recent times.

The other matter raised by Deputy Kenny is an interesting point. I will ask the director if anything can be done to assess the location of manuscripts that are relevant to our archival heritage and to see if there are ways they can be repatriated and whether there are ownership issues or issues regarding their continued safekeeping. I will ask whether there is anything we can do to supplement the current owners' care for the documents.

**Deputy Eamon Gilmore:** I want to ask the Taoiseach about the 30-year rule. This seems to come from a different age. Will the Taoiseach consider whether the time has come to reduce

[Deputy Eamon Gilmore.]

the 30-year rule regarding the release of papers? In other jurisdictions, such as the UK, it has been reduced to 15 years. My colleague, Deputy Mary Upton, has produced a Private Members' Bill proposing its reduction to 15 years. In these days of freedom of information and electronic communication, the 30-year rule appears to be an anachronism. Considering more contemporary issues, it will be 2028 before papers relating to the Good Friday Agreement will be available and 2038 before papers relating to the Government decision to give a blanket guarantee to the banks are released. By that stage people will be living in space ships. There is a need to re-examine the 30 year rule to ensure material is released on a more contemporary basis.

What provision is being made in regard to electronic records? Given much communication now being conducted by way of e-mail and text is stored electronically, is consideration being given to ensuring electronic records will endure — we do not know whether they will — and what plans are in place to ensure the availability of hard copies of electronically stored papers which can in the course of time be obtained as part of the archives released each year?

**The Taoiseach:** I am not aware of the position on the electronic aspect of the Deputy's question but I will check it out for him. I do not have available to me supplementary information in that regard.

On the 30 year rule in respect of Cabinet records, it is important to point out that the Constitution provides that the confidentiality of discussions and meetings of Government shall be respected in all circumstances except where the High Court determines that disclosures should be made in the interests of the administration of justice by a court or by virtue of an overriding public interest on foot of an application by a tribunal. Also, the Freedom of Information Act protects without time limit records that contain whole or part of a statement made at a meeting of the Government or information that reveals, or from which may be inferred, the substance of such a statement. Other exemption grounds also exist which may apply to Cabinet records. For example, they may contain material which relates to national security, the President or which is still considered to be commercially sensitive.

In considering FOI requests for Cabinet records, decision makers in Departments must consider each record individually to establish whether it is to be released either in full or in part or not at all taking into account all the requirements and exemptions provided for in the legislation. This is what FOI decision makers have always done since the legislation was first introduced and they will continue to do so in the future.

The passage of ten years since FOI became operational is simply an additional consideration which FOI decision makers must factor into the equation when making their decisions. Legislatively, we have provided a means through which certain information can be provided. However, the question of whether the general principle should be revisited in total would require careful consideration.

**Deputy Eamon Gilmore:** I understand that the Government is preparing legislation relating to the National Archives. There is a proposal to merge the National Archives of Ireland, the National Library of Ireland and the Irish Manuscripts Commission. Leaving aside whether that is a good or bad idea, or whether Government attention and resources should be devoted to such an extent on the amalgamation of bodies like that, the introduction of that legislation would provide an opportunity to address the issue of the time limit. The Taoiseach has outlined the exemptions in respect of national security, protection of individuals and so on, which obviously could still apply and which, as he indicated in his first reply, were observed in respect of five files and a number of documents abstracted. It would seem there is no good reason there should be a blanket 30 year rule.

**The Taoiseach:** As I stated, the FOI legislation takes into account the constitutional position while at the same time providing for a differentiated approach which remains with the FOI decision-makers who, while independent, seek to comply with the legislation. The legislation envisages a differentiated approach in respect of certain if not all information being provided. It is not a question of all information being blanketed for 30 years or one having to wait 30 years in respect of all information.

On the amalgamation of the various cultural institutions, the Government intends to introduce such a Bill. I understand it may well be the end of the year before that legislation will be before the Houses. Obviously, it will present an opportunity to discuss the detail of the Bill. We have indicated that the National Archives of Ireland, the Irish Manuscripts Commission and the National Library of Ireland of Ireland shall be merged into a new national library and archives of Ireland. This merger will require the amendment of the National Archives Act 1986 and the National Cultural Institutions Act 1997.

The Minister for Arts, Sport and Tourism proposes to update the relevant archival legislation as part of this process. The new draft legislation deals with three separate existing bodies, abolishes these bodies and establishes a new body. The initial draft of the legislation has been completed and transmitted to the directors of the National Archives of Ireland and the National Library of Ireland, and to the chairman of the Irish Manuscripts Commission for their observation. The matter is in hand and a more detailed debate might best take place in the context of the Bill that is to be brought before the House for consideration.

**Deputy Caoimhghín Ó Caoláin:** If the release of new material under the 30-year rule was curtailed this year because there was inadequate space to accommodate that fresh material, what is the extent of the withholding? Does it apply to specific Departments? Does it apply as a percentage of material from all Departments or across the various archive field sources? How much material was withheld this year? Has the proposal to create new space now effectively been abandoned because of the issue of affordability? Where will that leave us in ten months' time when another year's tranche of material will be due for release? What measures is the Government taking to address the situation as pointed up by the experience in January of this year?

At present, there is no National Archives Advisory Council, whose term of office concluded in 2007, and no new council was appointed. Is it the responsibility of the Taoiseach or of another Minister to appoint a new National Archives Advisory Council or where stands the Government on such a body? The National Archives of Ireland website, which is still extant, states:

The National Archives Act, 1986 assigned ministerial responsibility for the National Archives to the Taoiseach. However, on 20 January 1993, the National Archives was transferred from the Department of the Taoiseach to the new Department of Arts, Culture and the Gaeltacht, which in 1997 was re-named the Department of Arts, Heritage, Gaeltacht and the Islands. On 18 June 2002, the National Archives was transferred to the Department of Arts, Sport and Tourism.

That Department would have continued with a substantive area of the previous Departments' designation. However, the website continues to state:

Consequently, most of the functions conferred on the Taoiseach by the National Archives Act are now performed by the Minister for Arts, Sport and Tourism, but the Taoiseach continues to perform certain functions relating to the retention by Departments of Depart-

[Deputy Caoimhghín Ó Caoláin.]

mental records which are more than 30 years old and the withholding of such records from public inspection.

What are those certain functions? Can the Taoiseach give us a snapshot of his experience in this area in his years as Taoiseach since 2008? Is it his intention to appoint a new National Archives Advisory Council and when does he propose to do so?

**The Taoiseach:** As the Deputy said, the functions retained by the Taoiseach relate to those records older than 30 years, which are retained for public interest or other purposes. That is rightly in the domain of the Taoiseach because these are matters of major public interest with serious issues attaching to them. That is a function retained by the Taoiseach. I have never had reason to use it. I do not recall seeing any papers asking me to publish that which had previously been withheld under the relevant section 8(4)(a), (b) and (c), or all three paragraphs, in respect of documentation I have. The Deputy has just outlined a statement of fact and I have no recollection of having to execute any functions under that particular remit or responsibility.

As regards the question of the National Archives Advisory Council, that was established to advise the Minister on matters of archives under the 1986 Act. As I said in a previous reply, we now have an amalgamation process involving three different institutions. That legislation is proceeding, and therefore I take it that when this Bill is brought forward we shall have an opportunity to see what type of advisory council for all three composite institutions will emerge in the future. Basically, we are in transition towards a new entity.

**Deputy Caoimhghín Ó Caoláin:** The Taoiseach did not indicate to me the extent to which material was withheld, consequent on the absence of sufficient space to accommodate the release of material this year. At least this has been reported and I do not note any contradiction in that regard in the Taoiseach's earlier replies. Can he indicate the extent of the withholding, where it applies and whether steps are being taken in the current year to bring forward the release of that material for public access and scrutiny? What steps is the Government taking, having been exposed to the difficulties this year in terms of inadequate space? Could the Taoiseach reconfirm new building arrangements that had previously been signalled are not now to be proceeded with? What is the Government undertaking to do in the coming months to avoid a building heaping up a mound of material year on year into the future?

Finally, in reply to an earlier question, I noted the Taoiseach had indicated that he was not aware of the situation as regards electronic documentation. I have noted that recently in the Seanad, the Minister of State, Deputy Martin Mansergh stated that documents held electronically will not be preserved. I urge the Taoiseach to view electronic documentation as being of equal importance to paper in the current age. It is incumbent on the Taoiseach and the Government to make the required arrangements in order to preserve both. If the Taoiseach is not in a position to comment this afternoon, will he please undertake to come back to each of the party leaders on this particular matter as soon as he has had an opportunity to inform himself?

**The Taoiseach:** On the first matter, as I have said I only have information for my Department. Some 805 files were transferred and five were withheld. I have given the details as to why they were withheld. I have indicated in a previous reply that a short to medium-term solution was being provided by the OPW to the Department of Arts, Sport and Tourism by way of way of Irish Land Commission records being located out of Bishop Street, which will obviously free up space that was not previously available there for the National Archives people. That is a practical solution without the need for a brand new capital programme to relocate all the records. I have already addressed the physical accommodation

3 o'clock

issue, that has been acknowledged as being unsatisfactory and about which some short-term proposals have been made by the OPW to alleviate the situation, given that the original proposals are now unaffordable.

In terms of electronic records, I do not have the information the Deputy seeks. However, knowing Deputy Martin Mansergh, I am confident that what he said in the Seanad is correct. If the Deputy wants to table a question to me on that, beyond what the policy issues are, I shall be happy to address it.

**Deputy Enda Kenny:** The Taoiseach is now the acting Minister for Defence. Some 30 years ago, legislation was introduced to allow women to enlist in the Defence Forces. Is there any intention to commemorate the anniversary of the introduction of the Bill to allow women to enlist in the Defence Forces? Can the Taoiseach offer an up-to-date briefing on the numbers in the Defence Forces now and are there plans to increase that number?

**An Ceann Comhairle:** Deputy Kenny should submit a parliamentary question.

**Deputy Enda Kenny:** I am simply asking if there is any intention of marking that event. At the time the Government held the view that the EEC should not be enlarged. Things have changed since then and we are pleased about that.

In 1979, the Minister for Economic Planning and Development, Dr. O'Donoghue, proposed that jobs could be provided, as he termed it, to lure women of marriageable age to work on some small Irish islands to prevent the local population dying out. Does the Taoiseach have any comment to make on that proposed policy from a predecessor in the area of economic planning and development?

**An Ceann Comhairle:** We are straying somewhat from the issue of the National Archives.

**Deputy Eamon Gilmore:** Did he say what they would be working at?

**Deputy Enda Kenny:** The plan was to lure women of marriageable age to work on some small Irish islands to prevent the local population dying out. I realise they have weekends on Clare Island and Turk and Boffin, but is this Government policy at the moment?

**An Ceann Comhairle:** The Deputy will definitely have to table a parliamentary question on that matter.

**Deputy Olwyn Enright:** To which Department?

**Deputy Enda Kenny:** I am asking because the records were found in the National Archives.

**The Taoiseach:** We have found a more sustainable means of maintaining the population on our island communities now, thankfully, and it is as a result of some excellent work by the present incumbent and others who may take credit for it in the intervening period.

**Deputy Eamon Gilmore:** Has the Minister, Deputy Ó Cuív, solved the problem himself?

**The Taoiseach:** I would not go that far. I do not think he would claim such profligacy.

**Deputy Enda Kenny:** I assume it is not Government policy now.

**The Taoiseach:** He has been more of an enabler in this area than an active participant. The Deputy should note there will be Department of Defence questions tomorrow.



**An Ceann Comhairle:** We will move on.

**Deputy Enda Kenny:** Will the Taoiseach take the questions or will there be someone new?

### **Regulatory Reform.**

5. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of the recommendation of the Organisation for Economic Co-operation and Development report on regulatory reform; and if he will make a statement on the matter. [48396/09]

6. **Deputy Eamon Gilmore** asked the Taoiseach the progress made to date in 2010 regarding the implementation of the OECD report on regulatory reform; and if he will make a statement on the matter. [3180/10]

**The Taoiseach:** I propose to take Questions Nos. 5 and 6 together.

The OECD report Regulatory Reform in Ireland contains a wide range of recommendations. Progress on their implementation has been reported many times in the House since the report's publication, including in the context of the follow-up to the Government's White Paper on regulation Regulating Better. Individual Ministers are responsible for reporting on those recommendations relating to their sectors.

In October of last year, the Government published a Government statement on economic regulation which provides a framework for the future development of economic regulation in Ireland. The statement covers issues such as governance and accountability, the appropriateness of regulatory structures and mandates, cost effectiveness and engagement with stakeholders.

We will provide an obligation on relevant Ministers in legislation to review the roles and mandates of regulators at least every five years. Ministers will also approve planned expenditure by regulators, including any industry levies, following consultation with stakeholders. The Minister for Transport will bring forward legislation to merge the Commission for Aviation Regulation and the regulatory functions of the Irish Aviation Authority with the planned national transport authority to create a single transport regulator.

As part of the commitment in the Government statement to initiate an annual regulatory forum, I, together with other Ministers will meet with key regulators, the Competition Authority and the National Consumer Agency, on Friday of this week to discuss the implementation of the Government statement and the contribution which improved competition and regulation in all sectors can make to economic recovery and renewal. In addition to the work we have undertaken on statute law revision, individual Ministers have also undertaken significant consolidation projects, including in the key areas of company law and customs legislation.

Regulatory impact analysis is a tool used to assess the potential impacts of proposed legislation. It applies to primary legislation as well as to significant EU and secondary legislation. Revised regulatory impact assessment guidelines were published last year and take account of the need for improved quantitative analysis, in particular, and for the increased use of regulatory impact statements to evaluate draft EU legislative proposals.

The better regulation unit of my Department is currently co-ordinating the Government input to the review of Ireland's regulatory systems and processes undertaken by the OECD. The review is being conducted as part of a set of similar reviews covering the original 15 EU member states which is being funded by the EU Commission and covers issues such as regulatory impact analysis, administrative burden reduction and approaches to enforcement. It is expected that review will be completed later this year.

**Deputy Enda Kenny:** I was at a meeting in the OECD last weekend with a number of Deputies. The organisation has much objective analysis available to Governments and members of parliaments throughout Europe. Some of it is very valuable.

It is two years since the Government published its commitment to reduce the cost of administrative red tape in business by 25%. Has the Government ever carried out a baseline study of the cost of business in Ireland due to regulation? It is very important given that businesses are drying up by the day, for a variety of reasons. Has the Taoiseach received a report on how far the Government has advanced in bringing about the 25% reduction in red tape for business?

Has the Government considered reducing government costs, be they associated with regulation or applications for licences? Businesses state these costs are the cause of severe difficulties for them at a time of financial pressure. What has the Government done to consider the cost of doing business and has it any intention of reducing costs, such as the costs of regulation, applications for licences and the associated red tape, in areas in which it clearly has an input?

**The Taoiseach:** There have been a number. As I said in my reply, there are specific questions to be asked about specific Departments. Questions on the effectiveness of certain regulatory arrangements would be best addressed to the Ministers concerned. On the matter raised by Deputy Kenny, the Department of Enterprise, Trade and Employment is leading the project and has measured administrative burdens in its three main areas of legislation that have an impact on business, namely, company law, employment law and health and safety law. The final draft results of that measurement exercise were validated by business in December 2009. These results form the basis of plans in those three areas regarding how to better simplify the arrangements. It is envisaged that a similar process will follow measurement in the other participating Departments.

Five priority areas have been identified by Irish businesses as being the most burdened. These include taxation, health and safety, environment law, statistical returns, and employment and company law. It is in line with the commitment in the programme for Government to ensure direct feedback from business on regulatory burdens.

The first report of the high-level group on business regulation, published in March 2008, indicates a number of individual administrative burdens were measured, identifying over €20 million in savings for business. The group is working across Government to support co-operation between Departments and agencies with a view to simplifying procedures and reducing duplication. This work will continue to result in the reduction of costs for business and identify opportunities for meaningful efficiency improvements in the public sector.

**Deputy Eamon Gilmore:** One of the recommendations of the original OECD report, which was implemented by the Government, was the abolition of the groceries order. That was supposed to promote greater competition, a reduction in prices and better value for the consumer. We now find that big multiples, such as Tesco, are extracting or seeking to extract large sums of money from Irish suppliers just to put their products on their shelves. A report last week suggested the multiples are trying to get €500,000 per time from Irish suppliers in order to stock their products. Has this practice been drawn to the attention of the Taoiseach and how will it be dealt with? Some sectors of the business community are encountering difficulties associated with over-regulation, or certainly over-enthusiastic regulation, and other sectors, such as the one I have described, are not subject to any regulation.

**The Taoiseach:** Again, the specific sectoral issues that arise should be addressed to the Minister concerned. Thankfully, prices came down last year and all the statistical data confirm that. Whether that can be totally accounted for by the abolition of the groceries order is a moot point but it is a fact that food prices have come down. With regard to the issue of “Hello” money, I understand the National Consumer Agency has been pursuing this matter but proof is not as easily obtained evidentially as it is anecdotally. One understands that there might well be pressures on suppliers as to how frank or candid they might be on this, but clearly it is a practice, if it exists in any area of the retail trade or in the abuse of a dominant position by large multiples, which cannot be condoned in any circumstances.

**Deputy Eamon Gilmore:** I appreciate that the Taoiseach does not condone it but we have a situation where, particularly in the grocery sector, a couple of very large supermarket multiples are dominating the market. They are using that dominance to adopt all types of unfair practices against suppliers. The Taoiseach is correct that it is difficult to get proof. Suppliers are afraid to tell what they know about what is happening because they are afraid their produce will simply not be stocked, which is not an option in these times. The Tánaiste, in reply to my question about this last Thursday, said a draft code of practice has been in her Department for some time. I understand it is her intention to implement that code of practice but not on a statutory basis. That will not do the trick. This must be dealt with in a very forceful way.

The other issue I wish to raise is the position of the Law Reform Commission. On the last occasion that he replied to these questions the Taoiseach referred to the work being done by the commission in respect of a programme of statute law restatement. The an bord snip nua report recommended the abolition of the Law Reform Commission. What is the Government’s position with regard to the commission? Is it intended to abolish it? What is its intended future? I note that the chairperson of the commission was recently re-appointed for a 12-month period. What is the long-term intention regarding the Law Reform Commission?

**The Taoiseach:** The Deputy will be aware that, having acknowledged that €4 billion in savings was required in the last budget, a series of proposals was put forward by a body established by the Minister for Finance, which included that recommendation. It was not taken up on this occasion by the Government. Obviously, there are further adjustments to be made in future budgets and I cannot anticipate the outcome of those Cabinet discussions.

The original purpose for which the Law Reform Commission was established, to modernise our legal framework and to assist in bringing forward proposals and initiatives, has served us reasonably well. There was varying success and varying degrees of productivity, outcome and relevance depending on the chairperson and, indeed, the staff that occupy an organisation at any given time. If memory serves, the commission was established in the 1960s. As a law practitioner myself, I recognise that it has been a force for good in terms of modernising the law. It has done some very good academic and other work in proposing areas of law that require modernisation and updating. Mrs. Justice McGuinness has been re-appointed for a further year so obviously the chairmanship will proceed into next year and she was agreeable to that. We will deal with the matter as a budgetary issue from time to time but I cannot, nor should I, give a blanket confirmation of all these agencies being available in their current form given the budgetary challenges we face.

**Deputy Caoimhghín Ó Caoláin:** Does the Taoiseach agree that the entire regulatory reform agenda needs to be re-assessed? Is he aware the Government website on this matter states:

[R]egulatory reform is helping Ireland to manage the consequences of fast growth and to build new capacities to sustain growth into the future. For example, regulatory reform is seen as a way to open up important infrastructure and policy bottlenecks.

It also speaks of labour shortages. I suggest it is written for different times than the very difficult economic circumstances in which we are currently. Would the Taoiseach indicate that this issue will be revisited? I have seen this — it is exemplified on many occasions — as part of a failed policy in support of the privatisation of public services, because time after time it has been suggested public is bad and private is good. Would the Taoiseach see as completely unacceptable the policy of the European Union, as interpreted by the European Court of Justice, has led to local authorities in this State having their VAT exemption taken from them in the Finance Bill? It was done under the guise of so-called benefits to the consumer and to foster competition. The reality is this will lead to greater costs for the consumer. It will not result in reduced costs for the individual consumer regarding the services currently provided by local authorities. We will see this policy unfold over the time ahead.

**Deputy Andrew Doyle:** On the matter raised by Deputy Gilmore regarding retail practices, the Taoiseach may be correct in stating prices have reduced. He is definitely correct when he said evidential proof is much more difficult to get than anecdotal evidence. I conducted a survey among vegetable growers in the country. One response stated: “I will not give my name. Welcome to the world of supermarket supply where a shut mouth is necessary to feed your family”. It is high time we went beyond the notion that we can have a voluntary code of practice. We have to put some more substantial in place. The Taoiseach is worried about job creation. Job losses will happen around the country in the agrifood supply sector if we do not do something about it, sooner rather than later.

**The Taoiseach:** I recently heard an interview with the new IFA president who commended the Tánaiste for the work she was doing in this area and acknowledged this was an issue which had to be continued to be pursued with the multiples. The whole question of a fair price being provided and Irish producers having fair access to the shelves of Irish supermarkets is a very important priority for the Minister for Agriculture, Fisheries and Food, Deputy Brendan Smith, and the Tánaiste and Minister for Enterprise, Trade and Employment, Deputy Mary Coughlan. The need for the avoidance of sharp practice and unethical behaviour is something which needs to be transparently available for everyone to see.

I agree there are a lot of market pressures on people who, anecdotally, can clearly say certain things in private but are not in a position to pursue them through a legal remedy for reasons which are obvious. That shows the imbalance of power between the producer and retailer in this area. It is a phenomenon with which primary producers across Europe have to contend. We are finding that happens, in particular with the advent of British multiples coming to Ireland. Their distribution arrangements, in terms of where they source their products, how they bring them in and where they bring them from, is a huge issue and one which about which we have to continue to be vigilant and supportive of everybody who is trying to ensure Irish producers get a fair deal in this situation. No one is looking for anything other than competitive, fair competition in all respects.

Regarding Deputy Ó Caoláin’s comments, regulation is in place to facilitate competition and to provide a better and more diverse range of services for the public. With regard to that situation there is competition in place and under that directive the requirement to have a level playing field requires that VAT be payable on services provided. I do not believe that is the case if the local authority is in a monopoly position. It is a question of having to implement

[The Taoiseach.]

the VAT directives and that is one of the disciplines we must undertake in view of our access to a single European market. The Single Market provides us with a huge host of opportunities for exporting our products.

### **Priority Questions.**

---

#### **Employment Support Services.**

66. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs her plans to intensify activation measures within her Department and in co-operation with FÁS in order that unemployed persons are fully supported in returning to work; and if she will make a statement on the matter. [9230/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Activation initiatives are designed to assist and facilitate people on social welfare payments to return to the active labour force. The Government has a comprehensive approach to keeping as many people as possible in work. Protecting existing jobs and supporting the creation of new opportunities is a key priority and the Department of Enterprise, Trade and Employment plays the central role in that regard.

Ensuring access to appropriate education and training initiatives to help jobseekers get back to work is also a major priority. The Government is now providing, through FÁS, a total of 147,000 training and activation places for jobseekers. In addition there were 166,000 places available, including additional provision, on education programmes in 2009, while the number of third level places has also increased dramatically over the past ten years.

While many people who lose their jobs will go on to new employment or take up education or training within three months, others will find themselves unemployed for a longer period and some will need targeted guidance and support in order to access new opportunities. Under the national employment action plan, NEAP, everyone who is approaching three months on the live register is identified by the Department of Social and Family Affairs and referred to FÁS for interview with a view to assisting them enter or re-enter the labour market. In the period from January to November 2009 80,967 people were referred to FÁS under the NEAP, an increase of 24,601, or 44%, over the same period in 2008.

The Department of Social and Family Affairs also provides jobseekers with one-to-one assistance through its facilitator service. Facilitators work closely with FÁS and other agencies at a local level and help jobseekers develop individual progression plans to enhance their skills and ultimately improve their employment chances. During 2009 21,500 people were referred to facilitators. Although the facilitator service is available to all jobseekers, the Government is conscious that people with low levels of education and those who have been unemployed for 12 months or more face particular difficulties in getting back into work. The back to education and back to work initiatives were designed to provide additional targeted supports to such groups. Approximately 20,800 people were in receipt of the back to education allowance on 31 December, 2009. This represents an increase of approximately 79% over the figure for 2008-09 academic year, which was 11,646. Last year we changed the back to work enterprise allowance to provide earlier access to it for those who want to commence a self employment business. We also introduced the short-term enterprise allowance.

A range of initiatives are in place to assist people who have just lost their jobs and to provide more targeted support for those who are more distant from the labour market. While activation programmes have been improved considerably over the past two years, they are being kept under review in light of the current economic circumstances to ensure that they are as effective as possible. New initiatives, such as a statistical profiling model for jobseekers, are also being developed at present to ensure that support is targeted at those who need it most.

**Deputy Olwyn Enright:** I am glad to see the Minister is in a position to get such detailed answers to questions. We are in a bizarre situation when the Opposition is not able to get answers to parliamentary questions from the Department of Social and Family Affairs on behalf of constituents, while the Minister is still able to bring us that level of information. This begs a further series of questions.

I return to the issue of activation. Approximately two years ago, or shortly after we arrived in this position, I raised this matter with the Minister and have done so on several occasions since. The situation is that people in receipt of social welfare payments are going on FÁS courses. Some times the courses last two, three or four weeks and these people sign off social welfare and sign on with FÁS. They do their course, sign off FÁS and back onto social welfare. What has been done to address that situation? They get the same payment and sometimes may get an extra allowance from FÁS for child care. That is not an issue for the Minister. However, that amount of paperwork is a nonsense, particularly when we see the delays in our social welfare offices. That is one question.

Regarding the issue of activation, there are customers — there is a less polite name for them — of the Department who get a letter stating they have sought work. I spoke to an employer the other day who said, “I have this fellow back again for the third year in a row applying for a job. He knows there are no jobs here but he needs a letter for the Department”. That is then accepted as his active seeking of work. Has the Minister done any investigation into the reality behind that situation?

The Minister will accept we are in a very changed environment. She made a statement in January welcoming the IBEC Gradlink programme, which I, too, very much welcome. Do the Minister and FÁS have any plans to put any other scheme in place for graduates who will not be able to avail of that programme but for whom the traditional type of FÁS course will not be of help?

**Deputy Mary Hanafin:** I regret that parliamentary questions are not being answered. Unlike the information I have, which concerns general policy, Members of the Dáil tend to ask questions about individual persons. Rightly, I do not have access to that kind of information, and cannot facilitate Members.

**Deputy Róisín Shortall:** We cannot get answers to questions in any case.

**Deputy Mary Hanafin:** I hope we can arrive at a situation where we can get the information for people and that the dispute can be resolved to everybody’s satisfaction. However, I understand it is difficult for Deputies who are trying to get information on behalf of their constituents.

**Deputy Olwyn Enright:** This concerns the worst off in society.

**Deputy Mary Hanafin:** The important thing is to ensure that payments are not affected. Some 1,200,000 payments are made every week by the Department and although we have issues concerning telephones not being answered or offices not being covered, claims are being

[Deputy Mary Hanafin.]

taken and processed and money is being paid. That is the crucial element at this stage. However, I appreciate the frustration Deputies feel.

Regarding the questions raised by Deputy Enright, I was assured by the Secretary General that there is now a more streamlined payment process in place for people who go to FÁS for short courses and then return to welfare. That is a matter we would wish to keep under review but it was raised and discussed in the Chamber and I am assured now that the system is in place.

Local officers and offices have an obligation to ensure that people are actively seeking work and when people come to sign on they are expected to provide that information. It would be very helpful if the employer mentioned by the Deputy — there may well be others——

**Deputy Olwyn Enright:** There are very many.

**Deputy Mary Hanafin:** ——were to come along and say that such applicants know there are no jobs. In those circumstances employers should not give them a letter to satisfy their social welfare needs if they know it is not the result of any genuine effort to find work. The reality is there are not as many jobs available as there were but there is an obligation on the offices to seek the information. I shall certainly check the situation the Deputy described.

I refer to the graduate programme and Gradlink. We changed the criteria for our graduate programme on 1 December and that is having an effect. We are investigating it now and marketing it in a better way, using Facebook and other types of technology that graduates would be more likely to access rather than having a poster in the office. I particularly welcome the IBEC Gradlink programme because at the end of that placement graduates will not only have been able to maintain their social welfare benefits but will also get a recognition or certificate from IBEC stating they have experience in management. This will benefit people.

**An Leas-Cheann Comhairle:** We are out of time but I will take a brief supplementary.

**Deputy Olwyn Enright:** I do not want to hear about a welcome for the IBEC programme. I want to know how the Minister will make her programme work better. The fact that persons will get their social welfare payment is not to the point. People have difficulties, whether of child care or in travel to work if it is any way distant. There is no recompense for that. The social welfare payment will not it possible for people to travel any great distance.

In summer 2008 the Minister announced a major initiative to tackle the number of young people who find themselves unemployed. That number has increased greatly since then. Are there any new initiatives to try to address this?

**Deputy Mary Hanafin:** The Deputy is right. In summer 2008 we brought together all the facilitators and organised a seminar for them on the education training opportunities and new initiatives that were available to ensure they had the top information to hand. In May 2009 we sent out information leaflets and documents to the under 25 age group advising them of education opportunities they might care to take up. It would be my intention to try to do something of that kind again in the coming months, especially prior to the next academic year. However, as I indicated, I am working also to see what changes can be brought about in the back to education allowance that might facilitate more people.

### **Social Welfare Code.**

67. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs her plans to

reform family income supplement to ensure that employment is incentivised for all jobseekers with families. [9234/10]

**Deputy Mary Hanafin:** The family income supplement, FIS, payment provides income support for employees on low earnings with children. The manner in which the value of the payment is calculated is designed to preserve the financial incentive to take up or remain in employment in circumstances where the employee might be only marginally better off on social welfare payments. Fundamental to the design of the FIS scheme is that a person must be engaged in insurable employment for a minimum number of hours — currently 38 hours per fortnight. A couple may combine their hours of employment to meet the qualification criteria. The payment amount is based on a fixed proportion of the gap between the assessable income of the household and prescribed FIS income thresholds. As these thresholds are linked to the number of dependent children in a household, FIS provides an important policy instrument in reducing child poverty in working households as well as improving incentives to work.

An example of how FIS works is as follows. If a family has one parent working full-time and the other working 19 hours a week, with both on the minimum wage, their net income from employment would be approximately €500 per week. If they have four children, they would be entitled to a FIS payment of about €190 per week, as a top-up to their wages, giving them a combined net income from employment and FIS of about €690. If only one parent in the same family was working, and they were in full-time employment at the minimum wage, their gross income from employment would be around €340 per week and their additional income from FIS would be about €280 per week. Their combined net income from employment and FIS would, therefore, be around €620 per week. In both scenarios, they would also be entitled to child benefit of €155.53 per week.

Considerable improvements have been made to FIS since the late 1990s. These have improved its effectiveness as an instrument of support for low-income employees. These changes include a change in how income is assessed — that is, from a gross to net basis — and, in recent years, the refocusing of income thresholds to include additional gains for larger families. Partly as a result of this, and partly reflecting higher levels of take-up, spending on FIS has risen from €33 million in 1997 to an estimated €215 million in 2010.

Increases to FIS thresholds were already announced as part of the budget 2010 package. These increases effectively compensate low-income households on FIS for the necessary reduction in child benefit rates. I do not propose any further significant changes to the qualifying criteria of FIS at this time.

**Deputy Róisín Shortall:** It is very disappointing that the Minister does not propose to reform FIS. It has never been as important as at present, when many families are suffering a reduction in their pay as a result of reduced hours or reduced pay rates. Does the Minister accept there is a real problem with the incentive to work, in particular for families with young children? There were no changes in the last two budgets other than small compensation measures for the reductions in child benefit. There are real problems at present, and all Members come across cases on a regular basis, increasingly so in recent times, where it is really not worth a family's while to go out and work because of low pay. For that reason, I ask the Minister to give serious consideration to this issue.

We should be encouraging as many people as possible to move from welfare to work but the Minister has placed obstacles in the way of many families. I ask her to consider reforming the scheme. For example, the 19-hour rule is not necessarily fair. I came across a group of workers recently who work 37 hours a fortnight, and I know of other workers who work three



[Deputy Róisín Shortall.]

hours a day, five days a week. There must be flexibility in the scheme if we are to encourage people to avail of any work opportunities that exist. Similarly, the scheme is not available to the self-employed.

I ask the Minister to give consideration to reforming the scheme in these two areas in particular. What everybody should be trying to achieve is that those obstacles that exist for people who wish to move from welfare to work are removed.

**Deputy Mary Hanafin:** With regard to the self-employed, the scheme is designed to help people who are employees. There are other ways of supporting people on low income who are self-employed by bridging a gap between what they can show they are earning and what they would get on jobseeker's allowance.

When one considers the number of people currently benefiting from the scheme, which is growing all the time and is now 26,081, it shows we are responding to the growing need that exists. It is often felt that the right number of people were not actually accessing the scheme yet, when the Department in 2008 examined a review sample of 3,000 families whom they felt should qualify for it, in fact, only 23% of the families were actually eligible. There is a very high rate of awareness rate of this scheme but, while people know it is there, they do not know the criteria. Nonetheless, I accept we need to find as many ways as possible of getting the information across to people, including through the citizens information centres, our own offices and, in particular, employers, as they know exactly what people are actually earning.

With regard to the number of hours that people are working, we must distinguish between part-time and full-time work. While there is no definition of the number of hours which constitutes full-time work, 19 hours would in many cases be far more acceptable than 15. There is probably an argument in what the Deputy says about not taking the number of hours worked all in one week but spreading it out over two weeks. I will certainly consider that to see whether an issue arises.

**Deputy Róisín Shortall:** I do not understand why the Minister says we must distinguish between part-time and full-time work. That is the exact point I am making. We need flexibility in the scheme so that people are encouraged or enabled to take up any job opportunities, even for one or two days a week or for a temporary job of a few hours. We need that kind of flexibility. The scheme as it operates at present was designed for a very different time and there is now a pressing need for the Minister to consider the reforms that could be introduced.

The other glaring problem is that there has been no compensation for the elimination of the early child care supplement. I know the Minister will tell me that people have a year's free preschool care but, overall, in terms of family income, where previously they would have had €1,000 per year per child for the first five years, in real terms that has now been cut to €2,500 in total. Therefore, instead of €5,000 per preschool child, a family now gets €2,500, which is a real and substantial loss in family income. There have been no corresponding compensation measures in the family income supplement to take account of this change.

I ask the Minister to be more flexible and to look at the world of work people are faced with nowadays, where there is flexibility and lots of part-time work, casual work and short-term work. The family income supplement needs to be sufficiently flexible to facilitate people in taking up those job opportunities.

**Deputy Mary Hanafin:** The changes that came about in the family income supplement were designed to support any loss people might experience in regard to the child benefit but I

appreciate there was no compensation factor for the early child care supplement. The Department is undertaking a broader review at present of child income support, the value for money review in that area and policy in that area, so it will certainly be examining family income supplement in that context. However, in the current economic circumstances, I cannot foresee a situation where there would be very significant changes that would create a huge financial burden.

**Deputy Róisín Shortall:** In the current circumstances, the Minister needs to facilitate flexibility.

**Deputy Mary Hanafin:** What we need to do is to ensure that those people who qualify would benefit from it.

**Deputy Róisín Shortall:** The Minister is missing the point.

68. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs her plans to change the one-parent family allowance; when she expects to introduce these changes; and if she will make a statement on the matter. [9231/10]

**Deputy Mary Hanafin:** The Government believes that the current arrangements, whereby a lone parent can receive the one-parent family payment until their child is 22 without any requirement for them to engage in employment, education or training, are not in the best interests of the recipient, their children or society. Despite improvements made to the one-parent family payment over the years, a large proportion of lone parents and their children are still experiencing poverty.

In general, the best route out of poverty is through employment. We recognise that work, particularly full-time work, may not be an option for parents of young children. However, we believe that supporting parents to participate in the labour market once their children have reached an appropriate age will improve both their own economic situation and the social well-being of themselves and their families.

The Department has undertaken a comprehensive review of the one-parent family payment and developed proposals which are designed to prevent long-term dependence on welfare and facilitate financial independence, recognise parental choice with regard to care of young children but with the expectation that parents will not remain outside of the labour force indefinitely, and include an expectation of participation in education, training and employment, with supports provided in this regard. To meet these social policy objectives, the Government is considering various options for limiting the length of time for which the one-parent family payment can be paid, including the age of the youngest child. Any such changes would be phased in over a number of years for existing recipients to enable lone parents to access education and training and to prepare them for their return to the labour market.

The changes will also bring Ireland's support for lone parents more in line with international provisions, where there is a general movement away from long-term and passive income support. The EU countries achieving the best outcomes in terms of tackling child poverty are those that are combining strategies aimed at facilitating access to employment and enabling services — for example, child care — with income support.

We are conscious that many lone parents will need access to education, training and activation measures in order to acquire the skills they will need to gain employment. The Department has been working closely with other agencies to ensure that the broader needs of lone

[Deputy Mary Hanafin.]

parent families are met and the changes to the one-parent family payment currently being finalised will be progressed in that context.

**Deputy Olwyn Enright:** It is ironic that in the past 13 years of Fianna Fáil in government, at a time of high employment, we have listened to the late Séamus Brennan, as Minister for Social and Family Affairs, and his predecessor, the Minister, Deputy Cullen, and now the current Minister, Deputy Hanafin, proposing changes to the lone parent allowance. Yet, when it might have been possible for lone parents to be activated into employment, nothing was done. Now that there are far fewer employment opportunities the Government is considering forcing them into employment.

Delegates from various groups representing lone parents attended a recent meeting of the Joint Committee on Social and Family Affairs where they informed us that 84% of lone parents are working, seeking work or engaged in education and training. Their main concern is that there be clarity on when a decision will be made, particularly in regard to the age at which payments will cease for the children of lone parents. When are we likely to get finality — in the words of one of the Minister's colleagues — on this matter? When will people be told where they stand?

The Minister has spoken about the issue of flexibility, something that is of particular importance for lone parents. In regard to poverty traps, will the Minister look at total household income rather than hours worked in calculating entitlement to different social welfare benefits?

**Deputy Mary Hanafin:** I too have met with the various representative groups and found they had a valuable contribution to make to the debate. Many of them undertake independent research which is of particular value. I met some of the groups only last week and will meet a group of lone parents next week in Tallaght, including some very young parents, to ascertain their views.

The original documents that were circulated suggested that the lone parent allowance might cease, without any obligation of work or education, once the child reaches the age of seven. It is my view that seven years of age is too early. Instead, I am considering that payment be ceased when the child reaches the age of 13 years. At that age children are in secondary education and have a longer school day with more after-school activities. Therefore, parents are not in need of full-time child care.

I am working with the Minister of State with responsibility for children on child care issues and I have spoken to the Minister for Education and Science about education activation and training opportunities. I assure the Deputy that any changes will not be brought in suddenly. We must give people notice to enable them to avail of the education and training they will need. There is no question of simply cutting off payment. Hopefully, these people will be able to participate in work or full-time employment. We have noticed that there is a tendency among lone parents to sit on a certain number of hours because of their fear of losing the book.

**Deputy Olwyn Enright:** I do not blame people for sitting on a certain number of hours. The reality is that even three or four additional hours of work means they will lose their lone parent entitlement and therefore be worse off. That is the problem. I support in principle what the Minister is trying to do but the system will not allow it to be done. There will not be sufficient places in education and training, transport will not be provided to those learning facilities and there will not be sufficient child care services to accommodate parents. Children of 13 years still require to be taken care of when they come home from school.

There will have to be a significant change in how the Minister's Department, the Department of Education and Science and FÁS operate if the proposed changes are to be successful. The Minister said she has had discussions with her colleagues. What changes do they propose or what changes has that Minister asked them to make to ensure people have access to the supports they require? There must be a carrot as well as a stick. All we have heard about so far is the stick.

**Deputy Mary Hanafin:** We are not talking about a substantial number of people at any one time, with approximately 2,000 people coming off the payment in a given year. If we start working with those people three or four years in advance, they will be able to benefit—

**Deputy Olwyn Enright:** The Department's facilitators have already seen 20,000 people.

**An Leas-Cheann Comhairle:** The Deputy must allow the Minister to reply.

**Deputy Mary Hanafin:** If we are talking about a cut-off point of the child reaching 13 years of age, we will have an opportunity, three or four years in advance, to ensure parents are benefiting from education and training. There must be a sea change in cultural attitudes so that lone parents, particularly young parents, are not looking forward to a 22-year time span during which they are not obliged to take any responsibility for their own education and training or advancement into employment. The intention is that facilitators will work with people from the time they make their first application and at regular intervals until their child is 13 years old.

**Deputy Olwyn Enright:** That is not the real world.

**Deputy Mary Hanafin:** In regard to child care provision, there are 1,000 community-based crèches throughout the State in which 30,000 children are being cared for. Lone parents receive good rates in those facilities and are afforded priority of access.

**Deputy Olwyn Enright:** They lose those benefits once they start working.

**Deputy Mary Hanafin:** We have had discussions about ensuring that lone parents who go into employment will continue to access those benefits. The Department is also talking to FÁS about ensuring that the skills courses lone parents may need to avail of do not begin at 8.30 a.m. which would automatically exclude many of them.

### **Rental Accommodation Scheme.**

69. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the details on the meetings she has had with the Department of the Environment, Heritage and Local Government with a view to moving persons from rent supplement to the rental accommodation scheme; and if she will make a statement on the matter. [9233/10]

**Deputy Mary Hanafin:** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short-term assistance, not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently almost 93,200 tenants benefiting from a rent supplement payment, an increase of 55% since the end of 2005. More than half of these are in receipt of payment for more than one year, while more than 33,000 have been receiving payments for 18 months or more.

[Deputy Mary Hanafin.]

The rental accommodation scheme, RAS, which was introduced in 2004, gives local authorities specific responsibility for meeting the longer-term housing needs of those in receipt of rent supplement for 18 months or more. Details of these cases are notified regularly by the Department to 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, the RAS. Latest figures from the Department of the Environment, Heritage and Local Government indicate that to date, more than 24,800 transfers from rent supplement have occurred. Since 2005 local authorities have transferred more than 13,400 rent supplement cases to the RAS, while housing authorities have transferred a further 11,413 recipients to other social housing options.

It is accepted that progress in regard to RAS was initially slower than expected. However, the pace of delivery has improved significantly. In total, 14,000 recipients were transferred in 2008 and 2009, achieving the targets set for RAS transfers for these years. The target established for 2010 is 8,000. In addition to this official target, due to the numbers of unsold affordable stock throughout the State, an opportunity has arisen to make use of some of these properties for RAS and it is expected that additional transfers may be possible in 2010.

The Department continues to work closely with the Department of the Environment, Heritage and Local Government in ensuring 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. The Department provides regular reports to the Department of the Environment, Heritage and Local Government and regular meetings are conducted with the RAS programme managers of the various local authorities.

**Deputy Olwyn Enright:** What is the reason for the difficulties and blockages that have arisen in respect of the RAS? It is my experience and that of colleagues that there are people in receipt of rent supplement for years. I accept the Minister's figure of 33,000 people in receipt of the supplement for more than 18 months, but it seems low. I am aware of people who have been in receipt of it in the long term and do not want to come off it for various reasons, often because of the location of the property they are currently renting. The payment is costing the State €500 million per year.

Is the Minister satisfied that the local authorities are doing enough to ensure there is awareness of the rental accommodation scheme? The Minister has made changes in terms of the payment of rent supplement, with tenants themselves rather than landlords bearing the brunt of those changes. Does the Minister agree that the target for this year is somewhat unambitious? Given that more than 90,000 people are in receipt of rent supplement at a cost of nearly €500 million and that there is such an abundance of vacant rental properties, the target of moving 8,000 to the rental accommodation scheme does not seem very ambitious.

**Deputy Mary Hanafin:** One of the blockages is that many of these people are not the responsibility of the local authority. If the authority houses them, it does not necessarily mean it is reducing its own list. They might be reducing the social welfare lists but they are not reducing the housing list, and in my view, that is one of the blockages. For this reason, last year, we insisted on people having a full housing assessment and when being deemed to be in need of housing that the local authority would take responsibility for them. There is, therefore, some incentive for the local authority to house them. This is one element.

A second element, which I am not sure is fully addressed, is the difference between what one pays as a personal contribution towards rent against what one would pay on the differential

rents scheme in Dublin, for example. Under the rent supplement scheme a person pays €24 while the average in Dublin is €58 but the minimum is €25. This may be an issue.

As the Deputy said, we all have constituents who talk to us. A girl came to see me recently who has turned down two offers of housing because they were not in areas she wanted and yet she is still receiving a rent supplement. I can see that this is also a difficulty. Unfortunately the longer she is left on the rent supplement the more secure her children become in school and in that local community and she will only accept a house within that area. These are genuine issues. On the question as to whether the target for this year is under-ambitious, I like targets that can be achieved and as I indicated in my reply, the amount of affordable housing stock available is an opportunity to increase that number.

**An Leas-Cheann Comhairle:** A brief supplementary question, Deputy Enright.

**Deputy Olwyn Enright:** The Minister has alluded to the existing blockages and I ask what she plans to do to remove them. If a person on rent supplement refuses a house is this decision notified to the Department? There has to be an element of strictness. I agree one must consider people's needs and whether children are in school but there has to be a bit of practicality. This scheme was intended as a temporary measure but it has turned into a permanent arrangement. To be fair to the people on the scheme, it is because of the failure of the Department of the Environment, Heritage and Local Government to provide adequate housing for people in the first place.

**An Leas-Cheann Comhairle:** An t-Aire for a final and brief reply.

**Deputy Mary Hanafin:** A total of €500 million for 93,000 people is a good security for those people and it is keeping them in rented accommodation. It also acknowledges the difficulties experienced by those people. What I do not like to see is the scheme being used as a long-term arrangement because it was never designed to be that kind of scheme. Some of the changes we introduced will help to overcome those barriers, such as the amount of personal contribution and the fact that it is now the responsibility of the local authorities. It is hoped that the current surplus of unused and available housing stock may be one solution. My own local housing authority is also anxious that people should not be permitted to make several refusals of housing and my Department is examining this aspect of the scheme and is working closely with the local authorities.

### **Social Welfare Code.**

70. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of persons in receipt of mortgage interest supplement for each of the past four years; the cost of same; and if she will make a statement on the matter. [9235/10]

**Deputy Mary Hanafin:** The mortgage interest supplement scheme provides support for people who have difficulty meeting their mortgage repayments and whose means are insufficient to meet their needs. The scheme provides a short-term income safety net within the overall social welfare system to ensure that people do not suffer hardship due to loss of employment. A supplement in respect of mortgage interest only may be paid to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence.

The number of persons in receipt of and the cost of the mortgage interest supplement scheme for the last four years is as follows: at the end of 2006 there were 3,420 recipients of mortgage

[Deputy Mary Hanafin.]

interest supplement and the cost of the scheme was €7.87 million; at the end of 2007 there were 4,110 recipients of mortgage interest supplement and the cost of the scheme was €12.19 million; at the end of 2008 there were 8,090 recipients of mortgage interest supplement and the cost of the scheme was €27.67 million; and at the end of 2009 there were 15,120 recipients of mortgage interest supplement and the cost of the scheme was €60.69 million.

There are currently just over 15,400 people in receipt of mortgage interest supplement, compared to 8,091 recipients in 2008, an increase of 91% in just over 12 months. Expenditure for the years ending December 2009 and December 2008 was €60.7million and €27.7 million, respectively, a 119% increase year on year in terms of outturn.

A review of the administration of the mortgage interest scheme is in progress. The main purpose of the review is to examine how the scheme can best meet its objective of catering for those who require assistance on a short-term basis, where they are unable to meet mortgage interest repayments on their sole place of residence.

The review group includes representatives from my Department, the community welfare service, the Departments of Finance, Environment, Heritage and Local Government, together with a representative from the office of the Financial Regulator. The group is examining trends in programme and administrative costs, the impact of the Financial Regulator's statutory code of practice on mortgage arrears on the mortgage interest supplement scheme and legislative and operational issues arising, including the cap on hours of employment.

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

The review is also considering whether alternative approaches to achieving the scheme's objectives are warranted in light of recent changes in the economic climate and the mortgage market. The full review should be completed in the coming weeks and the ensuing report will be available for publication in April 2010.

As part of this review, following consultation with the community welfare service, guidelines on specific and immediate operational issues for the community welfare officers operating the scheme have been finalised and were issued in June 2009. The guidelines are available on the Department's website [www.welfare.ie](http://www.welfare.ie)

**Deputy Olwyn Enright:** The answer to my next question is probably contained in the balance of the reply. When is the review group likely to report? The Minister will be aware that last week the Joint Committee on Social and Family Affairs launched a report on indebtedness. Some of the groups who contributed to that process said that much of the work has been completed and there is concern that the review group will in effect be re-examining the wheel rather than making decisions and issuing conclusions.

A commitment was made to establish a high level independent expert group. Is this a separate body from the review group and is the Minister or her officials on that group?

**Deputy Mary Hanafin:** My officials.

**Deputy Olwyn Enright:** The biggest concern is the timescale for this report. The Minister has stated there has been an increase of 91% in the numbers in receipt of mortgage interest supplement and in my view this increase could be the same next year if action is not taken in the meantime. When will we see results from the interdepartmental group that has been formed?

**Deputy Mary Hanafin:** I am expecting the report in April. I have met with some of the members of the group to discuss the issues I wanted to ensure were being examined, for example, the cap on employment. They advised me they expect to produce the report in April.

**Deputy Olwyn Enright:** Is this the interdepartmental group or the mortgage interest supplement review group?

**Deputy Mary Hanafin:** The mortgage interest supplement review group because this was a specific scheme. I have also asked the group to examine another matter. The moratorium now in place was last week extended to 12 months instead of six months. This means that a person engaging with his or her bank will be protected from any legal action being taken against them for 12 months from the date of arrears arising. I have asked the group to look at the question of whether mortgage interest supplement should be paid in that first 12 months or whether it would be better to hold the mortgage interest supplement for a subsequent 12 months. It is a case of ensuring that people receive the full benefit from the moratorium, from what the Financial Regulator and the banks are doing and also from social welfare assistance.

**Deputy Olwyn Enright:** It seems we are talking about two different groups. How does the mortgage interest supplement review group and the Minister and her Department fit into the interdepartmental group which was announced by the Minister for Communications, Energy and Natural Resources, Deputy Eamon Ryan? I would assume the Minister is a member of that group rather than her officials as it is a high level group involving Ministers. How does this process fit in and when will that group report? April is still two months away. I am concerned that this will be held up while we are waiting for the mortgage interest supplement review which has been going on now since the Minister has been in power.

**Deputy Mary Hanafin:** If anything the mortgage interest supplement review will be published ahead of the other report which is looking at the wider problem of indebtedness and the issues which have also been examined by the joint committee, such as equity and taking houses and renting them back. It is considering the wider issues relating to home ownership and other forms of debt such as personal debt.

**Deputy Olwyn Enright:** Is the Minister a member of that group?

**Deputy Mary Hanafin:** Senior officials are members of the group but Ministers have not as yet sat down together but this will happen.

**Deputy Olwyn Enright:** Has the Cabinet discussed it now that the group has been announced?

**Deputy Mary Hanafin:** It has been discussed at Cabinet but not as a separate group. We have also discussed the issues at the economic sub-committee. The issues have been raised and discussed in two different fora——

**Deputy Olwyn Enright:** Yet not in the forum which was meant to discuss them.

**Deputy Mary Hanafin:** The Cabinet is a forum for doing this as also is the economic sub-committee. The issues have been discussed at those levels.



## Other Questions.

---

### Social Welfare Benefits.

71. **Deputy David Stanton** asked the Minister for Social and Family Affairs the number of persons still on the back to work allowance when the last person will complete the scheme; the number on the back to work allowance in 2007, 2008 and 2009; the cost to her Department of the back to work allowance in each of these years; if her Department has conducted research into the cost incurred by the State each year of the back to work allowance scheme through the retention of secondary benefits; and if she will make a statement on the matter. [9032/10]

**Deputy Mary Hanafin:** I presume the Deputy is referring to the back to work allowance scheme for employees which is one of two strands in the Department's back to work programme. The scheme was designed to assist the long-term unemployed, lone parents, people with disabilities and other social welfare recipients to return to work. The allowance is paid on a reducing scale over a three year period. Participants retain any additional secondary benefits they had prior to participation.

In order to respond effectively to the growing numbers on the live register, the changing profile of jobseekers generally and the current employment situation, it was decided in April 2009 to refocus the existing resources for back to work schemes towards helping people into self-employment. The intention is to support enterprises that will, in due course, create further employment opportunities. To this end, the back to work allowance scheme for employees was closed to new applicants from 1 May 2009. Existing participants retained their entitlements and, in general, the last of these will have finished by the end of April 2012. However, the scheme contains a provision that participants who drop out before their entitlement ceases can in certain circumstances resume where they left off. Consequently, there may be a small number of people re-entering whose entitlement will not expire until after April 2012.

There were 4,305 people on the back to work employee scheme at the end of 2007. The equivalent figure was 3,558 at the end of 2008 and 2,012 at the end of 2009. The expenditure figures collated by the Department do not distinguish between the back to work allowance scheme and the related back to work enterprise allowance. The overall expenditure on both schemes in 2007 was approximately €71 million. In 2008, it was over €73 million. The outturn for 2009 has not yet been finalised, but the estimated figure is approximately €76.5 million.

Participants in the back to work allowance scheme retain any secondary benefits they were in receipt of prior to participation, as long as they satisfy a household income means test where applicable. The Department has not undertaken specific research on the annual cost to the State of this measure, which has always been seen as important to the success of the back to work allowance scheme.

**Deputy David Stanton:** Can the Minister confirm that 20% of those who are unemployed are under the age of 25? Does she agree that the scrapping of this scheme has robbed such people of any hope of getting employment? Can she tell me why the scheme has been abandoned at a time when the rate of unemployment in this country is the second highest in the European Union? Why has the Government decided to abandon young people and a scheme that seemed to be working well? Was there evidence to suggest that the scheme was a failure in some way? If so, why was it maintained for so long? How many people are now on the short-term enterprise allowance scheme, which replaced the previous scheme?

**Deputy Mary Hanafin:** I do not accept that the scheme has anything to do with young people. It was designed to enable those who were becoming long-term unemployed to get back into the work force. Our aim with young people is to ensure they do not become long-term unemployed in the first instance.

**Deputy Olwyn Enright:** Approximately 40% of them are unemployed.

**Deputy Mary Hanafin:** Our priority for them is to get them into training, activation, education or work placement programmes. I suggest that the scheme under discussion is not the appropriate one for them. A scheme that has been introduced as part of our efforts to get people back into work — the back to work enterprise allowance — might be the most appropriate one for them. It enables young and old people who have ideas to get social welfare support while pursuing those ideas. Having closed the back to work scheme, we decided to focus on the back to work enterprise allowance in order to encourage innovation and enterprise. At the end of last year, some 6,603 people were availing of the enterprise scheme. The relevant figure for short-term enterprise allowance, which was also mentioned by the Deputy, was 1,195.

**Deputy David Stanton:** Am I right in saying that the number of people availing of short-term enterprise allowance is greatly below expectations? Does the Minister agree with the CSO that 60% of unemployed people are at serious risk of long-term unemployment? At a time when so many people are at risk of long-term unemployment, why did she scrap a scheme which focused on the long-term unemployed? Some 12.7% of the population is unemployed. That figure was 15.7% when the scheme was introduced in 1993. Does the Minister intend to wait until the unemployment rate reaches 15.7% again before she introduces a meaningful scheme to give hope to the long-term unemployed?

**Deputy Mary Hanafin:** A number of new initiatives have been introduced. The useful back to work enterprise scheme encourages innovative people who have ideas to set up their own enterprises. The number of people on the back to education scheme, which is the only guaranteed way of ensuring one does not become long-term unemployed, has increased significantly, to over 20,800, by comparison with last year and the year before. We have introduced the PRSI incentive scheme, which is designed to take people off the live register and put them into work. It has the potential to be costly this year. In order to avail of the scheme, one needs to have been on the live register for at least six months. If people are taken off the live register after six months, they are protected from becoming long-term unemployed. Such people are put into work, which is exactly where many of them want to be. The employer does not have to pay the PRSI for them. That scheme costs €3.3 million for every 1,000 people who participate in it. We reckon that it could cost a significant amount of money this year. It will have the exact effect that the Deputy wants to achieve. It will ensure that people get back into work, rather than staying on the live register for too long.

### **Social Welfare Code.**

72. **Deputy Bernard Allen** asked the Minister for Social and Family Affairs her plans to introduce national guidelines for the operation of the mortgage interest supplement scheme; and if she will make a statement on the matter. [8930/10]

81. **Deputy Eamon Gilmore** asked the Minister for Social and Family Affairs the reason for the delay in reforming mortgage interest supplement. [8896/10]

83. **Deputy Michael Noonan** asked the Minister for Social and Family Affairs her plans to amend the mortgage interest supplement scheme; if she will make revised guidelines publically available; and if she will make a statement on the matter. [8993/10]

122. **Deputy Seán Barrett** asked the Minister for Social and Family Affairs the number of persons in receipt of mortgage interest supplement; the cost for same; if she will arrange for the collection of figures on the number of persons who apply for mortgage interest supplement; and if she will make a statement on the matter. [8933/10]

**Deputy Mary Hanafin:** I propose to take Questions Nos. 72, 81, 83 and 122 together.

The initial purpose of the mortgage interest supplement scheme was to provide short-term support to people who have difficulty meeting their mortgage repayments due to changes in their employment circumstances and whose means are inadequate to meet their basic day-to-day needs. The goal of the scheme, within the overall social welfare framework, was to ensure that people do not suffer unnecessary hardship due to loss of employment and can, in the short term, maintain their sole place of residence while being unemployed. Mortgage interest supplement only covers the mortgage interest payments in respect of an eligible person's sole place of residence. It is a means tested payment and other qualifying criteria apply. Just over 15,400 people are in receipt of mortgage interest supplement at present. Given that there were 8,091 recipients in 2008, there has been an increase of 91% over the last 12 months. The levels of expenditure on the scheme for the years up to December 2009 and December 2008 were €60.7 million and €27.7 million respectively. Therefore, there has been a 119% year-on-year increase in the outturn.

The assessment for the mortgage interest supplement scheme provides for a gradual withdrawal of payment as hours of employment or earnings increase. Those availing of part-time employment or training opportunities can continue to receive mortgage interest supplement, as long as they satisfy the standard means assessment rules. Claim details are generally electronically recorded when entitlement to mortgage interest supplement is refused. As the practice can vary between community welfare areas, statistics for the number of people who applied for and were refused mortgage interest supplement without an appeal are not fully reliable. Community welfare officers have been reminded on many occasions to record electronically details of the receipt and status of all claims. Requests to change operational procedures should be viewed in the context of the increased demands being placed on community welfare officers in the current economic environment.

The review of the administration of the mortgage interest scheme is progressing. The main purpose of the review is to examine how the scheme can best meet its objective of catering for those who require assistance on a short-term basis because they are unable to meet mortgage interest repayments on their sole place of residence. The review group includes representatives of the community welfare service, the Departments of Finance, Social and Family Affairs and the Environment, Heritage and Local Government and the Financial Regulator. The group is examining trends in programme and administrative costs, the impact of the Financial Regulator's statutory code of practice on mortgage arrears on the mortgage interest supplement scheme and legislative and operational issues including the cap on hours of employment. The review is also considering whether alternative approaches to achieving the scheme's objectives are warranted in light of recent changes in the economic climate and the mortgage market. The full review should be completed in the coming weeks. The ensuing report will be available for publication in April 2010. Following consultation with the community welfare service, guidelines on specific and immediate operational issues for the community welfare officers

operating the scheme have been finalised. The guidelines were issued in June 2009 and are available on the Department's website, *www.welfare.ie*.

**Deputy Olwyn Enright:** I am interested in the Minister's statement that "community welfare officers have been reminded" to record information on the number of applications that are granted or refused. Having spoken to community welfare officers and those representing them, I understand they have been collating this information for years——

**Deputy Mary Hanafin:** Not all of them.

**Deputy Olwyn Enright:** ——but have not been asked for it. When will we see this information? It is not enough to remind the officers to compile it. As the Department is paying this money, it has a duty to provide details on who is applying for it, who is getting it and who is being refused it. When will we get such information? I do not know how the scheme can be reviewed in the absence of information on those who are being refused under it. Not only are we waiting for reports from the review groups established by the Minister and her colleague, Deputy Ryan, but we are also waiting for the Taoiseach to establish the high level independent group. In the meantime, will the Government consider easing the mortgage interest supplement criteria so that those who may benefit from the various reviews, if anything is ever done on foot of them, do not lose their homes while the various reports are being collated and examined? People are being refused mortgage interest supplement at the moment. They are losing their homes because they cannot negotiate anything with their banks. When the review is produced in due course, it will not suffice for us to tell such people we might have been able to save their houses if something had been done in the meantime.

**Deputy Mary Hanafin:** Two distinct groups are considering the matter at present.

**Deputy Olwyn Enright:** Yes.

**Deputy Mary Hanafin:** The first group is the mortgage interest supplement review group, which is based in the Department of Social and Family Affairs. Its report, which will be finalised over the next couple of weeks and is to be published in April, will give us specific guidelines on our own scheme. The second group, which is examining the wider issue of home ownership and protection of homes, etc, is led by the Department of Finance. As I said earlier, that group is charged with considering the wider issues of shared equity and rental, etc. We should not ignore the fact that——

**Deputy Olwyn Enright:** What about the third group the Government promised to establish?

**Deputy Mary Hanafin:** That is a separate group. The Departments in question are working on the two groups. We should not ignore the fact that a moratorium of 12 months has been established which covers all institutions covered by the Financial Regulator, including the sub-prime lenders. This means that when someone gets into difficulty in paying their mortgage, as long as they engage with the bank, no action will be taken in repossessing their homes for 12 months. They can still do this through MABS too.

**Deputy Olwyn Enright:** The record starts from the first missed payment.

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

**Deputy Olwyn Enright:** What about those who missed their payments 12 months ago?

**Deputy Mary Hanafin:** It is 12 months from the first time they went into arrears. As long as they are engaging——

**Deputy Olwyn Enright:** Yes, but that could have been 12 months ago.

**Deputy Mary Hanafin:** The moratorium was only for six months until last week.

**Deputy Olwyn Enright:** People are still losing their homes in the meantime.

**Deputy Mary Hanafin:** We must put this in perspective.

**An Leas-Cheann Comhairle:** Please allow the Minister to reply. I will call Deputy Enright again.

**Deputy Olwyn Enright:** The Minister should go down to the courts in the morning to see what is happening in the area of mortgage arrears.

**Deputy Mary Hanafin:** People who are genuinely engaging with the banks and financial institutions are not losing their homes. The Government is anxious that the agreements in place with the Financial Regulator, the Irish Banking Federation and the financial institutions are designed to ensure people are left in their homes.

**Deputy Róisín Shortall:** The Minister expects the review to be published at Easter. However, we were promised it for last Easter. This is another example of a scheme that is simply not meeting the current needs of those who look to it for support. It does not reflect the real-life situation with which people are faced.

The ridiculous 30-hour rule means that, irrespective of a family's income, if one member of the couple works 30 hours or more, the family is automatically precluded from the assistance. Apart from this rule, what else is being considered in the review? Is the Minister contemplating restricting the scheme any further? Some homeowners facing difficulties with repayments cannot avail of the scheme to assist them. While we are waiting for the review, will the Minister set down specific guidelines for monthly limits? In the absence of specific guidelines, community welfare officers are basing payments on the existing rent supplement limits. Given what has happened to rents recently, rent limits are completely out of line with what is happening with mortgage repayments. As there is a real gap in the area which means many homeowners are refused assistance, will the Minister set down guidelines for monthly assistance payments?

**Deputy Olwyn Enright:** Another reason community welfare officers are turning people down is because they claim the mortgage was too high in the first place. What guidelines has the Minister given to community welfare officers to make that decision? From figures I have from around the country, it seems the assistance is decided arbitrarily. Whether the officers have the qualifications to determine what was too high is questionable. This must be examined, particularly while we are waiting for the Minister to report on the review.

**Deputy Mary Hanafin:** It would be inappropriate for me to pre-empt the findings of a report that will arise in a month by setting out new guidelines. It is more appropriate to wait for the report to be published. It is examining the 30-hour rule, the trend in the administration and costs of the programme, the impact of the code of practice on mortgage arrears and on mortgage interest supplement and the impact of mortgage interest supplement on how the banks are reacting to clients in arrears. It will also examine the relationship between the 12-month moratorium and the mortgage interest supplement. Our aim is to support as many people as

possible, not restrict mortgage interest supplement. This year, over €60 million will be spent on the supplement.

**Deputy Olwyn Enright:** Yet people are still losing their homes.

**Deputy Mary Hanafin:** The scheme is designed to enable people to stay in their homes. However, when granting such an amount, it is reasonable to see if it could be afforded in the first place or, more particularly, in a year when they are back in employment.

*Written Answers follow Adjournment Debate.*

### **Adjournment Debate Matters.**

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Eamon Scanlon — the need for the retention of District Court facilities for Ballymote, County Sligo; (2) Deputy Leo Varadkar — the construction and completion of the N2-N3 link road; (3) Deputy Jan O'Sullivan — the rights of former workers at Dell, Limerick, and ancillary companies; (4) Deputy Tom Hayes — water shortages in the Mullinahone area of south Tipperary; (5) Deputies Brian O'Shea and Seán Sherlock — the integration of services provided by Bus Éireann in line with the recommendations of the Deloitte report; (6) Deputy Martin Ferris — the dispute at the Green Isle factory, Naas, County Kildare; (7) Deputy Caoimhghín Ó Caoláin — the need for an inquiry into the practice of symphysiotomy at maternity hospitals; (8) Deputy Kieran O'Donnell — the need to provide the necessary resources and measures to the Garda Síochána in Limerick to combat gangland crime; and (9) Deputy Joe Costello — the need for the Minister for Foreign Affairs to take urgent action to protect the integrity of the Irish passport and the safety of Irish citizens travelling abroad.

The matters raised by the following Deputies Caoimhghín Ó Caoláin, Brian O'Shea, Seán Sherlock, Kieran O'Donnell and Tom Hayes have been selected for discussion.

### **Termination of Ministerial Appointment: Announcement by Taoiseach.**

**The Taoiseach:** I wish to announce for the information of the Dáil that on 18 February 2010 the President, on my advice, accepted the resignation of Deputy Willie O'Dea as a member of the Government. Pursuant to section 4(1) of the Ministers and Secretaries (Amendment) Act 1946, I have assigned the Department of Defence to myself with the effect from 18 February 2010.

### **Leaders' Questions.**

**Deputy Enda Kenny:** The House is now faced with what appears to be another political problem. I am prepared to wait until the Minister of State, Deputy Trevor Sargent, makes his statement to the House. Arising from that, there may well be questions for the Minister for Justice, Equality and Law Reform and the Taoiseach. I would like that we would have the opportunity to discuss that.

**An Ceann Comhairle:** I would prefer if Deputy Kenny did not raise this. As he knows, there will be a personal statement by the Minister of State later and it would be preferable not to develop the debate on this issue at this point.

**Deputy Enda Kenny:** I said I was prepared to wait to listen to the statement of the Minister of State.

**Deputy Charles Flanagan:** Questions have been disallowed. However, I do not want to get into the same trouble I did last week.

**Deputy Enda Kenny:** I want to raise with the Taoiseach the concern about the deterioration in the protection and securing of jobs. Is the Taoiseach aware of how urgent this problem is and of how much an emergency it is for thousands of small businesses? We were told a litany of falsehoods by the Government. We were told the bank guarantee would be the cheapest bail-out possible, that Anglo Irish Bank would be restored as a creditworthy institution, that the Bank of Ireland and AIB would return a dividend to the taxpayer and that NAMA would prevent bank nationalisation while providing a wall of cash for businesses.

From reports from Mazars, UCC and the Central Bank, however, it is obvious thousands of small businesses are going to the wall, even as we speak. No time can be lost as this is far too urgent and serious. The real position is that we have no NAMA, no credit, no dividend and soon we will lose thousands of more jobs. The recent UCC report shows 60% of small businesses have been refused credit. Every Deputy has evidence of small businesses having their overdrafts cut by 50% and having to reduce staff. Credit is drying up before our eyes.

The Taoiseach and his Ministers gave us a litany of falsehoods over the past 18 months since this crisis began. On behalf of the thousands of employers struggling every day to hold on to their employees and attempting to invest in creating new business, I want to know from the Taoiseach the Government's plan to allow credit be extended to businesses as a matter of urgency.

**The Taoiseach:** It is agreed by everyone with knowledge of the area, at home and abroad, that the question of the establishment of NAMA is an essential part of any recovery strategy for this country. We await EU state aid agreement on that and we expect it in the coming weeks.

Regarding the question of how we maintain jobs in this economy, we have made it clear through the budgetary strategy that we will continue to make this economy more competitive, we will continue to put our public finances in order and we will continue to assist businesses through the various initiatives we have instigated, such as the stabilisation programme, to ensure that we can bring forward a situation where this country will continue to recover during the second half of this year. That is our strategy and we are determined to do it. That is the direction in which we are going.

Regarding the continuous introduction by Deputy Kenny of every negative and exaggerated opinion he can bring to this House, on every occasion he seeks to suggest at home and abroad that this country does not have such a strategy but it does.

**Deputy Frank Feighan:** The Taoiseach should look at every street in the country. Every shop is closed.

**Deputy Enda Kenny:** I fundamentally disagree with the response of the Taoiseach. Fine Gael has proposed a series of positive initiatives that demonstrate that things should not be this way and there is so much that can be done. The Taoiseach told us NAMA would provide a wall of cash and that the investment of €7 billion in the banks would provide a dividend to the taxpayer. The Taoiseach told us Anglo Irish Bank would be restored as a creditworthy lending institution. None of these things has happened and the strategy, after 18 months, is not working.

I understand it is the intention of the Government to borrow a further €6 billion to put into Anglo Irish Bank. The Government will invest €6 billion in what is effectively a dead bank. I ask the Taoiseach to break out of the Fianna Fáil straitjacket he is locked into and adopt the Fine Gael policy in respect of Anglo Irish Bank. It should be broken up into a good bank and a bad bank and the bad element should be allowed to work itself out over a period of years—

**Deputy Timmy Dooley:** At what cost?

**Deputy Enda Kenny:** —so that bond speculators and investors can take some of the pain and so that the Taoiseach can guarantee that any extra taxpayers' money, borrowed or otherwise, to go into the good element of the bank will be used for the productive purposes of securing jobs, maintaining jobs and expanding businesses. Will the Taoiseach promise that he will not have his Government borrow a further €6 billion to pump into Anglo Irish Bank and that he will break up the bank into a good bank and a bad bank as Fine Gael proposed through Deputy Richard Bruton almost 18 months ago?

**Deputy Frank Feighan:** The Government is a beaten docket.

**The Taoiseach:** On a number of occasions the Minister for Finance has brought forward the strategy we are adopting with regard to Anglo Irish Bank, which is now nationalised, and Bank of Ireland and Allied Irish Banks. Over the coming weeks the comprehensive strategy will be brought to the House for a decision. It will be based on the continuing effort by him to improve and strengthen the banking system because it is necessary for a recovery strategy to have a viable banking system.

**Deputy Terence Flanagan:** What about the €6 billion?

**Deputy Eamon Gilmore:** Within the past ten days a Government Senator resigned and had much to tell about the practice of jobbery at the heart of this Government. She told us last Sunday that there is a report sitting on the desk of the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, that is too embarrassing for the senior party in government for the Minister to publish. On Wednesday, we had the two parties in government voting confidence in a Minister of whom, within 24 hours, they sought and obtained the resignation. Apparently there is another Minister of State in trouble today but we will hear more of that later.

Meanwhile, the Tánaiste makes a mess of the jobs situation at Dublin Airport, specifically the former SR Technics operation. Today, former workers of Dell are protesting in Limerick because they cannot get access to the European global fund because of bureaucracy associated with the social welfare system. The banks strategy, which the Government told us would be so secure, is not working. Even the 8% dividend for the taxpayer is not materialising and the Government has ended up taking shares in one of the banks. The value of these shares has already diminished in the short period of time since the shares were taken.

All over the economy, jobs are being lost and businesses are starved of credit. In these times, the country needs a working and functional Government. Instead of that the Government in office is incompetent, dysfunctional and its parties are clearly distrustful of each other. It is tired and now clearly divided. How much longer do the people of this country have to put up with this Government or is the Taoiseach seriously saying to the people that we must ensure two full years of this tired and broken Government he leads?

**The Taoiseach:** Will we have to endure two more years of the rhetorical nonsense Deputy Gilmore goes on with and that passes for political comment?

**Deputy Eamon Gilmore:** The Taoiseach should get used to it.

**The Taoiseach:** This country has a Government that has displayed the capacity to take whatever decisions are necessary to restore international credibility to our public finances, which is clearly not present in the Opposition. This is a Government determined to pursue a policy that will bring recovery, that will see growth returning to the economy and can only do so on the



[The Taoiseach.]

basis of the strategy outlined and the policies we are pursuing. All the bluster, bluff, rhetoric and words coming from the Opposition will not change that fundamental fact.

**Deputy Eamon Gilmore:** If the Taoiseach could show the same energy and effort defending the jobs of people losing them in this economy as he is prepared to show defending his job and the jobs of his Ministers, collectively and individually, we would all be much better off and this country would be much better off. It is bad enough that we have unprecedented levels of unemployment, where every day jobs are being lost and businesses are in deep trouble because the so-called solution the Taoiseach came up with to the banking crisis is clearly not working. On top of that, the Government is just not up to it.

People in this country are beginning to lose hope and are beginning to despair because they are experiencing major problems in making ends meet, keeping themselves in employment and keeping the personal and family finances going. They look at the people who are supposed to be running the country and they see they are not doing it. It is quite clear the Taoiseach will spend more time keeping the two parties in government with some kind of veneer of unity and keeping the Government in office rather than getting people in the country who lost employment back to work.

**The Taoiseach:** The reality is that Deputy Gilmore is involved in populist policies that do not provide a solution to the serious problems we face. Deputy Gilmore would not have provided any guarantee to the banking system and we would have had a meltdown.

**Deputy Eamon Gilmore:** Not a bad one the Taoiseach provided.

**The Taoiseach:** The number of jobs lost as a result would have been in the tens of thousands or hundreds of thousands. Let us cut through the nonsense. As Deputy Gilmore goes around the country suggesting he has a solution to problems by not reducing spending and claiming he will tax those with all the money and ensuring that those who are out of work will get back to work, he has no indication of how he would correct the public finances or provide credibility, internally or externally, to the country. That is what Deputy Gilmore is talking about. The Labour Party MEP, Alan Kelly, suggested the funds made available to Limerick Dell workers were going to the workers personally. That is the populist nonsense Deputy Gilmore is going on about. It will get him up in the opinion polls but will not get any credibility marks when it comes to policy formulation to solve the problems of this country. Deputy Gilmore should continue on with what he is doing; this Government will continue to do what it is doing—

**Deputy Paul Kehoe:** Nothing.

**The Taoiseach:** —which is to get this country out of trouble far more quickly than would otherwise be the case.

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

**An Ceann Comhairle:** Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my office.

**Deputy Charles Flanagan:** On the basis that I was ruled out of order in my other endeavour today, I give notice of my intention to raise under Standing Order 32 the matter of two more brutal gun murders associated with organised crime within this State since the adjournment of this House last Thursday and the urgent and important need for the Government and the

Minister for Justice, Equality and Law Reform in particular to formulate a strategy to deal with this issue.

**Deputy Martin Ferris:** Under Standing Order 32, I wish to seek the adjournment of the Dáil to discuss the current strike at the Green Isle factory in Naas where workers last week began a hunger strike to highlight the refusal by the company to abide by a Labour Court order regarding workers made redundant and to ensure the company does not proceed with any attempt to sack TEEU members involved in the action.

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

**An Ceann Comhairle:** Having considered the matters raised, they are not in order under Standing Order 32.

### Order of Business.

**The Taoiseach:** It is proposed to take No. 8, Finance Bill 2010 — Financial Resolutions; No. 9, motion re referral to joint committee of proposed approval by Dáil Éireann of an initiative for a directive of the European Parliament and the Council on the rights to interpretation and to translation in criminal proceedings; No. 10, motion re proposed approval by Dáil Éireann of a proposal that section 17A of the Diseases of Animals Act 1966 shall continue in force for the period ending on 8 March 2011 (back from committee); No. 1, Petroleum (Exploration and Extraction) Safety Bill 2010 [*Seanad*] — Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that Nos. 8, 9 and 10 shall be decided without debate and in the case of No. 8, Financial Resolutions Nos. 1 and 2 shall be moved together and decided by one Question which shall put from the Chair. Private Members' business shall be No. 76, motion re unemployment.

**An Ceann Comhairle:** Is the proposal for dealing with Nos. 8, 9 and 10, without debate, agreed?

**Deputy Eamon Gilmore:** The Labour Party will not agree to this proposal until we hear from the Taoiseach in respect of two matters, namely, what arrangements are being made today for the taking of a statement from the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Sargent, and will the House have an opportunity to question the Minister of State, Deputy Sargent and Minister for Justice, Equality and Law Reform, Deputy Ahern, about matters which are the subject of a report in the *Evening Herald* earlier today?

Prior to Leaders' Questions, the Taoiseach informed the House that the President had accepted the resignation of Deputy Willie O'Dea as a member of Government and that he had reassigned the Department of Defence to himself, as he is entitled to do under the legislation. He did not however inform us what arrangements, if any, are being made to bring before the House a motion for the appointment of a new member of Government, which motion would require the approval of the House. Perhaps the Taoiseach will inform the House when he intends to bring to the House a motion regarding the appointment of a new member of Government or if indeed it is his intention to do that at all. I would like to hear a response from the Taoiseach on those two matters before agreeing to the proposal on the Order of Business.

**An Ceann Comhairle:** I wish to advise Deputy Gilmore in respect of the first point he raised that as I mentioned earlier to Deputy Kenny, the House will hear a personal statement from the Minister of State following the Order of Business. Precedence relating to this matter was established last week.

**Deputy Olwyn Enright:** They are becoming experts at it.

**An Ceann Comhairle:** Personal statements are personal statements. Any statement subsequent to that will be ministerial statements.

**Deputy Charles Flanagan:** Regarding public duty, I cannot raise a question. The Ceann Comhairle suspended me from the House last week.

**An Ceann Comhairle:** Deputy, please.

**Deputy Timmy Dooley:** The Deputy should go again this week.

**An Ceann Comhairle:** I call the Taoiseach on the matter of ministerial appointment.

**The Taoiseach:** I refer to the statement and continue with that position. I do not believe there is a time limit in respect of which the motion must be brought before the House. The matter is one for Government.

**Deputy Pádraic McCormack:** There is one every hour on the hour.

**Deputy Eamon Gilmore:** I do not believe I am as long a Member of this House as is the Taoiseach. However, as I recollect it, on each previous occasion a Minister resigned from Government resulting in a vacancy in the membership of Government, the then Taoiseach brought before the House at the first available opportunity a motion in regard to the replacement of that Minister. This is, as far as I can recall, the first time the House is not being given any indication from the Taoiseach in regard to when, if ever, a proposal in respect of the replacement of a Minister who has resigned as a member of Government will be brought before the House.

The Taoiseach's response is unsatisfactory in that respect. I would like him to clarify the position. Is it his intention to bring to the House a proposal that a new member should be appointed to Government and, if so, will he indicate to the House when this will be done? This is not a decision which is entirely at the Government's discretion; the nomination of a member for appointment to the Government by the President is a matter for the House. I want to know before agreeing to the Order of Business when such motion will be brought before the House or if it will happen at all? The Taoiseach might perhaps decide he will not bring such proposal to the House, in which case we should be told.

On the first matter, while I appreciate that the Ceann Comhairle is allowing for a personal statement from the Minister of State, will Members have an opportunity, if necessary, to ask questions of him?

**Deputy Enda Kenny:** I appreciate that the Minister of State will make a personal statement. However, against the background of this matter having arisen in some mysterious fashion, perhaps the Taoiseach will inform the House if he has spoken to the Minister for Justice, Equality and Law Reform, Deputy Ahern, and Minister of State, Deputy Sargent, in respect of the statement the Minister of State will make, which apparently is of a serious nature.

**An Ceann Comhairle:** I ask Deputy Kenny to leave the matter until we have heard the personal statement.

**Deputy Enda Kenny:** I want to know if the Taoiseach has spoken to the Minister of State prior to his making his statement?

**An Ceann Comhairle:** We are on the Order of Business. Provision is made under Standing Order 26 for brief statements by individual Members. I do not believe we should elaborate on the matter at this stage.

**Deputy Charles Flanagan:** Where is the jackal?

**Deputy Billy Timmins:** He is alive and well.

Question, “That the proposal for dealing with Nos. 8, 9 and 10, without debate, be agreed to,” put and declared carried.

**An Ceann Comhairle:** Do we have any other business?

**Deputy Tom Hayes:** There is a lot of business.

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

**Deputy Caoimhghín Ó Caoláin:** The matter I wish to raise has been already raised in part this afternoon. Will the Taoiseach inform the House of the date for publication of the Dublin Docklands Development Authority report? It is imperative that the House knows exactly when this report will be published. Serious allegations published in the media in recent days in regard to this report suggest it is being sat upon and being withheld from publication because it will be particularly embarrassing or even damaging for the major party in the coalition Government. The utterances in this regard come from a former colleague within the current coalition arrangement.

It is important that the Taoiseach clarify for the House the status of the Dublin Docklands Development Authority report and when the Minister for the Environment, Heritage and Local Government intends to have this report——

**An Ceann Comhairle:** The Deputy should pursue the matter by way of parliamentary question.

**Deputy Caoimhghín Ó Caoláin:** ——published and addressed on the floor of this House.

**An Ceann Comhairle:** The question is not appropriate to the Order of Business.

**Deputy Caoimhghín Ó Caoláin:** It is absolutely valid.

**An Ceann Comhairle:** It is not appropriate.

**Deputy Caoimhghín Ó Caoláin:** This matter in relation to reports has been addressed——

**An Ceann Comhairle:** A query on the Order of Business must be about promised legislation.

**Deputy Caoimhghín Ó Caoláin:** With respect, a Cheann Comhairle, the precedence is long established in terms of such reports. It is absolutely valid. I again ask the Taoiseach if this matter will be coming before the House.

**An Ceann Comhairle:** I ask the Deputy to proceed with the matter by submitting a parliamentary question.

**Deputy Caoimhghín Ó Caoláin:** Will it be published in the very near future? Perhaps the Taoiseach will clarify that matter.

**The Taoiseach:** With respect to the Ceann Comhairle and, recognising his ruling on these matters — I do not wish to create a precedent — the Minister has set out this matter by way of statement. Legal and other advice is required. The report is with the Minister and will come to Government for consideration and following the taking of decisions arising out of any recommendations will be published in due course.

The innuendo and insinuations in regard to the report are without foundation.

**Deputy Caoimhghín Ó Caoláin:** With respect, those utterances are not mine. They are utterances of a former colleague of the Taoiseach's in terms of the current coalition arrangement.

**An Ceann Comhairle:** We are on the Order of Business.

**Deputy Caoimhghín Ó Caoláin:** It is important we have full clarification——

**An Ceann Comhairle:** This elaboration is not contemplated at all.

**Deputy Caoimhghín Ó Caoláin:** ——and that the Minister, not alone the Taoiseach, should reply and explain why this report remains sitting on his desk.

**An Ceann Comhairle:** I am calling Deputy Gilmore.

**Deputy Eamon Gilmore:** Is it still the Government's intention to proceed with the legislation for the election of a Dublin mayor and is its intention to proceed with that election in 2010? I asked last week if the heads of the Bill could be circulated or published. The Opposition parties have not had sight of the heads of that Bill, which I understand were approved by Government. I have been seeking a meeting with the Minister for the Environment, Heritage and Local Government to see what he has in mind, but he has not yet facilitated me with a meeting. Is it still intended to proceed with the Bill? Will the heads of the Bill be circulated?

**The Taoiseach:** I am sure the Minister will facilitate a meeting he has agreed to have as soon as possible.

**Deputy Eamon Gilmore:** I have been three weeks waiting for it now.

**The Taoiseach:** I am sure he will.

**Deputy Eamon Gilmore:** I know he is busy.

**The Taoiseach:** The commitment remains that we will hold that election during 2010.

**Deputy Eamon Gilmore:** In what month did the Taoiseach say?

**The Taoiseach:** During 2010, as stated in the programme for Government.

**Deputy Eamon Gilmore:** Will the heads be circulated?

**The Taoiseach:** I am sure that is a matter for the Minister to confirm in his meeting with the Deputy.

**Deputy Eamon Gilmore:** I am asking the Taoiseach; he is the Taoiseach.

**The Taoiseach:** I am the Taoiseach.

**Deputy Ruairí Quinn:** Does the Taoiseach not speak to him anymore?

**Deputy Charles Flanagan:** The Minister for the Environment, Heritage and Local Government is otherwise engaged.

**Deputy Eamon Gilmore:** In fairness, this is not a new subject that I am raising. I have been asking about this issue for quite some time. We are in the rather ridiculous situation where this election is, as the Taoiseach says, promised for some time in 2010. We do not know what this office will involve. As I understand it, the Dublin authorities, to which this office will relate, do not appear to know much about it. Apparently the heads of the Bill have been approved by Government. At the very least, as a courtesy to the other parties in the House, the heads of the Bill should be circulated. This is the kind of legislation where heads of Bill would normally be circulated. I do not see why this information cannot be shared with us.

**The Taoiseach:** I am sure that will be facilitated. As I have said, I do not want to pre-empt the meeting the Deputy has arranged with the Minister. I am sure that can be facilitated.

**Deputy Billy Timmins:** I tabled a special notice question to the Minister for Foreign Affairs to allow him to come into the House and make a statement updating us on the illegal use of Irish passports. My request was turned down. Is there any mechanism by which we can find out what the situation is? The Taoiseach might care to comment on the matter.

**The Taoiseach:** It is a matter for the Whips.

**Deputy Billy Timmins:** I raised the issue on Thursday with a view to getting time to address the matter.

**The Taoiseach:** The Minister is away this week.

**Deputy Billy Timmins:** It is a very serious matter.

**An Ceann Comhairle:** Deputy Timmins——

**Deputy Billy Timmins:** Could the Taoiseach enlighten the House as to what is the situation?

**The Taoiseach:** The Minister has stated the case in the public domain on a number of occasions.

**Deputy Olivia Mitchell:** Yet not here in the House of Parliament.

**Deputy Billy Timmins:** He has put very little information in the public domain and what he has is confusing.

**An Ceann Comhairle:** Deputy Timmins, we are now talking about promised business.

**Deputy Bernard J. Durkan:** With regard to the issues raised by Deputy Charles Flanagan on legislation passed by this House in the past 12 months with the object of bringing criminal gang leaders to justice and putting them behind bars, what has happened to the enactment of that legislation, with particular reference to the special courts that were due to deal with the issue that had got out of hand? On a regular — almost daily — basis we receive reports of criminal gang warfare. It is consistent, persistent and alarming to a large number of people. When will the legislation this House passed be enacted fully?

**The Taoiseach:** Both the surveillance legislation and the criminal justice gangland-related legislative provisions are actively used by the Garda and a number of cases are before the DPP at the moment. I can assure the Deputy that these powers are being used extensively.

**Deputy Bernard J. Durkan:** If they are not put into operation quickly all the criminal gang leaders will be killed.

**An Ceann Comhairle:** We cannot elaborate at this point.

**Deputy Bernard J. Durkan:** The point needs to be dealt with.

**The Taoiseach:** The legislation has been in operation for eight months. There was a proposal from the Opposition side to delay the implementation of the legislation, but we did not take that route.

**Deputy Bernard J. Durkan:** I would have thought eight days would be more appropriate——

**An Ceann Comhairle:** Deputy Durkan, please.

**Deputy Bernard J. Durkan:** ——to take the appropriate action.

I have another question.

**An Ceann Comhairle:** Is it related to promised legislation?

**Deputy Bernard J. Durkan:** This relates to the Order of Business. I recently tabled a composite parliamentary question to the Minister for Health and Children seeking detailed information on a number of issues appertaining to the discharge of health services. The Minister very kindly sent me a report of the Oireachtas committee that she addressed recently. I am very grateful to the Minister for giving me that information. However, it is not the information I requested. I wish to bring to your attention, a Cheann Comhairle——

**An Ceann Comhairle:** The Deputy can pursue this matter through a different route.

**Deputy Bernard J. Durkan:** There is no other route for this except here and now.

**An Ceann Comhairle:** There are many other ways.

**Deputy Bernard J. Durkan:** I wish to bring to your attention, a Cheann Comhairle, that Ministers seem to think that any old thing will do in this House. I object to any Minister giving the fob-off to a Member of the House——

**An Ceann Comhairle:** Deputy Durkan——

**Deputy Bernard J. Durkan:** ——who raises a legitimate question that is pertinent to the Department the Minister operates.

**An Ceann Comhairle:** The Deputy has done very well on the point.

**Deputy Bernard J. Durkan:** Thank you very much, a Cheann Comhairle. I very much appreciate your acknowledgement of that. However, I have done nothing for the simple reason that I have got no answer to my question and that is the issue.

**An Ceann Comhairle:** The Deputy will need to take it up another way.

**Deputy Lucinda Creighton:** Tweet.

**An Ceann Comhairle:** We need to move on.

**Deputy Bernard J. Durkan:** While I do not want to be disruptive, I wish to point out again as I have done on many occasions in the past that it is time for this nonsense to stop.

**Deputy Noel Dempsey:** Hear, hear.

**Deputy Bernard J. Durkan:** If it does not stop voluntarily we have ways of encouraging those on the Government side.

**Deputy Thomas P. Broughan:** A few weeks ago the Taoiseach told me that the application for EU stabilisation fund moneys for former SR Technics engineers for upskilling and so on was stalled in Brussels with the EU Commission. I now hear that it is stalled on the desk of the Tánaiste and Minister for Enterprise, Trade and Employment, who is sitting beside the Taoiseach. If that is the case could this funding not be released? People are waiting to start courses and so on, given that the jobs are still not being provided for them.

When will the revised Merchant Shipping Bill appear before the House?

**The Taoiseach:** Queries were raised by the Commission on the first matter and responses have been sent back to the Commission, therefore, it needs sign off by the Commission. As the Deputy knows a new Commission has been in place for only three or four weeks. I can assure him it is not a delay at our end of the line. Those queries have been responded to.

I understand the Merchant Shipping Bill is awaiting Committee Stage.

**Deputy Lucinda Creighton:** I wish to ask the Taoiseach about legislation in section C of the legislative programme, the human tissue Bill. Will this proposed legislation incorporate the main thrust of a Private Members' Bill that came before the Seanad, the Human Body Organs and Human Tissue Bill? It is a question of life-saving measures and the issue of whether the presumed consent regime would apply to organ donation. There is a severe shortage of organs available to people who are critically ill.

**The Taoiseach:** As the Bill is on the C list it is too early to indicate at this point when the legislation might be taken. I note the Deputy's interest.

**Deputy Michael D. Higgins:** Ba mhaith liom ceist a chur ar an Taoiseach, an bhfuil sé ar intinn ag an Rialtas reachtaíocht a fhoilsiú i leith feidhmeanna agus cumhachtaí Údarás na Gaeltachta, agus an mbeidh an reachtaíocht foilsithe i saol an Rialtais seo?

**The Taoiseach:** Beidh sé.

#### **Personal Explanation by Minister of State.**

**An Ceann Comhairle:** The Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Sargent, has given me notice in writing that he wishes to make a personal explanation. I have decided to permit a personal explanation by the Minister of State. The personal explanation should be heard without comment or intervention of any kind.

**Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Trevor Sargent):** I thank you, a Cheann Comhairle, for affording me the opportunity to explain to the House the circumstances of the clinic inquiry I received in June 2008 relating to an alleged assault in September 2007, which were partially reported in the media this afternoon. A victim of an assault came to me to voice his frustration at the slow progress being made with the case, where he alleged he had been head-butted when, as he told me, he had reported vandalism to parents of a child he had seen trying to remove a road sign in their housing estate. My intention was to ensure the Garda was aware I had received representation from a victim in an alleged



[Deputy Trevor Sargent.]

assault and that the full preparation of the case would benefit from witnesses not yet interviewed, being interviewed before proceeding further. The victim, meanwhile, was afraid for his personal safety and showed the evidence of the assault on his face.

I accept, however, that although my actions in contacting An Garda Síochána were not a criminal offence, under section 6 of the Prosecution of Offences Act 1974 such a communication could be deemed not lawful. In this regard I accept I made an error of judgment. Accordingly, I hereby tender my resignation forthwith as Minister of State in the Department of Agriculture, Fisheries and Food with responsibility for food and horticulture.

#### **Finance Bill 2010: Financial Resolutions.**

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I move Resolution No. 1:

“THAT section 98A of the Finance Act 1999 (No. 2 of 1999), which provides for a relief from mineral oil tax for biofuel, be amended in the manner and to the extent specified in the Act giving effect to this Resolution.”

Question put and agreed to.

**Deputy Dermot Ahern:** I move Resolution No. 2:

“THAT section 4C of Value-Added Tax Act 1972 (No. 22 of 1972), which relates to transitional measures for supplies of immovable goods, be amended, in the manner and to the extent specified in the Act giving effect to this Resolution, to provide that an adjustment under the capital goods scheme be made when immovable goods to which that section applies are first used, or undergo a change of use, after 23 February 2010.”

Question put and agreed to.

#### **Referral to Joint Committee: Motion.**

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

That the proposal that Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

an initiative for a Directive of the European Parliament and of the Council on the rights to interpretation and to translation in criminal proceedings,

a copy of which was laid before Dáil Éireann on 20th January, 2010, be referred to the Joint Committee on Justice, Equality, Defence and Women’s Rights in accordance with paragraph (2) of the Orders of Reference of that Committee, which, not later than 1st April, 2010, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.”

Question put and agreed to.

**Diseases of Animals Acts: Motion.**

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

“That Dáil Éireann resolves that section 17A (inserted by section 2(1) of the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001) of the Diseases of Animals Act 1966 (No. 6 of 1966) shall continue in force for the period ending on 8th March, 2011.”

Question put and agreed to.

**Petroleum (Exploration and Extraction) Safety Bill 2010 [Seanad]: Second Stage.**

**Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Conor Lenihan):** I move: “That the Bill be now read a Second Time.”

I am pleased to introduce the Petroleum (Exploration and Extraction) Safety Bill 2010 for the consideration of this House. I believe it is appropriate that we address an important issue such as the regulation of petroleum activities with respect to public safety with both clarity and purpose. It is also important that we should have confidence in our public administration operating efficiently and in the public interest at all times.

While this is a relatively short Bill, it will provide for an important strengthening of the overall regulatory framework governing exploration for and production of oil and gas. The Bill is a key part of the Government’s priority legislative programme. At present the Department of Communications, Energy and Natural Resources is responsible both for licensing petroleum exploration and extraction activities and regulating those activities from a safety perspective. This Bill proposes to confer responsibility on the Commission for Energy Regulation, CER, for the regulatory function for safety in the case of upstream petroleum activities and the associated infrastructure.

In conferring this new responsibility on the commission, this Bill gives effect to a key recommendation of the report produced by Advantica following its safety review of the Corrib Gas pipeline. Advantica recommended that a new risk assessment based safety framework with respect to gas pipelines, in line with best international practice, should be developed and implemented in Ireland. The risk assessment approach is the commonly accepted methodology for managing safety worldwide and is reflective of the approach taken in the dangerous substances and chemicals legislation.

The Bill expands on this concept to provide that petroleum activities generally would be governed by the new safety framework. The safety framework will in effect be a manual setting out the nature and scope of the petroleum activities and associated infrastructure that will be designated and subsequently regulated by the commission. It will include the systems and procedures to be operated by the commission in designating and regulating such activities and associated infrastructure, including an ongoing system for audit and inspection. It is envisaged that the framework will cover a wide range of activities including the construction, operation, maintenance, modification and decommissioning of petroleum infrastructure.

Before turning to the detail of the Bill, I should like to outline how this new function sits well with the existing responsibilities of the commission. Established as the independent regulatory body with responsibility for electricity under the Electricity Regulation Act 1999, the commission’s powers and responsibilities were extended under the Gas (Interim) (Regulation) Act 2002 to incorporate the regulation of natural gas. These powers and responsibilities were further extended by the Energy (Miscellaneous Provisions) Act, 2006 and the Electricity Regulation (Amendment) (Single Electricity Market) Act 2007 with respect to the commission’s participation in the development of an all-island energy market.

[Deputy Conor Lenihan.]

The 2006 Act extended the commission's regulatory role with regard to the operation, maintenance and development of gas transmission and distribution networks. That Act conferred responsibility on the commission for the regulation of safety for the transmission and distribution of downstream gas. This Bill proposes to consolidate the commission's role as the regulator for gas safety by conferring it with responsibility for the regulation of safety in the case of upstream petroleum activities and the associated infrastructure. Given its already wide-ranging knowledge and experience of both the gas and electricity markets and its statutory responsibility to carry out its activities in a fair and impartial fashion, I believe that the commission is well placed to take on the additional functions and responsibilities proposed by this Bill.

I shall now turn to the detail of the Bill. For the convenience of the House, a detailed explanatory memorandum has been published which provides a synopsis of the Bill's provisions. There are only four sections in the Bill. Section 3 inserts a new Part II into the Electricity Regulation Act 1999. Part II now effectively comprises a new section 13, which consists of 28 sections. Section 13A is the definitions section. Section 13B provides that the provisions of the Bill will not affect any other existing statutory obligation with respect to petroleum undertakings. Section 13C sets out the type of undertakings and activities to be governed by the new safety framework to be established and operated by the commission.

Section 13D provides for the designation by the commission of the specific petroleum activities and associated infrastructure to be regulated. There is a very wide range of activities and infrastructure, both offshore and onshore, which potentially could be required to conform to the new safety regime. Such activities may include the drilling of wells for the purposes of exploration and extraction of petroleum, transmission of gas by sub-sea and onshore pipelines and gas processing terminals. The criteria to be considered in determining designation will include the nature of the activity and the type of infrastructure associated with it, together with an assessment of the potential risks of engaging in such an activity and the safety measures required to reduce such risks.

The extent to which an activity is regulated by other legislation will be also a factor. Prior to the designation of any activity, the commission will consult with specified bodies, including the Health and Safety Authority, to ensure that any potential overlap in functions is managed in an effective and proper manner.

While the role of the commission will be to regulate with respect to public safety, the Health and Safety Authority is the national body in Ireland with responsibility for securing health and safety at work. The Health and Safety Authority responsibilities cover every type of workplace and every type of work in both the public and private sectors. The functions and responsibilities of the HSA will remain unaffected by the provisions of this Bill and the commission and the HSA will undertake their respective statutory obligations in parallel.

The National Standards Authority of Ireland, NSAI, will be also a mandatory consultee. The NSAI is responsible for the development of Irish standards, representing Irish interests in the work of the European and international standards bodies such as CEN, the European Committee for Standardization and ISO, International Organization for Standardization, and for the publication of Irish standards.

In effect the NSAI certification creates, maintains and promotes recognised standards. To ensure there is clarity with respect to the appropriate standards applicable to the petroleum activities and infrastructure that will be designated by the commission, the NSAI will create a petroleum exploration and extraction standards committee in accordance with section 10 of the NSAI Act 1996. The purpose of this consultative committee will be to advise the authority in

respect of the need for, and the content of, standardisation in the field of petroleum exploration and extraction. The commission will liaise with the NSAI, when it is setting out in the safety framework the appropriate code or standard with respect to safety, to which all petroleum undertakings must conform when carrying out each designated activity. Before designating the activities to be regulated, the commission will provide an opportunity for interested individuals, organisations and other bodies to provide their views. In addition to the HSA and the NSAI, the Bill specifically provides that the commission must consult with the Environmental Protection Agency, the Maritime Safety Directorate and the Irish Aviation Authority.

Section 13E makes it illegal for petroleum undertakings to carry on any designated activity without having been issued with a safety permit by the commission. Section 13F ensures that it will be a condition of all licences issued by my Department that such undertakings hold a safety permit. This will ensure compliance by all petroleum undertakings, whether they are existing or new licensees, with the requirements of the safety framework, within the statutory timeframes proposed by the Bill.

Two of the amendments tabled in the Seanad by the Minister, Deputy Eamon Ryan, dealt with the question of public access to information. This will result in greater openness and transparency and will help generate public confidence in regulatory processes. The Bill provides for access by members of the public to information contained in safety cases and safety permits. The Bill also provides for participation by interested parties and by the general public in the development of the safety framework itself and of the guidelines that will set out what should be included in a safety case.

Section 13G provides for an enhanced role for the Commission for Energy Regulation in that it establishes as an objective of the commission that it should foster and encourage safety with regard to the carrying on of petroleum activities. The actual functions of the commission with regard to its new regulatory role are established in section 13H. While the key function is to establish and implement the safety framework, other specific functions place obligations on the commission to investigate and report on petroleum incidents, to monitor and enforce compliance with the requirements of the framework and to grant safety permits where it is satisfied with the safety management system proposed by the petroleum undertaking. The matters to be considered by the commission in carrying out its functions are also set out. They include minimising the potential for overlap or duplication of effort. This will be achieved by the commission having regard to where similar functions are already performed by other bodies and by co-operating and consulting with the bodies specified in the Bill.

Section 13I expressly sets out what is required of the commission in establishing and implementing the safety framework, including the information to be contained in the framework document. It is envisaged that the framework document shall contain information in respect of the following: the nature and scope of the petroleum activities to be regulated; the systems and procedures to be operated by the commission; a list of designated petroleum activities and associated infrastructure and the appropriate code or standard with regard to safety relevant to each; the procedures for assessment by the commission of a safety case application; and a system for the ongoing monitoring of compliance of petroleum undertakings through audits and inspections. In deciding what other matters may feature in the framework, the commission may consider such issues as technological developments, industry best practice, reviews of safety codes and standards, or submissions or recommendations made by interested parties. In the interests of transparency, the commission is also required to report annually to the Minister as regards the functioning of the safety framework.

The implementation of the framework in compliance with section 13M will mean in practical terms that within a specified statutory period, a petroleum undertaking will be required to

[Deputy Conor Lenihan.]

submit a safety case application to the commission with respect to any designated petroleum activity it is carrying on or it proposes to carry on subsequent to the enactment of the Bill. This section addresses the fact that the new regime will apply to both existing and to new licensees. The use of a safety case regime is a standard feature in the regulation of safety-critical industries, including rail, nuclear and chemical. It is well established and has been used in the offshore oil and gas sector in the United Kingdom and Australia for the past 20 years. In the UK, the Health and Safety Executive is responsible for the safety regulation of the offshore oil and gas sector. Undertakings responsible for offshore oil and gas installations are required to submit safety cases to the Health and Safety Executive for acceptance as a condition of operating in UK waters. In Australia, the National Offshore Petroleum Safety Authority is responsible for the regulation of offshore safety, where the requirement is to have an accepted safety case for each offshore petroleum facility and for the facility operator to act in accordance with the safety case.

In Ireland, the commission has already successfully implemented a safety case regime in discharging its downstream gas safety responsibilities under the natural gas safety regulatory framework, provided for under the Energy (Miscellaneous Provisions) Act 2006, under which, similarly, if a safety case application is approved by the commission, a safety permit will be issued to the petroleum undertaking.

Section 13L provides that the commission, following consultation with specified bodies, will be required to draw up and publish safety case guidelines which will set out the appropriate content of a safety case. This may include the specification of the appropriate technical design principles and safety standards to be achieved, together with the procedures to be followed in the submission of a safety case for approval to the commission. This will provide guidance for petroleum undertakings in respect of what is required of them in submitting a safety case. This requirement will make it illegal for petroleum undertakings to continue to carry out a designated activity without having submitted their safety case within the prescribed timeframe.

The Commission will approve a safety case pursuant to section 13P, or a revised safety case pursuant to section 13N, only for the purpose of issuing a safety permit where the information in the safety case complies with the requirements of the safety case guidelines. The commission must also satisfy itself that the petroleum undertaking is capable of implementing the safety management system described in the safety case.

Using similar provisions governing other functions of the commission, the Minister may, pursuant to section 13J, in the interest of proper and effective regulation, give written directions to the commission in connection with the exercise of its statutory functions. A written direction could be given if, for example, the safety framework was not published within the specified timeframe, or where measures might need to be taken arising from reports on major accidents, or where the Minister considers that it would be in the public interest that the framework be reviewed or amended. While petroleum undertakings must comply with the specific requirements of the safety framework, section 13K of the Bill also places a general duty on petroleum undertakings with respect to reducing risks with regard to safety to a level that is as low as is reasonably practicable. Section 13O imposes an obligation on petroleum undertakings to carry out designated activities in conformance with their approved safety case.

Section 13P sets out the basis upon which the commission may approve a safety case and issue a safety permit. A key consideration for the commission will be the capability of the petroleum undertaking to implement the safety management system described in its safety case.

Section 13Q provides the commission with a power to refuse to grant a safety permit or to revoke a safety permit. It sets out the basis for taking such decisions and the process that the

commission must follow. Revocation of a safety permit by the commission, which would prevent the continuation of a particular activity, might occur if, for example, an undertaking were not complying with the conditions of its safety permit. This section also provides for a right of appeal by a petroleum undertaking to the High Court where a permit is refused or revoked.

Sections 13S, 13T, 13U, 13V, 13W and 13X make provision for what should happen in the event of a petroleum incident occurring. A petroleum incident is defined for the purposes of this Bill as an incident resulting in loss of life, personal injury or damage to property not belonging to the undertaking. There is an obligation on the undertaking to report such an incident and the steps the commission is subsequently required to take, including furnishing a report to the Minister, are also set out.

The purpose of this Bill is to promote risk assessment and risk management. To assist the commission in ensuring full compliance in this regard, it has the power to appoint petroleum safety officers, as required, to investigate any circumstance it deems appropriate. The routine functions of the petroleum safety officer are clearly set out in the Bill. A significant power proposed is that in the event that a petroleum safety officer perceives there may be imminent serious danger in regard to a designated activity, he can, pursuant to section 13AB, request that a direction be issued by the commission to interrupt the activity. Failure by a petroleum undertaking to comply with such a direction may result in an *ex parte* application to the High Court for an order to prohibit the activity in question.

The commission will for the most part monitor compliance through a system of inspection and monitoring and in the event that it considers that an undertaking is not complying with its approved safety case, it can request that it submit an improvement plan. Should the improvement plan not be submitted, or fail to satisfy the concerns of the commission, a prohibition notice may be issued. This would suspend the carrying on of the activity in question until the commission could be satisfied that the risk has been reduced to an acceptable level. In the interests of fairness and transparency, either of these actions by the commission may also be appealed to the High Court.

The Bill provides for the cost of establishing and implementing this new safety regime, which will be funded by way of an annual levy on the petroleum industry and the imposition of administration charges with respect to consideration by the commission of safety case applications and the issuance of safety permits. The requirement with respect to transparent accounting procedures in this regard is also clearly established.

This Bill is an important measure in further strengthening the overarching regulatory framework governing exploration for and the production of oil and gas. By focusing on safety, this Bill will, on enactment, have considerable benefits for all existing and potential petroleum undertakings in Ireland. It will provide greater clarity and robustness of process. It will establish the appropriate code or standard with respect to safety relevant to each designated activity to be regulated by the commission. It will also provide for the issue of safety permits by the commission which will enable petroleum undertakings to carry on their business in conformity with their approved safety case.

I look forward in particular to working closely with the commission on ensuring the speedy implementation of the Bill's various provisions following enactment. I hope the outline I have provided of the provisions of this Bill has been of assistance to Opposition Members. I look forward to listening carefully to the views of Members on this important Bill and to their assistance in progressing it into law.

**Deputy Simon Coveney:** I welcome this legislation. It has passed through the Seanad where there have been some valid concerns raised, particularly on public consultation on the making of a safety case.

This legislation is essentially about learning lessons from the mistakes made in trying to bring gas ashore from the Corrib field.

**Deputy Conor Lenihan:** I agree.

**Deputy Simon Coveney:** It is appropriate that we, as legislators and policy-makers, try to respond to the mistakes that have clearly been made in that ongoing saga, in respect of which everybody is unhappy. The developers are very frustrated and have spent huge sums of money trying to push their project forward. The local community felt betrayed at times and is very angry. Individuals have gone to prison. In many ways, it is a case study on how not to develop this type of infrastructure. As a result of the mistakes made on all sides, Ireland has developed an unfortunate reputation abroad as a country in which it is very difficult to turn exploration to production, or as a country in which it is difficult to bring oil, gas or other natural resources ashore. This is regrettable.

Ireland has a huge sea area, encompassing 40,000 square miles. There is much encouraging evidence that there is potential for finding very significant quantities of oil and gas in the Irish sea-bed. The numbers of expressions of interest in spending the large sums required to exploit the resources indicate that many exploration companies have chosen to go elsewhere because of the difficulty they perceive to be associated with the development of projects in Ireland. It is ironic that despite much of the criticism of the Government, Minister and former Ministers, centring on their being far too lax with regard to licensing, and the accusations that the Government has not secured a sufficient dividend for the State from gas and oil exploration, expressions of interest in drilling offshore in Ireland are diminishing rather than increasing.

While it is important to continue to reflect on and review the appropriateness of our licensing arrangements in terms of getting a return for the State from a natural resource owned by the State, we must also ensure we provide an incentive for developers and exploration companies to spend the enormous sums of money required to find what natural resources may exist. It costs between \$60 million and \$70 million each time there is an exploration drill. This is a considerable amount. Those who make the case that the State should be doing the drilling and that private sector companies should not be allowed to come from abroad, potentially to exploit our natural resources, show a lack of understanding of the industry and of the capacity of the State to generate, in a State-owned or semi-State company, the required expertise in extremely expensive exploration work .

It is important that licensing arrangements, in terms of taxation and royalties, be kept under constant review to ensure we strike the right balance between obtaining a return from the State where there is a very valuable find and offering an incentive sufficient to ensure companies will come to Ireland and spend enormous sums of money in anticipation that they will make a very attractive return should they strike oil or gas in sufficient quantities. This is a simmering argument, particularly in the west. People ask, correctly, if we have the balance right to ensure that if there is a big find, the State will get the benefit or whether it is a case of a company coming from abroad, bringing its employees from abroad, and making huge profits from Irish resources. That is an ongoing debate we must continue to have in an honest manner. The issue is not as black and white as some of the critics of Government policy sometimes like to portray it.

With regard to the mistakes that were made with Corrib, first and foremost, the correct principle is that the licensing authority should be separated from the regulatory authority,

rather than the Department trying to do everything from licensing to undertaking safety studies, monitoring and so forth. Certainly, international practice suggests there is much sense in separating the regulatory functions, relating to giving a safety permit to a developer who wishes to lay pipeline or to undertake exploration activity, from the Department, which is responsible for giving a licence for exploration in the first place. That separation is good and, from that point of view, the Minister is correct in principle in what he is attempting to do. That is my view at this stage unless I hear arguments to the contrary.

The Corrib field is an exciting discovery. Its estimated size is approximately 30 billion cu m of gas, which is about 70% of the size of the Kinsale field. The Kinsale field was originally discovered in 1973 and has been a huge contributor to the Irish economy in terms of security of gas supply. It also resulted in the opening of a gas pipeline infrastructure which probably would not have happened at that time without that discovery. There are the same opportunities with the Corrib field. Despite the mistakes that have been made and the upset caused in communities, I am a very strong supporter of the principle of bringing gas ashore from off the west coast as quickly and efficiently as possible.

Regardless of the royalties and taxation issues, Ireland is hugely exposed at present in terms of security of supply. The Irish economy effectively runs on gas. It is the most important fuel source in terms of electricity. We import 95% of our gas from the UK, which in turn imports all its gas from Russia and Norway, although the Norwegian resources are running out. The reality is that Ireland is at the end of a pipeline. Should international gas prices or gas reserves be affected, Ireland is hugely vulnerable in terms of electricity prices and the capacity to generate power in our power stations, the majority of which, certainly the modern ones, are driven on gas. What people must understand about Corrib is that it is not just a matter of how much money the State can make from the developers in terms of taxation but it is also about energy security and ensuring the Irish economy can continue to be fed with gas into the future. Energy security in Ireland is not given the type of political priority that is necessary. Ireland is the most exposed country in Europe and in the OECD in terms of reliance on imported fossil fuels, such as gas, oil and coal. The discovery in Corrib and, hopefully, other discoveries that will be brought ashore in the future under the new model, which will facilitate local communities in a more effective way than happened in the Corrib case, will reduce the exposure of this State to reliance on imported fossil fuel.

To return to the specific provisions in the Bill, the Minister is on the right track with regard to the principle of having a separate licensing authority and safety regulatory authority. In essence, the Bill asks the CER to do on the upstream infrastructure what it already does on the downstream infrastructure in terms of safety. When a developer decides to undertake an exploration project, be it offshore operations such as wells and sub-sea activity, offshore pipelines along the seabed or onshore pipelines going to a processing plant, that infrastructure is currently outside the responsibilities of the CER. We are changing that in the Bill. All the petroleum infrastructure, from the well upstream to further downstream, will be the responsibility of the CER to monitor and permit from a safety perspective.

The most important part of the Bill is section 13M, which requires anybody who wishes to undertake activities relating to petroleum exploration and provision to submit a safety case to the CER within six months of starting any work. This makes sense. Essentially, it is an extra permit that is required and which deals with safety. Obviously, processes such as an environmental impact statement, EIS, a licensing process and probably a planning process will be required. Having a safety case or safety permit process which the CER is responsible for designing and implementing will, I hope, reassure local communities that there is an independent regulator to monitor and decide on the safety of a proposal before any development takes place. That is a positive development.



[Deputy Simon Coveney.]

However, the Minister has not catered for some matters with regard to putting together an application for a safety case. At this point, I thank the Minister's officials for taking the time to brief the Opposition spokespeople. It was very useful. They are not required to do it and I appreciated it. An issue that was raised in the Seanad and which we discussed in the briefing was the participation of the public in the preparation and improvement of the safety case. In other words, if we could rewind the clock and ask the developers in Corrib to start again under the new mechanisms we are putting in place, they would be required to approach the CER, put together a safety case from a safety point of view and seek approval for it from the CER under the guidelines that will be drawn up under the safety framework, which the CER has been asked to put together.

The Bill proposes that the developers will be able to put their safety case to the CER and ask it for its view as to whether it is sufficient, if it requires amendment, improvement or change and, if so, how the developers can do that. I expect the CER will take a very proactive approach and say, for example: "You are 75% there but we would need you to do X, Y or Z to improve your case before we can give approval." The problem is that there is no opportunity for the public to have an input at that stage. The Minister has made a conscious decision to allow the public to have an input when the CER is putting together the safety framework, which is a generalised framework and not site specific. There will be no public interest in that. Nobody from Mayo would have contributed to a generalised safety framework 15 years ago if the CER had been putting one together for future potential exploration in Ireland.

Local communities interact with regulatory or planning bodies only if it impacts on their environment. That is why it is necessary to allow for some public input into the safety case process before it is given approval and a permit is granted. I can understand the reticence and caution of the Minister on this issue because we do not want a long, drawn-out process with appeals, court challenges and so on which will create major delays when, ultimately, if one has a sound project which should proceed, we want to see that happen. There is a balance to be struck. Perhaps there could be a period of three weeks or a month for the public to make comments on the safety case, to ask questions and to have an opportunity to raise concerns. In many cases, communities will raise money to pay for experts, perhaps from abroad, to come in and test the safety case being considered by the CER. That is a good thing.

If there is one lesson we have learned from Corrib it is that we cannot allow conspiracy theories to develop or local communities to be under the impression that something is being hidden from them or that there are ulterior motives and they are being hoodwinked in some way or other. All of those feelings have been felt in communities in Mayo at various stages which has built further resentment and anger, and has resulted in the project getting stalled, demonstrations being held and all the rest. From a very early stage, in terms of safety concerns, there should be at least an opportunity for the public to observe, in a transparent way, what is happening, to see a safety case being put forward and how the CER considers it and to have an opportunity to make a comment if they wish to do so. Ultimately, the CER must make the decision.

It is up to the Minister whether he wants to include a provision in the Bill to allow for objections, or simply to allow for comment or observations. He may decide to do what he is currently doing, that is, offering the public no input into the safety permit application process, or whatever it is called. I ask the Minister and his officials to examine the matter between now and Committee Stage and try to find a way to ensure we can streamline the process, while at the same time ensuring we do not allow the public to develop a resentment on the back of not being given the information or facts, in particular the safety elements, of a project which will impact on the local community. If we could do that it would be a good day's work. Otherwise,

we are not learning the lessons from Corrib. We should not try to put in a slick process and ask people to trust the CER. That is what we are saying. We are telling people we will not show them the safety case application because we need the CER and the company involved to figure it out first and when they produce a safety permit which has been approved, the public can see the finished product. That is not good enough. The Bill should set time limits.

I am not sure if there should be a long appeals process or an appeals process at all. However, we should let local communities see the detail at each stage. When a developer or exploration company is putting its safety case to the CER for permission to proceed, the public should be allowed to view the case. If they are sufficiently organised and financed to be able to have their own expertise to comment on the case, so be it. If they want to comment, there should be a facility for them to get answers. When a company then starts digging trenches in order to lay pipelines through people's fields, the public at least know they have had the opportunity to participate in the safety audit or application process for the project concerned. That is the main issue which is of concern to me on Second Stage. We can examine individual sections on Committee Stage.

I wish to make some points regarding staffing implications. The Bill asks the CER to do a considerable job. It asks the CER to work with the Health and Safety Authority, the EPA and other Government agencies, authorities and the Department during the construction and application process when a safety case is made and a permit is required. After that, if there is an accident the CER will be expected to investigate it and produce a report for the Minister. There are all sorts of safety monitoring procedures which will need to be put in place when gas comes ashore at high volumes and pressures, which is a significant responsibility to pass on to the CER. It will need significant staff to be able to deal with that.

If we are increasing staff levels in the CER, are we making the corresponding staff reductions within the Department? If we are transferring one responsibility from the Department to the CER, that should happen. Are we taking on new people and retaining all the staff who did this work in the Department in the past? From a public finance point of view, we need to ensure we are getting value for money. Most importantly, we need to ensure the CER is given the resources and staff, even in these tight times, to do this job properly because significant pieces of infrastructure are involved which can be dangerous if a proper safety framework which is functioning, monitored and enforced by the CER is not in place. I wish to raise that flag at this stage because there is no point in transferring responsibilities to the CER if we do not give it the capacity to be able to the job comprehensively. It does not currently have the capacity, staff or expertise to be able to do the job.

I will return to what I said at the start of my contribution. This Bill is about learning lessons from a fiasco which happened off the west coast, where we have a very valuable and important resource for the Irish economy which has not been brought ashore in a timely manner because of repeated mistakes, in terms of how the concerns of the community were dealt with and a series of other issues. I hope the next time there is a major find off the south, west or east coasts and we apply new legislation we will be able to allay the fears of local communities in order that we can bring gas, oil, coal or power ashore in a way which treats local concerns with the respect they deserve, while at the same time doing a job for the country, in terms of national priorities regarding energy security and the very important issues which revolve around the new role for the CER in this process.

**Deputy Liz McManus:** I welcome the opportunity to discuss legislation to ensure a modern and transparent safety regime for petroleum and gas exploration. It is an area that attracts great controversy, or has done. Local communities also express genuine fears about safety issues. It is not the only area where those kinds of concerns are expressed but in the Corrib

[Deputy Liz McManus.]

dispute they were especially acute. Regardless of one's perspective on that dispute, it is fair to say this legislation flows from the fact that there was an ongoing dispute with such a concentration of concerns, issues raised, fears expressed and conflict of views and approaches. The legislation we see now came out of that experience.

It is a necessary measure. The question that comes to mind is why it has taken us until now, and only after a conflict, to do this and bring about a change in legislation. There seems to be a lacuna that was not addressed and which came into sharp focus only because of the Corrib dispute. One might look at the Advantica report which considered the safety issues, again because of the unrest and concerns that had been expressed. It states:

Proper consideration was given to safety issues in the selection process for the preferred design option and the locations of the landfall pipeline terminal. Quantified risk assessment techniques were used to evaluate the levels of risk to the public and deemed to be acceptable according to recognised and relevant international criteria. However, there appears to be no formal framework in Ireland for decisions on the acceptability of different levels of risk which should be in place to enable potential developers to gauge whether or not a proposed project is likely to be permitted and to ensure consistency of decisions made on safety issues. We recommend that consideration should be given by the Irish Government to establishing a risk-based framework for decisions on proposed and existing major hazard pipelines and related infrastructure to ensure transparency and consistency of the decision making process.

That is central to the work that went into preparing this legislation. If it is not fully transparent now I hope that by the end of the work we do it will be as transparent as it can possibly be, allowing for commercial sensitivities. I note that in 2006 when the report was published the previous Minister accepted the recommendation that he place long-term responsibility for safety for upstream projects such as the Corrib project with the commissioner for energy regulation, CER. That is what we are doing now. As Deputy Coveney stated, it makes sense to transfer responsibility for regulating upstream as well downstream activities to the CER. I have no doubt it will have the full support of the House. Currently, this is the Minister's responsibility but I understand it is not defined properly in law.

I am very thankful to the departmental officials for the briefing time they gave me and other Members of the Opposition. It is very valuable to have that kind of expertise available to us. The Bill provides for a comprehensive range of activities or, at least, oversight of a comprehensive range of activities, from the drilling of wells to the processing terminals. The idea is to have standards applied across the board.

I do not have a problem with the fact that the CER will be responsible for this and have this role, rather I welcome it. However, I urge caution in regard to how this will work out in practice. There is a fashion to move responsibilities out of Departments into bodies that are not departmental or quangos. The regulatory power and authority in regard to this matter is the CER but, realistically, the CER will not be able to carry out this new work without acquiring additional resources and staff.

Recently we debated the Broadcasting Act which set up a new broadcasting authority and I believe there is a salutary lesson there. It is the kind of lesson which, to a very graphic degree, was given us by what went on in FÁS. However, at a much more modest level it shows the inevitability of budgets going up when the State no longer has to pay them. In this instance, as I understand it, levies will be charged on the industry. When the broadcasting authority was established its budget immediately went up to €7.6 million from €6.1 million last year. That does not even allow for the additional €1.5 million that was added on in the last three months of 2009. However, the big difference is that the industry must pay these levies, not the State.

Perhaps the Minister of State might clarify this matter because there is reference in the Bill to levies concerning the CER but, as I understand it, the State will no longer pay for the regulatory role. It will be the industry.

**Deputy Conor Lenihan:** Yes, that is the case.

**Deputy Liz McManus:** That is all very fine as long as the controls are in place to ensure that it is not seen as an unlimited cash cow to which we can return and build up a little empire, making sure that whatever the authority may be it will live up to its brief. I do not have a problem with the CER taking on this role but I urge caution about what can happen so easily.

In this regard one might look at the complaints I received and the paucity of applications for licences. One of the complaints we received concerned the cost to people in the industry, small players, who are taking a very high financial risk by getting involved in exploration in the first place. They see an opportunity and hope it will work out and if it does they will sell out to a big company. I am not worried about the impact on big oil or gas companies. That is not an issue. However, we seem to have a problem when it comes to the small innovative company that may be willing to take a significant risk. Already it is feeding back the view that the licensing regime is inimical to that kind of approach by comparison with the British licensing or regulatory regime.

I do not know how much this is the industry having a bit of a moan or how much of it is a block to our exploiting our natural resources but it is telling that only two licences were applied for in the last round. That needs to be analysed. One can blame many causes — technical problems, recession, whatever, but that is the reality. When we go again we need to be armed with an understanding of the impact that cost, whether of licensing or regulation, has in terms of limiting innovation. The Minister of State, Deputy Conor Lenihan, is especially interested in innovation. We share that interest.

We have an issue with regard to transparency. Again, this is something that always must be balanced against commercial considerations. We understand that but I ask that in so far as we can we make regulation as transparent as possible. I am loath to raise this issue on the day that is in it, with what has just happened with the former Minister of State, but we did not have a very happy experience with the appointment of the new commissioner of energy regulation. Normally, one would expect a proper appointment system and interview process whereby people would come forward to present themselves for a job of this nature. It is a very highly paid job but that is not the point. I do not criticise in any way the person who got the position because he is eminently qualified. However, I do not know if he was the best person and that is my worry. There are Irish people living abroad working in energy regulation who might have wished to apply for the job. They might have brought back the kind of expertise that we do not have in this country because of its small scale. It was a pity it was not a more expansive and transparent process. The Minister, Deputy Ryan, is always talking about transparency. I do not think this was a happy experience and I hope that lessons can be learned from it. I do not believe it was a happy experience and I hope lessons can be learned from that too.

When one considers the original source of the legislation in terms of it being identified by the technical group that examined the whole issue of the laying of the pipeline, we need to remember that another report was prepared by the mediator, Mr. Peter Cassells, who raised issues other than safety which should be acknowledged. I visited Mayo to look at various issues, including the terminal. The impression I got from talking to local people was that much of the damage in terms of the breakdown in trust occurred before Shell got involved. There was a legacy of bad faith and it must be acknowledged that much of this is about people feeling powerless and helpless in regard to decisions being made in which they felt they had no involve-

[Deputy Liz McManus.]

ment and by which they felt extremely threatened. Obviously, safety concerns are central to that.

The other issues which Mr. Cassells noted in his report as genuine concerns of local people included safety concerns, the terminal, the location, water pollution and discharges, lack of concrete benefits for the local community, financial compensation for some landowners, gas distribution, given that some towns did not benefit, monitoring of the project in the sense of who was to look after the interests of the local community, and relations with Shell. While the tax regime did not come into that, it was certainly an issue that arose in the wider community. I appreciate that many of these concerns have been taken on board.

It was amazing that the towns in Mayo that could benefit from this new development were not part of the strategic plan by the Government. This should not have been an issue. We should have seen this in terms of ensuring that, strategically, every town along that line would benefit. Thankfully, that will now happen but it showed up a failure in strategic planning and it was hard to understand how it could happen.

Of course, it is not over yet. We still have the issue of An Bord Pleanála querying the pipeline itself. In a way, although I can understand it must be extremely frustrating for the developer, this shows that the system is working in a monitoring role and that the planning appeals board is carrying out its functions. I would hope this inspires a certain amount of confidence and that this measure will add to and build that confidence because, if we are lucky, we will have to go through this again — if we are very unlucky, we will not. Either way, however, it would be a great benefit to Ireland to see that kind of find into the future, whether gas or oil.

For all the great plans we have to replace fossil fuels with renewables, the cost of energy imports, which is currently €6 billion, will grow. The International Energy Agency concluded that the growth in energy demand worldwide, for oil in particular, is unsustainable. Our imports of fossil fuels at over 90% are in a particularly vulnerable position. It is not as if we will have a major change in terms of growth in demand. Growth in demand will continue and we have to allow for and manage that. Moreover, we have to recognise that the whole issue of energy security must be central to Government policy in terms of economic planning for the future.

In other countries, when the original oil crisis took place, it drove a change towards renewables which is now set as a model for all of us. If we take the Scandinavian countries, Germany and France, the oil crisis caused such a reaction within Governments that they were able to plan out a totally new direction in terms of future fuel needs. It still took them about 30 years to do that, so we must do the same. We must recognise that we will have significant fuel needs. While we will have to do things differently, one of the factors we have to keep cognisance of is the reality that we are on the edge of Europe, at the end of the gas pipeline in terms of provision from central Europe and in a very vulnerable position.

While I am on the subject, I previously raised an issue to which I felt I did not get an answer, namely, the question of oil stocks in Ireland. While it is slightly off the point, perhaps the Minister of State could take the opportunity to reply to my query. This goes back to last year, when there were questions about Ireland's obligation under the EU directive on emergency oil stocks. We are obliged to maintain 90 days of strategic oil stocks, and we do this through NORA, the National Oil Reserves Agency. However, issues were raised by the European Commission because our stocks were being used as collateral, which means they were not immediately available, and this was in breach of Community law. What is the situation in this regard? While we may have oil stocks, and 90 days does not sound like much, it was the issue that this oil was being used as collateral which the Commission was most unhappy about. The

Minister of State might clarify whether this issue has been resolved because it has implications not just for our relationship with the EU but also domestic implications if those stocks were, for any reason, unavailable.

The Sustainable Energy Ireland report, *Energy Forecasts for Ireland to 2020*, projects that in its baseline scenario the total primary energy requirement will grow by 2020. It states that oil will remain the dominant fuel, accounting for 58% of energy supply by 2020, while dependence on gas is also expected to grow. The International Energy Association's *World Energy Outlook* set out a context which is certainly challenging in terms of energy security and cost. So far, we have not seen the response in terms of public consciousness. People can see the price going up, for example, because of the carbon tax on petrol, but the actual extent of the issues that have to be addressed has not penetrated public consciousness in the way that is needed. The *World Energy Outlook* makes the point that we need major decarbonisation of the world's energy system and that the present economic worries do not excuse backtracking or delays in taking action to address these energy challenges.

We have the challenge. I also believe we have the innovative capacity, if it is enabled to be unleashed, to ensure we can make real progress. However, it seems very often that, on the one hand, we have that kind of potential for growth and development and, on the other, we have an out-of-date system of management, whether in terms of the Foreshore Act in regard to offshore wind or the fact there is no geothermal legislation — I wish the Minister well in that regard. The State apparatus is not moving fast enough or in a streamlined fashion to meet the need and to give that chance of real growth in those innovative areas in terms of energy challenges.

This Bill is part of the modernisation of the State apparatus. While I am glad of that, I am conscious that when one talks to people in the renewables area, very often one comes back to the problem that we have a silo mentality within Departments and between Departments, and that legislation is often out of date, clumsy, inoperable and sometimes impenetrable. It is a big task for the Ministers in this Department to ensure that, with regard to energy, at least we are getting things right. I acknowledge that this Bill represents a step forward, but there is still a long way to go. Perhaps it is a case of “a lot done, more to do”, although not all that much has been done.

**Deputy Conor Lenihan:** The Deputy likes that slogan.

**Deputy Liz McManus:** I hope progress in this area will be exponential.

When this legislation is in place I hope the Minister, when he is representing the State at the European Union or in a broader international forum, will be in a stronger position to argue for safety standards globally in regard to oil and gas exploration. We are well aware that there are countries with no proper regulation where people's lives are at risk as a consequence of untrammelled greed. The safety measures that are required, particularly in the developing world, are simply not in place.

Recent media reports indicated that the Ugandan Government has given permission to Tullow Oil to flare gas in that country. Flaring gas has the potential to release huge volumes of greenhouse gases into the atmosphere. The flaring of gas in Nigeria is regarded as the greatest source of CO<sub>2</sub> emissions in sub-Saharan Africa. That has an impact in the developed world but, when one considers the impact of climate change, it is the poor areas that suffer most. Now we discover that a company with Irish links is part of the problem in a naked way. I hope we will now be able to argue that case with more authority. When one considers the global agreements that are in place for opening up markets internationally, the other side of the story is that these companies must be controlled and

6 o'clock

[Deputy Liz McManus.]

regulated in a way that ensures that whether one lives in Ireland, Uganda or elsewhere, one's health is protected.

A non-governmental organisation in Britain called PLATFORM has carried out a worrying assessment of the situation. It points out that where regulatory frameworks are weak, the danger of flaring of gas becomes a major issue and urges that the absence of an oil production regulatory regime not be exploited by big business. The report states:

Urgent changes should be made to the contracts, legislation and regulatory regime covering oil to achieve a measure of environmental protection, minimise economic distortion through revenue flows and capture a more appropriate share of the revenues. Uganda is heading towards oil production in 2010-11 with no oil legislation in place and no revenue management system and is locked into contracts that undermine the country's sovereign control over its natural resource.

The report goes on to criticise the financial arrangements in place in Uganda. These issues are not as stark in this State as they are in the developing world. However, we can, with reference to the tax regime, question whether Ireland, as opposed to the local community in Mayo, is seeing the benefits of the exploration and exploitation of our natural resources. We have a responsibility to address, whenever we have a responsibility to do so, in international fora the shortcomings that exist in the developing world.

It is not long since we were ourselves neglectful in a way that now seems extraordinarily remiss. Some days ago a deputation of miners from Arigna, Ballingarry and Castlecomer attended a meeting of the Joint Committee on Communications, Energy and Natural Resources. These men were perhaps slightly older than the Minister of State, Deputy Conor Lenihan, but not much. They had gone out to work in the 1960s as healthy young boys and now they are broken and sick men as a result of the work they did on behalf of us all. It is not often that a deputation makes as great an impact as these men, many of whom are suffering from lung disease and heart disease, as well as blindness and tinnitus because of the impact of explosions. It is extraordinary that in our generation these men have had to suffer in this way because health and safety precautions were grossly inadequate.

The State has a responsibility to these men but it seems determined to see them die before it lives up to that responsibility. The mining companies were private companies and are no longer in existence. Where else can these men turn but to the State? They have already been poorly treated by the social welfare system. This is a reminder that although we may consider ourselves a highly developed and sophisticated economy with high standards in health and safety, we only have to look into the faces of those miners, or consider the number of men who died during the construction mania, to realise it is very superficial.

This Bill represents an important and welcome step forward in seeking to protect communities and the environment. Some of the issues it confronts were raised in turbulent times. The corrosive Corrib gas dispute has raised genuine issues to which the State has been slow to respond. The Government is now responding and I hope that at the end of the process in which we are engaged we will have robust legislation which protects people into the future even if we were not able to protect them in the past.

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** I propose to share time with Deputy Mattie McGrath.

**Acting Chairman (Deputy Charlie O'Connor):** Is that agreed? Agreed.

**Deputy Martin Mansergh:** Deputy McManus was correct that mining operations in the past, which were welcomed unconditionally at the time, left much to be desired. As someone who had a responsibility for the energy section in the Department of Foreign Affairs for three years in the late 1970s, during which time we had the second oil crisis, and who worked closely with colleagues in the then Department of Energy, I have a certain ongoing interest in these matters. Energy policy is of great importance to the State as a whole into the future.

I welcome the Bill as a confidence-building measure. Public safety is and should be integral to energy regulation, recognising the distinction that is made between the health and safety of workers and public safety for both local communities and the community at large. The background to this legislation is the ongoing Corrib gas controversy. Nobody would argue that it is not legitimate to have safety concerns and to have them properly responded to. It is generally accepted that at the beginning of that project, communication with the public left much to be desired.

The facilities being constructed have been moved as far away from dwellings as possible. However, we must be realistic and accept there is no such thing as absolute safety and security. Advanced societies have industrial and energy plants, pipelines and high voltage electricity. For many years, fertiliser trains moved between Marino Point in Cork, through the centre of the country and through the centre of Dublin, down to Arklow. In certain circumstances, such as at the Bantry Bay terminal in 1979, there is a potential for disaster. It is essential, therefore, to learn from experiences at home and abroad, maximise safety to the greatest extent possible and give the maximum in reassurance to the public.

At the same time, modern society is inconceivable without many of the facilities that in a worst case scenario could create a disaster. A very small example of the kind of conflict that exists is the fact that the vast majority of us use mobile phones but many people still complain about telecommunications masts. It is a question of reconciling the difficulties and the risks.

There is no doubt that the authorities of the State and the Government have shown extraordinary patience with a very prolonged protest. It is vital to protect our infrastructure. There has been a very high cost in policing and delays caused by civil disobedience, using semi-guerilla tactics within the framework of civil disobedience.

One of the reasons for planning procedures and laws is to resolve conflicts of this kind and those should be respected. There is much benefit to the local community from extension of the network and also security of supply. Having our own gas would at least give us security of supply.

There has been some debate in the background about the terms of exploration and development and this is ultimately a matter for the Oireachtas to decide. I do not think this can be decided or determined by local protests. There is an assumption that there are potentially vast resources in the ocean. I agree that it is more than likely we have significant oil and gas reserves but there is no evidence that I am aware of that we have anything approaching North Sea levels of oil and gas. A great illusion which has been around since the late 1970s is that this would provide the answer to all our problems but it would not. There is a notion we should take charge of all the exploration and the development but the costs are vast and the risks are high. Also, significant amounts of capital would be required and we have many other pressing needs. In my view, a lot more realism about what can be achieved is required in terms of oil and gas exploration. I agree that such exploration can make a positive contribution to local and national life but there is no El Dorado off the west coast of Ireland.

While there is much talk of renewables which is a policy supported by all, we have to be realistic in the short term as to how much of our energy needs can be supplied by renewables. I recently visited Ardnacrusha following the Shannon floods. When in operation, Ardnacrusha



[Deputy Martin Mansergh.]

provides approximately 40 MW of electricity for approximately 40% of the year. Wind energy has a contribution to make as do other renewables but gas is one of the staples of energy supply and it is clean and convenient. It also fuels electricity across western Europe. I do not think there are people who wish to revive the nuclear project which was discussed in the late 1970s but there are countries in Europe, notably Germany, which are still moving in the direction of getting out of nuclear power and there are plenty of hazards. I refer to interconnection across the Irish Sea. I remember Jack Lynch's Government being in favour of this project and talking with the British Ministry of Energy in the years 1978 to 1980. One must rub one's eyes to see that 30 years later, it is still only about to be implemented, with the assistance of some EU cohesion funding.

This Bill is a positive measure for which I congratulate my colleague and his senior Minister. It is important that the greatest possible independent expertise is brought to bear and that it is integrated into the licensing and regulation.

**Acting Chairman:** Deputy Mattie McGrath has nine minutes.

**Deputy Mattie McGrath:** I am glad the Acting Chairman is facilitating both colleagues from south Tipperary.

**Acting Chairman:** I am happy to do so and to support partnerships in constituencies.

**Deputy Mattie McGrath:** Indeed, as he does out in Tallaght.

**Deputy Conor Lenihan:** Familiar territory.

**Deputy Mattie McGrath:** I congratulate the Minister of State and his officials for all their hard work and also the senior Minister. The Bill concerns the safety of citizens, workers and energy sources. This significant Bill proposes best practice for the safety of petroleum exploration and extraction on which the Minister is to be complimented.

Increased safety in this area is essential. The Commission for Energy Regulation is best placed to monitor these safety practices considering it already has responsibility for the regulation and safety of downstream gas supplies. I am pleased that the issue of petroleum safety will now be the full responsibility of one body. For too long in many areas of governance, we have fallen between two stools with regard to many issues. There is often no direct line of responsibility. Private investors and people who want to develop their ideas get frustrated as they go from agency to agency with no proper area to look at. As previous speakers have said, a certain mentality is deeply ingrained in the apparatus of the State. I refer to the mindset of departmental officials who have been in their jobs for a long time. In fairness to them, they do a hard job to the best of their ability. However, they need to think outside the box. They can be insular and inward-looking when new ideas are presented to them. It can be frustrating for enthusiastic people who wish to develop oil fields or renewable energy projects to receive so little encouragement. They do not seem to be incentivised when they try to bring oil or gas from offshore fields, such as the Corrib field, or to develop renewable energy.

I wish to speak about my own constituency in this context. On a weekly basis, I meet people who are involved in renewable energy projects, including farmers who are being encouraged to change their practices. Such people are not given the latitude, encouragement or incentives they need to support their wonderful ideas. As we know, from small ideas and small seeds grow great acorns. That should be instilled into the mindset of the staff of State agencies, which have responsibility to control and an onus to develop. At this time, our economy badly needs new developments in the energy sector. Gas, oil and various kinds of renewable energy are

needed to support our economy, especially as we depend so much on imports of oil and other commodities.

The idea of safety cases to be approved by the CER is welcome. I suggest that local communities should have a greater input into developments that will affect their backyards. The lesson of the Corrib case is that local involvement is necessary, even in the case of a small planning application. In recent years, proposals to develop incinerators in County Tipperary led to hugely divisive campaigns. All kinds of innuendoes and allegations were made. In some cases, very little of the suspicion, doubt and concern that was expressed was valid. As more lies are told, mistrust grows and the situation becomes more divisive. I have been through this in my own constituency.

Local communities must have ownership — more than in name — of the projects that are proposed. They must enjoy some of the rewards too. All developments have an intrusive impact on local areas. The environmental impact may include an increase in traffic volumes on local roads and the disturbance of flora and fauna. Local communities must be consulted, engaged with and, above all, listened to. If there are spoils to be gained, apart from the benefit to the country and the greater good of our communities, local people must share in them. Such benefits do not need to be financial — social benefits such as public amenities can also accrue to towns, villages and rural communities. The recent amendments in respect of public access and information are also welcome. Better transparency is always essential. It is paramount when agencies carry out necessary functions on behalf of the Government.

We need this gas. It is badly needed. It is a huge find by Irish and European standards, although perhaps not by international standards. I am disappointed that this process has been so slow. We cannot afford to wait because there is a very small window. We have to try to attract businesses and companies to Ireland. We do not have the expertise or wherewithal to do it ourselves. The climatic conditions off the west coast of Ireland mean there is a very narrow window, between May and September, in which exploratory drilling works can take place. We need to be able to move and to respond. If we can attract people who are interested, we should encourage them. I accept that health and safety must be a priority. We must have regard to all our rights and issues. We need to have a balance. If we want to attract people to Ireland, we have to allow them to develop their business.

The situation that has developed with the Corrib field is totally distasteful. Our State agencies — I single out An Bord Pleanála in this regard — have been responsible in no small way for the frustrations and anxieties that exist in this respect. It is regrettable that such worries have been hijacked by certain political groups with their own motives. Certain groups will probably always see an opportunity to divide and conquer, and to upset people. An Bord Pleanála should admit that it does not have the power, expertise or wherewithal to assess these situations and deal with them. It should have accepted from the outset that it was not able to handle this matter. This is not An Bord Pleanála's area. While it needs to be an independent body, it can be too obsessed with being seen to act in a totally independent manner without any modicum of fairness. I do not like to say that, but I do so without fear or favour. My layman's opinion is that An Bord Pleanála does not have the necessary wherewithal. It is too slow. It takes too long.

Section 1 provides that the commencement date for this legislation will be left to the discretion of the Minister. While I accept the need for such discretion, I suggest that the Minister needs to be proactive. If we are to have any kind of finish line, perhaps there should be a set commencement date in every Bill. There must be a time line with regard to everything, for example with regard to those who want to make investments. The State has been too slow. While we have many laws, maybe we have little justice in many areas. There are too many

[Deputy Mattie McGrath.]

licences and regulations. I come from County Tipperary, where we had problems in the past with our miners. We have not learned from the mistakes that were made in that case. If we put too many rules and regulations in place without respecting the ones we have, we may be throwing the baby out with the bath water. In many cases, we are lacking common sense, which is a great thing in all these cases.

**Deputy Martin Ferris:** This Bill aims to put in place a statutory overview of health and safety on oil and gas exploration projects, including the Corrib pipeline in Mayo. It would be naive to divorce the legislation from its overall context — the broader issues surrounding the bringing on shore of gas from the Corrib field. During this long running controversy, serious questions have been asked about the manner in which the project has been managed by the main company involved, Shell, and by the State. We recall the imprisonment of five men from Rossport in 2005, as a consequence of their courageous opposition to the manner in which the concerns of the local community were ignored and the pipeline forced on the locality. They have been vindicated on the specific issue of the safety of the pipeline in proximity to their homes. Last year, An Bord Pleanála ordered the company to reroute the pipeline away from houses because it posed an unacceptable risk. It is unfortunate that it took so long to come to such a logical conclusion. Those who rightly protested against the route that was originally proposed were treated badly by the company. The State deployed massive resources to try to break the protest and encouraged a malicious propaganda campaign against the local protestors and their supporters in Mayo and throughout the country. We need to know whether, and how soon, Shell will be able to comply with the conditions that have been set out. It will have to ensure the pipeline runs entirely under Sruwaddacon Bay, something it previously claimed would be impractical and too expensive. Thankfully, An Bord Pleanála saw fit to place the interests of the local community in this instance, backed by international best practice on the routing of potentially dangerous pipelines, above the interests of a powerful multinational. Until then, Shell appeared to be able to ensure it got its way on all matters related to the project. It must submit its new plan this month which will become the subject of a publicly-held inquiry.

That does not mean the issue has been resolved. There continues to be opposition to the project on several grounds. Two weeks ago, we saw the imprisonment of local fisherman Pat O'Donnell for seven months for his involvement in protests against the threat which the project presents to his livelihood and that of other local fishermen. I personally know Pat O'Donnell, a lobster fisherman, who fought to protect his livelihood for which he is now paying a huge price. He would not allow himself to be compromised by the multinationals.

That the Rossport protestors have been vindicated calls into question the manner in which they were vilified by the political establishment and the media. They were called either Provos, anarchists, communists, Greens — before the Green Party changed its mind on this, along with so many other matters of principle — or some strange Mayo mixture of the above. That campaign continued with the recent TV3 documentary by Paul Williams which raked over many of the old smears. Of course, Mr. Williams's being the guest of Shell at the Ireland-England rugby match in Croke Park in 2007 was merely a happy coincidence. Likewise, the regular attacks on campaigners by people writing for the Independent News and Media newspaper group has nothing to do with the fact the outcome of the Corrib issue will have a direct impact on the fortunes of Providence Resources involved in the Dunquin gas field off Kerry, a company owned by Tony O'Reilly.

The project also continues to be subject to the easy terms under which the licence was granted. As it stands under existing taxation and royalties terms, the State will gain little in revenue once the gas comes on-stream in comparison to the revenue earned in other countries

where multinational companies have been licensed to develop offshore energy resources. The reason behind this is down to two key decisions: one made by a former energy Minister, Ray Burke, in 1987 to abolish royalties and the State's 50% share in any natural resources; the other made by Deputy Bertie Ahern when Minister for Finance in 1992 to reduce the tax rate on oil and gas profits from 50% to 25%. Even the latter is illusory, however, as companies can write off costs before having to declare, meaning no tax will be paid for many years after the gas comes ashore.

As for the claim the Corrib project should be allowed to proceed on the current revenue terms given the importance of securing our energy supply in a volatile world market, the licence terms actually allow the company to export it rather than supply the domestic market. Nor is there any mechanism whereby the State can ensure gas supply costs to domestic and commercial users would be controlled.

The potential value of our offshore oil and gas resources is enormous. The Department of Communications, Energy and Natural Resources recently estimated it at €450 billion. This is a huge figure given the current economic climate in which massive cuts in public provision have been made. It should also be considered in the longer term as a potential engine for sustained indigenous economic development and growth.

The key word, however, is "potential", given that most of what lies off our shores has not yet been developed to the stage of it being available to be brought onshore and to supply the type of injection needed. The argument on the part of the companies and the State is that the costs involved and the difficulties of exploration and extraction are so enormous the figures mean little. However, international experience suggests that once deposits have been identified and licences granted, that they will be extracted. It is, therefore, important to decide how best they ought to be exploited and developed. From the State's perspective, it must centre on what share of the dividend accrues to it and to the population through revenue, royalties and its potential direct share in the oil and gas itself.

It will be argued the State is in no position to impose better terms on the exploration companies, particularly in the current economic climate as it relates to energy supply. Again, international experience suggests a radical approach is possible. While the companies may complain, they would be happy to go along with changed terms, given that even a reduced share on their part still ensures huge profits.

Over the past several years countries like Russia, Bolivia and Venezuela have imposed new terms on the multinationals. They have even taken full or part State control of their natural energy resources without provoking the kind of crisis predicted and threatened by the exploration companies. The oil companies have long been content to pay high rates of tax in Norway where one of the Corrib partners, Statoil, is majority owned by the Norwegian State. In fact, Norway stands to benefit more than Ireland from the Corrib gas being brought on-line. It is proof too that proper state involvement in oil and gas does not require full nationalisation but is compatible with private companies being involved on improved terms.

That the oil and gas are natural resources lying off our coast puts them in a different category from companies coming here to become involved in manufacturing. No Government would allow a multinational agribusiness corporation to buy up hundreds of thousands of acres of land to export live cattle but not pay tax on their profits. That would rightly be seen as a reversion to the old landlord system.

The Irish revolution, as set down in the 1916 Proclamation and the Democratic Programme, recognised limits to the right to private property where the resources, sovereignty and welfare of the people could be at stake. It is on that basis the State should approach the question of our oil and gas reserves.

[Deputy Martin Ferris.]

Any moves towards strengthening the safety aspects of exploration works must be welcomed. However, we must look at the broader context that it is not enough to ensure communities and workers are protected from possible harm but that the exploration sector is brought under proper public supervision so that any gas and oil that comes on-stream benefits the people and economy.

**Deputy Peter Kelly:** The Petroleum (Exploration and Extraction) Safety Bill 2010 will confer statutory responsibility on the Commission for Energy Regulation, CER, for upstream or unprocessed petroleum safety. As it stands, this responsibility is split between several agencies such as an Bord Gáis, the Health and Safety Authority, An Bord Pleanála and county councils. The need to dispense with the current fragmented regulatory and safety regime in favour of a more unified approach was brought to the fore by the independent mediator in the Corrib dispute, Mr. Peter Cassells. I agree with Mr. Cassells that one cannot have various different bodies doing a regulatory job when a single agency would suffice.

A specialised Corrib technical advisory group, founded by the then Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, in 2005 also found the regulatory regime was incapable of giving due weight to the societal risk posed by petroleum-related activities. There is a need for a State body with the appropriate expertise and powers to regulate overall public safety in the sector. With market liberalisation, the Energy (Miscellaneous Provisions) Act 2006 conferred responsibility on CER for the public safety of downstream or processed gas activity. This Bill will now extend the responsibility of CER to the safety of upstream oil and gas. Ensuring maximum public safety is the fundamental objective of this proposal and this is the overriding benefit. Under this Bill, the HSA will remain responsible for enforcing occupational safety and health laws for oil extraction.

A number of different approaches have been taken by other countries. The UK, for example, has chosen to empower its general employment health and safety authority with specific powers for pipeline safety. This type of system does not lend itself to Ireland as the legislation establishing the HSA here is different from that in the UK. The HSA cannot be given responsibility for infrastructure that does not have operatives in attendance. It is responsible for the safety of employees rather than for the public at large. The HSA does not have experience in this field of pipeline safety. In any case, it would not make sense to have two separate regulatory or safety organisations for one industry, particularly when the upstream aspect is relatively minor. Under this legislation CER will be able to recover its losses from the industry. The new safety regime for upstream safety is designed to strengthen public safety and is in compliance with the recommendations of the recent safety studies into the Corrib gas field. In the future it would be worth exploring the option of giving overall responsibility for pipeline safety to one authority, as is the case in Denmark.

This would be extremely beneficial in terms of benefits of economies of scale and the pooling of professional knowledge. This is a technical Bill but its main objective is very clear. It will ensure the highest standards of public safety are adhered to for upstream petroleum. I commend the Bill to the House.

**Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Conor Lenihan):** To bring the proceedings to a conclusion, I thank the last two speakers, Deputies Peter Kelly and Mattie McGrath, for bringing a strong business perspective to the debate. Often, people from a business background are not represented in the House and that viewpoint is not represented in discussions and deliberations here. I praise Deputy Mattie McGrath for being such a vocal opponent of over-regulation and excessive bureaucracy because

it is a major challenge for us as we face out of recession and into recovery. We must disassemble much of the bureaucracy we created in the past 20 to 30 years in aid of and as assistance to our business community to create more exports, jobs and investment in Ireland.

It is important this measure is seen in the context of making it easier for people to explore in Irish waters. We have created barriers to people coming in here to explore Irish waters. As the Minister of State with responsibility for this area, I am most keen that we are in a position to vigorously promote the possibility of potential for exploration in Irish waters, following the passage of this legislation and other measures. As the Minister of State with responsibility for this area, I would not feel comfortable promoting investment in the offshore licensing scene in Ireland precisely because we are perceived, reputationally, internationally and otherwise, as a bad place to invest. This is due mainly to regulatory and bureaucratic controversies and the civil protests that accompanied the Corrib projects. This has done enormous damage to our economy and to the potential to develop the economy, particularly the enormous resources we have off the coastline in exploration opportunities.

Great damage has been done by the Corrib experience. I am not telling any secrets out of school in saying that a number of businesses have indicated that they would not compete for Irish exploration licences because of what they read and heard about the Corrib project. With this item of legislation, it is important that we rationalise the situation with regard to safety requirements for those who wish to explore Irish waters.

I welcome the positive contributions of Deputies Simon Coveney and Liz McManus. It was interesting to hear Deputy McManus refer to the cumbersome bureaucracy that accompanies much of the permissions required in this field. This is a new thing, coming as she does from the left persuasion.

**Deputy Liz McManus:** I do not have the faintest idea what the Minister of State means by that.

**Deputy Conor Lenihan:** Her contribution was welcome in that regard. We need to break down some of the cumbersome obstacles we have put in place to allow people to explore off Irish waters.

Regarding Deputy Coveney's contribution, I was unaware a safety case was required prior to approval. I am not sure anywhere else in the world publishes a safety case for public consultation prior to assessment and approval. We will not go down that route. The rest of Deputy Coveney's contribution was positive and presented a realistic understanding of the risks and rewards of offshore exploration in Ireland. There has been a naïve debate, reflected in the contribution of Deputy Martin Ferris, that we should make it more onerous for people to explore in Irish waters. This is not particularly attractive, because of the experience of the Corrib but also because of the fact that offshore waters, particularly those off the west coast of Ireland, are particularly difficult in drilling terms. There is a short window between May and September in which one can drill. It is a difficult, high risk deep water operation.

I welcome many of the contributions and know that all of them are predicated on being positive. I welcome the contribution of Deputy McManus in that regard. The contribution of Deputy Ferris was naïve. Some Members compare everything to the Nordic countries. Deputy Ferris seems to think Norway provides all the answers in terms of incentives for offshore exploration. It is always interesting to hear partial quotation of facts. It is true that one can pay up to 70% as well as tax for exploration of Norwegian waters but if one drills unsuccessfully in its waters the state will underwrite the cost to the tune of 70%. It is not simply a universal application that we could import into the Irish situation. I thank the Deputies for their contributions and look forward to the following Stages of the Bill.

**Deputy Liz McManus:** I apologise for being late but I want to ask the Minister of State about the oil stocks.

**Deputy Conor Lenihan:** That is not in my competence or mandate but I will ensure my officials respond directly to Deputy McManus. I do not have the detailed knowledge she requires in respect of why the EU has ruled a particular way with regard to our oil reserves being held as collateral. I will clarify that by a direct note to the Deputy.

**Deputy Liz McManus:** I wanted to know what we were doing about it.

**Deputy Conor Lenihan:** We will send the full answer directly to the Deputy. I welcome the intervention of Deputy McManus.

Question put and agreed to.

**Petroleum (Exploration and Extraction) Safety Bill 2010 [Seanad]: Referral to Select Committee.**

**Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Conor Lenihan):** I move:

That the Bill be referred to the Select Committee on Communications, Energy and Natural Resources in accordance with Standing Order 122(1) and paragraph 1(a)(i) of the Orders of Reference of that committee.

Question put and agreed to.

*Sitting suspended at 6.50 p.m. and resumed at 7 p.m.*

**Private Members' Business.**

---

**Unemployment: Motion.**

**Deputy Leo Varadkar:** I move:

“That Dáil Éireann:

- notes that the Standardised Unemployment Rate (SUR) has risen to 12.7% which is the second highest in the EU;
- notes that there are 434,700 people on the live register, the highest figure ever;
- notes that there are 85,910 people under the age of 25 on the live register;
- notes that unemployment is higher now than when the Government came to power in 1997;
- recognises that unemployment has social as well as economic consequences;
- regrets the reality that tens of thousands of young people have to emigrate once more; and

calls on the Government to:

- put job creation and job retention at the centre of its economic strategy;

- reduce the level of employer's PRSI;
- establish a national internship programme to provide part-time placements in the public, private and voluntary sectors for unemployed graduates with funding for a higher degree or diploma;
- provide 10,000 second-chance education places for former construction and other workers with no basic qualifications;
- mandate the Office of Public Works, FÁS and local authorities to take on all redundant apprentices to ensure that they can complete their training;
- provide 5,000 more Community Employment schemes;
- introduce workshare to subsidise the incomes of employees put on short-time and to provide them with training when they are not working as an alternative to redundancy; and
- introduce a major stimulus to the economy by implementing Fine Gael's 'New Era' proposals."

With permission of the House, I wish to share time with Deputies Deasy, Connaughton, Breen, Joe Carey, Feighan, Tom Sheahan and Doyle.

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

**Deputy Leo Varadkar:** It gives me great pleasure to move this motion this evening. For the past few weeks politics has very much been dominated by personality politics. We have had the resignations of George Lee and Déirdre de Búrca, the resignation from Government of Deputy O'Dea and some hours ago, with great regret, the resignation of Deputy Sargent as Minister of State. However, politics is not about personalities and individuals or at least it should not be. Politics is about the 4.5 million citizens of this country. This evening in particular we wish to focus on the 437,000 people on the live register and the approximately 85,000 young people who are signing on. The purpose of this motion is to highlight the seriousness of the situation and to put forward some of Fine Gael's positive ideas to help alleviate this young person's recession.

This is a young person's recession. Certainly everyone in every sector has taken a hit, but those who are most exposed in this recession are young people. They are the ones most likely to be out of work and most likely to have to emigrate. They are the ones, who if they are in work, are the most likely to be on temporary contracts without protection or pension provision. They are the ones most likely to be burdened by heavy debts, mortgages and for the first time since 1930 the spectre of debt deflation and ever rising debt repayments taking up an ever-shrinking income. With tonight's motion I want to speak to them.

The motion highlights the seriousness of the situation. While it is true that we are facing an international recession and that other countries are also suffering, in the space of two years Ireland has gone from a country of relatively low unemployment to a country that has the second highest unemployment in the eurozone, regardless of how it is measured. It is a very serious situation which should not be treated lightly. Some 12.7% of the adult population are unemployed with another 7% claiming disability allowance and another 4% or 5% receiving the one-parent family payment. That means that more than 20% of our population of working age are now not working and are dependent on social welfare for their income. That is not sustainable or desirable. It has major economic consequences in that the country is borrowing



[Deputy Leo Varadkar.]

money to pay for social welfare. It also has major social consequences because people who end up on welfare for more than six months or a year very often stay on welfare for the rest of their lives, stuck in a relative-poverty trap, and nobody wants that.

We are making a number of proposals this evening. Fine Gael is proposing a national internship programme to be targeted at very many graduates who cannot find employment, including young nurses, physiotherapists, architects and other graduates. We want the Minister to make available some of the places in the public service that have been left vacant because of the recruitment ban to allow young graduates to work in those positions for 20 hours a week, receiving the full entry rate in those employments and not the social welfare rate as is the case with work placement programme. They should also receive a small bursary with which they can in the other 20 hours study for a higher degree, diploma or masters. This is not anything like the Government's work placement programme. It is a serious proposal to give people real experience and allow them to train at the same time. It is not essentially free labour, which is what the Government is offering with the WPP.

We also want second-chance education. Quite cheaply we can provide 10,000 additional places for people to re-enter education. There are very many people, particularly young construction workers, who left school early to do apprenticeships or just to take up work in construction. They got paid very well during the boom years — perhaps as much as €2,000 a week — but now find themselves out of work and with no qualifications suitable to the current environment and no prospect of ever earning a good income again. We need to help them to go back to school. It should not be just for eight or nine months as is the case with the back to education allowance, but a serious programme to allow them to go back to school for two years to do their leaving certificate examinations and then enter college. They should be paid to do so for that two-year period, covering the summer period also and not just the eight months provided for in the back to education scheme.

We call on the Government to create an apprenticeship guarantee. Some 7,000 apprentices are in between stages now and cannot get beyond the work experience they need. A model exists — the community youth training programme that was used in the 1980s to take on apprentices who were in exactly the same position as they are now. We need to take on apprentices to build community centres and schools, and do public works. People can go around the country now and see community centres with the small FÁS logo on them. They were built in the 1980s when a Government at that time thought it appropriate to take on unemployed apprentices to allow them at the very least to finish their training. We are calling on the Government to do that this evening.

We also call on the Government to expand the CE schemes, which used to employ 44,000 but have now been cut to 22,000. They could be brought back to 27,000 with relative ease and minimal expense.

We also call on the Government to introduce a work share arrangement, the *kurzarbeit geld* system, as is used in Germany or work-share as used in Rhode Island in the United States. For example, an employer of 100 employees instead of laying off 10 employees would be allowed to keep them all on but put 20 of them on short time and the Government would subsidise the difference. This can be only a temporary measure and cannot work forever. For employers facing a cyclical downturn or a temporary blip in sales orders, this kind of mechanism could save many jobs. In Germany at the moment it is saving 500,000 jobs. We believe in Ireland it could save between 10,000 and 15,000 and would be a much more effective measure than the Government's current temporary employment subsidy scheme.

We also ask the Government to cut the tax on jobs — employer's PRSI. An employer hiring somebody must pay a 10% tax for doing so. It costs an employer at least €220 a week for an employee earning €200. We are asking the Government to reduce employer's PRSI not just for people coming off the dole, but to reduce it across the board. The cost of employing people needs to be reduced so as to stop taxation on employment as the Government is doing now and to use the proceeds of the carbon tax to offset this. The ESRI estimates, in the event, that this could create more than 30,000 jobs over two years.

We are also asking the Tánaiste to give serious consideration to Fine Gael's NewERA plan. There is a considerable amount of money to be tapped into, such as hedge funds, pension funds etc. Many people have money in savings and we need to get that money invested in the economy. NewERA is our vehicle for doing exactly that. Essentially, it means using the semi-States, privatising some of them and using that revenue as well as taking some revenue from the pension funds — retooling and rebuilding the semi-States to allow them to invest in the economy, to build broadband, invest in alternative energy and use them as the engines for growth. It is a matter of bringing the private capital that is available back into the economy and investing for the future.

Finally, I wish to address the Government's counter motion, which is disappointing. It is self-congratulatory, there are no new ideas in it and no new measures. There is no hope in the counter motion tabled by the Tánaiste. We are not going to play personality politics, however, and this is a serious issue. We have highlighted the problem and put forward eight solutions we believe are viable. We humbly ask her, if she is serious about unemployment and really cares about the 85,000 young people who are unemployed, to withdraw her counter motion, to come behind us and not divide the House. I ask the Tánaiste, the Fianna Fáil backbenchers, the Green Party and the Independents not to divide the House and support the positive motion we have put forward.

**Deputy John Deasy:** The statistics for my constituency, Waterford, with regard to under-25s unemployed are as follows: in the Dungarvan area it has increased by 146.5% over the last two years while the figure for Waterford city, although a little better, is at about 90%, which is still a big figure.

In the last couple of days I have attended a few meeting on job creation. One was with the city manager and his officials yesterday. Another was with an accountancy firm trying to promote entrepreneurs in the city of Waterford. Today I had a meeting with a very successful community development group. One issue has arisen again and again, namely, that there is serious doubt, which I share, as to whether the State agencies tasked with retraining and job creation have adapted, or can adapt, to the economic crisis. I have to ask why it is Waterford City Council that is putting together a small business loan scheme and co-ordinating the different agencies dealing with job creation in the city. The answer is that no one else seems willing to do so.

More significant, however, is the issue of how individual agencies are dealing with unemployment issues. In some cases they are dealing with them in the same manner as they were two or three years ago. I do not see any sense of urgency within some elements of local government and especially in State agencies. In the boom years these agencies multiplied. They grew bigger, wages increased within them, better properties were rented and in some cases such as FÁS they lost sight of their original purpose. At the heads of these agencies we need risk takers, people with business acumen and commercial experience. Instead, this Government has promoted risk averse individuals, bureaucrats and generally safety-first merchants who——

**Deputy Mary Coughlan:** I hope the chairman of the IDA is not included in that category, in fairness to him.

**Deputy John Deasy:** —regard innovation, first and foremost, as something that might threaten their pension if something went wrong. In some cases these organisations have become so fat they do not have the flexibility and mindset necessary to deal radically with the differences that have arisen in the labour market. In Waterford we have haemorrhaged manufacturing jobs. Foreign direct investment is almost at a standstill and small businesses are collapsing as they will continue to do over the next few months. Most people are adapting, however, realising they must do so to survive. Are the Government agencies capable and willing to adapt quickly enough to the unique and sometimes localised difficulties that our workforce is encountering? As time goes by I am less convinced of their ability and resolution to change themselves in order to deal with the massive rate of unemployment and the issues that exist around this. At the head of these State agencies we need experienced business orientated minds. We do not need and cannot afford any longer bureaucrats or political appointees whose business skills do not mirror the scale of difficulty that our workforce finds itself in.

**Deputy Mary Coughlan:** The Deputy is casting aspersions on the chairman of the IDA.

**Deputy John Deasy:** The Tánaiste will have her chance.

**Deputy Paul Connaughton:** She got her chance and did not take it.

**Deputy Paul Connaughton:** No other topic to be discussed in this House will be as important as this one. We are now speaking on behalf of 434,000 people throughout the country who have nothing to look forward to every day but the dole.

To give an idea of how widespread is the malaise, even in the peripheral areas, in one month alone, from December to January, unemployment in Ballinasloe went up to 2,643, equivalent to a rise of 3.2%, in Clifden it was 7.6%, Galway city 2.5%, Gort 7.3%, Loughrea 5% and in the Tuam area it went up to 3,400, a 5.3% increase. If this is going to continue it will be extremely difficult for the Government to pay the social welfare bill. Nobody wants to be on social welfare and the vast majority of the 434,000 are asking whether there is a way out and if anyone has the answer.

I am not saying there is a magical answer which will solve all the problems, but I genuinely believe that if there is a will, there is a way to make a start. The start made by Fine Gael in terms of the hours, weeks and months that have gone into the preparation of those five or six plans is very significant. I ask the Minister to take them seriously, because that is what parliamentary democracy is all about. So far, however, the Tánaiste and her Ministers of State have taken no notice of anybody and that is the cul-de-sac in which she finds herself.

A two-pronged attack is required. Take the simple proposals like the community employment, CE, schemes. All over the country there is a world of work to be done, with people wanting to go out. I have been told by people that they are ready to earn the equivalent of what they can get on social welfare, just as long as they are working. The community people want them to work and there is no shortage of good schemes. Take the NewERA, as proposed by Deputy Coveney. That is the most fundamental proposal for change in the semi-States I have ever come across. It has been market tested and we genuinely believe in terms of the investment it will attract in the future, it will certainly mean there will be a revitalised engine in the State, with all types of new jobs being created that were never dreamt of before. I am talking about energy, broadband etc. and all the things that will make us extremely competitive when this terrible storm blows over, which it will in time.

I say straight to the Tánaiste's face that the problem with the Government is that it appears to be so bogged down, it is akin to rabbits being caught in headlights. It has no direction, and it appears there is no hope from the Government's viewpoint. I acknowledge that it will be extremely difficult, but there are many ways to approach the problem of unemployment. The workshare initiative referred to by Deputy Varadkar, for instance, could be made to work very well.

There is nothing as degrading for a man or woman, regardless of age, as to have to stay at home without a job. It is an inhuman state for people. Even if they had to workshare over the next year or two until better times come, whatever it costs, I believe it is important to have that linkage, experience and training in the workforce. Anything is better than to be cut adrift.

**Deputy Dinny McGinley:** It is timely and appropriate that we are discussing this matter. It is probably the most serious crisis facing the country at the moment, with 434,000 unemployed.

I do not intend to dwell on the national problem but on the local one that affects my constituency and county. I compliment Deputy Varadkar for tabling very practical, down-to-earth proposals. They do not amount to rocket science, they are practical proposals some of which, if adopted, might have some effect on the numbers of unemployed throughout the country. As Deputy Connaughton stated, if some of these proposals, along with those contained in Deputy Coveney's NewERA document, were taken on board by the Government it might represent an attempt to address the crisis in which we find ourselves.

I refer to my county. In September 2007 there were 8,370 registered on the unemployment list in Donegal. Last January that figure had risen to 21,500, an increase of 156% — I worked it out on a calculator before coming down this evening. That is a vast increase.

The Tánaiste will agree that the industrial base of our county has been decimated since 1997 by the present Government and its two immediate predecessors. A litany of iconic industries in our county have closed down during these years. I refer to Fruit of the Loom. In such places as Malin Head, Bunrana, Milford, Raphoe and Dungloe, thousands of jobs were lost. I refer to Hospira in Donegal, with which the Tánaiste is very familiar. Between 600 and 700 jobs were lost there. I refer to UNIFI in Letterkenny and Donegal Parian China. I refer to companies in my area, including BMR, Comar Yarns, Dianorm, RMT, Europlast, Herdsman and Nena Models. The list goes on. Suffice it to say that since 1997, some 12,000 industrial jobs have been lost in Donegal.

The sad fact is that well in excess of one quarter of those who have lost their jobs are under 25 years of age. I came to Dublin last Tuesday. While flying up, I encountered three neighbours. They were young people who have possibly just graduated. I asked where they were going and they replied that they were going to Australia. These were young, well-educated, trained people going to Australia because there was absolutely no prospect of a job.

Fishing is at a low ebb. Killibegs is a ghost town compared to what it used to be years ago. The same goes for Burtonport. Agriculture has its own difficulties. Tourism in Donegal is in difficulties as well. All these industries are gone and there is no evidence of any recognition by the Government that these serious issues must be addressed. There is a good deal of emphasis on rescuing the banks and looking after fiscal matters. However, in my view and that of the 434,000 unemployed in this country, the most important issue is to address the unemployment crisis. We are getting rid of or exporting a generation of young people. They will settle in various countries. We have educated and trained such people. Will they ever come back? This is a serious situation. The Tánaiste and I represent the same constituency. She is in a position to do something about this. She had heard suggestions from this side of the House. I call on

[Deputy Dinny McGinley.]

the Tánaiste to act upon some of them before we go into an economic tailspin from which we will never recover.

**Deputy Joe Carey:** I commend Deputy Varadkar for tabling this motion on behalf of Fine Gael this evening. This is a very timely and relevant motion. Unemployment has gripped this country yet again. Currently, some 434,700 people are on the live register, almost 86,000 of which are under 25 years of age. Unemployment is without doubt the over-riding issue facing our country. The creation and protection of jobs must be at the heart of Government policy. In particular, young people are feeling the pain of unemployment. Young men and women throughout the State have little or no prospect of gaining employment. This is a truly daunting situation faced by our young people. School leavers are left with the choice of joining the growing welfare queues or leaving the country and taking their hard-earned education to benefit other economies on other shores.

In my constituency of Clare almost 11,000 people are signing on, some 2,100 of which are under 25 years of age. During the past two years, the percentage of people under 25 years who are out of work has increased by 137%. In the mid-west there is an unemployment rate more than 1 % higher than the national rate of 12.7%.

I raise the possibility of establishing the Lynx cargo facility at Shannon Airport. This project has the capability of creating thousands of jobs in the mid-west if the Government would only invest in the project and move it forwards. However, it requires the support of the Government and an investment of €7 million, which is not a great deal of money. Were such an investment to be made, it would attract assembly and manufacturing jobs to the Shannon region. I appeal to the Tánaiste to proceed with this proposal.

I appeal to the Government to listen to Deputies who propose such projects which could make this situation better. Fine Gael is aware of the stark reality. We have put together a plan of action to get young people out of their beds and back into the workplace. We need to halt the masses of young people who are emigrating. Without a real, focussed effort of proactive job creation we will have a generation of long-term unemployed people with little focus or hope. I appeal to Government Deputies to consider seriously the proposals in our document Hope for a Lost Generation rather than merely dismissing it, which is usually the case when we table such proposals under Private Members' business.

Like every Deputy in the Chamber, I have been inundated with young people at my constituency office. Such people are looking for a break and for the opportunity to make a contribution to the economy and to help to return it from the brink. In response to the many young people whom I met, I made a submission to Deputy Varadkar which has been fed into or the Hope for a Lost Generation document and I am very proud of this fact. I worked on this with my personal assistant Paul Bugler. These are real proposals that will create jobs, training opportunities and a second chance of education for our young people. I appeal to the Tánaiste not simply to cast aside these proposals. She should take them on board and actually do something about addressing the unemployment crisis in this country. The Tánaiste should take on board our plan which we offer gladly. The resulting 38,000 young people who will be taken off the dole queues will thank the Tánaiste for it.

**Deputy Frank Feighan:** I support the introduction by my colleague Deputy Varadkar of these very important proposals to the House. Our hearts go out to the 450,000 people on the live register. We are aware of the many people who have made a great contribution to the economy by providing employment and work to the country. However, many such people do not have money to put bread on the table now. They are the new poor. As politicians, we must give

hope and leadership. We must have a sense of unity to provide some future not only for these people, but for their children. In recent years, we have seen many high profile job losses. However, most of the jobs lost that make the current figure of 450,000 are lost in groups of one, two, three four and five and these could be avoided.

Food processing has been a significant industry in my constituency but thousands of food processing jobs have been lost. Often such companies as Glanbia and Green Isle have pulled out for innocuous reasons, including a fire on one occasion and at other times because someone wished to start a union. Such companies move to other areas such as Dublin, the United Kingdom or Kildare. For some reason, the Government always gives such companies grants or compliments them for the work they do. Such companies are moving out of rural areas that badly require the jobs to retain people in these areas and this does not represent balanced development. Not enough has been done to protect the jobs in place.

Many opportunities exist and Deputy Varadkar has produced proposals which I welcome. One such proposal is the apprentice guarantee. I refer to the case of 700 apprentices. I have contacted the Tánaiste several times in respect of FÁS employees in Australia or the United States of America. There is no flexibility in FÁS. People want to finish their apprenticeships but FÁS has more or less said the courses must be finished in Ireland. A lady whose son is in Australia asked me how he could come back when there is no work here. People are not living in the real world. We must be flexible and compassionate towards young people who have perhaps done four out of five years of an apprenticeship. No flexibility is being shown towards them.

The workshare arrangement will protect jobs. The solution to the recession starts and ends with jobs but we must protect them first. Not enough is being done in this regard.

It is quite obvious that banks have stopped funding small businesses. Only for the credit unions, family and friends, most people with small businesses would have gone to the wall. However, most will go the wall unless the banks make credit available immediately. Unfortunately, they are more interested in repairing their balance sheets.

The role of the Western Investment Fund is to invest seed and venture capital in projects and businesses in the western region. Small businesses should be able to avail of it. The fund, under the Government, could take out shares in and make loans to companies to ensure they will be economically viable.

**Deputy Tom Sheahan:** I will concentrate on my portfolio, fisheries, in which sector job creation opportunities have been wasted. The operational programme for fisheries, which covers the period 2007 to 2013, has yet to be implemented by the Government although it is already 2010. The money available through the programme would create and sustain jobs. It is unacceptable that the Minister of State responsible for fisheries, Deputy Killeen, who took office in May 2008, has not implemented a programme for fisheries after nearly two years in office. It is not good enough.

The Cawley report, published in early 2008, recommended an investment of €100 million in aquaculture over five years. Not one cent has been spent on it in the past five years. Aquaculture industries currently employ 2,000 people. The IFA aquaculture team was before the Oireachtas Joint Committee on Agriculture, Fisheries and Food some time ago and outlined the possibility that exists for creating a further 2,000 jobs in the industry. For the life of me, I do not understand how a Minister of State in office for two years has failed to produce an operational programme for fisheries.

I am informed that Bord Iascaigh Mhara, which is responsible for fisheries, returned funding to the Exchequer last year because there was not an operational programme for fisheries in

[Deputy Tom Sheahan.]

place. Since there was no programme, it was unable to advance capital grant aid to some of the small industries. At present, there are 100 small coastal firms engaged in shellfish production and aquaculture that are waiting to submit applications for capital funding but there is no point in their doing so because there is no operational programme for fisheries. They want to access the funding and create jobs.

All our EU competitors have opened their operational programmes and their industries are taking full advantage of the significant market demand for farmed fish and shellfish. In the past two years, through the inaction of the Minister of State in implementing an operational programme for fisheries, there have been missed opportunities in respect of at least 500 jobs in small coastal communities.

Some €5 million was allocated in the December budget for aquaculture. How can it be spent without an operational programme for fisheries? How can any job be created or sustained without such a programme? The possibilities that exist for an additional 2,000 jobs in the aquaculture industry and for a further €100 million in export revenue cannot be realised without a programme.

Since the departure of the Minister for Defence, Deputy O'Dea, we have been informed that the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Killeen, is one of the senior contenders for his post. A spade is a spade, not an earth-relocating implement. The Minister of State did not introduce the operational programme for fisheries and, by not doing so, he has adversely affected the creation of 500 jobs in the aquaculture industry.

**Deputy Andrew Doyle:** I commend Deputy Varadkar on tabling this motion. Job creation will be and should be the only show in town. When all the diversions of the past couple of weeks die down, there will still be serious unemployment and economic crises with which we must deal. Fine Gael has tried to forward some sensible solutions and some imaginative and creative ones, such as the workshare and national internship programmes. Many of the other proposals make absolute sense, such as the one to expand community employment schemes and afford people the dignity of doing something for the money they get. Let it be for the benefit of the community.

Details on the second-chance education scheme have been outlined. Some students left school for a summer job and decided not to go back because the temptation to have money in their pockets at the time was just too great. We can all say their decisions were based on the folly of youth but it is easy to understand why they took the career decisions they took.

I will deal with the area of interest to me. I regret that Deputy Sargent has stood down as Minister of State at the Department of Agriculture, Fisheries and Food. I found him frustrating at times in so far as he had a single-minded attitude to organic farming and certain other matters. However, we were always able to have a good robust debate on them.

The Minister for Enterprise, Trade and Employment is responsible for commissioning a study on a code of practice for the retail sector. This is very topical at present and the iron must be grabbed while hot because jobs are in jeopardy. We must put job creation and retention at the heart of the Government's economic strategy.

Fine Gael published a Food (Fair Trade and Information) Bill last August. It incorporates the necessary actions that need to be taken to protect those in the agrifood, supply and processing sectors. Ultimately, it is a consumer issue, not just one for producers. The Taoiseach stated today that anecdotal evidence is much easier to obtain than concrete proof, for understandable reasons. That speaks volumes about the circumstances in which we live. People are

even afraid to talk secretly because they feel the big multiples will figure out who they are from the figures quoted.

I want to bring two other points to the attention of the Minister for Enterprise, Trade and Employment. An article in *The Sunday Times* contains a photograph of the Minister, which is flattering or unflattering depending on one's perspective and quotes the chief executive of the Irish Exporters Association as having said the indigenous export sector is too small for a State-backed credit export insurance scheme. The figure of 9% quoted represents half of all exporting jobs. The rejection was on foot of a KPMG report. We have not seen that report despite several requests for it. Will the Tánaiste clarify whether the report will be made available? It goes on to state that Mr. Denis Brosnan is not very happy with the Limerick regeneration scheme and is threatening to quit because he is frustrated.

I wish to make a further point about the new funding premiums regime in the banks. Small businesses have made representations to me about this. They have never been in default and are good clients of the bank but a 2.8% premium will be attached to their facilities over a five year period purely because the banks have such a bad credit rating. Perhaps the Tánaiste will respond on that point.

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I move amendment No. 1:

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

“recognising the challenge faced by many individuals and families following the loss of a job or income during this difficult economic period;

acknowledges the strong matrix of State supports the Government has put in place to support job-seekers and families;

endorses the initiatives taken by Government to strengthen national competitiveness and underpin future economic growth;

supports the actions set out in the Government's smart economy framework and its commitment to make Ireland a leading knowledge and innovation economy;

commends the Government for implementing policies which aim to support enterprises, protect jobs and stimulate employment creation, including the:

- ongoing work of Enterprise Ireland and IDA Ireland in attracting foreign direct investment and promoting enterprise development and employment growth in businesses;
- introduction of the enterprise stabilisation fund that will invest €100 million in supporting viable but vulnerable companies in these difficult economic times;
- introduction of the employment subsidy scheme, which will between 2009 and 2010 invest €135 million in either directly or indirectly supporting approximately 80,000 jobs;
- introduction of a PRSI exemption for employers creating new jobs this year;
- maintenance of substantial capital investment programme across Government;
- implementation of key Government programmes such as the €425 million Rural Development Programme 2007-13, creating some 12,000 jobs, and the €1 million



[Deputy Mary Coughlan.]

invested each week in the home energy savings scheme, providing work for some 3,690 registered contractors; and

- provision of key infrastructure, such as broadband, where the number of subscribers has doubled during the lifetime of this Government, and electricity generation from local renewable sources, where at 15% we have already met our target for 2010;

and commends Government actions in support of activation and training for the unemployed through:

- its €1 billion funding for a range of labour force measures which will assist those who have lost their jobs;
- the prioritisation of four cohorts of the unemployed, including those under 35 years of age, for priority access to the State's support services for the unemployed;
- the doubling of capacity in job search support services for the unemployed;
- the continued increase in the number of training and work experience places for the unemployed, now standing at 147,000 places;
- the introduction of new initiatives such as the work placement programme which includes special provision for graduate places;
- the almost 10,400 training places for the unemployed and those on short-time working that will be provided by Skillnets and FÁS this year;
- special arrangements to assist 4,000 redundant apprentices progress their apprenticeships;
- the provision of opportunities for 166,000 learners, including those with basic skills needs, in further education programmes operated by VECs across the country;
- the 140,000 full-time enrolments in our higher education sector, an increase of 4.5% over the 2008/09 academic year;
- the 1,000 free or highly subsidised part-time places offered to unemployed graduates to pursue postgraduate programmes in higher education institutions last autumn;
- the significant increase in the numbers of back to education allowance recipients to over 18,000;
- the maintenance of service provision for communities and the provision of employment for 2,600 participants under the rural social scheme and 2,700 participants under the community services programme; and
- the introduction of a new €20 million labour market activation fund aimed at supporting innovative proposals that are progression orientated for the unemployed.”

Job creation in this country is the issue that tops my and this Government's agenda. It is the driving force behind so much of our work in stabilising our public finances and in getting our banking system working again. It is the reason that, in a time of significant current budget deficit, we are continuing to invest so heavily in our capital programme, in building necessary infrastructure and in enterprise, research and development. The Government is working hard to overcome the challenge of the live register figures. We are conscious that people across the

country want to know we are taking the actions necessary to ensure Ireland is well positioned when this period of economic turmoil comes to an end. If we are remiss in anything, it is in terms of getting the message out to the public about what we are doing.

While I will elaborate on a number of these points, I will set out for the record just a portion of the work that I have undertaken as Minister for Enterprise, Trade and Employment over the period to date. The initiatives taken include, among others: introducing the employment subsidy scheme to help retain jobs in our vulnerable exporting companies; introducing the enterprise stabilisation fund to help protect jobs in our exporting companies hit by current difficulties; mandating comprehensive strategy reviews in IDA Ireland, Enterprise Ireland and Shannon Development; putting in place a code of conduct for business lending to SMEs in order that our SMEs know where they stand with regard to the banks; establishing a credit supply clearing group to tackle the credit supply issue, to establish the facts and to take on the spin and the myths; ongoing work on a proposal to Government for the establishment of a targeted loan guarantee scheme; successful introduction of a commitment by the Government to pay its debts to business within 15 rather than 30 days; a revamp of our public procurement policy to ensure greater SME access to public contracts; introduction of two separate Company Law Acts, the first to toughen our company law regime against potential abuse and the second to ensure Ireland is best positioned to maximise the attraction of job creating foreign direct investment; achieving the introduction of new tax changes to support job creation through research and development and the development of intellectual property assets in Ireland; securing the introduction of a PRSI exemption for employers creating new jobs this year; targeting enterprise funding and resources at new areas for job growth, such as the green enterprise sector; despite the financial situation, prioritising and investing significant capital moneys in research and development, science, technology and innovation for future job growth; rolling out a new marketing campaign to encourage investment in Ireland from our FDI target markets; putting in place an unprecedented level of training and activation measures to assist those seeking employment; introducing new and innovative programmes established to keep people in jobs deemed vulnerable and to get graduates work experience; opening training and activation opportunities to private and voluntary sector providers through the €20 million labour market activation fund; new types of FÁS courses to train and re-train people for jobs in new sectors, such as the green economy; increasing the number of places available on community employment schemes; and successful application for European Globalisation Fund funding for former Dell employees, with two other applications in progress at present.

I am confident that I, and the Government, are pursuing the correct policies that will enable this economy once again to return to growth and, more importantly, employment creation. Ireland as a small, open economy, is especially reliant on foreign trade and we are focused on ensuring that we can take advantage of the upturn in international growth and trade. Encouraging and positive trends are now visible. In recent months, international organisations such as the IMF and the OECD have upgraded their economic forecasts. In its most recent update in January, the IMF forecast that global economic growth would expand by 4% in 2010 and in 2011. This represented a substantial upward revision from its previous forecast which was published in October. Established trading partners such as the UK, the euro area and the United States are all expected to experience growth in the medium term, representing renewed opportunities for our exporters. Similarly, Irish exporters are making inroads into less familiar emerging markets whose growth remains buoyant.

In the past 18 months, Irish exports have performed extremely well in comparison with international counterparts. That must be reiterated because it is not getting across as part of what we have achieved. My goal is to maintain and enhance the policy environment that has

[Deputy Mary Coughlan.]

facilitated this resilient performance and that will drive future export growth. We estimate that every job in Ireland associated with exporting sustains another job in the domestic economy.

International investment will continue to be a key driver of employment, exports and growth. We will continue to market the Ireland brand as a location of choice for new and existing investors. In September, I launched IDA's new innovation-focused overseas market campaign, designed to position Ireland as the pre-eminent location for companies that are seeking to invest in future innovation. It has received great acclaim in many of the serious publications in the United States. During 2009, we won a total of 125 foreign direct investments. Almost 70% of these investments were from existing IDA clients who are making further investments in this country, reinforcing Ireland's reputation as a key strategic global business hub.

In these turbulent economic times it is extremely significant that many of the world's leading companies continue to invest in Ireland in a wide array of activities including high end manufacturing, global services and research, development and innovation, RDI. In absolute numbers, Ireland is moving up the global rankings with regard to employment in research and development, having risen from 19th to 11th position in the latest "Global Location Trends" survey, which is a testament to the SSTI strategy being pursued. During 2010, the IDA will continue its work to capitalise on our quality workforce, our creativity, our international attitude to business, attractive incentives for research and development and our favourable tax climate to attract multinationals to set up a base in Ireland as a launch pad for markets in Europe, Africa and the Middle East. Already in 2010 there have been seven IDA supported announcements in Dublin, Galway and Tullamore and there will be a further significant announcement for the north east this week.

We are also working to develop the opportunities for Ireland to become a key European hub for the international funds industry. In this regard, I look forward to the proposed changes in the Finance Bill to strengthen Ireland's competitive edge. I also tasked the IDA with developing a new strategy for the future direction of foreign direct investment and it will be published shortly. It will include specific initiatives which the IDA will undertake to retain existing, and secure new, foreign direct investment. This strategy will identify the opportunities in foreign direct investment markets, while stressing the importance of restoring our relative international competitiveness so we maximise our potential to attract foreign direct investment. We have a new narrative here, which is our cost competitiveness as well as our reputation as a good place to do business, our talents and skills and our transparent tax regime.

Enterprise Ireland also delivers a wide range of supports to Irish companies, targeted at the specific requirements of clients throughout all regions to ensure that they develop to their full potential in terms of innovation and exports, which in turn stimulates job creation. Enterprise Ireland, in recognising the significant changes in the current economy both in Ireland and globally, has prepared a recovery strategy to identify the actions that will be undertaken to help clients in 2009 and 2010. I refute Deputy Deasy's comments on the work being done by the Department's agencies. They have clearly refocused on sustaining employment and creating new employment in particular sectors where there is huge potential for jobs and growth. Enterprise Ireland has focused its efforts on strengthening and sustaining companies of strategic importance through a range of initiatives focused on the needs of its client base.

With regard to my appointment of the chairmen of Enterprise Ireland and the IDA, nobody in the House could say that Mr. Liam O'Mahony is not a man of tremendous business acumen, strength and focus. That is the reason he was appointed and I thank him for accepting the appointment. He will clearly drive the IDA agenda. Many of the Deputies will have met Mr. Hugh Cooney. I have never met a man as enthusiastic and eager to support enterprise in this country. Mr. Dempsey who was appointed to FÁS — I am sure the Leas-Cheann Comhairle

knows him — is a man of great energy and sincerity and will drive the agenda to the best of his ability with the members of the board who are clearly focused on what we can achieve with the strategic supports in place in our enterprise agencies.

The county and city enterprise boards continue to provide support for small businesses in the start-up and expansion phases. Job creation is an inherent consideration in the activities of the boards which will continue to assist micro-enterprises through direct grant aid to businesses and project promoters and the provision of a range of other important business supports such as mentoring, business training and business advice designed to stimulate indigenous enterprise creation and boost employment creation. The Minister of State has been very focused on renewing the focus and role of county enterprise boards which clearly have a local response to local needs and work closely with Leader companies under the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív.

The development of the smart or innovation-based economy is the key challenge facing Ireland as we lay the ground for economic recovery. We are well aware that our enterprise and investment landscape must continually be transformed to be competitive. Today the model for which we strive, as the basis of our economic renewal, is the smart economy, built on the dual strengths of our innovation and entrepreneurship. The Government has made a major commitment, through substantial public investment in the strategy for science, technology and innovation, SSTI, to making such a transition to the smart economy. This whole-of-government strategy focuses on research and the application and commercialisation of the fruits of that research and is spread across six Departments.

In December 2008 the Government reinforced the importance of the investment in the SSTI in the paper, Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal, which prioritised continued investment in science and engineering infrastructure and research. For us, building a smart economy is about the development and application of human capital, that is, the knowledge, skills and creativity of people, and our ability and effectiveness in translating ideas into valuable processes, products and services. In this context, Science Foundation Ireland is playing a critical role in building our competitive academic research base, while maintaining a strong focus on excellent research. This work has been highly rewarding as today Science Foundation Ireland funded researchers are connected to more than 300 companies in Ireland which support the employment of 56,000 people.

The objective of the research and development programmes administered by the State agencies is to harness the benefits of research collaboration for the benefit of the economy. This entails building a strong cadre of indigenous firms and attracting and further embedding leading multinational companies here. This is the essence of the SSTI which is proving to be the engine of economic growth. At this time of scarce economic resources, the Government has allocated €600 million to SSTI Departments and agencies in 2010 and we are confident that the net gain from such sustained investment will be more and better jobs.

If we examine the progress made in recent years, it is clear investment in the higher education sector is having a significant impact in terms of Ireland's human capital development, feeding through to the attraction of foreign direct investment and commercialisation. For example, last year 49% of the IDA's foreign direct investment wins were research, development and innovation related, valued at €500 million and built upon initial investments made through Science Foundation Ireland and the HEA. We are working to encourage indigenous enterprises to prosper. Evaluations of State support for research and development show that research and development performing companies have higher rates of growth in turnover, exports and employment and much higher productivity and export intensity than lower research and development performing companies.

[Deputy Mary Coughlan.]

New high potential start-ups will make a substantial contribution to export and job growth. In 2009 Enterprise Ireland supported 73 such companies across a wide range of knowledge-intensive sectors, including life sciences, biotechnology, medical devices and telecommunications, and a number of specific niche areas such as compliance and risk management. These companies are expected to create significant numbers of new jobs in the next three years, demonstrating that entrepreneurs across the country are capable of creating high value, export-focused businesses which support employment. It is only by implementing these policies and targeting our limited resources that we can hope to position Ireland as a competitive, innovative location in which to do business, grow business and employment and create prosperity.

Ensuring our enterprises receive the support to assist them through the current difficult period is key to safeguarding employment, which is why I have introduced a broad range of enterprise support measures. Last year the Government introduced a €100 million enterprise stabilisation fund which aims to support viable but vulnerable companies experiencing difficulties because of the current economic climate. Companies receive funding which will go to support a range of activities, including market development, productivity improvements and product development. In 2009 €58 million was spent on 181 projects, supporting 7,500 jobs. The fund continues to be rolled out this year.

I am also very keen to support SMEs and particularly aware that there are difficulties for some businesses in accessing credit. To address this issue, the Minister for Finance announced a new credit review system in budget 2010. The credit review system will examine the credit policies and practices of the banks, in particular those pertaining to SMEs. This new system will inform the Government as to what further action might be necessary to secure the flow of credit to Irish enterprise and, through publication of the analysis from the review process, to help ensure the performance of the banks participating in NAMA is obvious to all.

An additional measure to support enterprises in retaining employees is the employment subsidy scheme which was introduced last year. Between 2009 and this year we are investing €135 million in this scheme, under which enterprises receive a subsidy of up to €9,100 for each subsidised job. There have been two calls under the employment subsidy scheme. The second is being assessed and it is expected that between the two approximately 80,000 jobs will be either directly or indirectly supported. The enterprise stabilisation fund and the employment subsidy scheme reflect the Government's commitment and determination in assisting companies overcome this difficult period. Between the two schemes, we are investing €235 million directly in enterprises and safeguarding thousands of jobs and securing our enterprise capabilities in the process.

The Government is also encouraging employers to create new jobs through reducing the costs associated with employment. Under the employer jobs PRSI incentive scheme, when an employer creates a new job and takes on a person who has been unemployed for six months or more, the employer will be fully exempt from the liability to pay PRSI for the first year of that employment. This will give employers an 8% to 10% saving on employment costs for each new job created. It will actively encourage the creation of new employment now when it is most needed.

The PRSI exemption for employers creating new jobs this year is in addition to the maintenance of the substantial capital investment programme across government. Included in this is the national development programme and the implementation of key Government programmes such as the €425 million rural development programme 2007-13 which is creating some 12,000 jobs and the €1 million invested each week in the home energy savings scheme which provides

work for some 3,690 registered contractors. The Government is also investing substantially in the provision of key infrastructure such as broadband, in respect of which the number of subscribers has doubled during the lifetime of the Government, and electricity generation from local renewable sources, in respect of which, at a figure of 15%, we have already met our target for 2010.

As I said, the Government remains fully committed to upskilling the unemployed in order that they will be successful in getting back into employment. My Department and I are proactively leading the Government's response to Ireland's unemployment level and driving implementation of the framework for sustainable economic renewal. The Cabinet sub-committee on economic renewal is also ensuring a co-ordinated approach across Departments in response to the rising numbers of the unemployed. This approach has included a substantial increase in the number of job search, training and work experience places available to unemployed persons. We are focusing our resources on a number of key cohorts of the unemployed which include the lower skilled, the long-term unemployed, those under 35 years of age and those formerly employed in the manufacturing, construction and retail sectors. These cohorts have been prioritised, as they are the most likely to drift into very long-term unemployment. The Government is investing substantial resources in tackling the unemployment problem. For instance, through my own Department, this year we will invest over €1 billion in the provision of a range of labour force measures.

As regards job search supports, in 2009 FÁS employment services, together with the local employment services, doubled their capacity. This means that the annual referral capacity under the national employment action plan rose from 78,000 people in 2008 to 147,000 last year. The additional resources allocated by the Government to tackle the rising unemployment rate have also enabled my Department to significantly expand the number of its activation training and work experience places. This year the total number of training and work experience activation places funded by my Department will be approximately 147,000. This compares to the 66,000 places that were delivered in 2008 and the 130,000 places delivered last year.

The bulk of this additional provision has been due to the increase in training places on short courses for the unemployed. FÁS now provides modular based training so that participants can pick which modules they most require to improve their skills and ultimately increase their employability while maintaining a close link to the labour market. In addition, training courses are being delivered in innovative formats such as on-line, blended learning and night courses. In this way we are providing a range of delivery methods in addition to the traditional classroom approach which enables more people access the services of FÁS.

I take this opportunity to inform the House that, in addition to the places I have just mentioned, this year Skillnets and FÁS will provide almost 10,400 training places for the unemployed or those on short-time working. I listened to a number of the issues which were raised regarding having people in productivity, especially those who are in short-term employment. Due to the economic downturn there are now many individuals who are working for two or three days each week and receiving social welfare payments for the days they are not working. Both Skillnets and FÁS are providing training opportunities for those in this situation. Individuals participating on these programmes can avail of training for the days they are not working while retaining their social welfare entitlements subject to the normal social welfare rules applying. This means that these individuals will now be able to use their reduced working week as an opportunity to upskill themselves thereby improving their employability. A key example was Element Six in Shannon, whereby Shannon Development, working with FÁS, was able to

[Deputy Mary Coughlan.]

sustain employment and manufacturing in the mid-west. As a consequence of those interventions part-time workers being brought back to full-time work.

The Government is acutely aware of the large numbers of people under 25 who are now unemployed. That is why we have decided this cohort will receive priority access to the State's supports for the unemployed such as the FÁS employment and training services. I have also asked FAS to make significant prioritisation of services for the under 25s a key element in its provision in 2010. An initiative has been put in place also to activate 18 and 19 year olds immediately instead of their waiting the usual three months for this automatic activation. The main specific provision for early school leavers continues to be training at community training centres and vocational education committees under the Youthreach programme. The Government is maintaining the 6,000 places available in this programme at a cost of approximately €110 million.

Another important initiative of particular relevance to this cohort is the work placement programme which has 2,000 places, of which 1,000 are for graduates. Participants on the programme gain work experience for a period of up to nine months and may retain their social welfare entitlements subject to the normal social welfare rules applying. This work experience will significantly improve their chances of securing paid employment in the future.

As regards support for redundant apprentices, the Government has implemented a variety of measures, which will support around 4,000 redundant apprentices to progress their apprenticeships. Examples of the measures introduced include agreeing with ESB networks to take on 400 redundant apprentices at phases 5 and 7, over a period of 18 months; amending the rules for off-the-job training to facilitate redundant apprentices progress their apprenticeship; and introducing the employer based redundant apprentice rotation scheme to facilitate and support employers to provide on-the-job training for redundant apprentices.

For the information of Members, a new scheme for 2010 will be announced very shortly. It arises from the evaluations that have taken place and from the absolute necessity that all these young people complete their education and on-the-job training so that they will have the necessary qualifications when they have finished. That is very much a target of the work to be carried out in FÁS this year. In addition, the institutes of technology are providing a programme for redundant apprentices, which will provide them with a level 5 FETAC award and allows for access and transfer of credits to other post-apprenticeship programmes.

The education sector has also been very proactive in responding to the need for increased offerings for the unemployed. This can be seen clearly in the significant increase in the number of back to education allowance recipients to more than 18,000 people, many of whom are participating in further and higher education programmes. This year in the further education sector an estimated 126,000 learners will benefit from part-time learning opportunities for the low-skilled, the disadvantaged and for those who are unemployed. In addition, 40,000 learners will benefit from full-time further education opportunities under Youthreach, the vocational training opportunity scheme and the post-leaving certificate programmes. These programmes are targeted at the unemployed or are specifically designed to enhance participants' employability.

With regard to the higher education sector there is clear evidence which shows that increasing numbers of people are choosing to pursue third and fourth level education. This is a welcome trend at a time of reduced opportunity for school leavers entering into the labour market. The total number of full-time enrolments in universities and institutes of technology is projected to be over 140,000 for this academic year, an increase of 4.5% on the last academic year. During

2009, a number of new initiatives were taken by the higher education sector to support unemployed people return to education and engage in upskilling. More than 900 unemployed people participated in short courses in the institutes of technology and 160 students undertook accelerated level 6 programmes.

In addition, from September 2009, almost 1,000 free or highly subsidised part-time places were offered to unemployed graduates to pursue postgraduate programmes in higher education institutions. A further 800 places were offered to part-time undergraduate courses. Both the undergraduate and postgraduate courses provided under this initiative were in areas that support the goals of the Government's smart economy framework and meet the future skills needs of the economy. If any Members have the opportunity to meet people on those programmes they will be very complimentary about the work being done and the speed at which new programmes to accelerate and provide convergence and blended learning. These new opportunities have been very beneficial. We should compliment the institutes of technology for the flexibility they showed in providing those courses.

In terms of social inclusion and supporting local employment in our communities the Government remains fully committed. Since the last two budgets I have increased the number of places on community employment by 900. This means that this year there will be almost 23,300 community employment places. I have also announced the creation of a €20 million labour market activation fund. This fund, which is being managed by my Department, will seek to support innovative proposals over and above mainstream provision for the unemployed. I am sure Members will agree that the issue is that many of those who are now unemployed are not necessarily those who found themselves underemployed or unemployed in the early 1980s. We are dealing with a new cohort of people and it is on that basis we shall go to the private sector to discover what new opportunities and innovative measures might be introduced. The fund will be open for the public, private and community and voluntary sectors to submit applications and such expressions of interest will be published in newspapers very soon.

It is expected that this fund will provide at least 3,500 training places. The activation fund will target the low skilled and those formerly employed in declining sectors such as the construction, retail and manufacturing sectors. There will be a particular focus on those aged under 35 and those who are unemployed for one year. Successful proposals will be those which can show they will provide the unemployed with skills that are in demand to enable them secure employment or to progress them on the pathways to employment. A call for proposals is expected to be issued in the very near future.

In the time remaining to me I will address a number of issues that were raised. Other Members of the House may take up others. Bhí mé ag éisteacht le mo chomhghleacaí mar gheall ar an rud a bhí ag dul ar aghaidh thíos i mo cheantar fhéin. B'fhéidir go rinne sé dearmad ar an sár-obair atá déanta ag Údarás na Gaeltachta ar son muintir an cheantair. Cuireadh polasaí úr i bhfeidhm nuair a bhí mé mar Aire Stáit, ag éirí as na himpleachtaí a bhí i mo cheantar fhéin agus, go mórmhór, i gceantar an Teachta MacFhionnlaigh thíos i nGaoth Dobhair. Bhí béim ar an dífhostaíocht i mo cheantar agus i gContae Dhún na nGall go hiomlán. Bhíomar ábalta níos mó postanna a chruthú agus a chaomhnú sna cheantair Gaeltachta. Is breá an rud é go rabhamar ábalta é sin a dhéanamh. Cé go bhfuil deacrachtaí agam agus ag an Aire, an Teachta Ó Cuív, tá obair idir lámha againn ar polasaí úr chun tacaíocht a thabhairt do mhuintir na Gaeltachta. Tá béim á chur ar sin i mo cheantar fhéin. Ag éirí as sin, tá mé dóchasach go mbeidh níos mó postanna le fáil sa Ghaeltacht, go mórmhór in áiteanna iargúlta.

Regarding a number of the issues raised, I very much appreciate that public representatives are under pressure in their localities. Of all the Members in the House, I appreciate that



[Deputy Mary Coughlan.]

perhaps more than others. That is why the target on regional development, replacement of jobs, driving innovation and creating new opportunities is very much the drive I have. Contrary to opinion, I have plenty of drive and focus in that context.

We will continue to be focused in driving our new responses to the challenges we have at present in this country. I have highlighted a number of the initiatives that will be taken to deal clearly with the needs of the people who have unfortunately found themselves unemployed. I will be very determined in ensuring we will continue to have a country where it is good to do business, where we will have scale and internationalisation and where we will continue to attract foreign direct investment.

**Deputy Willie Penrose:** I wish to share time with Deputies Morgan, Shortall and Tuffy.

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

**Deputy Willie Penrose:** This is an important motion. We in the Labour Party have our own views in regard to how to create and sustain employment and generate new jobs. Nevertheless, the thrust of this motion is important in so far as it is focused on the most important issue that will confront this country and its 4.5 million people, so it is critical we focus on it. It is an important issue confronting the Government at this time and it is disturbing to note the Government has not confronted the problem, irrespective of the fine speech by Tánaiste, Deputy Coughlan.

I freely admit there is no silver bullet that will deal with this problem but we need a comprehensive integrated plan and the Government simply does not have one. There is no innovation, no drive, no initiative, just the same old failed solutions signifying a Government bereft of ideas and drained of energy because it is *in situ* for too long. It is basically a clapped out Government, which is what happens. The epitome of this is the claim that an increase of 900 places on community employment schemes is an achievement.

**Deputy Mary Coughlan:** It is, when we have no money.

**Deputy Willie Penrose:** This is why the whole structure is collapsing. The Government is paying out the same amount of money on social welfare. Why not transfer that money from the social welfare budget to the enterprise budget so it can be devoted to CE schemes, where people have an opportunity to participate, make a contribution and feel they have something to give? They can participate in the enhancement of their communities and feel they have been recognised for the effort, they can learn skills, including interpersonal skills, and use their talents, whether it be in painting, maintenance, carpentry or plumbing.

Reference was made to the SME credit review system. What do we want a review system for? This is a Government made of reports — it knows nothing but reports and putting an issue to another body for consideration. The Government is elected to make decisions and come forward with solutions. It is not elected to send reports to every quango, like the circular bird, and get back the answer it knows will come back in any case. The Government is procrastinating, obfuscating and delaying while those 440,000 people who need our attention and look to this House to come forward with solutions must wait, although they themselves are prepared to bring forward solutions.

We in the Labour Party are listening and we will react. People are saying there are no policies and no solutions. The Labour Party document, Jobs and Recovery, was published on 4 December and we advocated that the Government should consider it. Fine Gael and Sinn

Féin have their policy solutions, which are also worth consideration. This is not the sole preserve of the Government, which should listen. That is part of its problem. The Government is blind to any idea emanating from any source and it is deaf because it does not want to give any credit to anybody else that comes forward with an idea that would provide the pathway to a solution.

The banking crisis dominated discussion of economic policy in the past year, both in this House and in the media. Not nearly enough attention has been paid to the equally serious unemployment crisis. The two crises are, of course, interlinked. The crazed construction bubble which was fuelled by the irresponsible policy of the Government and its predecessor led to a totally unsustainable expansion of the construction industry which, at the height of the boom, constituted 13% of GDP compared to an average of 5% for the EU. It is significant that the highest unemployment rates in the EU are in Ireland, Spain, Latvia and Lithuania, all of which experienced property bubbles. By contrast, countries such as Germany, France, the Netherlands and Belgium, though they have experienced significant falls in output, have had less of an increase in unemployment. Those countries are also better placed to engage in stimulus policies as they were not relying on ephemeral tax revenues from the property bubble to fund public spending.

How in the name of God do we think we are so powerful in this country of 4.5 million people that we do not need a stimulus package, when every European country and countries across the globe are depending on stimulus packages? Why do we feel we are so special? We are an insular country which needs aeroplanes to bring people to and from here. While some suggest we do not have the money for a stimulus, we managed to bankroll the banks by taking money from the National Pensions Reserve Fund.

I remember Fianna Fáil's great myth that it was sacrilege for any Government or party to propose raiding the National Pensions Reserve Fund. They lost their conscience and had no scruples about raiding it when it suited them. I remember what they said back in 1997 and 2002 — I am not so deaf or stupid not to remember what they were saying. They made that point clear and they had a willing and compliant media to make it for them. While I acknowledge we need a working banking system, if that money can be taken for the banks, why not do the same to create jobs? The Labour Party proposed that €1.15 billion be put into a job generation fund. The 440,000 people who are on the dole queues are not there of their own free will, do not want to be there and would like to be working. People are prepared to adapt and to take less, so long as they are working, because it gives them peace of mind.

Unemployment has negative effects that go beyond the loss of income for people of any age. It is associated with illness, mental stress, depression and a reduction in life expectancy. There is a well-established link between crime rates and unemployment, particularly property-related crimes. Sustained unemployment when young has very negative long-term consequences for those who experience it. Young people who are unemployed at the beginning of their working life tend to have lower productivity, lower incomes and poorer labour market experience in later life. This information comes from the UK economist, Professor David Blanchflower, an authority on youth unemployment, who has written that unemployment in youth creates “permanent scars” rather than “temporary blemishes”. That is a significant statement. It is why we are very much focused on the third of young men between 18 and 25 years who are unemployed. It is a disturbing statistic and one we must try to address. It is not an issue of point-scoring; it is an issue of trying to address an extremely important question. I accept it is not easy to tackle — let us be clear and honest with one another about that. However, we must try.

[Deputy Willie Penrose.]

While the Minister of State will probably not agree, an issue arises as follows. Since the 1980s, the triumph of monetarist economic policy has led western governments of all hues to give priority to low inflation over all other economic goals. The charter of the European Central Bank requires that we have to keep inflation below 3%. While I am certainly not advocating inflationary policies, EU policy makers should bear in mind that there is evidence that a 1% increase in unemployment reduces overall economic well-being twice as much as an equivalent 1% increase in inflation. Economists call this the misery index.

As always happens when unemployment rises, the political right, unwilling to accept the failure of the policies, seeks to explain unemployment as being the result of unemployment benefits or the minimum wage being too high. There is little evidence to support either of these assertions. In the USA, unemployment is higher in states that have a minimum wage than in those that do not. The Scandinavian countries have the highest unemployment benefits in the world but have lower unemployment. There is ample evidence from many countries that what Marx called the reserve army of the unemployed is a conscript army, not a volunteer army.

There are still some anomalies in the social welfare system which make it difficult for young people to enter the labour force and these need to be addressed. Unemployment benefits have been significantly reduced for people under 25 on the basis that most of them do not have to make significant payments such as mortgage repayments. The consequence of this reduction is that some young people are now compelled from economic necessity to live with their parents, making them less mobile in seeking whatever jobs may be available. Youth unemployment is now at an alarming level, and we should be particularly concerned about those young people who left the education system without skills and qualifications. Even at the height of the boom young people were enticed out of education by the high wages available in the construction industry. Those people are deserving of particular support if they become unemployed.

I have much more to say but the Leas-Cheann Comhairle has indicated that my time is up. We must all put our shoulders to the wheel to seek solutions to this problem. We in the Labour Party will play a positive and proactive role in that regard. I appeal to the Government to come to the table with an open mind.

**Deputy Arthur Morgan:** I thank Deputy Penrose for sharing time. I would be grateful if he might also share his lungs with me. I would be proud to match his delivery, fair play to him.

**Deputy Leo Varadkar:** That could be taken up in all sorts of ways.

**Deputy Arthur Morgan:** Perhaps, but I am sure the Leas-Cheann Comhairle knows what I mean.

**Deputy Conor Lenihan:** The Deputy is not yet on life support.

**Deputy Arthur Morgan:** We must act to address the unacceptable flow of young people into long-term unemployment. The Government does not seem to appreciate not merely the economic but also the social consequences of a situation where 20% of under 25s are unemployed. If this economic downturn persists and there are no jobs for those people for the next two, three or four years, they will fall into the rut of long-term unemployment. Many of these young people are highly educated, competent and able. All they need is an opportunity to prove their capabilities. The negligence the Government has shown in dealing with them is utterly unacceptable.

There is no sign of a Government policy to stem the flow of youth unemployment. The only solution offered to date has been to reduce welfare payments to young people. I oppose that policy steadfastly because nobody should be punished for what is not his or her fault. The budget in April last year reduced the jobseeker's allowance for under 20s to €100 per week, while the December budget extended reductions to those under 25. The overwhelming majority of these young people would be happy to work if any were available. To punish them in this manner is grossly unacceptable. All young people in receipt of a welfare payment would have been subjected to a means test, and their approval for payments indicates that they have no or inadequate income to sustain their needs. This is proof positive that these young people do not have the means to survive in any meaningful way. The treatment they have met with from the Government is degrading. The majority want to contribute to society both economically and socially but they are not being given the opportunity to do so. Moreover, their lack of employment is inhibiting their future development.

The Minister of State must have some understanding of how frustrating it is to feel completely isolated and out of work for long periods with no prospect of a change in circumstances. That lack of prospects is a reality for many and there is little Government action in that regard. If young people had the opportunity to secure work placements, for example, they could undoubtedly bring a substantial amount of innovation and creativity to the table. The reduction in welfare rates will not create jobs. I agree entirely with Deputy Penrose that this is the missing element. I apologise that I missed the other contributions but I was taking part in the debate on the Finance Bill in committee. I would have preferred to be here because this is the cutting edge of the debate. We must all knock our heads together to ensure jobs and opportunities are available for young people.

In regard to education and training, it is important that whatever schemes the Government eventually proposes are meaningful and appropriate. Much of the activity in FÁS is significantly obsolete and irrelevant to the modern world, particularly as we move towards the knowledge economy. That is not to knock everything FÁS is doing. It is important in light of the poor reputation of some of the senior management that we do not tarnish the entire organisation. It is important to recognise that there are many solid and sound workers within the organisation. However, we must go beyond FÁS training. In France and Belgium, for instance, any person who is unemployed for more than three months is given a job placement. A significant majority of youngsters in this State would relish the opportunity to partake in the enterprise culture and learn about business. Such a scheme would afford them an outlet for their innovation and creativity. However, the Government is doing nothing like that. The only support available of this type is for those who have done extremely well in education, which is far too limited in scope.

There is poor training provision across the board, and not just for people who are unemployed. I spoke yesterday to a young man who is in the middle of an apprenticeship and is looking for his third assessment. He is 159th on the list. He was due to be placed in April but I am told there is not the remotest chance of that. He will be lucky to be assessed in September. What hope has this young man of developing his skills to the maximum of his potential when that is the level of provision being offered by the State? It is entirely unacceptable.

I disagree with the substantial traits of Fine Gael policy in this area. The withholding of welfare payments in certain circumstances amounts to holding young people to ransom. This is not a black and white issue. We must recognise the need to offer training that is modern and appropriate to the ambitions of young people. To come at it in a punitive way is not the right approach. As I said, there are shortcomings in FÁS but Fine Gael policy in that area is quite

[Deputy Arthur Morgan.]

harsh. The Government should conduct a skills audit of young people who are unemployed. There is no one size fits all solution given their various abilities and ambitions. For example, their business skills, research and innovation capabilities must be examined and allowed to develop. There are 434,700 good reasons that we should look after these youngsters.

In regard to job creation, I tabled a parliamentary question today inquiring about the jobs created and lost in IDA-supported companies in Cork, Dublin and Limerick, respectively. I am informed that 1,082 jobs were created and 2,422 lost in Cork; 1,786 created and 6,805 lost in Dublin; and 169 created and 2,519 lost in Limerick. These numbers refer only to IDA-supported enterprises. Those are scary figures. We need Government action, we need innovation and creativity and we need to think outside the box. As Deputy Penrose said, we need to consider the example of what is happening in other countries and how they are dealing with this crisis.

Debate adjourned.

### **Adjournment Debate.**

---

### **Hospital Procedures.**

**Deputy Caoimhghín Ó Caoláin:** I thank the Ceann Comhairle for this opportunity to raise this matter on the Adjournment of the House but it is a disgrace on the part of the Government that we should have to return to the issue of symphysiotomy by way of an Adjournment debate. An inquiry into this barbaric practice should already have been held, reported and acted upon. It is shame on the Minister for Health and Children and her Department, for refusing to do so.

I understand that the Minister is announcing tonight that she is to ask the Institute of Obstetricians and Gynaecologists to carry out a review and report on the practice of symphysiotomy. I await the Minister's full statement but if that is the extent of what is being done, it is not good enough. The institution responsible for the abuse is being asked to investigate itself. It is not a proper inquiry, although it is clear its establishment has come about as a result of pressure on the Minister to act. That pressure for a proper inquiry needs to be maintained.

The RTE "Prime Time" programme of 18 February 2010, made a compelling case for an inquiry. It included new evidence. One of the most extraordinary pieces of evidence was one that did not take a great deal of research to uncover. This information was about the number of symphysiotomies actually carried out. The Department of Health and Children was asked for and supplied a figure which it said was incomplete because the Department did not have all the relevant health board reports. Yet, a reporter from "Prime Time" was able to go the National Library of Ireland — which has the relevant reports — and find the correct figure which was three times the Department's estimate. This is a very sorry and embarrassing state of affairs for the Department.

People commented to me after the programme that it confirmed that not only should Michael Neary have been struck off the medical register — as he was — but he should have been brought before the courts. Interviewed on national television he accused the abused and traumatised survivors of symphysiotomy of being motivated by what he termed the "smell of money".

**Deputy Arthur Morgan:** Disgraceful.

**Deputy Caoimhghín Ó Caoláin:** It was a sickening sight. This is the man who carried out numerous mutilations of women through unnecessary hysterectomies. The programme revealed he is implicated in the symphysiotomy scandal as well. This alone merits full inquiry.

I call on the Minister for Health and Children to act immediately to establish an inquiry into this scandal. It should be headed by a competent and independent figure from outside of the medical establishment. It is time for the Minister to stop shielding the medical establishment and start acting on behalf of our citizens who were victims of this barbaric practice.

I wish to quote in full and put on the record of the House an open letter to the Minister published today in *The Irish Times*.

Symphysiotomy is an 18th-century childbirth operation that effectively unhinges the pelvis by severing the pubic bones. The surgery was revived here in the mid-1940s for religious reasons and carried out, reportedly, without consent. More than 100 casualties survive today.

The Minister for Health has declined to accede to calls for an inquiry, most recently from the Joint Oireachtas Committee on Health.

Her refusal rests on advice supplied by the Institute of Obstetricians and Gynaecologists. Wrongly, the institute has led successive Ministers to believe that symphysiotomy was done out of medical necessity, that the surgery was a norm for obstructed labour until 1960, that results were “excellent” and complications “rare”.

Symphysiotomy was never a norm, however. Ireland is the only country in the developed world where symphysiotomy was widely practised during the 20th century.

More than 1,000 of these operations were performed here from 1944 to 1984.

The surgery left babies dead or damaged and mothers with genital and pelvic injuries, persistent wounds and other infections; and sexual, marital and family difficulties. Many report decades of depression, impaired mobility, incontinence and chronic pain.

Symphysiotomy was a blatant abuse of authority and of medicine, one that showed a callous and cavalier disregard for mothers and babies.

For the Minister to persist in refusing an independent inquiry into this mutilating operation is to make a mockery of patient safety and to deny these women justice.

Like other victims of institutional abuse, they, too, are entitled to truth, validation, redress and closure.

The letter was signed by a long list of people from a cross-section of roles in society but I ask the House to note that three of the Deputies present in the Chamber were signatories to this letter: I signed the letter as Sinn Féin spokesperson on health and children, as did Deputy Arthur Morgan, in whose constituency many of the victims reside and the Acting Chairman, Deputy Jan O’Sullivan.

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I am taking this Adjournment matter on behalf of my colleague, the Minister for Health and Children, Deputy Mary Harney, who is unable to attend this evening. I thank Deputy Ó Caoláin for raising this important issue.

Symphysiotomy is a medical intervention that is now very rarely used in Ireland. It is an obstetric procedure and is a matter primarily for the Institute of Obstetricians and Gynaecologists to advise and lead upon. Accordingly, the Minister for Health and Children has asked the institute to prepare a report for her concerning the practice of symphysiotomy in Ireland. She

[Deputy John Moloney.]

has asked that the report would provide the institute's assessment of the circumstances in which symphysiotomy was carried out in Irish obstetric units; indicate what protocols or guidance existed over the years to guide professional practice; specify when the practice changed and why it changed at that time in Ireland.

The Minister has asked the institute to have the report completed by the end of April. I understand that the institute has indicated it will examine the practice of symphysiotomy as requested by the Minister and that it is willing to meet with the group representing those who have had the procedure. Symphysiotomy has been superseded for many years by Caesarean section and the Minister is satisfied that current medical practice in this regard is not in need of review.

The Minister is committed to ensuring that the greatest possible support and services are made available to women who continue to suffer the effects of having undergone this procedure. The women concerned continue to receive attention and care through a number of services which have been put in place including the provision of medical cards to all survivors of symphysiotomy patients who requested them; the nomination, since 2003, of a liaison officer for a patients' group comprised of women who underwent a symphysiotomy procedure; the availability of independent clinical advice for former patients by liaison officers who assist in co-ordinating the provision of services to those patients; the organisation of individual pathways of care; and the arrangement of appropriate follow-up, including medical assessment, gynaecology assessment, orthopaedic assessment, counselling, physiotherapy, reflexology, home help, acupuncture, osteopathy and fast-tracked hospital appointments. I understand that to date, 125 women have availed of some or all of the services offered by the HSE. I refer to the refund of medical expenses related to symphysiotomy in respect of medication or private treatments and the establishment of a triple assessment service for patients at Cappagh Hospital, Dublin in January 2005. A support group facilitated by a counsellor was set up in 2004 in Dundalk and Drogheda for women living in the north-east region.

The Minister has been assured by the HSE that it will continue to monitor and oversee the provision of necessary support services for women. In doing so, the HSE is committed to being proactive in seeking out and offering help to women who had symphysiotomies and who may wish to avail of the services offered by the HSE.

### **Public Transport.**

**Deputy Brian O'Shea:** On Sunday next, 28 February, Bus Éireann will bring a long list of what it euphemistically describes as timetable and route changes into effect. This is part of a cost-cutting plan which will mean that the service between Dungarvan and Mallow provided on Mondays, Thursdays and Saturdays, will cease. This service currently leaves Dungarvan at 9 a.m., returning to Dungarvan at 3.40 p.m. and leaving Dungarvan again at 5.30 p.m. for Tallow. It returns to Dungarvan at 6.10 p.m. to connect with the Dublin and Cork services. These services stop at Cappoquin and Lismore. My colleague, Deputy Sherlock, will describe the service in his constituency.

The National Bus and Rail Workers Union has come up with a proposal that would allow this service to be retained one day a week, on Thursdays, at no cost to the company other than that associated with making an additional bus available. The Dungarvan driver, who links with Clonmel and Waterford, would switch his rest days from Wednesday and Thursday to Tuesday and Wednesday. His colleague in Clonmel would switch his leave days from Sunday and Tuesday to Sunday and Monday, thereby having back-to-back rest days, which is what Bus Éireann

is always trying to achieve for its drivers. Under the new arrangement, the Dungarvan driver, who is a spare driver one day a week, would work on that day. If the union proposal is accepted, the people of west Waterford will have a service one day a week, at least. I understand that an average of between 90 and 100 passengers use the service each day. While many of these passengers hold free travel passes, Bus Éireann is paid to carry them.

This measure represents the final renegeing on the commitment, outlined in the January 1976 notice of termination of train services on the railway line between Mallow and Waterford via Fermoy, that new road passenger services would be provided as an alternative for passengers. If Bus Éireann shows the ability to think outside the box and focus primarily on the needs of passengers, it will be possible for a one-day service to be provided. I ask the Minister of State, Deputy Moloney, to ensure that the Official Report of this debate is passed on to Bus Éireann tomorrow. Time is running out on this issue.

**Deputy Seán Sherlock:** This is an issue of fairness and connectivity. Those who benefit from this route do not have their own means of transport. As most of them are isolated, they rely on the route to access essential services they cannot access other than through Bus Éireann. Many of those who travel on the 366 route cannot avail of a supplementary service under the rural transport programme. We are seeking to achieve the retention of the service in some way, even if it means a reduction in the service to one day a week. We strongly believe this route should be subject to a public service obligation. It was put in place to supplement the loss of railway infrastructure. While that may be deemed to be an historical debate, the principle still applies. If this route is taken away, a significant number of people, most of whom are elderly, will be cast further into isolation. A lady who attended one of my clinics two weeks ago was visibly upset about the loss of this route. When one speaks about access to services, one always wishes to bear in mind the notions of a national spatial strategy and intergenerational solidarity. If we are to axe routes that allow for connectivity, we will do a disservice to older people. We will marginalise those who do not have their own transport and therefore rely heavily on services of this nature as they travel to where they want to go each day.

**Deputy John Moloney:** I assure Deputy O'Shea that I will ensure a transcript of this debate is passed on to the relevant officials. In line with a recommendation in the Deloitte report, Bus Éireann is engaging with Pobal, the HSE, the Irish Wheelchair Association and the Departments of Education and Science and Transport to co-ordinate the better integration of services provided by Bus Éireann, the rural transport programme and the HSE. Several pilot schemes have been undertaken in the Louth-Meath and Sligo-Leitrim areas. These pilots will be evaluated by May 2010 with a view to mainstreaming across the country. The services being piloted include "collect and connect" commuter services, where passengers are collected at their door and brought to an interchange point to connect to scheduled services. Nine pilot schemes have been undertaken in the north east and north west. Hospital feeder services will be piloted in conjunction with the HSE. Bus Éireann and rural transport services feed into a Bus Éireann town service that connects to the local hospital for clinic appointments. Three pilot schemes in Navan, Drogheda and Dundalk hospitals are under discussion with the HSE. Bus Éireann is discussing a proposed pilot in Cork city — for Cork University Hospital — with the HSE. Bus Éireann is also seeking synergies with the school transport scheme. Two areas in the north east — the Stamullen-Drogheda area and the Navan-Trim-Nobber area — have been identified for further analysis, subject to discussions with the HSE, as possible partners for pilot projects.

Efforts are being made to better co-ordinate disability services. Increased co-ordination between the Irish Wheelchair Association, the rural transport programme and Bus Éireann is



[Deputy John Moloney.]

aimed at reducing service duplication and increasing fleet utilisation. I understand a pilot project has been completed in the north east between Flexibus and the Irish Wheelchair Association. Bus Éireann is working on increased co-ordination of ticketing and fares between Bus Éireann and the rural transport programme. It is also working on better information for a range of passenger groups, including older people. Combined leaflet drops have been completed in the north east and north west. I understand from Bus Éireann that the process has been extremely positive to date. The level of commitment and energy that has been brought to the process by all partner groups is encouraging. It is clear that many synergies can be created between the partner groups. Evaluation of the pilots has been delayed to allow time for the remaining projects to be completed. I understand this is due to happen in May 2010. The potential for and value of mainstreaming the initiatives across the country will become clearer at that time. The Deputies may raise the matter of Bus Éireann service cuts at that stage.

### **Gangland Killings.**

**Deputy Kieran O'Donnell:** I thank the Ceann Comhairle for allowing me to raise this urgent matter on the Adjournment. I refer to the brutal murder of a young man, Mr. Daniel Treacy, as he went about his business at a busy premises in Limerick early yesterday morning. This killing is extremely worrying for those who live in the immediate Caherdavin area, including many elderly people. It is a great tragedy for the immediate Treacy family, including Daniel Treacy's young family.

I would like to raise a number of points with the Minister, Deputy Dermot Ahern. I am glad he is here tonight. Although extra gardaí were assigned to Limerick on foot of the Fitzgerald report, the resources of the Garda have been drained by aspects of the fight against crime such as witness protection, ongoing investigation and escort duty. Withdrawal of many gardaí from community policing duties has led to a reduction in information gathering and surveillance. We need extra Garda resources in such areas. In the past year, we lost 49 gardaí through retirement. I am glad the Minister replaced one chief superintendent, four inspectors and ten sergeants who retired last year. The problem is that our resources are being drained in terms of dealing with the fight against gangland crime. The Garda in Limerick has one of the best murder detection rates in the country. It has solved two thirds of all gangland-related murders. However, difficulties with gangland crime continue. Will the Minister provide the extra gardaí to ensure community policing which will allow people feel safe going about their daily lives?

An operation on the same style of Operation Anvil needs to be put in place. This would complement the outstanding work done by the Limerick Garda. While the armed response unit is in place with extra personnel drafted in from Cork, such an intensive operation would deal with the gangland issue head on as happened in Dublin.

There are concerns the Garda is not being provided with sufficient resources to implement the provisions concerning membership of a criminal gang and surveillance contained in the Criminal Justice (Surveillance) Act and the Criminal Justice (Amendment) Act. Will the Minister update the House on their implementation?

The question of mobile telephones in Limerick Prison also arises. The pilot project to block the use of mobile telephones in Portlaoise must be extended to Limerick to stop gangland operations being directed by prisoners there. The restriction of the movement of gangland criminals in certain areas on the evidence of a chief superintendent in certain areas would also assist. Anyone caught in the possession of an illegal firearm should not be granted bail. The fact the Tetra system is up and running in the Limerick division is to be welcomed. However,

extra resources are needed there, namely extra gardaí on the ground. Existing resources are being drained in dealing with and fighting gangland criminality which are taking from other services such as a Garda presence in immediate areas. Yesterday's shooting worried many elderly people in Caherdavin on the Ennis Road as it occurred in a public place and against a young man going about his daily routine.

If Customs and Excise was given the resources needed to prevent the entry of illegal drugs into the State, it would cut the oxygen supply to these criminal gangs. Will the Minister provide extra resources and personnel to the Limerick Garda division to deal with this scourge of criminality and allow the law-abiding people in Limerick to live in peace?

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I share Deputy O'Donnell's concern, and that of all right-thinking citizens, about the importance of combating gangland crime in Limerick and in other parts. The Garda Commissioner shares that concern and my determination that this type of criminality be confronted with all the resources at our disposal.

I strongly condemn the recent killing in Limerick. The Garda has made significant progress in its investigation. Arrests have been made and the House will appreciate it would not be appropriate for me to go into any further detail in this respect.

Considerable resources will continue to be put into containing and pursuing criminal gangs in Limerick. An additional 103 gardaí have been deployed to Limerick since December 2006, bringing the total strength there to 635 at the end of 2009, the highest number ever deployed in the Limerick division. By comparison, at the end of 1997 there were 423 gardaí, only two thirds of the most recent figure. Limerick is the most policed area in the country.

The Garda Commissioner and I are aware of the importance of community policing. An Garda Síochána is committed to the community policing ethos, particularly in Limerick where there are 88 officers dedicated to it. The number of such gardaí in the Limerick division has increased by 138% over the past three years. We must accept, however, community policing is not a panacea for addressing the most serious types of crime but it does make a real contribution.

An Garda Síochána is delivering a robust and determined response to crime in Limerick, underlined by the reduction in the number of cases of murder and manslaughter in Limerick in 2009 to three compared to seven in 2008. There have been convictions and persons charged in respect of eight of these ten cases. The rate of detection and conviction is better in Limerick than in any other area.

The number of incidents where firearms have been discharged in Limerick has also decreased considerably from 103 in 2007 to 28 in 2009, a decrease of 73%. The number of persons found in possession of firearms has also decreased from 42 in 2007 to 33 in 2009, a decrease of 21%. An Garda Síochána has recovered 168 firearms in the past three years.

It was partly against the background of the difficulties in obtaining evidence in cases of organised crime that last year I introduced the Criminal Justice (Surveillance) Act and the Criminal Justice (Amendment) Act. It is wrong to claim the legislation is not being utilised. I shudder to think of the situation we would be in if the legislation had been delayed or diluted as some Members advocated. I hasten to add Deputy O'Donnell did not but his party did ask for the legislation to be delayed.

The Criminal Justice (Amendment) Act is more about the person behind the person pulling the trigger. The resources to utilise the legislation are available and, since it was enacted, the

[Deputy Dermot Ahern.]

Garda has utilised it to build up cases against those involved in gangland crime. Due to the legislation's provisions some files are already with the Director of Public Prosecutions and more are being prepared for submission to him. I share the frustration at the time which inevitably must elapse before legislation enacted by the Oireachtas results in successful prosecutions under it. However, I am confident that over time this legislation will be seen to have been a vital turning point in the fight against gangland activities.

Despite the pressure on the public finances, the Government has prioritised allocations for front-line policing and recently approved 170 Garda promotions as a derogation from the moratorium on promotions. I am continuing to put forward significant proposals for legislation, including the Criminal Procedure Bill 2009 and the Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010 which will see the establishment of a national DNA database.

Gangland activity is inextricably linked to the drugs trade. While deadly violence between gangs is highlighted, we cannot forget the misery which these gangs wreak silently in our community. The Garda, of course, liaises fully with Customs and Excise which has primary responsibility in the prevention of the importation of illicit drugs.

**Deputy Kieran O'Donnell:** Customs and Excise is not adequately resourced.

**Deputy Dermot Ahern:** Today, it had a successful operation in my hometown against smuggled cigarettes. The Revenue Commissioners continue to upgrade equipment and technology in the fight against illicit imports of drugs. Last year saw the delivery of a second purpose-built customs cutter as a further response to drugs importations and other smuggling via the coastline and of a second X-ray container scanner at ports.

An Garda Síochána will continue to respond appropriately and forcefully to developments in Limerick and will have the full support of the Government, and I expect the House, in so doing.

### **Water and Sewerage Schemes.**

**Deputy Tom Hayes:** I am grateful to the Ceann Comhairle for giving me the opportunity to raise this important issue on behalf of the people of Mullinahone, County Tipperary. Initially, I was reluctant to put the matter down on the Adjournment but eventually was forced to do so because of the severity of water shortages in Mullinahone. In the past ten years during the summer months, but also the winter, the area suffers desperate water shortages. The locals have lobbied the local authority and it has been raised at council meetings. At times the water is off for a two-week period. People in Ballydonnell and Jamestown are extremely badly affected. We all know water is a scarce resource and those who have a good water supply do not realise the value of it. People who are paying water rates, many of whom are in rural areas, are extremely frustrated with the service. I wish to bring to the attention of the Minister of State that the county council contacted the Department of the Environment, Heritage and Local Government on several occasions. It has applied for new pipes to be provided in the area. There is a difficulty with the Fethard and Burncoat supply scheme, a new scheme that will be introduced in 2012. A new layer of pipes needs to be installed in the Mullinahone area for that scheme to be successful. South Tipperary County Council applied for water mains replacement in 2008. In 2009 the Department of the Environment, Heritage and Local Government requested further information. This was submitted in October 2009 and the council is now under fierce pressure to carry out remedial works but cannot do so unless the Department sanctions €8 million to replace the pipes.

When a new round of funding is announced, which I expect shortly, the Mullinahone area must be given particular attention. Officials in the Department want to help. I request the Department of the Environment, Heritage and Local Government to sanction the money on behalf of the people of Mullinahone. This is an urgent request.

**Deputy John Moloney:** I apologise that the Minister for the Environment, Heritage and Local Government cannot be present and I thank Deputy Tom Hayes for raising this issue. A significant range of water services projects have been progressed in South Tipperary in recent years, with the support of substantial Exchequer funding from the Department. Almost €25 million has been provided to South Tipperary County Council by the Department of the Environment, Heritage and Local Government through the water services investment programme and the rural water programme in the period 2005 to 2009.

Schemes carried out in this period in South Tipperary included the completion of a water conservation scheme in Fethard and the progression of the initial stages of the water conservation programme countywide. This countywide programme involves putting water management systems in place to monitor water use and losses throughout the supply networks. This work will allow the council to develop a water rehabilitation strategy that will form the basis for the next stage of water conservation programme for South Tipperary County Council.

The water services investment programme is currently under review to ensure that capital expenditure under the programme is more focused on priority schemes to meet national environmental and economic objectives. Last year local authorities were requested to submit assessment of needs for water and sewerage services in their areas, including water conservation, to the Department and these are currently being examined. In conducting their assessments, local authorities were asked to prioritise schemes and contracts over the coming years based on key environmental and economic criteria.

An important aspect of the new water services investment programme for 2010-12, which will be published shortly, will be the targeting of investment on water conservation. It does not make economic sense to provide for further water supply capacity in areas with unacceptably high levels of unaccounted for water. According to the report service indicators in local authorities 2008 published last November by the local government management services board, the most recent figures indicate that 55% of treated water is unaccounted for in south Tipperary.

The Government has spent €130 million nationally on various water conservation measures over the past seven years. The new water service investment programme will build on existing investment in water conservation, which has largely focussed to date on putting in the water management systems to allow for active leakage control and better planning of mains rehabilitation. This work provides the platform for the integration of water conservation investment into the wider programme and a very substantial scaling up of activity in this area.

Local authorities have identified more than €300 million in contracts to commence over the period 2010-12, with further schemes to be progressed through planning in that timeframe. The Minister for the Environment, Heritage and Local Government will make this funding available as part of the next water services investment programme. This acceleration of the water conservation programme will allow for some 650 km of mains to be rehabilitated and will make real inroads into addressing leakage levels in local authority systems.

In this context, South Tipperary County Council has submitted proposals to the Department of the Environment, Heritage and Local Government for water mains rehabilitation works for the areas of Mullinahone, Fethard town, Killenaule, Clooneen and Drangan. I understand that a decision will be conveyed to the council as soon as possible in light of the publication of the

[Deputy John Moloney.]

water services investment programme for the period 2010-12. The Minister thanks Deputy Tom Hayes for raising the matter.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Wednesday, 24 February 2010.

## Written Answers.

---

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

---

*Questions Nos. 1 to 6, inclusive, answered orally.*

*Questions Nos. 7 to 65, inclusive, resubmitted.*

*Questions Nos. 66 to 72, inclusive, answered orally.*

### **Social Welfare Benefits.**

73. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs if her attention has been drawn to findings of The Poor Can't Pay Coalition that identified that the social welfare payments of many categories of beneficiary meant that their income was considerably below the poverty line; and her plans to act on these findings. [8682/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** As I advised the House on January 19 last, I have noted the contents of the analysis of Budget 2010 produced by the Poor Can't Pay coalition.

Despite the social welfare changes made in the Budget, the expenditure of my Department will still increase in 2010. As provided for in the Revised Estimates Volume published last week, nearly €21 billion will be spent on social welfare in 2010. This is 2.6% or €526 million more than the provisional expenditure figure for 2009.

The October 2008 budget provided for increases of between 3% and 3.8% in the basic payment rates at a time when inflation for 2009 was expected to be 2.5%. As we now know, prices declined by an average of 4.5% in 2009. This trend continued in January when prices declined by 1.1%. In arriving at the adjustments in welfare announced in the last Budget, the Government recognised that it is important to consider not just the overall change but also the impact on different groups. Overall, the reductions announced do not result in a decline in people's spending power having regard to the downward movements in prices.

Indeed, consumer prices are almost back to January 2007 levels. Yet, after Budget 2010, the lowest weekly rate of payment for those aged between 25 and 66 will be €10 higher than in 2007.

The Survey on Income and Living Conditions or SILC, which is undertaken annually by the CSO, is the official source of a number of indicators such as the 'at risk of poverty' and

[Deputy Mary Hanafin.]

consistent poverty rates. The latest results available apply to 2008. These show the considerable progress made since 2005. Over that period, the 'at risk of poverty rate' has fallen from 18.5% to 14.4 % while consistent poverty has fallen from 7% to 4.2%. Future surveys will, in due course, report on the position for 2009 and 2010. These surveys will have regard to changes both in gross and disposable household income generally for those years as well as the social welfare changes, including improvements, the Government introduced in the period in question. The SILC report on 2009 should be available later this year.

I fully appreciate that the changes made in the welfare area are not easy for people but I believe that if the Government had not taken the steps now to reduce overall public expenditure and restore stability to the public finances, we would have run the risk of making the economic and social situation far worse for everyone, including welfare recipients, in the medium term.

74. **Deputy Michael D'Arcy** asked the Minister for Social and Family Affairs the action she will take to alleviate the impact of the carbon tax on lower income households that are more likely to rely on higher carbon fuels and to live in badly insulated homes; and if she will make a statement on the matter. [8956/10]

78. **Deputy Mary Upton** asked the Minister for Social and Family Affairs the details of the fuel voucher scheme as announced in Budget 2010. [8924/10]

101. **Deputy Charles Flanagan** asked the Minister for Social and Family Affairs her plans to develop a national fuel poverty strategy; and if she will make a statement on the matter. [8970/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 74, 78 and 101 together.

The household benefits package is payable throughout the year to almost 380,000 pensioners, people with disabilities and carer households to assist them with their heating, light and cooking costs. This scheme cost approximately €200m in 2009.

In addition, the national fuel allowance scheme assists householders on long-term social welfare or health service executive payments with meeting the additional cost of their heating needs during the winter season. The allowance represents a contribution towards a person's heating expenses. It is not intended to meet those costs in full and must be seen in the context of the overall level of income available to the family.

In Budget 2009, the duration of the payment was increased by an extra 2 weeks to 32 weeks, while the weekly value of the allowance was increased by €2 to €20 a week, or €23.90 in designated smokeless areas. This compares with just €14 and €17.90 respectively in 2006.

Proper household insulation is absolutely vital in tackling fuel poverty. Initiatives such as the Warmer Homes Scheme, operated by Sustainable Energy Ireland, under the aegis of the Department of Communications, Energy and Natural Resources have a very valuable role to play in that regard, as does funding from the Department of the Environment, Heritage and Local Government to improve the quality of existing local authority housing and the Housing Adaptation Grants for older people and people with disabilities. Considerable progress has been made in this area in recent years.

The Government has announced its intention to introduce a carbon tax, which will come into effect on heating products from May 2010 and on solid fuels at a date to be set by commencement order.

Before the tax is applied to fuels for home heating, arrangements are being made to assist those most at risk of fuel poverty.

In his Carbon Budget Statement, the Minister for Environment, Heritage and Local Government outlined details of €130 million in funding for insulation, €76 million of which will be used to assist low income families. The Government is also conscious that families at risk of fuel poverty will need extra income support to meet the increasing costs of fuel as a result of the carbon tax.

The Department of Communications, Energy and Natural Resources has overarching responsibility for the energy portfolio and has convened an Inter-Departmental/Agency Group on Affordable Energy to co-ordinate and drive Government policy in this area. The objective is to ensure a shared understanding of the challenges and actions underway and to ensure a fully cohesive strategic approach to delivery of affordable energy initiatives and programmes.

The Inter-Departmental/Agency Group has been asked to draw up an Energy Affordability Strategy for consultation early in 2010. This strategy will set out existing and future approaches to addressing energy affordability and will have regard both to the impact of the carbon tax on low income households and the range of supports outlined above in making its recommendations.

As part of its work, the Group will make recommendations as to the precise package of measures, including in the area of income support, that should be put in place to assist those at risk of fuel poverty in advance of the implementation of the carbon tax on home heating products.

#### **Employment Support Services.**

75. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs the number of job facilitators; the average waiting times to access support from a job facilitator; and if she will make a statement on the matter. [8937/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Facilitators work closely with FÁS and other agencies at national and local level, to identify appropriate training and developmental programmes for social welfare recipients of working age to enhance the skills those individuals have and ultimately improve their employment chances as well as help them to develop personally.

The facilitator service is available to social welfare recipients at all local offices. Facilitators hold open clinics and meet with people who have been referred either by the social welfare local office or by other agencies. Arrangements to see the facilitator can be made by contacting the social welfare local office or the facilitator directly. In addition, cases are selected and referred to facilitators by employment support section.

The service was enhanced under the National Development Plan (NDP) Social and Economic Participation Programme. There are currently 59 facilitators in place, with a further eleven to be appointed, bringing the total in place to 70.

In the current economic climate the demand for the facilitator service is elevated. Waiting times to see a facilitator may vary nationwide. Actual waiting times for individual facilitators are not available. Facilitators make every effort to contact all interested customers as quickly as possible.

#### **National Carer's Strategy.**

76. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs her plans for carers following the decision not to publish the National Carer's Strategy. [9012/10]



**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Government is acutely aware and appreciative of the contribution made by carers. It was for that reason, that when resources were available, we invested heavily in improving social welfare rates and services for all those who are reliant on the State for income support.

Over the past decade, 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. Where people are caring for more than one person they receive a higher payment. This equates to the personal rate for a person with the same means who is caring for one person plus 50% of the maximum personal rate. Recipients with children also receive a qualified child increase in respect of each child.

Following this year's Budget, the carer's allowance rates for carers over 66 years of age have not been changed and remain at €239. The rate of carer's allowance for someone under 66 is €212.

Since the introduction of the carer's allowance in 1990 payments to carers have been increased and expanded. Carer's allowance was increased in 2007, 2008 and 2009 by 1 2.1%, 6.5% and 3.3%, respectively. As a result, even with the reductions announced in last year's Budget for carers under 66, the weekly rate of payment for the carers allowance is still almost 20% higher this year than in 2006 and more than 147% higher than in 1997.

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. 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 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 is not possible to set targets or time limits 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.

### **Social Insurance.**

77. **Deputy Ciarán Lynch** asked the Minister for Social and Family Affairs the action she is taking to improve social security for self-employed persons. [8901/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The range of benefits and pensions to which different groups of workers may establish entitlement reflects the risks associated with the nature of their work. This in turn reflects the rate of contribution payable. Self-employed people are liable for PRSI at the Class S rate of 3% and are consequently

eligible for a narrower range of benefits than general employees who, together with their employers, pay a total social insurance contribution of 14.05%, excluding levies, under the full-rate PRSI Class A.

Self-employed workers are not insured against short-term benefits such as illness and job-seeker's payments — these are only available to persons covered by PRSI Classes A, E, H and P. This reflects the need for coverage for various contingencies, the rate of contributions that self-employed persons pay, the practicalities of administering and controlling access to short-term payments and the annualised system of contributions that these same persons enjoy. A system of separate arrangements for employed and self-employed workers within a social insurance context is common in other European social protection systems.

There are no immediate plans to extend cover for short-term benefits to this group of insured workers. Any such measure would have significant financial implications and would have to be considered within a budgetary context. Consideration would also have to be given to an appropriate increase in the rate of the PRSI Class S contribution.

Self-employed workers who do not qualify for an insurance-based benefit may establish entitlement to assistance-based payments such as Jobseeker's Allowance. They can apply for the means-tested Jobseeker's Allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general their means will take account of the level of earnings in the last twelve months in determining their expected income for the following year. In the current climate account is taken of the downward trend in the economy. It is accepted that future earnings may be lower than those of previous years and this is factored in projecting future earnings, with account being taken of the potential for significant upward or downward variations in income from one year to the next.

*Question No. 78 answered with Question No. 74.*

### **Social Welfare Benefits.**

79. **Deputy James Reilly** asked the Minister for Social and Family Affairs the average processing time it takes in respect of a claim for jobseeker's benefit to be dealt with. [9007/10]

87. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs the average processing time for a jobseeker's allowance claim to be dealt with; and if she will make a statement on the matter. [9001/10]

108. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the number of persons on a national, county and local social welfare office basis awaiting for their application for jobseeker's allowance and benefit to be processed. [9009/10]

109. **Deputy P. J. Sheehan** asked the Minister for Social and Family Affairs the processing time for individual social welfare offices to deal with a claim for jobseeker's allowance. [8998/10]

112. **Deputy Tom Sheahan** asked the Minister for Social and Family Affairs the processing time for each individual social welfare office to deal with a claim in respect of jobseeker's benefit; and if she will make a statement on the matter. [9002/10]

133. **Deputy Mary Upton** asked the Minister for Social and Family Affairs the steps she will take to shorten the waiting times in respect of jobseeker's payments. [8914/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 79, 87, 108, 109, 112 and 133 together.

The total number of jobseekers awaiting a decision on their claim at 13 February 2010 was 54,534. This is a reduction of over 7,500 compared with the figures one month earlier and represents 11% of the total jobseeker claimload nationwide.

As I have previously mentioned to the House, even when the Live Register was at its lowest, there would always be 9 or 10 per cent of claims awaiting a decision. The current performance should be seen in the context that in 2009 alone, local offices received over 670,000 jobseeker claims.

I have set out below a table showing the breakdown of jobseekers benefit (JB) and jobseekers allowance (JA) claims awaiting a decision at each local office.

Average processing times for jobseeker claims decided during January were 2.15 weeks for jobseeker's benefit and 6.82 weeks for jobseeker's allowance. This is marginally higher than the figures for December 2009 when they stood at 2.03 weeks and 6.22 weeks respectively. The slight dis-improvement was caused by the Christmas/New Year holiday period together with extra numbers coming onto the live register at the start of the year. This happens every year.

I have also set out below a table showing the processing times at each local office during January.

Deputies will be aware of the particular difficulties presented due to the huge rise in unemployment in the past 18 months or so and the pressure this has brought to bear on the network of local offices and in the inspectorate.

To alleviate some of this pressure since May 2008, some 400 extra staff have been assigned to local offices, new Central Support Units and the Departments Inspectorate. At the same time the Department has been examining procedures surrounding the claim acceptance and decisions process with a view to streamlining them and achieving greater efficiencies where possible. I have mentioned these initiatives on a number of occasions. They include:

- An appointment system whereby claimants can have their claim taken and decided during the appointment. This particular initiative has helped greatly in reducing waiting times. We have this system in operation in 33 local offices and plan to extend it to further offices.
- A more streamlined procedure for claimants moving to jobseekers allowance when their jobseekers benefit expires.
- A streamlined process for people who had a claim in the previous two 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.

One of these streamlining initiatives, which is being trialled at present, relates to customers who are applying for jobseekers allowance on the termination of their jobseekers benefit entitlement.

In any of these cases where there are no elements of self-employment or property involved in the means assessment, the person will self-certify the various components of their means and a decision will be made by the Deciding Officer without the need to refer the claim to an Inspector. As a control measure a certain proportion of these claims will be selected at random

and will be referred to an inspector for verification of the declaration of means in advance of the decision being made. It is expected that this initiative will be rolled out to the network of local offices in the coming months.

I realise the importance of getting claims decided as quickly as possible and I want to assure the House that staff in local offices and in the Department's inspectorate are doing all they can to reduce the numbers of claims awaiting a decision.

Table 1: Jobseeker claims awaiting a decision — 13 Feb 2010

| Local Office       | Parent Office      | SWLO/<br>SWBO | Claimload | Pending | % Pending |
|--------------------|--------------------|---------------|-----------|---------|-----------|
|                    |                    |               |           |         | %         |
| Achill             | Achill             | SWLO          | 597       | 5       | 1         |
| Apollo House       | Apollo House       | SWLO          | 3,029     | 193     | 6         |
| Ardee              | Drogheda           | SWBO          | 2,783     | 514     | 18        |
| Arklow             | Arklow             | SWLO          | 3,913     | 170     | 4         |
| Athlone            | Athlone            | SWLO          | 4,680     | 511     | 11        |
| Athy               | Newbridge          | SWBO          | 3,053     | 324     | 11        |
| Balbriggan         | Balbriggan         | SWLO          | 5,440     | 804     | 15        |
| Ballina            | Ballina            | SWLO          | 4,274     | 558     | 13        |
| Ballinasloe        | Athlone            | SWBO          | 2,985     | 273     | 9         |
| Ballinrobe         | Loughrea           | SWBO          | 1,436     | 148     | 10        |
| Ballybofey         | Donegal CO         | SWBO          | 3,226     | 153     | 5         |
| Ballyconnell       | Cavan              | SWBO          | 1,528     | 180     | 12        |
| Ballyfermot        | Ballyfermot        | SWLO          | 3,754     | 260     | 7         |
| Ballymun           | Ballymun           | SWLO          | 3,162     | 169     | 5         |
| Ballyshannon       | Donegal CO         | SWBO          | 1,854     | 69      | 4         |
| Baltinglass        | Newbridge          | SWBO          | 1,772     | 183     | 10        |
| Bandon             | Carrigaline        | SWBO          | 1,883     | 196     | 10        |
| Bantry             | Bantry CO          | SWBO          | 1,593     | 178     | 11        |
| Bantry CO          | Bantry CO          | SWLO          | 434       | 39      | 9         |
| Belmullet          | Belmullet          | SWLO          | 1,326     | 24      | 2         |
| Birr               | Athlone            | SWBO          | 2,568     | 195     | 8         |
| Bishop Square      | Bishop Square      | SWLO          | 10,319    | 1,253   | 12        |
| Blanchardstown     | Blanchardstown     | SWLO          | 9,141     | 1,667   | 18        |
| Boyle              | Longford           | SWBO          | 1,272     | 168     | 13        |
| Bray               | Bray               | SWLO          | 5,960     | 370     | 6         |
| Buncrana           | Buncrana           | SWLO          | 5,990     | 534     | 9         |
| Cahir              | Clonmel            | SWBO          | 1,512     | 78      | 5         |
| Cahirciveen        | Cahirciveen        | SWLO          | 1,041     | 84      | 8         |
| Carlow             | Carlow             | SWLO          | 4,255     | 241     | 6         |
| Carrickmacross     | Dundalk            | SWBO          | 1,985     | 137     | 7         |
| Carrick-on-Shannon | Carrick-on-Shannon | SWLO          | 3,188     | 192     | 6         |
| Carrick-on-Suir    | Waterford          | SWBO          | 2,281     | 298     | 13        |
| Carrigaline        | Carrigaline        | SWLO          | 2,839     | 289     | 10        |
| Cashel             | Clonmel            | SWBO          | 1,335     | 84      | 6         |
| Castlebar          | Castlebar          | SWLO          | 2,845     | 325     | 11        |
| Castleblaney       | Dundalk            | SWBO          | 2,197     | 150     | 7         |
| Castlepollard      | Mullingar          | SWBO          | 1,667     | 263     | 16        |
| Castlerea          | Ballina            | SWBO          | 2,313     | 411     | 18        |

[Deputy Mary Hanafin.]

| Local Office       | Parent Office      | SWLO/<br>SWBO | Claimload | Pending | % Pending |
|--------------------|--------------------|---------------|-----------|---------|-----------|
|                    |                    |               |           |         | %         |
| Cavan              | Cavan              | SWLO          | 7,256     | 867     | 12        |
| Claremorris        | Ballina            | SWBO          | 1,970     | 326     | 17        |
| Clifden            | Clifden            | SWLO          | 1,669     | 80      | 5         |
| Clonakilty         | Carrigaline        | SWBO          | 1,544     | 176     | 11        |
| Clondalkin         | Clondalkin         | SWLO          | 10,884    | 1,158   | 11        |
| Clones             | Dundalk            | SWBO          | 992       | 55      | 6         |
| Clonmel            | Clonmel            | SWLO          | 3,087     | 213     | 7         |
| Cobh               | Cobh               | SWLO          | 1,300     | 67      | 5         |
| Coolock            | Coolock            | SWLO          | 5,844     | 773     | 13        |
| Cork               | Cork               | SWLO          | 22,222    | 3,373   | 15        |
| Dingle             | Tralee             | SWBO          | 988       | 51      | 5         |
| Donegal            | Donegal CO         | SWBO          | 1,907     | 93      | 5         |
| Drogheda           | Drogheda           | SWLO          | 9,145     | 1,316   | 14        |
| Dun Laoghaire      | Dun Laoghaire      | SWLO          | 8,708     | 952     | 11        |
| Dundalk            | Dundalk            | SWLO          | 7,433     | 348     | 5         |
| Dunfanaghy         | Dunfanaghy         | SWLO          | 1,931     | 60      | 3         |
| Dungarvan          | Waterford          | SWBO          | 2,569     | 276     | 11        |
| Dungloe            | Dungloe            | SWLO          | 2,661     | 96      | 4         |
| Edenderry          | Mullingar          | SWBO          | 2,553     | 388     | 15        |
| Ennis              | Ennis              | SWLO          | 7,209     | 734     | 10        |
| Enniscorthy        | Wexford            | SWBO          | 5,269     | 646     | 12        |
| Ennistymon         | Ennis              | SWBO          | 2,170     | 189     | 9         |
| Fermoy             | Mallow CO          | SWBO          | 3,108     | 348     | 11        |
| Finglas            | Finglas            | SWLO          | 6,341     | 416     | 7         |
| Galway             | Galway             | SWLO          | 14,919    | 2,064   | 14        |
| Gorey              | Wexford            | SWBO          | 4,589     | 645     | 14        |
| Gort               | Ennis              | SWBO          | 1,961     | 268     | 14        |
| Kells              | Navan              | SWBO          | 2,222     | 344     | 15        |
| Kenmare            | Kenmare            | SWLO          | 963       | 37      | 4         |
| Kilbarrack         | Kilbarrack         | SWLO          | 6,219     | 492     | 8         |
| Kilkenny           | Kilkenny           | SWLO          | 7,166     | 496     | 7         |
| Killarney          | Killarney          | SWLO          | 4,057     | 581     | 14        |
| Killorglin         | Tralee             | SWBO          | 1,638     | 59      | 4         |
| Killybegs          | Donegal CO         | SWBO          | 1,495     | 55      | 4         |
| Kilmallock         | Newcastlewest      | SWBO          | 3,093     | 216     | 7         |
| Kilrush            | Ennis              | SWBO          | 1,767     | 205     | 12        |
| King's Inns Street | King's Inns Street | SWLO          | 8,816     | 544     | 6         |
| Kinsale            | Carrigaline        | SWBO          | 1,592     | 131     | 8         |
| Letterkenny        | Letterkenny        | SWLO          | 6,690     | 322     | 5         |
| Limerick           | Limerick           | SWLO          | 17,116    | 2,481   | 14        |
| Listowel           | Listowel           | SWLO          | 3,701     | 293     | 8         |
| Longford           | Longford           | SWLO          | 6,283     | 862     | 14        |
| Loughrea           | Loughrea           | SWLO          | 3,038     | 393     | 13        |
| Macroom            | Mallow CO          | SWBO          | 2,342     | 324     | 14        |
| Mallow             | Mallow CO          | SWBO          | 3,036     | 278     | 9         |

| Local Office   | Parent Office | SWLO/<br>SWBO | Claimload | Pending | % Pending |
|----------------|---------------|---------------|-----------|---------|-----------|
|                |               |               |           |         | %         |
| Manorhamilton  | Manorhamilton | SWLO          | 1,161     | 42      | 4         |
| Maynooth       | Ballyfermot   | SWBO          | 7,012     | 973     | 14        |
| Midleton       | Carrigaline   | SWBO          | 3,670     | 380     | 10        |
| Monaghan       | Dundalk       | SWBO          | 3,122     | 213     | 7         |
| Muine Bheag    | Carlow        | SWBO          | 2,164     | 150     | 7         |
| Mullingar      | Mullingar     | SWLO          | 5,813     | 1,074   | 18        |
| Navan          | Navan         | SWLO          | 6,534     | 1,425   | 22        |
| Navan Road     | Navan Road    | SWLO          | 7,225     | 1,157   | 16        |
| Nenagh         | Thurles       | SWBO          | 3,412     | 221     | 6         |
| New Ross       | Wexford       | SWBO          | 3,906     | 481     | 12        |
| Newbridge      | Newbridge     | SWLO          | 10,784    | 1,443   | 13        |
| Newcastle West | Newcastlewest | SWLO          | 4,084     | 217     | 5         |
| Newmarket      | Listowel      | SWBO          | 2,597     | 289     | 11        |
| Nutgrove       | Nutgrove      | SWLO          | 5,791     | 236     | 4         |
| Portarlington  | Tullamore     | SWBO          | 3,721     | 516     | 14        |
| Portlaoise     | Kilkenny      | SWBO          | 4,258     | 497     | 12        |
| Rathdowney     | Kilkenny      | SWBO          | 1,384     | 173     | 13        |
| Roscommon      | Longford      | SWBO          | 1,602     | 150     | 9         |
| Roscrea        | Thurles       | SWBO          | 1,546     | 80      | 5         |
| Skibbereen     | Bantry CO     | SWBO          | 1,759     | 161     | 9         |
| Sligo          | Sligo         | SWLO          | 5,280     | 597     | 11        |
| Swinford       | Ballina       | SWBO          | 2,177     | 363     | 17        |
| Swords         | Swords        | SWLO          | 5,221     | 806     | 15        |
| Tallaght       | Tallaght      | SWLO          | 11,657    | 986     | 8         |
| Thomas Street  | Thomas Street | SWLO          | 5,194     | 335     | 6         |
| Thomastown     | Waterford     | SWBO          | 1,646     | 226     | 14        |
| Thurles        | Thurles       | SWLO          | 3,362     | 205     | 6         |
| Tipperary      | Clonmel       | SWBO          | 1,958     | 134     | 7         |
| Tralee         | Tralee        | SWLO          | 8,706     | 341     | 4         |
| Trim           | Navan         | SWBO          | 4,155     | 864     | 21        |
| Tuam           | Loughrea      | SWBO          | 4,446     | 482     | 11        |
| Tubbercurry    | Sligo         | SWBO          | 1,262     | 28      | 2         |
| Tulla          | Ennis         | SWBO          | 1,851     | 222     | 12        |
| Tullamore      | Tullamore     | SWLO          | 4,673     | 287     | 6         |
| Tullow         | Carlow        | SWBO          | 1,818     | 158     | 9         |
| Waterford      | Waterford     | SWLO          | 14,348    | 1,620   | 11        |
| Westport       | Westport      | SWLO          | 2,522     | 127     | 5         |
| Wexford        | Wexford       | SWLO          | 8,042     | 865     | 11        |
| Wicklow        | Arklow        | SWBO          | 2,458     | 100     | 4         |
| Youghal        | Carrigaline   | SWBO          | 2,033     | 129     | 6         |
|                |               |               | 511,247   | 54,534  | 11        |

[Deputy Mary Hanafin.]

Table 2: Average Processing times for Jobseeker claims in January 2010

|                    | JB   | JA    |
|--------------------|------|-------|
| NATIONAL AVG       | 2.15 | 6.82  |
| Achill             | 0.08 | 0.36  |
| Apollo House       | 1.00 | 5.13  |
| Ardee              | 3.17 | 9.39  |
| Arklow             | 0.99 | 2.59  |
| Athlone            | 3.99 | 5.09  |
| Athy               | 2.63 | 6.98  |
| Balbriggan         | 2.72 | 7.84  |
| Ballina            | 2.97 | 8.05  |
| Ballinasloe        | 1.85 | 8.87  |
| Ballinrobe         | 1.17 | 9.48  |
| Ballybofey         | 1.19 | 2.20  |
| Ballyconnell       | 2.66 | 8.71  |
| Ballyfermot        | 2.07 | 4.32  |
| Ballymun           | 1.05 | 3.11  |
| Ballyshannon       | 1.53 | 4.01  |
| Baltinglass        | 2.29 | 7.92  |
| Bandon             | 3.24 | 7.56  |
| Bantry             | 2.66 | 6.21  |
| Bantry Co          | 3.15 | 6.53  |
| Belmullet          | 1.36 | 2.80  |
| Birr               | 1.82 | 5.92  |
| Bishop Square      | 1.69 | 10.02 |
| Blanchardstown     | 1.76 | 13.34 |
| Boyle              | 2.46 | 11.46 |
| Bray               | 1.47 | 3.02  |
| Buncrana           | 3.26 | 5.83  |
| Cahir              | 1.60 | 2.59  |
| Cahirciveen        | 2.06 | 4.74  |
| Carlow             | 1.29 | 3.52  |
| Carrickmacross     | 1.25 | 6.47  |
| Carrick-On-Shannon | 1.31 | 7.14  |
| Carrick-On-Suir    | 4.03 | 5.32  |
| Carrigaline        | 2.10 | 8.45  |
| Cashel             | 1.66 | 4.43  |
| Castlebar          | 3.24 | 3.54  |
| Castleblayney      | 1.68 | 5.43  |
| Castlepollard      | 2.78 | 17.72 |
| Castlerea          | 3.05 | 12.58 |
| Cavan              | 2.70 | 8.18  |
| Claremorris        | 2.80 | 10.03 |
| Clifden            | 1.50 | 5.47  |
| Clonakilty         | 3.42 | 6.88  |
| Clondalkin         | 2.26 | 6.97  |
| Clones             | 1.24 | 3.82  |

|                      | JB   | JA    |
|----------------------|------|-------|
| Clonmel              | 0.81 | 2.91  |
| Cobh                 | 1.16 | 2.39  |
| Coolock              | 3.65 | 5.85  |
| Cork                 | 1.61 | 9.39  |
| Dingle               | 1.83 | 3.80  |
| Donegal              | 1.68 | 2.95  |
| Drogheda             | 2.37 | 9.58  |
| Dun Laoghaire        | 1.69 | 5.99  |
| Dundalk              | 1.02 | 2.85  |
| Dunfanaghy           | 1.82 | 3.13  |
| Dungarvan            | 2.53 | 6.54  |
| Dungloe              | 1.58 | 5.15  |
| Edenderry            | 2.47 | 14.78 |
| Ennis                | 2.06 | 4.99  |
| Enniscorthy          | 2.63 | 5.52  |
| Ennistymon           | 2.62 | 4.56  |
| Fermoy               | 3.62 | 7.22  |
| Finglas              | 1.73 | 5.50  |
| Galway               | 2.16 | 8.53  |
| Gorey                | 2.93 | 8.00  |
| Gort                 | 4.22 | 7.87  |
| Kells                | 2.74 | 10.90 |
| Kenmare              | 1.31 | 3.26  |
| Kilbarrack           | 1.62 | 2.91  |
| Kilkenny             | 0.98 | 5.24  |
| Killarney            | 1.11 | 10.13 |
| Killorglin           | 1.53 | 3.63  |
| Killybegs            | 0.70 | 2.03  |
| Kilmallock           | 2.54 | 3.49  |
| Kilrush              | 4.30 | 3.81  |
| Kings Inns Street    | 1.23 | 3.09  |
| Kinsale              | 2.22 | 7.74  |
| Letterkenny          | 1.19 | 3.07  |
| Limerick             | 3.78 | 9.83  |
| Listowel             | 1.46 | 4.33  |
| Longford             | 2.63 | 16.15 |
| Loughrea             | 1.25 | 8.54  |
| Macroom              | 5.30 | 7.72  |
| Mallow Branch Office | 3.66 | 4.27  |
| Manorhamilton        | 0.85 | 1.07  |
| Maynooth             | 3.59 | 10.48 |
| Midleton             | 2.47 | 5.95  |
| Monaghan             | 1.75 | 4.67  |
| Muine Bheag          | 0.97 | 5.99  |
| Mullingar            | 2.96 | 14.72 |
| Navan                | 1.35 | 14.19 |
| Navan Road           | 2.53 | 10.21 |
| Nenagh               | 1.49 | 3.06  |



[Deputy Mary Hanafin.]

|                | JB   | JA    |
|----------------|------|-------|
| New Ross       | 3.43 | 8.13  |
| Newbridge      | 2.24 | 5.79  |
| Newcastle West | 1.73 | 3.83  |
| Newmarket      | 4.77 | 6.95  |
| Nutgrove       | 1.93 | 2.19  |
| Portarlington  | 1.60 | 9.03  |
| Portlaoise     | 2.52 | 5.18  |
| Rathdowney     | 3.02 | 3.68  |
| Roscommon      | 1.99 | 5.97  |
| Roscrea        | 1.35 | 3.40  |
| Skibbereen     | 2.58 | 7.44  |
| Sligo          | 1.28 | 8.15  |
| Swinford       | 2.21 | 11.08 |
| Swords LO      | 4.19 | 6.61  |
| Tallaght       | 1.69 | 7.11  |
| Thomas Street  | 1.59 | 5.60  |
| Thomastown     | 4.02 | 6.46  |
| Thurles        | 1.25 | 3.02  |
| Tipperary      | 1.98 | 3.42  |
| Tralee         | 2.01 | 3.75  |
| Trim           | 2.97 | 10.16 |
| Tuam           | 1.01 | 11.49 |
| Tubbercurry    | 0.94 | 3.63  |
| Tulla          | 4.29 | 5.07  |
| Tullamore      | 1.22 | 5.98  |
| Tullow         | 1.43 | 8.10  |
| Waterford      | 3.21 | 6.08  |
| Westport       | 2.60 | 1.65  |
| Wexford        | 1.61 | 3.19  |
| Wicklow        | 1.81 | 2.68  |
| Youghal        | 2.15 | 3.58  |

### Social Welfare Fraud.

80. **Deputy Damien English** asked the Minister for Social and Family Affairs if she is satisfied with the method of recording and calculating fraud control savings; and if she will make a statement on the matter. [8963/10]

95. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the position regarding fraud control measures put in place by her Department; and if she will make a statement on the matter. [8975/10]

118. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs the discussions she has had in the past 12 months with the Department of Justice, Equality and Law Reform or An Gardaí Síochána on the sharing of information to combat social welfare fraud; and if she will make a statement on the matter. [8674/10]

333. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs if she is satisfied with the method of recording and calculating fraud control savings; and if she will make a statement on the matter. [9237/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 80, 95, 118 and 333 together.

The prevention of fraud and abuse of the social welfare system is an integral part of the day-to-day work of the Department. A key objective of the Department's control strategy is to ensure that the right person is paid the right amount of money at the right time.

In relation to savings in 2009 the Department recorded control savings of nearly €484m. It must be noted that control activity was being focused on prevention of fraud and error at claim application stage. Savings made from the detection of bogus claims at application stage cannot be estimated as the claim will not go into payment. However, this is the most cost effective mechanism of reducing losses through fraud and error in social welfare schemes.

Control savings are calculated by applying validated multipliers to the difference in the rate of payment before and after the control activity.

Multipliers used in assessing control savings estimate the total future savings to the Department of a revocation or reduction resulting from a control action. The multiplier used is based on the average amount of time the person who signs off will remain off the books before returning. This time varies from scheme to scheme.

Where overpayments occur the Department seeks to recover the overpayments and in cases of serious fraud, the Department will use all legal avenues open to it to recover the money defrauded and seek redress.

Fraud detection systems have also been improved through data matches with organisations such as the Revenue Commissioners on commencement of employment data, the General Registrars Office on Marriages and Deaths information, and many other organisations including the Departments of Justice, Environment, Education and other state bodies. In addition, a data matching programme is now in place to ensure that relevant information available in one area of the Department is applied to all schemes.

The recent Budget also includes funding of €7 million to allow the roll out of the new Public Service Card to commence. The card will contain a photograph and signature and will help to combat fraud.

Furthermore the number of anonymous reports from members of the public has increased dramatically in the past year, with over 6,400 reports made at end 2009 compared to approximately 1000 reports made in 2008. Each report is followed-up and savings are included in the savings reported within the individual scheme areas.

The Department of Social and Family Affairs has an extensive legal structure to support the sharing of data with other Government Departments and specified bodies such as An Garda Síochána and the Department of Justice, Equality and Law Reform for the purpose of combating social welfare fraud. Data matching is used as a method of identifying high risk social welfare claims for review.

The main example of on-going co-operation with the Department of Justice, Equality and Law Reform is data matching with the Irish Prison Service who supply the Department with lists of prison inmates on a quarterly basis. The lists are cross-checked to identify "live" social welfare claims. In such cases, the claim is terminated where it is established that the claimant is the person who is in prison. A number of DSFA social welfare inspectors are seconded to the Criminal Assets Bureau (CAB) and the Garda National Immigration Bureau (GNIB). The

[Deputy Mary Hanafin.]

officers in CAB are actively engaged in identifying and targeting funds accumulated by criminals. They also investigate and review social welfare entitlements of persons who are suspected of deriving assets from criminal activity.

The DSFA social welfare inspectors seconded on a permanent basis to the Garda National Immigration Bureau (GNIB) assist in the pursuit of the respective statutory remits with a particular emphasis on welfare fraud and breaches of immigration legislation.

There is close co-operation between DSFA and An Garda Síochána on the ground in relation to the multi-agency vehicle checkpoints and personation cases. The multi-agency checkpoints are set-up by the gardai and planned in consultation with other participating agencies. At the checkpoints, Gardai stop vehicles and refer certain vehicles to individual agencies where the occupants are interviewed. Staff participating in these checkpoints from the Department are drawn from the Special Investigation Unit, whose main duty is the detection and prevention of fraud and abuse of the social welfare system.

Cases of personation are referred by DSFA to the Gardai for follow-up investigation and possible prosecution.

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.

*Question No. 81 answered with Question No. 72.*

#### **Public Services Card.**

82. **Deputy John Deasy** asked the Minister for Social and Family Affairs the details on the public service card with photo ID to be rolled out from 2010; and if she will make a statement on the matter. [8957/10]

120. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs the timetable for the completion of the identity card scheme; the cost involved; and if she will make a statement on the matter. [8673/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 82 and 120 together.

Legislative provisions in relation to the introduction of the Public Service Card have been included in Section 263 of the Social Welfare Consolidation Act 2005 (as amended by Section 32 of the Social Welfare and Pensions Act 2007).

These specify that the Minister for Social and Family Affairs may issue a Public Service Card in the format that he or she deems fit with the person's name, personal public service number, photograph, signature, card issue number and card expiry date to be inscribed on the card. Provision is also included for the person's name, personal public service number, date of birth, sex, all former surnames (if any) of the person's mother, photograph, signature and card expiry date to be electronically encoded on the card. In addition, provision is made for any other information that may be prescribed to be either inscribed or electronically encoded on the card.

There are still a number of outstanding parts of the project that need to be undertaken. Decisions regarding the final design of the card will be taken as part of this process. It will also be necessary to develop a technical infrastructure within the Department to support the management and administration of the cards. Procurement for this development has just com-

menced. In addition, the managed service provider has significant preparatory work to undertake. For example it will be necessary to develop a secure site for the personalisation of the cards. These processes are expected to take several months to complete and, accordingly, it is not anticipated that cards will begin to issue before the latter half of this year.

The overall time for completion of initial deployment of a Public Services Card is dependent on the rate at which it will be possible to securely register those to whom it will be issued. Current expectations are that this will take about four years from commencement of issue.

The initial estimate for the overall cost of card deployment to all eligible citizens is around €24m. This will be spread over the complete period of deployment.

*Question No. 83 answered with Question No. 72.*

### **Social Welfare Code.**

84. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs her plans to update guidelines regarding the habitual residency rule to ensure a consistent approach by all deciding officers. [8907/10]

91. **Deputy Ruairí Quinn** asked the Minister for Social and Family Affairs her plans to amend the habitual residency rule to provide greater weight to the length of previous residency by the applicant. [8908/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 84 and 91 together.

The determination of a person's habitual residence is made in accordance with Section 246 of the Social Welfare Consolidation Act 2005, as amended. The most recent amendment was introduced by Section 15 of the Social Welfare and Pensions (No. 2) Act 2009 which provided that only persons who have a right to reside in Ireland can be regarded as being habitually resident in the State.

Following the passing of that Act, the operational guidelines of the Department were examined and all necessary changes on foot of this legislation were incorporated and updated on the Department's website on 8 February 2010. There are no further updates to the guidelines pending.

The Department's initial approach to ensuring consistency in regard to habitual residence was the establishment of a centralised decision-making area to examine this aspect in complex cases. This enabled a development of expertise and monitoring of the various situations and questions of interpretation as they arose. This small group of experienced deciding officers were then able to provide thorough and detailed training and ongoing support as the decision-making was devolved on a phased basis. In 2005 and 2006 the relevant scheme areas headquartered in Letterkenny, Longford and Sligo took over responsibility for the habitual residence aspect of their decisions. Since May 2009 the training and devolution has been rolled out to the Social Welfare Regions and Local Offices where decisions are made on entitlement to jobseeker's allowance and one-parent family payment claims. It is planned to complete this process within the next 2 to 3 months.

The Department's operational guidelines on habitual residence emphasise the need for consistency and any cases of apparent inconsistency which come to notice are examined with a view to ensuring that the guidelines, together with the ongoing support and training resources, adequately address any areas of uncertainty.

[Deputy Mary Hanafin.]

Deputy Quinn has asked about the weight given to previous residence in determining habitual residence. The legislation specifically directs the deciding officer to “take into consideration all the circumstances of the case, including, in particular, the following:

- (a) the length and continuity of residence in the State or in any other particular country;
- (b) the length and purpose of any absence from the State;
- (c) the nature and pattern of the person’s employment;
- (d) the person’s main centre of interest, and
- (e) the future intentions of the person concerned as they appear from all the circumstances.”

These five specified factors have been derived from European Court of Justice case law which examined the concept of habitual residence in the context of social welfare benefits. The Department’s guidelines go on to point out that “No single factor is conclusive. The evidential weight to be attributed to each factor will depend on the circumstances of each case. It is necessary to weigh up all the information and balance the evidence for and against an applicant satisfying the habitual residence condition”.

The fact of previous residence in the State, and the duration of that previous residence, cannot of itself determine whether a person’s return to the State constitutes a resumption of habitual residence or will merely be a temporary return visit. Other factors, like the length and purpose of absence from Ireland and the future intentions of the applicant will also have a critical bearing on determining whether the person has maintained their centre of interest in the State, or has chosen to transfer that centre of interest back here, or whether their habitual residence is now in another country. The current guidelines address the issue of returning emigrants very specifically under the heading:

*Resuming previous residence*

*“A person who had previously been habitually resident in the State or within the Common Travel Area and who moved to live and work in another country and then resumes his/her permanent residence in the State may be regarded as being habitually resident immediately on his/her return to the State.*

*In determining habitual residence in such cases the deciding officer should take account of*

- *purpose of return e.g. expiry of foreign residence permit*
- *the applicant’s stated intentions*
- *verified arrangements which have been made in regard to returning on a long-term basis e.g. transfer of financial accounts and any other assets*
- *length and continuity of the previous residence in the State*
- *the record of employment or self employment in another State and*
- *whether s/he has maintained links with the previous residence and can be regarded as resuming his/her previous residence rather than starting a new period of residence.”*

I am satisfied that this addresses the issue appropriately and that Irish nationals returning to live in Ireland on a permanent basis should experience no difficulty in demonstrating that they satisfy the requirements of the Habitual Residence Condition.

### Social Welfare Appeals.

85. **Deputy Phil Hogan** asked the Minister for Social and Family Affairs the average time it takes to process social welfare appeals; and if she will make a statement on the matter. [8978/10]

102. **Deputy Joanna Tuffy** asked the Minister for Social and Family Affairs the steps she is taking to deal with the excessive waiting times for social welfare appeals. [8913/10]

103. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs if she will make a statement on the length of time it is taking to process social welfare appeals; the reason for the delay; and the steps she is taking to clear the backlog of appeals. [8679/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 85, 102 and 103 together.

I am informed by the Social Welfare Appeals Office that during 2009 the average time taken to process all appeals (i.e. those decided summarily and by way of oral hearing) was 24 weeks. However, if allowance was made for the 25% most protracted cases, the average time fell to 15.8 weeks. This represents an increase of 2 weeks in the time taken to process appeals when compared to 2008, but must be seen in the context of an increase of 46% in the number of appeals received during 2009 (25,963 in 2009 against 17,833 in 2008).

To deal with this increased workload, two additional Appeals Officers were appointed during 2009. However, the Chief Appeals Officer and 5 experienced Appeals Officers retired during 2009. Although their positions have now been filled, these retirements when coupled with the increase in appeals received, have impacted on the processing of appeals. Because of the quasi-judicial nature and complexity of the work there can be a relatively long lead in time before new Appeals Officers become fully competent to deal with the full range of cases coming to the Office.

The matter of assigning additional Appeals Officers is kept under constant review but any consideration of extra assignments must be taken in the context of overall government policy on civil service numbers.

Also, as I advised in answers to previous questions, the Chief Appeals Officer is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

### Pension Provisions.

86. **Deputy Dan Neville** asked the Minister for Social and Family Affairs the position regarding the contributory pension of a person (details supplied) in County Limerick. [2693/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 87 answered with Question No. 79.*

### Social Welfare Benefits.

88. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs if she will make a statement on the delays in processing applications for habitual residency, job seeker's allowance, medical cards and disability allowance; and the steps she is taking to clear the backlog of applications. [8678/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Firstly, with regard to the Deputy's query on medical cards, this is a matter for the HSE. I have no role in the issuing of medical cards.

The Department is committed to providing a quality service to all its customers. This includes ensuring that all applications are processed and that decisions on entitlement are made as quickly as possible. Claims are processed in the most efficient and expeditious way possible, having regard to the eligibility conditions that apply to each scheme.

The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes, including Jobseekers Allowance and Disability Allowance, with effect from 1 May 2004. For clarity, applications for habitual residency are not received in the Department. However, when an application for one of these social assistance schemes is received, the Deciding Officer has to be satisfied that the claimant is habitually resident in the state in addition to satisfying the other qualifying conditions for the particular scheme.

#### *Jobseekers Schemes*

As the House is aware, there has been a huge increase in claims for jobseeker's schemes due to the downturn in the economy. The live register grew from 290,018 to 423,595 in the 12 months to December 2009 which has put a strain on services in our offices.

The average processing time for claims decided in January 2010 was 2.15 weeks for jobseeker's benefit and 6.82 weeks for jobseeker's allowance. This is the average nationally — there are fluctuations between offices.

Processing times can vary depending on the complexity of the claim, the availability of the necessary documentation from the applicant or their employer and in some jobseeker's benefit cases, the need to request social insurance details from other EU countries.

In the case of jobseeker's allowance, as this is a means-tested payment, a means assessment has to be carried out. This may require a home visit by a Social Welfare Inspector. Some jobseeker's allowance claims can be complex, particularly if there is property (other than the family home) or self-employment involved. Furthermore, all applicants for jobseeker's allowance must satisfy the Habitual Residence Condition.

In order to deal effectively with the increasing workload, the Department has tackled the issues in a number of ways. Additional staff, including investigative staff, have been assigned to our offices. In addition, six central decision making sections have been set up in Dublin City, Tallaght, Finglas, Carrick-on-Shannon, Roscommon and Sligo. Several process improvement initiatives have also been introduced to streamline the claims acceptance and decision process.

#### *Disability Allowance*

Disability Allowance is a weekly allowance paid to certain people with a disability who are aged over 16 and under 66. The disability must be expected to last for at least one year and the allowance is subject to a medical assessment, a means test and a habitual residency test.

Because there are three elements involved in establishing entitlement, this can add time to the overall claim adjudication process. Delays can also arise if people applying for the allowance are not in a position to supply all the necessary information in support of their claim at time of application. In some instances, claims have to be referred to Social Welfare Investigators for means assessments which can be complex and take some time to complete.

Measures introduced by the Department to address the efficiency of Disability Allowance claim processing include the review of existing processes and procedures with the objective of

reducing delays in claim processing, the review of ongoing staffing requirements and the judicious application of overtime working.

Another measure to improve the claim processing time is an increase in the number of claims which are desk assessed for means purposes with only the more complex cases being sent to Social Welfare Inspectors for investigation.

In addition, all claims are now being desk assessed by the Department's Medical Assessors, which saves time and resources.

The position regarding claim processing times over all schemes will continue to be closely monitored by the Department.

Anyone who is under financial pressure while awaiting a decision on their claim for a job-seekers scheme or Disability Allowance may apply for Supplementary Welfare Allowance, which is subject to a means test and other qualifying conditions.

### **Money Advice and Budgeting Service.**

89. **Deputy Olivia Mitchell** asked the Minister for Social and Family Affairs if she is satisfied with the capacity of the money advice and budgetary service to negotiate on person's behalf with financial institutions and sub prime lenders in relation to mortgage arrears; and if she will make a statement on the matter. [8992/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The money advisers throughout the country focus on providing assistance, advice and intense support to people who have financial difficulties. The money adviser works out a budget and negotiates on behalf of the client with all creditors, including financial institutions and sub-prime lenders, to secure better terms for the client in managing the repayment of their debts. Where required by the client, the money adviser can assist with setting up a special account with a local Credit Union, into which an agreed amount of money is lodged regularly, and from which each month the money adviser makes the repayments to the creditors on behalf of the client. In 2009 some 2,618 special accounts were set up with the local Credit Unions.

Focused training programmes designed to equip money advice staff and local management boards to meet the demands on the services are provided by MABS NDL, the national support company. In addition, MABS NDL has introduced a number of community education and other initiatives to assist the services in managing their increased caseloads. These include a money management education programme for people facing redundancy to inform them about managing on a reduced income and how to avoid getting into debt.

Under the statutory code of conduct on mortgage arrears published by the Financial Regulator, all financial institutions including the banks and sub-prime mortgage lenders must, where circumstances warrant it, refer a borrower in difficulty for guidance to a local MABS office or to an appropriate alternative.

An operational protocol 'Working Together to Manage Debt' is in place and is the result of almost 2 years work by MABS NDL and the Irish Banking Federation (IBF), the main representative body for the banking and financial services sector. The protocol applies to all client debts, including mortgage debt owed to the major lending institutions in Ireland and includes a commitment that no legal action will be taken as long as there is compliance by the client with an agreed repayment plan.

Last year an additional 19 money advisers were recruited by MABS between September and December, bringing the number of MABS staff to 271. The additional advisers have been appointed to MABS companies throughout the country.



[Deputy Mary Hanafin.]

I am confident that the MABS is well equipped to provide a high quality personal service to assist people in overcoming their indebtedness and managing their finances.

### **Humanitarian Assistance Scheme.**

90. **Deputy Thomas P. Broughan** asked the Minister for Social and Family Affairs her plans to formalise the system of allocating financial support resulting from extreme weather events. [8927/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Financial support for people who have suffered as a result of an emergency event, including extreme weather events is normally addressed through the exceptional and urgent needs payment provisions of the supplementary welfare allowance scheme.

Under the legislation governing the scheme, the HSE may make a single payment to meet an exceptional need to people on social welfare or health board payments. This is a once-off payment to meet an unforeseen or special need that cannot be met from a person's basic income. Assistance in the form of an urgent needs payment can be also made to persons who would not normally be entitled to SWA, to assist, for example in cases of an extreme weather event with immediate needs, such as food, clothing, fuel, household goods and shelter. Assistance can be provided to people affected in cash or in kind. There is no automatic entitlement to these payments. Each application is determined on the particular circumstances of the case.

Where a particular event has caused loss and damage to a large number of people on a wide-spread scale and the support required is greater than can be coped with by the usual assistance mechanisms then humanitarian assistance can be considered. A decision to provide humanitarian aid to people in an area affected by an emergency event can only be made by the Government. Humanitarian assistance is designed to provide hardship alleviation assistance, as opposed to compensation, to people affected by an emergency event who are not covered by insurance and is based on an income test.

In recognition of the devastation suffered by people in many areas of the country as a result of the flooding from November 2009 onwards the Government set up a humanitarian assistance scheme to provide income tested financial support to people who have suffered damages to their homes not covered by insurance.

Community Welfare Service staff throughout the country have been providing support to families since this flooding occurred. Up to the 12th February 2010 they had already made over 2,406 payments to 1,189 individuals to the value of €925,000. The average payment per individual is over €777; with the largest payment to an individual was in excess of €20,000. Initially, the vast bulk of applications for humanitarian assistance were for small amounts to assist with basics such as food, clothing, bedding, heating and the hire of dehumidifiers.

As the flood waters began to recede in some areas and householders were able to assess the extent of damage to the contents of their homes, claims have been submitted and approved for items such as carpets, flooring, furniture and white goods.

While assistance is available for structural repairs to homes not covered by household insurance, very few large scale claims have been made at this stage. This is because homeowners have not yet established the cost of repair in many cases, for example because they are awaiting a builder's estimates. It is expected that large scale claims will be received over the coming weeks.

People seeking assistance in the event of an extreme weather event should contact their local Community Welfare Office. Further information in relation to exceptional and urgent needs payments and the humanitarian assistance scheme are available from the Community Welfare Service and from the Department's website ([www.welfare.ie](http://www.welfare.ie)) and the HSE's website ([www.hse.ie](http://www.hse.ie)).

*Question No. 91 answered with Question No. 84.*

### **Pensions Provisions.**

92. **Deputy Pat Rabbitte** asked the Minister for Social and Family Affairs the reason for the continued delay in arriving at a decision on the national pensions framework. [8919/10]

97. **Deputy Seán Sherlock** asked the Minister for Social and Family Affairs her views on changing pension policy here by standard rating all tax relief on pension contributions and using the proceeds to provide for a universal pension with a top-up based on contributions as advocated by a group (details supplied). [8920/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 92 and 97 together.

The Green Paper on Pensions outlined the challenges facing the Irish pensions system in the years ahead, including the sustainability of the system over the longer term in light of demographic change and the adequacy of contribution levels and benefits. The consultation process that followed publication of the Green Paper reflected the wide range of views and interests held by individuals and organisations throughout the country. While there was no consensus on ways to respond to the challenges facing our pension system, it was clear that there were significant issues and problems that people wanted addressed.

Since the Green Paper was published in October 2007, the economic environment has changed considerably and the Government needs to ensure that any decisions we make in the pensions area will be robust enough to withstand the challenges that will arise in the future. We must make decisions now to ensure the adequacy of retirement incomes for this and future generations and, at the same time, develop a system that is affordable and sustainable for the State and for those who sponsor and provide pension schemes.

In the past 18 months or so the Government has taken a number of steps to respond to the immediate difficulties facing pension scheme members, particularly members of defined benefit schemes. These include the establishment of a pensions insolvency payment scheme and a reordering of wind-up priorities so that, in any defined benefit wind-up situation, employees and former employees who have not yet retired may still receive a large proportion of their benefits. The Government has also introduced provisions to allow for more flexible restructuring of pension benefits and stronger regulation regarding remittance of pension contributions. We have also protected people in receipt of the State pension by retaining the rates of pension and other social welfare payments for older people in the recent Budget.

The Government is aware that the wider and longer-term pensions policy issues require a comprehensive and co-ordinated response and has been considering a number of options to address the challenges facing our pension system. Uncertainty in the economic climate has increased the complexity of the decisions we must make but it does not prevent or deter the Government from making these vitally necessary decisions. However, it does require us to give very careful consideration, and it is precisely because the development of the national pensions framework involves decisions on such a wide range of future and complex issues that we have been spending a considerable amount of time working on it.

[Deputy Mary Hanafin.]

Taxation policy is a matter for my colleague the Minister for Finance. However, as the Deputy is aware the Renewed Programme for Government includes a commitment to introducing a standard rate of tax relief on pension contributions in the context of the National Pensions Framework. As the framework is still being developed I cannot say what it will include. However, I can say that our objective is a pension system which will deliver an adequate retirement income for all which is, at the same time, affordable and sustainable for the State, and those who sponsor and provide occupational pensions systems. We are determined that the actions we take will be aimed at ensuring that we reform pensions on a basis that is fair, transparent and sustainable.

I expect that the framework will be published shortly.

### **Social Welfare Code.**

93. **Deputy Joe Costello** asked the Minister for Social and Family Affairs her plans to use the impending Social Welfare Bill to reform family income supplement to ensure that all low income families qualify at least in part for this scheme. [8894/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Family Income Supplement (FIS) payment provides income support for employees on low earnings with children. The manner in which the value of the payment is calculated is designed to preserve the financial incentive to take-up or remain in employment in circumstances where the employee might be only marginally better off on social welfare payments.

Fundamental to the design of the FIS scheme is that a person must be engaged in insurable employment for a minimum number of hours — currently 38 hours per fortnight. A couple may combine their hours of employment to meet the qualification criteria.

The payment amount is based on a fixed proportion of the gap between the assessable income of the household and prescribed FIS income thresholds. As these thresholds are linked with the number of dependent children in a household, FIS provides an important policy instrument in reducing child poverty in working households as well as improving incentives to work.

Considerable improvements have been made to FIS since the late 1990s. These have improved its effectiveness as an instrument of support for low-income employees. These changes include a change in how income is assessed (that is, from a gross to net basis) and, in recent years, the re-focusing of income thresholds to include additional gains for larger families. Partly as a result of this, and partly reflecting higher levels of employment in lower-wage jobs, spending on FIS has risen from €33 million in 1997 to an estimated €215 million in 2010.

Increases to FIS thresholds were already announced as part of the Budget 2010 package. These increases effectively compensate low-income households on FIS for the necessary reduction in child benefit rates. I do not propose to use the forthcoming Social Welfare Bill to make any further significant changes to the qualifying criteria of FIS at this time.

My Department is currently carrying out a review of policy and value-for-money review in the area of child income support. The review, which is expected to be completed later in the year, will address some of the broader issues raised around the FIS payment so as to ensure that overall policy in this area remains effective and efficient.

### **Social Welfare Benefits.**

94. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of families eligible for the family income supplement; the number of families in receipt of the

family income supplement; her views on the low uptake of the family income supplement; and if she will make a statement on the matter. [8965/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Family Income Supplement is designed to provide support for people with families who are on low earnings. This preserves the incentive for them to remain in employment in circumstances where they might only be marginally better off than if they were claiming other social welfare payments. FIS is a central element of a programme of reforms targeted specifically at addressing child poverty.

There are currently some 26,081 people in receipt of a weekly FIS payment. In 2009, the Department received 46,542 new and renewal FIS claims compared to 42,940 in 2008 and 37,861 in 2007 — an increase of over 8% on 2008 and over 22% on 2007.

With regard to the level of take up, it is not possible to estimate from administrative sources the number of families who would be eligible but do not apply for their FIS entitlements. Accordingly, the Department completed a research project in 2008 to examine factors behind the level of take up for the scheme.

This research project included a survey of over 3,000 families that appeared to satisfy conditions for receipt of FIS. From over 1,000 valid responses received, the survey identified that only 23% might actually be eligible.

The research also found that overall awareness of Family Income Supplement among potential recipients is high, with nearly three in four claiming to have heard of the scheme. Despite high levels of awareness of the existence of the Scheme, there appeared to be less awareness and understanding of the eligibility requirements, with only one in three claiming to be aware of the qualifying criteria for FIS.

The report recommended that the Department needs to ensure that information about the scheme is advertised in a focused way with the eligibility and qualification criteria communicated as clearly as possible. The Department is addressing this by ensuring such information is highlighted as part of its ongoing information strategy.

*Question No. 95 answered with Question No. 80.*

### **Employment Support Services.**

96. **Deputy Ruairí Quinn** asked the Minister for Social and Family Affairs the discussions she has had with the Department of Enterprise, Trade and Employment regarding amalgamating parts of FÁS activation programmes with her Department. [8918/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Irish National Employment Action Plan (NEAP), adopted by the Government as its response to the European Employment Guidelines, included a commitment to a more systematic engagement of the Employment Services with the unemployed. The NEAP is operated jointly by this Department and FÁS.

The National Employment Action Plan is a systematic process whereby persons in receipt of Jobseeker's Benefit or Jobseeker's Allowance are identified by the Department of Social and Family Affairs for referral to FÁS. The purpose is to facilitate access to the range of employment and training services offered by FÁS.

Implementation of this commitment commenced in September, 1998. From that date, all persons under 25 who had reached six months on the Live Register were referred by the Department of Social and Family Affairs for interview by FÁS. As the Employment Action

[Deputy Mary Hanafin.]

Plan progressed, the programme was extended to include other groups crossing nominated thresholds of unemployment and the activation period reduced from 6 months to 3 months.

Development of the NEAP is currently under consideration by an interdepartmental group on activation. This work is focusing on issues such as referral times, data exchange and maximizing capacity, and will inform a planned review of this Department's memorandum of Understanding with FÁS.

I am confident that National Employment Action Plan will be enhanced in its role in assisting unemployed persons enter or return to the labour force.

*Question No. 97 answered with Question No. 92.*

### **Social Welfare Code.**

98. **Deputy Paul Connaughton** asked the Minister for Social and Family Affairs her plans to reform the one parent family payment; and if she will make a statement on the matter. [8948/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Government believes that the current arrangements, whereby a lone parent can receive the One-Parent Family Payment until their child is 22, without any requirement for them to engage in employment, education or training, are not in the best interests of the recipient, their children or society.

Despite improvements made to the One Parent Family Payment over the years, a large proportion of lone parents and their children are still experiencing poverty.

In general, the best route out of poverty is through employment. We recognise that work, and especially full-time work, may not be an option for parents of young children. However, we believe that supporting parents to participate in the labour market, once their children have reached an appropriate age, will improve both their own economic situation and the social well-being of themselves and their families.

The Department has undertaken a comprehensive review of the One-Parent Family Payment and developed proposals which are designed to:

- Prevent long-term dependence on welfare and facilitate financial independence;
- Recognise parental choice with regard to care of young children but with the expectation that parents will not remain outside of the labour force indefinitely, and
- Include an expectation of participation in education, training and employment, with supports provided in this regard.

To meet these social policy objectives, the Government is considering various options for limiting the length of time for which the One-Parent Family Payment can be paid (including the age of the youngest child). Any such changes would be phased in over a number of years for existing recipients to enable lone parents to access education and training and to prepare them for their return to the labour market.

The changes will also bring Ireland's support for lone parents more in line with international provisions, where there is a general movement away from long-term and passive income support. The EU countries achieving the best outcomes in terms of tackling child poverty are those that are combining strategies aimed at facilitating access to employment and enabling services (e.g. child care) with income support.

We are conscious that many lone parents will need access to education, training and activation measures in order to acquire the skills they will need to gain employment. The Department has been working closely with other agencies to ensure that the broader needs of lone parent families are met and the changes to the One-Parent Family Payment currently being finalised will be progressed in that context.

### **Social Welfare Benefits.**

99. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs if her attention has been drawn to the cumulative effects of cuts to social welfare payments for families that have more than one person claiming benefits, particularly those with dependants; and the way she will help families in this position. [8680/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** In Budget 2010, the weekly personal rates of welfare payments payable to persons aged under 66 were reduced by amounts ranging from 3.5% to 4.2%. This range of decrease also applied where both of a couple are claiming a payment in their own right. Where a recipient is claiming an increase for a qualified adult, the qualified adult increase was decreased by the same percentage as the personal rate of payment.

In the case of persons who have dependent children, the rate of the qualified child increase was increased by €3.80 per week. This level of increase fully protected families who are dependent on social welfare from the reduction in the rates of child benefit. Improvements were also made to the family income supplement scheme to fully protect recipients from the child benefit reduction.

I fully appreciate that the changes made in the welfare area are not easy for people but I believe that if the Government had not taken the steps now to reduce overall public expenditure and restore stability to the public finances, we would have run the risk of making the economic and social situation far worse for everyone, including welfare recipients, in the medium term.

### **Social Insurance.**

100. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs her views on reviewing the changes made in the treatment benefit scheme in budget 2010 to ascertain whether savings will be made by modifying the changes in a way that is less severe on persons who have made the necessary PRSI contributions; and if she will make a statement on the matter. [6973/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Treatment Benefits are paid to insured persons from the Social Insurance Fund (SIF). Although the SIF has operated a surplus since 1996, this position began to change in 2008 when expenditure had to be partially funded from the accumulated surplus. Expenditure continued to exceed PRSI and investment income to the Fund in 2009 and it is expected that the accumulated surplus will be completely exhausted in the first half of 2010.

It is estimated that the Exchequer will be required to subvent the Fund by more than €1 billion this year. The Report of the Special Group on Public Service Numbers and Expenditure Programmes advised the Government that, given the other pressures on the SIF, continuation of the Treatment Benefit scheme was no longer affordable.

It is against this backdrop that the Government took the difficult decision to reduce expenditure on the scheme and changes were announced in Budget 2010.

[Deputy Mary Hanafin.]

From 1 January 2010, treatments available under the optical and dental elements of the scheme are limited to the free examination. The continued provision of a free examination will allow people to continue to have regular optical and dental check-ups and help ensure the early detection of disease and other health issues.

The Department of Health, under the medical card scheme, provides dental and optical services for customers on low incomes. The service is provided through the same group of contractors that supply services under the Treatment Benefit scheme.

There has been no change to the medical appliances element of the scheme. Hearing Aids and Contact Lenses required for medical reasons will continue to be provided on the same basis as before. This means that a grant of 50% of the purchase price, to a maximum of €760, is available towards the cost of appliances under the scheme.

People who, at 31 December 2009, were undergoing a course of dental or optical treatment or who had applied for approval to commence treatment will have their applications processed under the rules which operated prior to 1 January 2010.

In the period between the budget announcement and the end of December 2009, over 150,000 applications for approval in respect of dental treatments and over 20,000 in respect of optical treatment were received from practitioners on behalf of their customers. These approval requests have been processed and notification issued to the dental and optical practices concerned.

Treatments must commence within 3 months of approval being given and must be completed with 6 months of commencement.

Savings of €54m were originally envisaged in 2010, and while the increased level of enquiries for treatment in the last few weeks of 2009 will impact on that figure, it is still anticipated that substantial savings will result in 2010.

Over 2 million PRSI contributors are still eligible for the free dental and optical examination and medical appliance benefit in 2010. In 2009 over 418,000 customers claimed a free dental examination at a cost of over €14m. In addition, 219,000 free eye examinations at a cost of almost €5.5m were also provided. There were also 7,500 treatments under the medical appliance scheme, at a cost of over €7.5m. Similar level of applications can be expected this year.

The Government has indicated that it will review its decision in relation to the treatment benefits scheme in advance of the next budget in the light of prevailing financial circumstances at that time.

*Question No. 101 answered with Question No. 74.*

*Questions Nos. 102 and 103 answered with Question No. 85.*

### **Departmental Expenditure.**

104. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs the steps she is taking to reduce the cost of the one parent family payment by ensuring that all parents capable of making maintenance payments do so. [8922/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** All one-parent family payment (OPFP) applicants are requested to provide details of the other parent of their child (ren). This information includes the name, address and whether he/she is in employment or receiving payments from the Department or the Health Service Executive (HSE). The appli-

cant is also requested to submit long version birth certificates for each child. In a significant number of cases the other parent of the child will be named on the child's birth certificate.

Applicants for one-parent family payment are required to make ongoing efforts to look for adequate maintenance from their former spouses, or, in the case of unmarried applicants, the other parent of their child. They must satisfy the Department that they have made reasonable attempts to obtain such maintenance.

Separated one parent family payment claimants must demonstrate that they have made reasonable efforts to obtain support before their lone parent payment is awarded. Unmarried claimants must demonstrate similar efforts after their claim is awarded. Guidelines as to the steps to be taken in making reasonable efforts to obtain maintenance are published on the Department's website.

The purpose of the Department of Social and Family Affairs' maintenance recovery operation is to recover some or all of the moneys being expended on social welfare payments for lone parents.

In every case where a one-parent family payment is awarded, the maintenance recovery unit of the Department seeks to trace the other parent, referred to as the liable relative, in order to ascertain whether he or she is in a financial position to contribute towards the cost of one-parent family payment. The follow-up activity takes place within 2-3 weeks of the award of payment.

All liable relatives assessed with maintenance liability are notified by the Department and they are issued with a determination order setting out the amount of contribution assessed. The amount assessed can be reviewed where new information comes to light about the financial or household circumstances of the liable relative. Decisions on the amounts assessed can be appealed to the Social Welfare Appeals Office.

During 2009 the maintenance recovery unit has examined 13,191 cases and issued determination orders to 2,170 liable relatives. Of the 2,170 Determination Orders issued in 2009, 72.5% of the liable relatives were already contributing to the lone parent.

Direct contributions from liable relatives in 2009 amounted to EUR 3.3 million.

### **Social Welfare Code.**

105. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of persons who have been refused a social welfare payment on means test grounds in each of the past three years; the number of persons who were previously self-employed; the number of persons who have been refused a payment on the grounds of failure to comply with the habitual residential clause; the number of persons who have failed on medical or means grounds to qualify for carer's or respite care allowance; the number of persons who have been refused child benefit; the grounds for such refusal; the number of persons who have been refused old age or widows or widowers pension; the most common ground for such refusal; the number of persons who have been refused disability or sick benefit allowances or payments; the number of persons from other EU member states who have been refused social welfare payments here on whatever grounds; the number of such states with which this country has bilateral social welfare agreements; and if she will make a statement on the matter. [9034/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The statistical information requested by the Deputy is not readily available within the Department.

Ireland has Bilateral Agreements on Social Security with the UK, Austria and Switzerland. All three agreements are non-effective in so far as they have been superseded by EU Legis-



[Deputy Mary Hanafin.]

lation following the entry of both the UK and Austria to the EU and an agreement between Switzerland and the EU that they would be covered by EU legislation in the area of Social Security. The Bilateral Agreement with the UK is still effective in so far as the Channel Islands and the Isle of Man are concerned as these Islands are not included within the scope of EU regulations on Social Security.

### **Employment Support Services.**

106. **Deputy Catherine Byrne** asked the Minister for Social and Family Affairs the additional supports that have been given to job facilitators to deal with the increased demand for access to support; and if she will make a statement on the matter. [8942/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department's facilitators work with social welfare recipients of working age, including people in receipt of jobseekers payments, people parenting alone, people in receipt of disability welfare payments and people providing care, to promote participation and social inclusion.

Facilitators work with social welfare recipients to identify appropriate training or development programmes which will enhance the skills that the individual has and ultimately improve their employment chances, as well as help them to continue to develop personally. Facilitators develop individual progression plans with the customer. They are located throughout the country and are assigned to cover defined geographical areas. They work closely with FÁS and other agencies at a local level to identify and target appropriate education, training and development opportunities.

In the current economic climate the demand for the facilitator service is elevated. Facilitators make every effort to contact all interested customers as quickly as possible.

A formal targeted programme of activation was introduced under the National Development Plan (NDP). Under this programme, the Department actively selects cases for referral to facilitators. 21,500 cases were referred to facilitators during 2009.

The facilitator service was enhanced under the National Development Plan (NDP) Social and Economic Participation Programme. 23 additional facilitators have been appointed since September, 2008 (59 are currently serving) with a further 11 due for appointment. There are currently 59 facilitators in place. Clerical support for facilitators is provided centrally by Employment Support Services section.

Facilitators have two funding streams available to them; the Activation and Family Support Programme (AFSP) and the Technical Assistance and Training Scheme (TATS). The purpose of the AFSP is to enable the Department to assist local organisations and agencies to implement projects addressing the disadvantaged personal, social and economic circumstances of recipients of welfare payments and their families. Such projects are usually co-funded by the AFSP with other agencies or organisations. The provisional spend for 2009 is approximately €5m.

Under the technical assistance and training scheme (TATS), a welfare recipient may qualify for a grant up to a maximum of €1,000. The grant is mainly targeted towards certain business start-up expenses of clients in receipt of the back to work enterprise allowance scheme. This fund is designed to enhance the person's prospects of succeeding in becoming independent of the social welfare system through support for training in the areas of starting a business, book-keeping/accounts, preparation of business plans, marketing, literacy and computer training or assistance with the purchase of small items of equipment.

Provisional spend for 2009 is approximately €3.5m.

The number of facilitators in place, their workload, and the effectiveness of the service will continue to be monitored.

### **Social Welfare Benefits.**

107. **Deputy Pat Rabbitte** asked the Minister for Social and Family Affairs the discussions she has had with the Department of the Environment, Heritage and Local Government regarding a faster transfer of applicants from rent supplement to the rental accommodation scheme.

[8909/10]

110. **Deputy Pádraic McCormack** asked the Minister for Social and Family Affairs the number of persons claiming rent supplement for more than 18 months; and if she will make a statement on the matter. [8984/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 107 and 110 together.

The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer.

There are currently almost 93,200 tenants benefiting from a rent supplement payment — an increase of 55 per cent since the end of 2005. Over half of these recipients have been in payment for more than one year, while over 33,000 have been in payment for 18 months or more.

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, the RAS.

Latest figures from the Department of the Environment, Heritage and Local Government indicate that to date, local authorities have transferred over 13,400 rent supplement cases to the RAS while a total of over 24,800 transfers from rent supplement has occurred since 2005 : housing authorities have also transferred a further 11,413 recipients to other social housing options.

It is accepted that progress in relation to RAS was initially slower than expected. However the pace of delivery has improved significantly. In total, 14,000 recipients were transferred in 2008 and 2009; achieving targets the set for RAS transfers for these years. The target established for 2010 is 8,000.

In addition to this official target, due to the numbers of unsold affordable stock around the country, an opportunity has arisen to make use of some of these properties for RAS and it is expected that additional transfers may be possible in 2010.

The Department continues to work closely with the Department of the Environment, Heritage and Local Government in ensuring that the 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. The Department provides regular reports to the Department of the Environment, Heritage and Local Government and regular meetings are conducted with the RAS program managers of the various local authorities.

*Questions Nos. 108 and 109 answered with Question No. 79.*

*Question No. 110 answered with Question No. 107.*

### **Humanitarian Assistance Scheme.**

111. **Deputy Noel J. Coonan** asked the Minister for Social and Family Affairs the funding made available to the humanitarian assistance scheme for flood claims; the number of applications for support; the average time it takes to process an application; the number of applications refused support; and if she will make a statement on the matter. [8950/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** In recognition of the devastation suffered by people in many areas of the country as a result of the flooding from November 2009 onwards, the Government set up a humanitarian assistance scheme to provide income tested financial support to people who have suffered damages to their homes not covered by insurance. An initial sum of €10 million has been set aside by the Government for this purpose.

Community Welfare Service staff throughout the country have been providing support to families since this flooding occurred. Up to the 12th February 2010 they had already made over 2,406 payments to 1,189 individuals to the value of €925,000. The average payment per individual is €778; with the largest payment to an individual in excess of €20,000.

While the timescale for determining applications for humanitarian assistance claims is dependant, among other things, on the availability of the required information, there is no backlog of undecided claims. According to the information available from the HSE, as of 12th February 2010, there were approximately 50 applications currently being assessed and only four claims refused.

Payments have been provided for emergency financial and other assistance to cover items such as clothing, food, bedding, heating, hire of dehumidifiers and emergency accommodation needs. The Community Welfare Service will continue to make these payments as long as there is a requirement to do so. Such emergency payments under the Humanitarian Assistance Scheme are made without delay and without regard to the household income as the primary objective of these payments is to address the person's immediate needs.

As the flood waters have receded in some areas, individuals are now in a better position to assess the extent of the damage to their homes. In these cases, payments have been made in respect of essential household items such as carpets, flooring, furniture and white goods. Assistance is also available for structural repairs to homes not covered by household insurance.

Very few large scale claims have been made at this stage as homeowners have not yet established the cost of repair. In many cases, they are awaiting builders' estimates. It is expected that large scale claims will be received over the coming weeks. These claims will take somewhat longer to process as they will require verification of the loss and the possible use of a loss assessor.

The level of payment available under the aid scheme to any qualified individual depends on the severity of the damage to that person's home and the extent of the loss experienced as well as household income and general family circumstances. The scheme provides hardship alleviation as opposed to full compensation. As on previous occasions, commercial or business losses are not covered by the scheme nor are losses which are covered by household insurance.

Applications under the scheme are being income tested to ensure that available assistance is prioritised for those who are most vulnerable. The basic objective of the income test is to

determine the household's capacity to meet the costs of restoring their home to a habitable condition. All household income is considered when determining entitlement to payment.

Detailed guidelines have been provided to the HSE in relation to the income test. These guidelines also contain a list of the type of goods/appliances that are generally covered by the scheme and what replacement value should typically be attributable to each item. This list is not exhaustive and is intended as a guide only. The Community Welfare Service has full discretion to make payments at a higher level than a strict application of the income test would warrant in any individual case where it considers it appropriate to do so. This income test and guidelines simplify the assessment process and allow for the speedy processing of applications.

People seeking assistance should contact their local Community Welfare Office. Further information and applications forms in relation to the humanitarian assistance scheme are available from the Community Welfare Service in the affected areas and from the Department's website ([www.welfare.ie](http://www.welfare.ie)) and the HSE's website ([www.hse.ie](http://www.hse.ie)).

*Question No. 112 answered with Question No. 79.*

### **Proposed Legislation.**

113. **Deputy Joanna Tuffy** asked the Minister for Social and Family Affairs her plans to use the impending Social Welfare Bill to ensure the cost of illness benefit and other disability payments can be recouped from insurance companies in respect of personal injury or other such claims when full liability is admitted by the company or its client. [8923/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Social welfare legislation does not currently provide for the reimbursement to the Department by insurance companies of social welfare payments deducted from awards of special damages in respect of loss of earnings.

Officials in my Department have been examining the range of issues involved in relation to this matter. In view of the fact that any changes in this area would require extensive consultations with interested parties, including the legal profession and insurance companies, in order to comply with formal Regulatory Impact Assessment requirements, the question of introducing any legislative provisions in relation to this matter in the forthcoming social welfare bill would be premature at this stage.

### **Departmental Staff.**

114. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the steps she has taken to ensure that services to the public are not affected by the work to rule in her Department. [8911/10]

402. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs her plans to address the non-answering of Parliamentary Question submitted to her Department; if her attention has been drawn to the fact that staff in her Department will not take calls on the Oireachtas lines provided to help access information; and if she will make a statement on the matter. [9223/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 114 and 402 together.

Staff represented by the CPSE, PSEU and IMPACT have been engaged in industrial action in my Department for the past number of weeks. The main purpose of the Department is to provide income maintenance services to the public and consequently, the Department's staff are engaged in work that either directly delivers services to the public or that supports the

[Deputy Mary Hanafin.]

delivery of those services. Given the nature of the Department's work, it is simply not possible to ensure that services to the public are not affected by the current work to rule and related actions.

The action taken to date has mainly been in the form of not answering phones, not dealing with the public at certain times during the normal working day, not covering for certain staff absences or where there are vacancies and not responding to queries from public representatives by way of telephone or through Parliamentary Questions. Staff are continuing to take and process claims and while the industrial action has had a negative effect on service delivery, the impact to date has been limited.

The overall management response to the industrial action is being managed centrally by the Department of Finance with input from all Government Departments, including my Department, and other public service sectors. The industrial action is being monitored carefully on a daily basis and the Department's management is maintaining contacts with the unions concerned to ensure, insofar as possible, that the negative impact on the Department's customers is minimised.

### **Civil Registration.**

115. **Deputy Jim O'Keeffe** asked the Minister for Social and Family Affairs if she will amend the Civil Registration Act 2004 to permit the registration or recording of deaths here as it is considered by many persons that such a procedure would help to bring consolation to the bereaved; and if she will make a statement on the matter. [8690/10]

123. **Deputy Jim O'Keeffe** asked the Minister for Social and Family Affairs if her attention has been drawn to the concerns that have been expressed regarding the general inability to register or record the death in the Irish registry of Irish people who have died abroad; and her views on amending and extending section 39 of the Civil Registration Act 2004 to permit the registration of death here when families produce the necessary proof of death abroad. [6306/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 115 and 123 together.

The provisions and procedures governing the registration of deaths in Ireland are contained in Part 5 of the Civil Registration Act 2004 and these are as follows; Where a death occurs in the State it is the duty of a qualified informant (normally a relative of the deceased) to attend at a registrar's office and register the death on foot of a certificate of cause of death supplied by a registered medical practitioner. Where a death is referred to a coroner, the death is registered by a registrar on foot of a coroner's certificate.

In general, only deaths which occur within the State are registerable. Exceptions apply under the provisions of section 39 of the Act, concerning;

- deaths of members of the Garda Síochána or the Permanent Defence Force or of the spouse or specified members of the family of such a member outside the State while the member is serving outside the State as such member,
- deaths of persons on board an Irish aircraft or an Irish ship,
- deaths of Irish citizens on board a foreign ship or a foreign aircraft travelling to or from a port, or an airport, as the case may be, in the State.

Where the death of an Irish citizen domiciled in the State occurs abroad, the death may be registered here if there was not at the time of the death a system of registration of deaths in the place where the death occurred, or such a system that applied to such a death, or it is not possible to obtain copies of or extracts from civil records of the death ie. a death certificate. Although the number of such cases is extremely small it is considered reasonable to make provision for them.

Usually, when an Irish citizen dies abroad, the death is registered by the civil authorities of the place where the death occurred, and a certified copy of the death registration is obtainable. This certificate, translated, if necessary, is normally sufficient for all legal and administrative purposes here and there is therefore no necessity for the death to be registered in the State.

This matter, however, will be reviewed in the context of future amendments to the Civil Registration Act 2004 with particular reference to making provision for the registration here of all deaths of persons domiciled here who died abroad.

### **Money Advice and Budgeting Service.**

116. **Deputy Shane McEntee** asked the Minister for Social and Family Affairs the position regarding the waiting times to access Money Advice and Budgeting Service money advisers; and if she will make a statement on the matter. [8986/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** MABS assists people who are over-indebted and need help and advice in coping with debt problems. The role of money advisers is to help clients to assess their financial situation, make a budget plan and deal with creditors. MABS is now dealing with increasingly complex debt situations in respect of clients who are presenting with multiple creditors and debts. It is important that people coping with debt difficulties take early action and approach MABS for help and guidance, this can be the first positive step for people in addressing debt difficulties.

There are 52 independent MABS companies operating the local MABS services from 65 locations throughout the country, with national support provided by the MABS NDL. In addition, the MABS National Telephone Helpline is available from 9am to 8pm Monday to Friday and the MABS website can be accessed 24 hours a day at [www.mabs.ie](http://www.mabs.ie). The helpline dealt with 24,000 callers in 2009 and 11,000 in 2008. The number of calls received in 2009 remained constant throughout the year at 6,000 per quarter. Some 19,000 new clients approached MABS for assistance in 2009. This compares with 16,600 new clients in 2008 and 12,734 in 2007.

In 2009, funding of almost €18million was allocated to MABS and included provision for 19 additional money advisers, bringing the total number of staff to 271. The MABS funding for 2010 is included in the CIB allocation of some €46million.

All MABS companies operate an appointment system for clients. Clients with urgent difficulties are prioritised for attention and are dealt with promptly. Less urgent cases are referred to the MABS Helpline and to the MABS website in the first instance. Over 90% of callers to the Helpline find that their money management and budgeting issues can be resolved with the assistance of the helpline adviser. Some 10% of callers are referred to the local MABS for assistance.

From first point of contact to first appointment with a money adviser the average waiting time is currently 4.5 weeks. This is the average nationally and there are fluctuations between offices. During the waiting period, clients are assessed and those in need of immediate assistance are given a priority appointment, others are provided with assisted self-help to ensure

[Deputy Mary Hanafin.]

that they have taken steps to assess their situation and if appropriate they are supported to take holding action with their creditors.

I am satisfied that the additional resources provided to MABS will assist them to meet the demand for their services.

### Social Insurance.

117. **Deputy David Stanton** asked the Minister for Social and Family Affairs the balance of the social insurance fund; the balance in 2008 and 2009; the estimated balances for the next three years; the amount taken into the fund through PRSI in 2008 and 2009; the estimated income for the next three years; and if she will make a statement on the matter. [9033/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Social Insurance Fund operates under the terms of the Social Welfare (Consolidation) Act 2005. The Fund comprises a current account and an investment account. The Minister for Social and Family Affairs manages and controls the current account, while the Minister for Finance manages and controls the investment account. Benefits payments are paid from the current account. To the extent that annual income is not required for benefit payments, it is transferred to the investment account which is managed by the Minister for Finance (through the National Treasury Management Agency). Both the income arising from these investments and the capital is available for current payments as required. Any shortfall in the current account in respect of liabilities is met from the investment account in the first instance, and otherwise by moneys provided by the Oireachtas.

The following table sets out the value of receipts and cash balance over the five years to 2012.

Social Insurance Receipts & Cash Balance 2008-2012

| Year | Actual PRSI Receipts | Estimated PRSI Receipts | SIF Balance |
|------|----------------------|-------------------------|-------------|
|      | €million             | €million                | €million    |
| 2008 | 7,984                |                         | 3,736       |
| 2009 | 7,171                |                         | 934         |
| 2010 |                      | 7,072                   | 0           |
| 2011 |                      | 7,311                   | 0           |
| 2012 |                      | 7,687                   | 0           |

The cash balance in the Social Insurance Fund will be completely exhausted this year. The operating deficit of the Fund, estimated to amount to €1.55 billion this year, will be borne fully by the Exchequer. It is forecast that Social Insurance Fund expenditure will exceed its income in each of the years 2010 to 2012, with the deficit funded by Exchequer subvention from the Oireachtas — Vote 38. The Social Insurance Fund will continue to hold a capital asset over this period represented in the form of Department's headquarters property in Store Street, Dublin.

*Question No. 118 answered with Question No. 80.*

### Social Welfare Benefits.

119. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs the details of the new maximum rent supplement amounts. [8926/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented

accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The scheme primary purpose is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer.

There are currently almost 93,200 tenants benefiting from a rent supplement payment. The total cost of rent supplement for 2009 was €511m.

Rent supplements are subject to a limit on the amount of rent that an applicant for rent supplement may incur. Rent limits are set at levels that enable different types of eligible households to secure and retain basic suitable rented accommodation, having regard to different rental market conditions that prevail in various parts of the State. The objective is to ensure that rent supplement is not paid in respect of overly expensive accommodation having regard to the size of the household and market conditions. Furthermore, it is essential that state support for tenants does not give rise to inflated rental prices and overcharging by landlords.

Setting or retaining maximum rent limits at a higher level than are justified by the open market can have a distorting effect on the rental market, leading to a more general rise in rent levels and in landlord income. This in turn may worsen the affordability of rental accommodation unnecessarily, with particular negative impact for those tenants on lower incomes who are trying to support themselves without state aid.

A review of maximum rent supplement levels is in process and will be completed by 31st of March 2010. Preliminary findings of this review confirm that rent levels have dropped significantly and continuously since their peak in 2007 giving further scope for reductions for rent limits. The Review details will be provided in due course.

*Question No. 120 answered with Question No. 82.*

121. **Deputy Aengus Ó Snodaigh** asked the Minister for Social and Family Affairs if she will make a statement on the increase in the numbers of persons claiming family income supplement; if her attention has been drawn to the fact that many public servants, who have experienced a reduction in pay due to the recent budget cuts, have been put in a position where their income is now so low they become eligible for family income supplement. [8675/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Family Income Supplement (FIS) is designed to provide support for people with families who are on low earnings, regardless of their occupation. Besides providing valuable financial support to such families, FIS preserves the incentive to remain in employment in circumstances where families might be only marginally better off than if they were claiming other social welfare payments.

FIS is calculated on the basis of 60% of the difference between the income limit for the family size and the net income of the person(s) raising the child (ren). Net income, for FIS purposes, comprises total family income less tax, employee PRSI, health contribution, income levy, and superannuation contribution. The public service pension levy, where this is payable, is also deductible from income when calculating net income for the purposes of eligibility to FIS.

In 2009, the Department received **46,542** new and renewal FIS claims compared to **42,940** in 2008 and **37,861** in 2007 — an increase of over 8% on 2008 and over 22% on 2007.

There are currently some **26,081** people in receipt of a weekly FIS payment of which 11% are public servants. The Department has received an increased number of applications for FIS from public servants since the beginning of this year, compared to 2009. However, it is difficult



[Deputy Mary Hanafin.]

to quantify at present what the increase in the overall number of public servants in receipt of FIS will be, resulting from this increase in applications.

The actual numbers of public servants becoming eligible for FIS in future will be influenced by several factors. These factors include increased remuneration for public sector workers through annual increments, increases or reductions in the number of qualified children and any changes in working hours/patterns due to work sharing/family friendly arrangements.

*Question No. 122 answered with Question No. 72.*

*Question No. 123 answered with Question No. 115.*

### **Social Welfare Code.**

124. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs her plans to ease restrictions on the unemployed in accessing temporary work and returning to jobseeker payments once that work is completed. [8912/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** There is no restriction on any jobseeker taking up employment or training and returning to a Jobseekers payment when the work or training terminates provided they continue to satisfy the conditions for the Jobseeker scheme. Special arrangements have been put in place in local offices to ensure that these claims are fast-tracked into payment.

### **Social Welfare Benefits.**

125. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs her views on increasing the payments given to persons who are caring for the sick and disabled due to the increase in cost associated with their care. [8681/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Carer's allowance is a social assistance payment which provides income support to people who are providing certain older people or people with a disability with full time care and attention and whose incomes fall below a certain limit. Persons who are in receipt of carer's allowance also receive the annual respite care grant, the household benefits package and the free travel pass.

Carer's allowance or carer's benefit, as an income support for carers, is not designed to cover the medical or other care costs of the person for whom care is provided.

In the majority of cases, persons who are being cared for will be in receipt of a payment in their own right (for example a state pension or disability allowance, or domiciliary care allowance for a child under sixteen).

### **Civil Registration.**

126. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs her plans to use the impending Social Welfare Bill to change legislation to provide for the compulsory registration of fathers on birth certificates. [8921/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The current position in relation to birth registrations is that no man who is not married to the mother can be named as the father of a child in an entry unless he consents, or unless he is found to be the father of the child by the Courts in proceedings relating to guardianship or maintenance, or by way of a declaration of parentage, made under section 35 of the Status of Children Act 1987.

Under the provisions of the Civil Registration Act 2004, where the parents are not married to each other at the time of the birth, the father's particulars can be registered if the parents make a joint application to do so, or if either makes an application, accompanied by a statutory declaration from the other parent, naming the father, or if either parent makes an application accompanied by a court order naming the father.

Where a father's details are not registered initially, the parents may re-register the birth to add his details. The procedures for such re-registrations are similar to those for registrations. Also, if the parents marry each other following the birth, they are legally obliged to re-register the birth, under the provisions of section 24 of the Act.

The Houses of the Oireachtas Joint Committee on Social and Family Affairs has recommended that it should be made compulsory for the father's name to be registered on a child's birth certificate (First Report — October 2009).

The Law Reform Commission (LRC) issued a discussion document in September 2009 on legal aspects of family relationships, which included the issue of the registration of the father's particulars. They have invited submissions from interested parties and will issue recommendations in a further report. This report is expected to issue by late summer of this year. Any recommendation in relation to the compulsory registration of the father's details on a birth record will be of considerable significance and will be seriously considered in the context of future amendments to the Civil Registration Act 2004.

#### **Social Insurance.**

127. **Deputy Brian O'Shea** asked the Minister for Social and Family Affairs the steps she is taking to deal with the excessive waiting times for PRSI refunds. [8916/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department endeavours to process applications for refunds of PRSI as efficiently as possible. However, the volume of applications for refunds of PRSI has increased dramatically in recent years. For example in 2009 some 23,400 applications were received compared to 14,000 in 2008 and 9,000 in 2007. The increased volume of applications has inevitably given rise to a delay in processing refund applications.

In order to speed up the processing of refund applications the processes and procedures in the section have been reviewed and appropriate changes implemented along with new technical supports. In order to further speed up the processing the Department is examining ways of making better use of modern technology, e.g. payment of refunds by electronic fund transfer, online applications, enhancement of the current calculation functionality, etc. Furthermore, in December 2009, an additional five staff were assigned to the area on a temporary basis to help clear the number of applications on hand.

The additional staff, more streamlined processes and procedures and technical supports have already shown positive results. In January 2010 refunds were processed for 2,275 applicants compared with an average of about 1,000 per month in 2009. With the implementation of further process improvements and technical supports I am confident that further improvements will be made in the processing of applications for refunds.

#### **Social Welfare Code.**

128. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the reason for not awarding child benefit directly to fathers when that is the expressed wish of both parents. [8917/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The current arrangements for paying child benefit are defined under the provisions of the Social Welfare (Consolidation) Act 2005 with the detailed rules set out in article 159 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations, 2007.

The day-to-day needs of the children are the priority consideration in the operation of the current child benefit payment arrangements. Child benefit is payable to the person with whom a qualified child normally resides. The regulations governing normal residence for Child benefit purposes, provides that a child who is resident with both parents shall be regarded as being normally resident with the mother. Where the child is living full-time with the father only, then child benefit will be payable to the father.

The scheme does not specifically provide for the payment to the father where the child is also resident with the mother although there are a small number of child benefit claims in payment to the father in such cases. These payments are made in circumstances such as where the mother is terminally ill or is an alcoholic or drug addict and therefore unlikely to reflect the best interests of the child. Since June 2008, with the introduction of EIT payments, this is facilitated by issuing a letter to the spouse allowing him to collect the payments at the Post Office using the mother's social services card. The father has to produce this letter and the social security card at the Post Office in order to collect the payment. More generally, in EFT cases, both parents can effectively have access to the payment through the operation of a joint account.

The current policy and practice of paying the benefit to the mother is based on the assumption that it is in the best interest of the child. The arrangements effectively date back to changes to the children's allowance scheme in the mid-1970s and they have received explicit or implicit support from a number of sources such as the Commission on the Status of Women Report (1972) and by later research looking at family spending patterns. Nonetheless, I am aware of the need to keep this approach under review in the light of equality legislation, significant social changes and changing family demographics.

#### **Social Welfare Benefits.**

129. **Deputy Aengus Ó Snodaigh** asked the Minister for Social and Family Affairs the reason there was no fuel allowance made available to social welfare recipients in winter 2009 in view of the recent weather conditions. [8676/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department assists social welfare recipients with heating costs, through their basic payments, through the fuel allowance scheme and through the household benefits package of electricity and gas allowances.

The household benefits package is payable throughout the year to almost 380,000 pensioners, people with disabilities, and carer households to assist them with their heating, light and cooking costs. This scheme cost approximately €200m in 2009.

In addition, the national fuel allowance scheme assists householders on long-term social welfare or health service executive payments with meeting the additional cost of their heating needs during the winter season. The allowance represents a contribution towards a person's heating expenses. It is not intended to meet those costs in full and must be seen in the context of the overall level of income available to the family.

In Budget 2009, the duration of the payment was increased by an extra 2 weeks to 32 weeks, while the weekly value of the allowance was increased by €2 to €20 a week, or €23.90 in designated smokeless areas. This compares with just €14 and €17.90 respectively in 2006. The allowance is paid from September to end April each year.

These are in addition to other improvements made in recent years, including a significant increase in the income threshold for the allowance with effect from 2008. A single person aged under 80, with a household income of less than €330.30 a week can now qualify for the fuel allowance. The income limits for couples are €483.80 a week where the qualified adult is aged under 66 and €536.80 a week where both adults are aged over 66.

As a result of these improvements, almost 318,000 people benefited from the fuel allowance in 2009 at an estimated cost of €217 million.

In addition to the basic welfare payments, household benefits and fuel allowance payments highlighted above, the Department also provides funding to the Community Welfare Service to assist people with special heating needs. Community Welfare Officers can pay a heating supplement to people in certain circumstances with specific heating needs due to infirmity or a particular medical condition. They can also make exceptional needs payments to people who do not have enough money to meet their heating costs.

Since the onset of the adverse weather conditions in January 2010, community welfare officers have provided assistance to people to purchase additional fuel, heaters and clothing. They have also given funding towards the payment of heating bills and for repairs arising from burst pipes. Over €170,000 was paid out in the first two weeks of January 2010 in respect of such claims. Assistance will continue to be provided towards the payment of heating bills for those in need.

#### **Social Welfare Code.**

130. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs her views on increasing the payments given for guardians payment in view of the additional costs incurred by relatives who have to look after the young children of drug addicts. [8677/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Guardians' payment schemes currently allow for the provision of a weekly allowance to a guardian of a child who has either been orphaned or whose parents have abandoned and failed to provide for the child. The child must live with the claimant and they must be responsible for his or her care. The payment must benefit the child.

The current weekly rate of Guardians' payment is €169 per child. Any increase in this rate would have to be considered in a budgetary context.

#### **Maintenance Payments.**

131. **Deputy Brian O'Shea** asked the Minister for Social and Family Affairs if her attention has been drawn to the fact that maintenance orders are not being enforced by the courts; and the estimated costs to the Exchequer arising from an associated rise in the cost of one parent family payments in view of the fact that many will no longer be reduced by part of the value of the maintenance payment. [8906/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The one-parent family payment acts as a safety net for people caring for children on their own, who receive inadequate maintenance, where maintenance payments are irregular, or where efforts to secure maintenance in the first place fail. Applicants for one-parent family payments must satisfy the department that they have made reasonable attempts to obtain such maintenance. They are also required to make ongoing efforts to seek adequate maintenance from their former spouses, or, in the case of unmarried applicants, the parent of their child.

[Deputy Mary Hanafin.]

Since the introduction of the one-parent family payment there have been substantial improvements in the rates of payment and in the assessment of means for the payment. One-parent family payment claimants are allowed to retain 50% of any maintenance received without reduction in their social welfare payment. They also have a disregard in respect of rent or mortgage payments up to a maximum of EUR 95.20 per week.

The number of one parent family payment recipients being paid by the Department at the end of January 2010 — the date for which the latest figures is 90,156.

Of the Determination Orders issued by the maintenance recovery unit of the Department in 2009 72.5% of the liable relatives were already contributing to the lone parent. However, many recipients may be in receipt of maintenance while still qualifying for the maximum rate of one parent family payment as a result of the provision allowing one parent family claimants to retain 50% of any maintenance received.

There is no loss of income incurred by one parent family payment recipients where the Department has to pursue the issue of maintenance with the liable relative. Rather, as mentioned above, the provision allowing one parent family claimants to retain 50% of any direct maintenance received was established as an incentive to lone parents to seek agreement with the other parent on the level of maintenance to be paid.

#### **Social Welfare Benefits.**

132. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the steps she will take to shorten waiting times in respect of child benefit applications. [8915/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 133 answered with Question No. 79.*

#### **Innovation Fund.**

134. **Deputy Olivia Mitchell** asked the Taoiseach if he will report on progress made in raising capital for the Innovation Fund Ireland announced in December 2008; and if he will make a statement on the matter. [8854/10]

**The Taoiseach:** Introduction of 'Innovation Fund Ireland' is a commitment of *Building Ireland's Smart Economy — A Framework for Sustainable Economic Renewal* and the Renewed Programme for Government. It aims to ensure greater availability of venture capital to help achieve our vision for transforming Ireland into the innovation hub of Europe by supporting innovative SMEs and to help scale indigenous companies. It is also an objective to use the Fund to help attract leading Venture Capital companies to locate their European operations here.

In accordance with the Renewed Programme for Government, the NTMA, working with Enterprise Ireland, has been leading a market assessment process involving engagement with leading Venture Capital companies in the United States and Europe as well as other stakeholders. This is taking account of the impact of recent developments on the domestic and international financial markets as well as the current fund-raising rounds in international venture markets. The opportunity has also been taken, in line with the Renewed Programme for Government, to avail of the expertise of members of the Innovation Taskforce which is currently advising on measures to develop Ireland as an innovation hub.

The engagement with the market, led by the NTMA, continues and will carefully gauge the appropriate timing and structure of the funds taking account of the recommendations of the Innovation Taskforce. In the meantime, Enterprise Ireland continues to provide venture capital through its existing Seed and Venture Capital Programmes.

### Departmental Staff.

135. **Deputy Frank Feighan** asked the Taoiseach the policy of his Department regarding staff who donate blood during normal working hours; if staff are required to clock out when giving blood; if measures are in place which encourage staff to donate blood; and if he will make a statement on the matter. [8640/10]

**The Taoiseach:** It is the policy of my Department to facilitate staff who wish to donate blood during normal working hours. At regular intervals during the year all staff are invited to donate blood and staff who wish to make donations are credited with time off to enable them to do so.

### Data Protection.

136. **Deputy Seán Sherlock** asked the Taoiseach the cloud computing systems that are currently in use in his Department; the safeguards that are in place in respect of personal information and public data on those systems; and if he will make a statement on the matter. [8670/10]

**The Taoiseach:** There are no cloud computing systems currently in use in my Department.

### Workers' Remittances.

137. **Deputy Joan Burton** asked the Taoiseach the workers' remittances into and out of here for each of the past five years by intra-European and extra-European remittances; and if he will make a statement on the matter. [8601/10]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** The information requested by Deputy Burton is presented in the table below.

The table shows estimates of the total quantity of workers' remittance outflows and inflows by EU 27 and non-EU27 countries, for the years 2004 to 2008 and the most recently available period, namely, January-September 2009.

Workers' Remittances

| Year  | Outflows €m |           | Inflows €m |           |
|-------|-------------|-----------|------------|-----------|
|       | EU 27       | Non-EU 27 | EU 27      | Non-EU 27 |
| 2009* | 363         | 75        | 2          | 2         |
| 2008  | 654         | 100       | 5          | 5         |
| 2007  | 544         | 94        | 6          | 6         |
| 2006  | 363         | 88        | 4          | 9         |
| 2005  | 212         | 83        | 10         | 10        |
| 2004  | 55          | 79        | 10         | 10        |

\*January-September 2009.

The figures contained in the reply are obtained from the CSO Balance of Payments (BOP) quarterly statistical release. Workers' remittances are included in the 'Current Transfers' of the BOP Current Account.

[Deputy Pat Carey.]

Workers' remittances are defined as "current transfers by migrants who are employed in new economies and considered residents there". (A migrant is a person who comes to an economy and stays, or is expected to stay, for a year or more.)

Due to their nature workers' remittances are a challenge to measure. These figures are derived from a variety of sources and should be treated as tentative estimates subject to revision as more data sources become available and the estimation model strengthens.

Workers' remittances do not include payments of Child Benefit and Early childcare Supplement to non-resident families of EU workers in Ireland. These amounted to €25m in 2008.

### **Dáil Reform.**

138. **Deputy David Stanton** asked the Taoiseach the number of times and dates when the working group on Dáil Reform has met since it was established; the proposals it has put forward; and if he will make a statement on the matter. [9045/10]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** The Government established a Working Group on Dáil Reform in 2009, comprising Minister Dempsey, Minister Ahern, Senator Dan Boyle and myself as Government Chief Whip. The Group has met on 5 occasions (12th February, 3rd March, 11th March, 17th June and 1st July, 2009).

Proposals regarding the length of Dáil terms, the timetabling of business and areas were submitted to the Government in June 2009.

Following Government approval they were brought to the sub-Committee on Dáil Reform of the Committee of Privilege and Procedures for consideration. No final decisions have yet been taken but discussion on the proposals is continuing.

### **Central Statistics Office.**

139. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the EU or UN meeting or conference, since 2004, in which the Central Statistics Office has participated in relation to the collection of statistics; and the EU or UN meeting or conference since 2004 at which another State body has represented the CSO. [9197/10]

**Minister of State at the Department of the Taoiseach (Deputy Pat Carey):** Officials of the Central Statistics Office attend about 200 international meetings per year on statistical matters. The majority of these relate to the EU Statistical Programme and the CSO also sends representatives to statistical meetings organised by the UN, OECD and other bodies. A comprehensive list of the international meetings attended by the CSO is not readily available. The CSO has not been represented by any other State body in relation to meetings dealing with the collection of statistics although it does collaborate with relevant State bodies as the need arises.

### **Consultancy Contracts.**

140. **Deputy John O'Mahony** asked the Taoiseach the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9221/10]

**The Taoiseach:** Details of the amount spent by my Department on hiring or use of outside consultants in 2007, 2008 and 2009 is set out in the following table. This data includes consultancy expenditure recouped from the Change Management Fund in the Department of Finance.

| Year | Consultancy Expenditure |
|------|-------------------------|
|      | €                       |
| 2007 | 570,258                 |
| 2008 | 889,514                 |
| 2009 | 323,612                 |

Every effort is made by my Department to minimise expenditure on consultancy services. However, where it is necessary to engage consultants in order to avail of their particular expertise or experience, the procurement of consultancy services is subject to Public Procurement Guidelines and, where applicable, EU procurement rules and guidelines, with selection criteria geared to select the most economically advantageous tender. It is also our policy that skills transfer from consultants to Departmental staff takes place as an integral part of all consultancy engagements. The purpose of this is to increase the knowledge and expertise of Departmental staff and to reduce and, if possible, eliminate future dependence on consultants in the areas concerned.

#### **Employment Rights.**

141. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Enterprise, Trade and Employment if her attention has been drawn to the fact that an employer still has not paid the holiday element of the Employment Appeals Tribunal determination; if the National Employment Rights Authority will render assistance to a person (details supplied) in Dublin 20 to enforce the Employment Appeals Tribunal determination; and if she will make a statement on the matter. [8651/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** I am informed that NERA has been involved in pursuit of this individual's entitlements for almost a year. The individual concerned indicated last Summer that she was dealing directly with the employer on the matter. However, NERA's involvement was reactivated in December 2009 at the request of the individual concerned and since then, NERA remains actively engaged in trying to progress matters to a satisfactory conclusion.

#### **Redundancy Payments.**

142. **Deputy Charles Flanagan** asked the Tánaiste and Minister for Enterprise, Trade and Employment when a person (details supplied) in County Offaly will expect to receive a redundancy payment; and if she will make a statement on the matter. [8707/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social and Family Affairs. There are two types of payment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees, and statutory lump sums to employees whose employers are insolvent and/or in receivership/liquidation.

I can confirm that my Department received a statutory lump sum claim for the individual concerned on 15 September, 2009 claiming inability to pay on behalf of the employer. In respect of lump sum payments paid directly to employees, such as in this instance, the Section is, in general, processing claims dating from August 2009.



[Deputy Dara Calleary.]

Given the unprecedented increase in Redundancy Payment claims lodged with my Department since late 2008 it has proved impossible to maintain the customer service targets that previously obtained. The scale of the challenge is evident from the statistics that show incoming redundancy claims with a cumulative figure for 2009 of 77,001. This figure exceeds the claims lodged for 2008 (40,607) by 90% and 2008 was, of itself, an exceptional year as compared with earlier years when claims received were of the order of 25,000.

Efforts continue to be made by my Department to deliver more 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 26.7 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 52.5;
- the prioritisation of the Department's overtime budget towards staff in the 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). This centre has received an average of 12,500 calls per month this year with an estimated 60% relating to redundancy payments;
- 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.

It is clear that these interventions are having an impact in that for example the numbers of claims processed and paid by the Redundancy Payments Section in 2009 and 2010 respectively amounted to 29,802 and 50,664.

The Tánaiste and I are monitoring closely the impact of these changes against the continuing influx of redundancy claims. However, it is clear that additional measures are required to help reduce the backlog of claims, which currently stands in excess of 40,000. The Department is currently actively engaged in efforts to secure up to 16 additional staff resources deployed to the area in the first quarter of 2010.

#### **Labour Market Activation Fund.**

143. **Deputy Seán Barrett** asked the Tánaiste and Minister for Enterprise, Trade and Employment the details of the new €20 million retraining fund for persons made redundant within the past two years; the conditions for qualification under this scheme; the procedure for persons wishing to make application under this scheme; and if she will make a statement on the matter. [8708/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** A notice announcing the establishment of the 2010 Labour Market Activation Fund was published by my Department on Friday, 12 February 2010 in the national press. Details were also posted on that date on the Government e-tenders website, *www.etenders.gov.ie*. The Labour Market Activation Fund is intended to support the provision of substantial innovative training and education interventions over and above mainstream measures, targeting specific priority groups among the unemployed. The purpose of the press notice was to advise those who might be interested in providing these interventions that my Department will, in the near future, issue a call for proposals for such services from public, private, voluntary, and not-for-profit education and training providers. Full information on tender requirements will be published at the time of the call for proposals and will be accessible electronically on *www.etenders.gov.ie*. Notice of the call for proposals will also be published in the national press.

#### **County Enterprise Boards.**

144. **Deputy Jack Wall** asked the Tánaiste and Minister for Enterprise, Trade and Employment if funding or grants are available to a person (details supplied) in County Kildare through any of the State agencies within the remit of her Department regarding an application by this person who is seeking to set up a business; and if she will make a statement on the matter. [8734/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I advise that Mr. Creedon should in the first instance contact his local County Enterprise Board, as follows: Kildare County Enterprise Board, The Woods, Clane, County Kildare; phone (045) 861707; e-mail: *info@kildareceb.ie*; Internet *www.kildareceb.ie*.

#### **Globalisation Adjustment Fund.**

145. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment if her Department will fund the 20 applications from former employees of a company (details supplied) for a degree course with the Dublin Institute of Technology while they await confirmation of the European Globalisation Fund to ensure these people have access to the course before applications close in March 2010; and if she will make a statement on the matter. [8809/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I refer the Deputy to the reply to Questions Nos. 90 and 98 of 17 February 2010. As stated, the further progression of any interventions to be funded specifically by the European Globalisation Fund must await the completion of the fund application process.

#### **Employment Subsidy Scheme.**

146. **Deputy Liz McManus** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to expand the employment subsidy scheme in view of the fact that the expansion of the scheme was announced in mid-December 2009 and the closing date was 23 December 2009 and many businesses were not in a position to apply during the lead up to Christmas 2009; and if she will make a statement on the matter. [8816/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I originally announced my intention to have a second broader call of the employment subsidy scheme on Tuesday, 10 November and this received considerable media coverage at the time.

[Deputy Mary Coughlan.]

I formally launched the second call on 4 December and almost 2600 companies applied by the deadline. These applications are being processed by Enterprise Ireland. There are no plans to have a third call for applications under the employment subsidy scheme.

### **Redundancy Payments.**

147. **Deputy Michael McGrath** asked the Tánaiste and Minister for Enterprise, Trade and Employment the position regarding the payment of statutory lump sum redundancy in respect of a person (details supplied) in County Cork. [8866/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** I advise the Deputy that the position in relation to the redundancy claim in respect of this individual has not changed from that outlined in my response to Question No. 87 of 15 December 2009. At that time I was able to confirm that my Department had received a statutory lump sum claim for the individual concerned on 12 August 2009, claiming inability to pay on behalf of the employer. As the necessary supporting documentation to prove inability to pay on the part of the employer was not submitted, the employee was advised by my Department to take a case to the Employment Appeals Tribunal against the employer to seek a determination establishing the employee's right and entitlement to redundancy. If the individual has not already taken this course of action, I encourage that the Department's advice in this regard be followed. If a positive determination is obtained by the individual before the tribunal, my Department will then be in a position to make payment to the employee concerned.

### **Departmental Agencies.**

148. **Deputy Michael McGrath** asked the Tánaiste and Minister for Enterprise, Trade and Employment the budget available to Enterprise Ireland in 2009 and 2010 to assist business intending to invest in qualifying research and development projects. [8868/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Conor Lenihan):** The total amount of Exchequer Funds (capital and current funds) provided to Enterprise Ireland under subhead F of the Vote of the Department of Enterprise, Trade and Employment was €133.688 million in 2009 and is €128.087 million in 2010. Enterprise Ireland operates a number of programmes aimed at helping companies to engage in Research and Development both within the company and in collaboration with third level institutions. The Enterprise Ireland Programmes that support business and assist it to invest in research and development projects are research and development grants to enterprise equity invested in research and development activity; innovation management programme; innovation partnership; competence centres; industry-led networks; innovation vouchers; and support for incubation space for emerging enterprises. The total Exchequer funding provided in 2009 and allocated in 2010 for programmes that assist business to invest in research and development was €81.307 million in 2009 and is € 84.804 million in 2010. In addition, Enterprise Ireland has access to a level of "own resources funding". In 2010, it is intended to allocate an additional €850,000 from these funds for expenditure on research and development programmes bringing the total amount available for spend in 2010 to €85.654 million.

### **EU Directives.**

149. **Deputy Joe Costello** asked the Tánaiste and Minister for Enterprise, Trade and Employ-

ment when she will transpose the services directive into legislation; and if she will make a statement on the matter. [8876/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the time available it is not possible to provide the information requested.

#### **Airport Development Projects.**

150. **Deputy Pat Breen** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will report on her meeting with the chief executive officer of an airline (details supplied); if she discussed the issue of this airline's proposal to axe 18 of its services from their Shannon schedule commencing in March 2010; if Shannon Airport was discussed as an alternative site for this airline's aircraft maintenance facility; and if she will make a statement on the matter. [8889/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I met Mr. O'Leary on 16 February, at his request, to discuss proposals for aircraft maintenance jobs at Dublin Airport. While a number of alternatives were put to Mr. O'Leary with regard to the hangar needs of Ryanair, Mr. O'Leary was adamant that only hanger 6 at Dublin Airport could meet Ryanair's needs. Following the meeting with Ryanair, I met the chairman and CEO of Shannon Development on 17 February. They outlined their intention to propose to Ryanair the establishment of a facility at Shannon Airport. Having done so, on 18 February 2010, Mr. O'Leary responded indicating that Ryanair had no such requirements at Shannon. The issue of airline routes and scheduling is a matter for the Minister for Transport.

#### **Departmental Records.**

151. **Deputy Kathleen Lynch** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will assist in the case of a person (details supplied) in obtaining their requested records from their previous employer; and if she will make a statement on the matter. [9030/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** Of the records listed by the Deputy, the only records held in my Department relate to the person's redundancy payments. A copy of the redundancy claim can be obtained on written request by the individual concerned from the Redundancy Payments Section, Department of Enterprise Trade and Employment, Davitt House, 65A Adelaide Road, Dublin 2. It does not appear that there is any basis for my Department or any body operating under its aegis to intervene in this case in relation to the other records listed. If those records still exist and there are difficulties obtaining them, it may be appropriate to approach the Office of the Data Protection Commissioner. Alternately, it may be that the Revenue Commissioners themselves hold some of this information.

#### **Job Losses.**

152. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of jobs that have been lost in 2010 to date; the number of jobs that were lost in 2009 in a tabular form by month and on a county basis; and if she will make a statement on the matter. [9082/10]

**Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary):** The number of people in employment is measured by the Quarterly National Household Survey or QNHS and published by the Central Statistics Office. In the third quarter of 2009, the most recent quarter for which data is available, employment decreased by 184,700 from Quarter 3 2008 to Quarter 3 2009.

Table A

|            | Q 3 2008  | Q 3 2009  | Increase/Decrease |
|------------|-----------|-----------|-------------------|
| Employment | 2,107,100 | 1,922,400 | -184,700          |

The data for permanent, full-time jobs which were lost in Enterprise-agency assisted firms (IDA Ireland, Enterprise Ireland, Údarás na Gaeltachta, Shannon Development) is shown in the table below, broken down to the total job losses by county. Data is compiled on an annual basis only and is displayed in Table B below.

Table B: Job losses in Enterprise Agency Assisted Firms (2009)

|             | Job Losses (Permanent Full Time) |
|-------------|----------------------------------|
| Carlow      | -605                             |
| Cavan       | -952                             |
| Clare       | -1,467                           |
| Cork        | -5,577                           |
| Donegal     | -1,201                           |
| Dublin      | -14,297                          |
| Galway      | -2,702                           |
| Kerry       | -1,045                           |
| Kildare     | -2,114                           |
| Kilkenny    | -760                             |
| Laois       | -318                             |
| Leitrim     | -194                             |
| Limerick    | -3,857                           |
| Longford    | -365                             |
| Louth       | -1,160                           |
| Mayo        | -758                             |
| Meath       | -967                             |
| Monaghan    | -836                             |
| Offaly      | -833                             |
| Roscommon   | -425                             |
| Sligo       | -506                             |
| Tipperary   | -1,174                           |
| Waterford   | -1,989                           |
| Westmeath   | -1,340                           |
| Wexford     | -630                             |
| Wicklow     | -975                             |
| All Regions | -47,047                          |

There were also job gains in 2009, which amounted to 13,059 permanent full-time jobs. As a result, there was a net loss in 2009 of 33,988 permanent full-time jobs supported by the

enterprise development agencies. There is no exact measure of the number of jobs lost. However, the Department records the number of redundancies notified to it on a monthly basis. Over the past 13 months there have been 83,699 redundancies have been reported, as detailed in Table C below.

Table C: Actual Redundancies Jan 2009-Jan 2010 broken down by month and by county

|           | Jan-09 | Feb-09 | Mar-09 | Apr-09 | May-09 | Jun-09 | Jul-09 | Aug-09 | Sep-09 | Oct-09 | Nov-09 | Dec-09 | Jan-10 | Total  |
|-----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Carlow    | 71     | 61     | 54     | 106    | 53     | 42     | 116    | 64     | 63     | 47     | 88     | 43     | 57     | 865    |
| Cavan     | 96     | 9      | 109    | 51     | 159    | 69     | 40     | 84     | 71     | 63     | 64     | 43     | 46     | 904    |
| Clare     | 215    | 190    | 181    | 207    | 137    | 135    | 85     | 83     | 82     | 182    | 123    | 193    | 163    | 1,976  |
| Cork      | 824    | 667    | 958    | 539    | 809    | 1,086  | 772    | 447    | 618    | 545    | 627    | 413    | 855    | 9,160  |
| Donegal   | 193    | 48     | 171    | 105    | 99     | 77     | 187    | 115    | 113    | 86     | 72     | 151    | 122    | 1,539  |
| Dublin    | 2,194  | 2,685  | 2,643  | 3,045  | 3,678  | 2,268  | 2,294  | 2,776  | 2,316  | 2,710  | 2,352  | 1,749  | 2,348  | 33,058 |
| Galway    | 338    | 270    | 268    | 282    | 108    | 626    | 284    | 210    | 296    | 250    | 190    | 159    | 215    | 3,496  |
| Kerry     | 111    | 140    | 222    | 103    | 205    | 190    | 140    | 82     | 152    | 102    | 85     | 48     | 114    | 1,694  |
| Kildare   | 238    | 178    | 285    | 345    | 274    | 195    | 412    | 222    | 248    | 261    | 443    | 190    | 238    | 3,529  |
| Kilkenny  | 54     | 209    | 129    | 116    | 177    | 87     | 128    | 198    | 94     | 77     | 134    | 51     | 170    | 1,624  |
| Laois     | 85     | 69     | 136    | 61     | 85     | 67     | 46     | 36     | 136    | 53     | 34     | 43     | 50     | 901    |
| Leitrim   | 28     | 27     | 39     | 7      | 26     | 15     | 18     | 36     | 15     | 11     | 20     | 14     | 14     | 270    |
| Limerick  | 415    | 146    | 323    | 438    | 640    | 314    | 379    | 151    | 236    | 818    | 272    | 154    | 999    | 5,285  |
| Longford  | 60     | 48     | 58     | 36     | 55     | 29     | 64     | 24     | 34     | 17     | 33     | 15     | 42     | 515    |
| Louth     | 151    | 188    | 291    | 104    | 193    | 137    | 61     | 165    | 156    | 175    | 152    | 77     | 124    | 1,974  |
| Mayo      | 81     | 133    | 74     | 78     | 46     | 202    | 93     | 82     | 85     | 66     | 177    | 60     | 115    | 1,292  |
| Meath     | 234    | 158    | 278    | 157    | 218    | 141    | 199    | 100    | 149    | 163    | 129    | 67     | 131    | 2,124  |
| Monaghan  | 73     | 70     | 80     | 137    | 60     | 58     | 63     | 72     | 105    | 50     | 40     | 27     | 26     | 861    |
| Offaly    | 74     | 104    | 99     | 98     | 72     | 67     | 54     | 59     | 126    | 90     | 93     | 75     | 156    | 1,167  |
| Roscommon | 48     | 64     | 39     | 79     | 31     | 43     | 18     | 27     | 29     | 68     | 35     | 40     | 25     | 546    |
| Sligo     | 64     | 54     | 93     | 89     | 48     | 38     | 72     | 32     | 42     | 25     | 26     | 29     | 30     | 642    |
| Tipperary | 255    | 115    | 124    | 190    | 155    | 162    | 175    | 268    | 131    | 148    | 126    | 62     | 116    | 2,027  |
| Waterford | 79     | 122    | 352    | 407    | 114    | 303    | 233    | 101    | 134    | 252    | 249    | 111    | 205    | 2,662  |
| Westmeath | 134    | 70     | 121    | 92     | 151    | 126    | 120    | 86     | 189    | 65     | 64     | 117    | 84     | 1,419  |
| Wexford   | 166    | 226    | 305    | 53     | 269    | 108    | 80     | 202    | 193    | 140    | 143    | 108    | 167    | 2,160  |
| Wicklow   | 307    | 161    | 247    | 206    | 86     | 179    | 152    | 109    | 176    | 97     | 120    | 82     | 87     | 2,009  |
| Total     | 6,588  | 6,212  | 7,679  | 7,131  | 7,948  | 6,764  | 6,285  | 5,831  | 5,989  | 6,561  | 5,891  | 4,121  | 6,699  | 83,699 |

### Job Creation.

153. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of jobs that have been created in 2010 to date; the number of jobs that were created in 2009 in a tabular form by month and on a county basis; and if she will make a statement on the matter. [9083/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the time available, it is not possible to provide the information requested.

### Unemployment Levels.

154. **Deputy John O'Donoghue** asked the Tánaiste and Minister for Enterprise, Trade and Employment her plans to visit County Kerry in order to assess the unemployment situation in that county with a view to formulating a plan of action to tackle the problem; and if she will make a statement on the matter. [9084/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I would be delighted to discuss a visit to the county with the Deputy.

### Job Creation.

155. **Deputy John O'Donoghue** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of Industrial Development Authority or FÁS backed jobs created on a county basis over the past two years; and if she will make a statement on the matter.

[9085/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the past two years there have been a total of 13,784 jobs created in IDA supported companies. The number of jobs created in each of those years on a county-by-county basis is set out on the following tabular statement. While FÁS operates training and employment programmes, provides a recruitment service to jobseekers and employers, and supports community-based enterprises, it is not a job creation agency under the Industrial Development Acts.

Table showing the number of IDA supported jobs created in IDA supported companies, on a county-by-county basis in 2008 and 2009

| County     | Jobs created in 2009 | Jobs created in 2008 |
|------------|----------------------|----------------------|
| Carlow     | 49                   | 74                   |
| Cavan      | 18                   | 32                   |
| Clare      | 116                  | 139                  |
| Cork       | 1,082                | 2,108                |
| Donegal    | 62                   | 67                   |
| Dublin     | 1,786                | 4,340                |
| Galway     | 429                  | 610                  |
| Kerry      | 25                   | 86                   |
| Kildare    | 29                   | 113                  |
| Kilkenny   | 0                    | 1                    |
| Laois      | 0                    | 0                    |
| Leitrim    | 5                    | 35                   |
| Limerick   | 169                  | 286                  |
| Longford   | 8                    | 30                   |
| Louth      | 34                   | 121                  |
| Mayo       | 97                   | 132                  |
| Meath      | 24                   | 83                   |
| Monaghan   | 19                   | 15                   |
| Offaly     | 22                   | 24                   |
| Roscommon  | 9                    | 41                   |
| Sligo      | 54                   | 103                  |
| Tipp North | 0                    | 13                   |
| Tipp South | 252                  | 262                  |
| Waterford  | 71                   | 176                  |
| Westmeath  | 219                  | 134                  |
| Wexford    | 8                    | 91                   |
| Wicklow    | 28                   | 53                   |

156. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment the progress made by her Department or the IDA Ireland in securing new investment for the IDA technology park, Fermoy, County Cork; and if she will make a statement on the matter. [9108/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The marketing of individual areas for new or expansion foreign direct investment (FDI) and jobs is a day to day operational matter for the IDA Ireland as part of their statutory responsibilities assigned to it by the Oireachtas and not one in which I have a function.

However, I have been informed by IDA Ireland that the Agency hosted a site visit to both the Fermoy Business & Technology Park and the former FCI building (on the Cork road) by an overseas Life Sciences company in November last. I understand that this company also visited a number of other locations and no final decision has yet been made by the company. However, the ultimate decision on where operations are established lies with the client, whose primary objective will be to establish in the location most aligned with the business needs of their company.

IDA also provides property solutions to Enterprise Ireland Client companies and in this connection the Agency had facilitated a land sale on the Park to one such company, but that company decided not to proceed with their plans to build on the Park. During 2009 IDA was also in discussion with another indigenous company, who were seeking a site on the Park and while this was progressed, the company decided that they would postpone a decision to locate on the park for a 12-month period.

Meanwhile, through its network of overseas offices, IDA continues to market the Park.

#### **Official Engagements.**

157. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will accept an invitation from Fermoy Town Council, issued in autumn 2009, to discuss the matter of the vacant IDA Ireland site in the town; and if she will make a statement on the matter. [9125/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** A meeting can be arranged at an appropriate time but, as I have said to the Deputy on a previous occasion, to date we have no record of a request from the Council.

#### **Job Creation.**

158. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of jobs created by the IDA Ireland each year in Ireland over the past five years; and if she will make a statement on the matter. [9127/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the five-year period 2005 to 2009 there have been a total of 48,569 jobs created in IDA supported companies. The number of jobs created in each of those 5 years is set out in the following table.



[Deputy Mary Coughlan.]

Table showing the number of new jobs created in IDA supported companies in each of the years 2005 to 2009 inclusive

|                            | 2005   | 2006   | 2007   | 2008  | 2009  |
|----------------------------|--------|--------|--------|-------|-------|
| Number of new jobs created | 12,136 | 12,261 | 10,388 | 9,169 | 4,615 |

159. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of jobs created and lost by the Industrial Development Authority in 2009 on a county basis in tabular form; and if she will make a statement on the matter. [9128/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the industrial development agencies. Data is compiled on an annualized basis. The numbers of jobs created and the number of jobs lost in IDA supported companies in 2009 is set out in the following table.

Table showing the number of jobs created and the number of jobs lost in IDA supported companies in 2009

|            | Number of new jobs created | Number of jobs lost |
|------------|----------------------------|---------------------|
| Carlow     | 49                         | 75                  |
| Cavan      | 18                         | 56                  |
| Clare      | 116                        | 93                  |
| Cork       | 1,082                      | 2,432               |
| Donegal    | 62                         | 29                  |
| Dublin     | 1,786                      | 6,805               |
| Galway     | 429                        | 1,178               |
| Kerry      | 25                         | 416                 |
| Kildare    | 29                         | 1,491               |
| Kilkenny   | 0                          | 112                 |
| Laois      | 0                          | 16                  |
| Leitrim    | 5                          | 30                  |
| Limerick   | 169                        | 2,519               |
| Longford   | 8                          | 74                  |
| Louth      | 34                         | 272                 |
| Mayo       | 97                         | 189                 |
| Meath      | 24                         | 159                 |
| Monaghan   | 19                         | 14                  |
| Offaly     | 22                         | 118                 |
| Roscommon  | 9                          | 89                  |
| Sligo      | 54                         | 137                 |
| Tipp North | 0                          | 188                 |
| Tipp South | 252                        | 93                  |
| Waterford  | 71                         | 569                 |
| Westmeath  | 219                        | 527                 |
| Wexford    | 8                          | 89                  |
| Wicklow    | 28                         | 258                 |

160. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the figures for foreign direct investment here for each of the years from 2000 to 2009; and if she will make a statement on the matter. [9129/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the eight year period 2002 to 2008, there have been a total of 916 foreign investments won by IDA. The numbers in respect of each year are set out in the following table.

Table showing the number of foreign investments won in each of the years 2002 to 2009

|                       | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|-----------------------|------|------|------|------|------|------|------|------|
| Number of investments | 88   | 105  | 108  | 121  | 125  | 114  | 130  | 125  |

161. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Enterprise, Trade and Employment the details of IDA Ireland's strategic review; the details of the new strategy 2020; if plans for attracting foreign direct investment will be included in this strategy; the way employment opportunities and jobs will be dispersed; the way she intends to implement this strategy; and if she will make a statement on the matter. [9130/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** I am in the process of reviewing a new strategy for the future direction of FDI, which IDA has developed, and subject to my approval, will shortly be published. This strategy will outline the historic performance of FDI and its contribution to the development of the economy. It will set out some specific initiatives which IDA will be undertaking to retain existing and secure new FDI. In addition, it will identify the opportunities in the FDI markets, while stressing the importance of restoring our relative international competitiveness if we are to maximise the FDI potential. You will appreciate that it would not be appropriate for me to comment further at this stage.

#### **Consultancy Contracts.**

162. **Deputy John O'Mahony** asked the Tánaiste and Minister for Enterprise, Trade and Employment the amount she has spent on hiring or use of outside consultants in 2007 to 2009 in tabular form; if she is satisfied this practice represents good value for money; and if she will make a statement on the matter. [9214/10]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):** In the time available it is not possible to provide the information requested.

#### **Departmental Correspondence.**

163. **Deputy Fergus O'Dowd** asked the Minister for Finance if he will respond to correspondence (details supplied); and if he will make a statement on the matter. [8727/10]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that Section 135 (a) of the Finance Act 1992 permits a European or other foreign registered vehicle which is *temporarily* brought into the State by a person established outside the State to be exempted from the requirement to register for vehicle registration tax purposes for a period normally not exceeding 12 months from the date upon which the vehicle concerned was brought

[Deputy Brian Lenihan.]

into the State. *Temporary* exemptions are allowable for vehicles brought into in the State by visitors, tourists and foreign workers.

Statutory Instrument No. 60 of 1993 prescribes the criteria for eligibility for the granting of temporary exemption from the requirement to be registered for VRT purposes in the State.

A person, previously established outside the State, who avails of a temporary exemption, may decide to set up permanent residence here. An application for permanent relief from VRT should then be made to Revenue. Where the application is successful, the person will register the vehicle free of VRT.

In this regard, Section 134 of the Finance Act 1992 provides for *permanent* relief from the payment of VRT on the registration of a vehicle which is the personal property of a private individual being brought into the State as part of transfer of residence. (Permanent reliefs are also available in other cases, e.g. for vehicles acquired as part of an inheritance or for vehicles transferred into the State under diplomatic arrangements).

Statutory Instrument No. 59 of 1993 sets out the conditions governing the registration of vehicles under the above section.

As the Deputy may be aware, Section 106 of Finance Bill 2010 provides for the introduction of a requirement for a return of information, in a specified format, to be made to the Revenue Commissioners by a vehicle insurer who issues a policy of insurance in relation to a foreign registered vehicle for a period in excess of 42 days.

This provision will enable Revenue enforcement officers to identify foreign registered vehicles which may be used in the State without the payment of vehicle registration tax. It further allows Revenue to ascertain the date that a foreign registered vehicle first entered the State so that, in cases of future detection, an additional assessment can be raised to cover the time that the vehicle was in the State without the payment of vehicle registration tax.

The insurance liabilities for foreign cars are the same as for cars registered and being used in Ireland. Any policy of motor insurance acquired in any Member State of the European Union is valid for the whole of its term throughout the EU. Vehicles from outside the European Union must either have a Green Card, whereby the Motor Insurers' Bureau system will guarantee any liability which may arise, or must possess Frontier Insurance if the vehicle originates in a country which is not part of the international Motor Insurance Bureau system. Enforcement is a matter for An Garda Síochána, as is non-compliance with the NCT Test.

### **Company Closures.**

164. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance the number of businesses across all sectors that have advised the Revenue Commissioners that they have ceased trading in each month of 2009 and in January 2010; and if he will make a statement on the matter.

[8667/10]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that the following numbers of individuals and companies have ceased trading during the period requested by the Deputy:

| Month        | Individuals | Companies |
|--------------|-------------|-----------|
| January 2009 | 1,493       | 542       |
| February     | 1,115       | 406       |
| March        | 1,112       | 458       |
| April        | 1,129       | 536       |
| May          | 909         | 360       |
| June         | 1,164       | 517       |
| July         | 902         | 262       |
| August       | 900         | 414       |
| September    | 808         | 275       |
| October      | 825         | 216       |
| November     | 551         | 155       |
| December     | 763         | 256       |
| January 2010 | 244         | 58        |

It should be noted that businesses cease for many reasons, including retirement or death of proprietors, or in the case of a sole trader formation of a partnership or incorporation into a Limited Company.

#### **Flood Relief.**

165. **Deputy Dan Neville** asked the Minister for Finance the position regarding the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [8716/10]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Office of Public Works recently completed the programmed works for which it has a statutory maintenance responsibility on the stretch of channel adjacent to the lands referred to by the Deputy. There are no plans at present to carry out further works.

166. **Deputy Michael Creed** asked the Minister for Finance if he has recently sanctioned minor flood relief works in 2010 on the River Sullane and on the River Bride; if so, the financial allocation available in respect of these works; the details of other minor flood relief works approved in County Cork; the procedure regarding the appointment of contractors for these works; and if he will make a statement on the matter. [8718/10]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** The Office of Public Works (OPW) recently published a draft Flood Risk Assessment and Management Plan for the Lee Catchment, which identifies mitigation measures for areas of significant flood risk. The measures identified in the draft Plan include the provision of flood alleviation works on the River Sullane at Ballyvourney / Ballymakeera and on the River Bride at Crookstown.

It is planned that the works on the Sullane will be undertaken by the OPW. Preliminary design work has already commenced and it is anticipated that the scheme will be carried out in 2011, subject to the required public consultation process and the overall availability of resources.

Cork County Council has recently submitted to OPW a number of applications for funding for minor flood mitigation works the Council proposes to undertake in 2010. These are currently being assessed, in conjunction with applications received from other Local Authorities,

[Deputy Martin Mansergh.]

in accordance with the relevant eligibility criteria and having regard to the total funding available for such works this year.

The OPW understands that the Council will be submitting an application in relation to works at Crookstown. If an application is submitted, it will be assessed along with all other applications received under the scheme.

#### **Tax Code.**

167. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare has received all of his entitlements; and if he will make a statement on the matter. [8733/10]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that there is no information indicating that the person, whose details were supplied, has not received all his entitlements. However, if the person submits a return of income to the Revenue Commissioners for any year that he considers that he has not received all his entitlements, Revenue can review his individual circumstances.

#### **Public Sector Pay.**

168. **Deputy John Deasy** asked the Minister for Finance the way the reduction in public service salaries, announced in budget 2010, is being applied to public servants who are job-sharing; and if he will make a statement on the matter. [8823/10]

169. **Deputy John Deasy** asked the Minister for Finance his views on public servants who are job-sharing and have a portion of their salaries reduced by 7.5% even though their actual salaries are less than €30,000, which should entail a reduction of 5%; and if he will make a statement on the matter. [8824/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 168 and 169 together.

The pay reductions provided for in the Financial Emergency Measures in the Public Interest (No. 2) Act 2009, apply to the instruments setting rates of pay. It is a well established principle that the pay of job or work sharers and those on atypical work patterns is calculated by reference to the whole time equivalent pay rate for the grade or post in question. The reduced pay rates are, therefore, calculated in this way which is consistent with the legislation governing the conditions of employment of part-time workers. Accordingly, the reduction in the rate of pay for full time and job sharing public servants is the same and any change in this relationship would create an inequity in the rate of pay for those doing similar work.

#### **Car Scrappage Scheme.**

170. **Deputy Fergus O'Dowd** asked the Minister for Finance if he will reply to correspondence (details supplied). [8828/10]

**Minister for Finance (Deputy Brian Lenihan):** The provisions of the car scrappage scheme as set out in Section 102 of the Finance Bill as published on 4 February 2010, provide that the car being scrapped, must be registered in the State in the name of the registered owner of the new car for at least 18 months previous to the date of scrappage; must be 10 years old or more from the date of first registration; must be scrapped on or after 10 December 2009 and not later than 31 December 2010; must be scrapped within 60 days of the date of the new car being

registered, or have been scrapped within 60 days immediately before the date of the new car being registered; must have a valid NCT test certificate, or one that has expired no more than 90 days immediately before the date of scrapping or documentation to indicate that it has been presented for and failed an NCT roadworthiness test in the previous 6 months; and must have been insured for use on the road in the name of the registered owner for at least 12 months in the 18 months immediately prior to the date of scrapping.

Since the inception of the scrapping scheme on 1 January 2010, it has become clear that many vehicles are acquired for use as ‘family vehicles’ and are frequently registered for VRT purposes in the name of one spouse, but insured in the name of the other spouse. Accordingly, the scope of the scheme under Section 102 of the Bill, is being extended by providing that any reference to a “person” in the relevant subsection of the section may in the application of those provisions be construed by the Revenue Commissioners as a reference to either the person concerned, or to that person’s spouse. Consequently documentation in the name of one spouse is to be taken into account for the purposes of the other qualifying under the scheme. Following this change, documents relating to vehicle ownership and vehicle insurance may be presented in the name of either spouse in order to qualify for the repayment of VRT.

### **Disabled Drivers.**

171. **Deputy Niall Collins** asked the Minister for Finance if, in view of a person that has been refused upon appeal on an application under the disabled drivers scheme, they will be independently assessed by another body; and if he will make a statement on the matter. [8836/10]

**Minister for Finance (Deputy Brian Lenihan):** The initial application for a Primary Medical Certificate under the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994, is made to the Senior Medical Officer of the relevant local Health Service Executive administrative area.

If the Primary Medical Certificate is refused, the person may appeal the refusal to the Medical Board of Appeal, National Rehabilitation Hospital, Rochestown Avenue, Dun Laoghaire, Co. Dublin. I understand the person appealed the decision of the Senior Medical Officer not to grant a Primary Medical Certificate and the appeal was subsequently refused by the Medical Board of Appeal. If the person wishes to apply again for a Primary Medical Certificate, the application to the Senior Medical Officer must be accompanied by a medical certificate from a registered medical practitioner indicating that the practitioner has formed the opinion that the medical condition of the person concerned has materially disimproved since the previous application. I would point out that the medical Board of Appeal is independent in the exercise of its functions.

### **Banking Sector Regulation.**

172. **Deputy Richard Bruton** asked the Minister for Finance if he or his officials or agencies have been involved in discussions between a bank (details supplied) and other banks regarding the establishment of a third banking force that would have provided a broad-based mix of banking services; if he encouraged its formation; if his attention has been drawn to the resistance by a building society that hampered its emergence; and the efforts that were taken by him to overcome that resistance. [8841/10]

**Minister for Finance (Deputy Brian Lenihan):** As independent bodies, it is a matter in the first instance for the financial institutions themselves, whether covered by the Bank Guarantee

[Deputy Brian Lenihan.]

Scheme or not, to consider and determine their strategic arrangements, subject of course to necessary regulatory, competition and other relevant requirements.

The State's primary consideration continues to be to protect, in the public interest, its financial and economic system of the State. The public support that has so far been provided to individual institutions and to the system as a whole has been provided to achieve that objective. However, neither of the institutions referred to in the Deputy's question have received capital support from the State and are, therefore, not subject to any requirements for restructuring that may arise from the provision of such support.

I fully support the idea of a reformed and reinvigorated banking system that can serve our economy in a proper manner and within which there is scope for all credit institutions operating in the Irish market to play their full part. As the Deputy will be aware, all of the institutions participating in NAMA are subject to restructuring plan requirements. I will continue to encourage institutions to examine, separately or jointly, how they can meet their capital or funding needs and develop business models to support economic development. I will consider all or any option presented to me and, insofar as possible, play a positive role in supporting the delivery of viable plans consistent with competition and State aid requirements.

#### **Tax Code.**

173. **Deputy Jack Wall** asked the Minister for Finance when a person (details supplied) in County Kildare will receive their tax rebate for 2009; and if he will make a statement on the matter. [8847/10]

**Minister for Finance (Deputy Brian Lenihan):** I have been advised by the Revenue Commissioners that following receipt of the earlier request a review of the person's liability was carried out. The overpayment arising has now been cleared for repayment. PAYE Balancing Statement P21 dated 17 February 2010 and refund cheque will issue to the person concerned shortly. I have been advised by the Revenue Commissioners that following receipt of the earlier request a review of the person's liability was carried out. The overpayment arising has now been cleared for repayment. PAYE Balancing Statement P21 dated 17 February 2010 and refund cheque will issue to the person concerned shortly.

174. **Deputy David Stanton** asked the Minister for Finance the number of persons availing of the incapacitated child tax credit; the number who availed of same in 2006, 2007, 2008 and 2009; and if he will make a statement on the matter. [9049/10]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that the number of claimants availing of the incapacitated child tax credit is 11,000 for the income tax year 2006, the most recent year for which final information is available. I am further advised by the Revenue Commissioners, that they are not in a position to provide the data requested by the Deputy for the years 2007 to 2009.

The numbers availing of the credit represent income earners who were in a position to absorb at least some of the 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 tax liability to nil. The numbers availing are rounded to the nearest hundred. I should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

### **Banking Sector Regulation.**

175. **Deputy Richard Bruton** asked the Minister for Finance if he will make a provision in the heads of legislation of the new banking commission that a regulatory regime that is proportionate as appropriate is developed for the credit union movement which will not seek to impose requirements which would overlook the voluntary and community tradition of the movement. [9064/10]

**Minister for Finance (Deputy Brian Lenihan):** When in June 2009 I announced major reform of the institutional structures for regulation of financial services in Ireland, I indicated that no change is proposed in the current role and responsibilities of the Registrar of Credit Unions. The Government places immense value on the important role that Credit Unions play in Ireland. The continuing success and the growth of the movement in recent years stands as a testament to both the trust and loyalty felt by its members, and the dedication and commitment of all Credit Union staff — both professional and volunteer. The Government will continue its support for credit unions to enable them to continue serving their communities.

I have requested the Financial Regulator to carry out a strategic review of the credit union sector in Ireland. This will involve an examination of the structure, operation, regulation and legislation of the credit union sector. Its conclusions and recommendations will inform the development of policy in relation to credit unions, including an appropriate regulatory framework. This comprehensive review is to be an objective assessment carried out by independent experts in consultation with all of the stakeholders.

### **Public Sector Pay.**

176. **Deputy Seán Barrett** asked the Minister for Finance the reason for cutting the pay of research staff of third level educational institutions in view of the exceptional employment status of research staff and exceptional circumstances relative to the conditions and aspects of their employment; if he will grant an exemption from the reduction in pay rates to research staff under section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act; and if he will make a statement on the matter. [9133/10]

182. **Deputy Maureen O’Sullivan** asked the Minister for Finance his views on the fact that the research staff at Trinity College, Dublin, should be exempt from the pay cut imposed by the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 in view of the range of exceptional circumstances relating to their conditions and aspects of employment. [9199/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 176 and 182 together.

Section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provides that, in certain limited circumstances, the Minister for Finance may by direction exempt or vary the application of the pay reductions provided for in the Act to public servants or groups of public servants.

Representations from a number of Deputies have been made in relation to the application of the pay reductions to contract researchers. The Financial Emergency Measures in the Public Interest (No. 2) Act, 2009 makes provision for the reduction in the pay rates of all persons employed by public service bodies with effect from 1 January 2010. As universities come within the definition in the Act of public service bodies, contract researchers employed by such universities are subject to the pay reductions provided for under the legislation. I have no proposals to exempt persons in that position from the pay reductions.



### **Pension Provisions.**

177. **Deputy Richard Bruton** asked the Minister for Finance if his attention has been drawn to the fact that widows who returned to the public service post 1995 are treated less favourably for pension purposes than widows who returned pre-1995 despite having the same years service, as result of the introduction of co-ordinated pensions in the public service and his plans to remove this anomaly. [9146/10]

**Minister for Finance (Deputy Brian Lenihan):** Prior to 1974 female officers were generally required to resign on marriage and, depending on their service, received a marriage gratuity in lieu of any pension benefits. Following the abolition of the marriage bar, any officer appointed before 1974 has the option of resigning within two years of marriage and receiving a marriage gratuity, preserving benefits if they wish to leave, or of remaining in employment. Officers who received a marriage gratuity and who are subsequently reappointed in an established capacity in the Civil Service may refund the gratuity and have all prior service aggregated with subsequent service for superannuation purposes.

Under current arrangements, where the reappointment takes place after 6 April 1995 (the date of the introduction of Class A1 pay related social insurance contributions for civil servants) then all service, including prior service is treated as post 1995 service and superannuation benefits are calculated to reflect the integration of occupational benefits with the State welfare payments. An officer appointed or reappointed to the service before 6 April 1995 is subject, as a general rule, to Class B1 PRSI contributions and their full pension entitlements are met from the occupational scheme alone.

The Social Welfare code does not allow a person to claim two Social Welfare pensions at the same time. This has implications for staff reappointed to the civil service after 1995 in that, post-retirement, they would not be entitled to claim a second social welfare pension, e.g. widow's contributory pension. No such implications exist for officers reappointed to the service before 6 April 1995 by virtue of the fact that, since their full pension entitlements are met from the occupational scheme alone, the issue of a second social welfare pension does not arise. Questions relating to the Social Welfare code and the payment of Social Welfare benefits, referred to above, are a matter for the Minister for Social and Family Affairs.

### **Public Sector Pay.**

178. **Deputy Róisín Shortall** asked the Minister for Finance further to Parliamentary Question No. 238 of 26 January 2010 and No. 187 of 9 February 2010, when a person (details supplied) will be exempt from the public sector wage reduction; and when this person can expect to receive arrears in respect of the 5% already deducted from their income since the first January 2010. [9154/10]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** It is anticipated that both the exemption and the refund of arrears will be applied to the person's wages within the next fortnight.

### **Banking Sector.**

179. **Deputy Olivia Mitchell** asked the Minister for Finance if he or any member of his staff met with representatives of a company (details supplied) to discuss their loan application to Anglo Irish Bank and if, following such a meeting, a loan of approximately €11 million was secured by the company and the proposal receiver was stood down. [9155/10]

**Minister for Finance (Deputy Brian Lenihan):** Neither I nor my staff met with representatives of the company specified or sought to influence the bank in its commercial decisions. As the Deputy will be aware a Relationship Framework, pursuant to Section 3 of the Anglo Irish Bank Corporation Act 2009, specifies the relationship between the Minister for Finance as sole shareholder of Anglo, and the bank. Under the Relationship Framework Anglo Irish Bank is run on an arms length commercial basis by the Board of the bank and the commercial relationship between the bank and its customers is a matter for the bank itself, in respect of which I have no role or function.

### **Sports Funding.**

180. **Deputy Olivia Mitchell** asked the Minister for Finance the amount of surplus funds generated by the National Lottery in 2009 that was provided to the Exchequer; the proportion of this funding that was allocated to sports programmes or the development of sports facilities in 2009; and if he will make a statement on the matter. [9156/10]

**Minister for Finance (Deputy Brian Lenihan):** The surplus of the National Lottery is transferred to the Exchequer on a regular basis and is applied each year to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes, including sports-related expenditure by the Department of Arts, Sport and Tourism. Details of the amount transferred and the allocations to the relevant subheads are set out in Appendix 1 of the Revised Book of Estimates. In recent years, the amount allocated to these subheads is significantly larger than the amount available from the National Lottery surplus.

The outturn figures for 2009 are contained in the Revised Book of Estimates 2010, which was published by my Department last week. Appendix 1 of that document shows that, in 2009, an amount of €275m was transferred to the Exchequer from the surplus of the National Lottery and was used to part-fund total expenditure of just over €435m on the specified expenditure subheads. Thus, of the €275m transferred from the National Lottery surplus in 2009, about €70m was used to part-fund sports-related expenditure.

### **Tax Code.**

181. **Deputy Michael McGrath** asked the Minister for Finance his views on the fact that the below cost selling of alcohol results in retailers claiming a refund of VAT on the product from the Revenue Commissioners in view of the fact that the input credit on their purchase of the product exceeds the output tax charged to the consumer on the sale of the product (details supplied); if he believes this represents an indirect subsidy by the State on the below cost sale of alcohol; and if he will make a statement on the matter. [9166/10]

**Minister for Finance (Deputy Brian Lenihan):** Under EU VAT rules traders who are registered for VAT collect VAT on the goods and services that they sell. In turn such traders are entitled to recover the VAT they incur on their business inputs used in the purchase or production of goods or delivery of services. VAT is a tax on the value added to a supply and the collection and recovery of VAT takes place at each stage of the chain of supply from manufacturing to retailer. Consequently, if there is a decrease in value at any stage in the process the trader is entitled to a refund of the excess of VAT incurred over that collected.

*Question No. 182 answered with Question No. 176.*

### **Consultancy Contracts.**

183. **Deputy John O'Mahony** asked the Minister for Finance the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied

[Deputy John O'Mahony.]

that this practice represents good value for money; and if he will make a statement on the matter. [9216/10]

**Minister for Finance (Deputy Brian Lenihan):** The following table sets out details of all amounts spent by my Department in respect of the hiring or use of outside consultants in 2007, 2008 and 2009.

In accordance with the Value For Money Guidelines, Officers are required to report on a biannual basis in respect of all projects, including consultancies, with regard to compliance with all relevant national and European guidelines and management of expenditure. I am satisfied that the engagement of consultants, as set out in the attached table, represents good value for money.

| Year | Consultant                                 | €         |
|------|--|-----------|
| 2007 | Hay Group Ireland                          | 192,049   |
| 2007 | Mercer Consulting                          | 349,301   |
| 2007 | Hay  | 262,166   |
| 2007 | Hay Group (Ireland) Ltd.                   | 206,956   |
| 2007 | The Reward Partnership                     | 151,554   |
| 2007 | Jenny Smyth & Associates                   | 104,863   |
| 2007 | Derek Burn (DLA Piper Rudnick)             | 190,114   |
| 2007 | Indecon International Economic Consultants | 92,112    |
| 2007 | Life Strategies Ltd.                       | 87,726    |
| 2007 | Goodbody Economic Consultants              | 59,532    |
| 2007 | Ernst & Young                              | 56,657    |
| 2007 | PWC (PriceWaterhouseCoopers)               | 49,624    |
| 2007 | Accuvest Investment Advisors               | 48,400    |
| 2007 | Hay Management Consultants                 | 47,795    |
| 2007 | Goodbody Economic Consultants              | 43,651    |
| 2007 | Indecon (Ireland)                          | 42,592    |
| 2007 | Nifast                                     | 22,750    |
| 2007 | Petrus Consulting Limited                  | 19,201    |
| 2007 | Cornamona Health and Safety                | 7,800     |
| 2007 | Canavan & Byrne                            | 6,050     |
| 2007 | Safety Solutions Limited                   | 2,420     |
| 2008 | Arthur Cox                                 | 1,628,024 |
| 2008 | McCann Fitzgerald                          | 63,024    |
| 2008 | Hay Group Ireland                          | 114,344   |
| 2008 | Ernst & Young                              | 193,901   |
| 2008 | A&L Goodbody                               | 182,008   |
| 2008 | IPA — Institute of Public Administration   | 50,000    |
| 2008 | Petrus Consulting                          | 4,114     |
| 2009 | Arthur Cox                                 | 5,875,869 |
| 2009 | Mercer (Ireland) ltd                       | 3,308     |
| 2009 | Watson (Wyatt) ltd                         | 7,290     |
| 2009 | Hay Group Ireland ltd                      | 4,860     |
| 2009 | Life Strategies Ltd                        | 32,805    |
| 2009 | Hay Group Ireland                          | 215,937   |

### **Garda Recruitment.**

184. **Deputy John O'Mahony** asked the Minister for Finance if he will lift the ban on public sector recruitment for Garda personnel in the interests of public safety; and if he will make a statement on the matter. [9226/10]

**Minister for Finance (Deputy Brian Lenihan):** This Government is cognisant of the public's concern on the matter of crime and of the need to have adequate Garda resources in place. The staffing levels in An Garda Síochána remain at an extremely high level at circa 14,500 today in comparison to 12,300 in 2005. The Force has not been overly impacted upon by the moratorium on recruitment given that there were, and still are, student Gardaí in the system who were recruited and began training prior to the introduction of the moratorium last March. I am assured that Garda management are committed to the utilisation of these resources in the most efficient and effective manner to maintain public safety.

### **National Drugs Strategy.**

185. **Deputy Joe Carey** asked the Minister for Health and Children the steps she will take to regulate and ban substances sold in head shops; and if she will make a statement on the matter. [8747/10]

201. **Deputy Joe Carey** asked the Minister for Health and Children the steps she will take and the progress made regulating and banning products sold in head shops; and if she will make a statement on the matter. [8748/10]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 185 and 201 together.

The Misuse of Drugs Act 1977 and its associated regulations control the import, export, production, supply and possession of a range of named narcotic drugs and psychotropic substances listed in the Schedules to the Act. Substances are scheduled under the Act in accordance with Ireland's obligations under international conventions and/or where there is evidence that the substances are causing significant harm to public health in Ireland.

The list of scheduled substances is kept under ongoing review. For example, in 2006 psychotropic ('magic') mushrooms were banned and their possession and sale is now illegal. On 31 March 2009, BZP was similarly subjected to legislative control measures and criminal sanctions.

In the light of the health risks associated with some of the products being sold in so-called 'head shops', I intend to have the regulations drafted this month which will introduce controls, similar to those introduced recently in the UK, on a range of substances which are currently on sale in head shops. In accordance with EU law, it may also be necessary to notify the Commission of the proposed regulations in case they impact on legitimate industrial activities and this imposes a 3 month stand still period on implementation of the regulations. These regulations will make the possession and sale of these substances illegal and subject to criminal sanctions.

Some of the substances in question have legitimate uses — for example, in the production of plastics and industrial solvents. It will be necessary to assess the level of use of these substances by industry in Ireland and the implications for industry of placing these substances under the ambit of Misuse of Drugs legislation.

The Minister of State, Deputy John Curran, who has responsibility for co-ordinating the National Drugs Strategy, has identified head shops as an area of concern, and is currently considering the options available to more effectively control the activities of head shops.

[Deputy Mary Harney.]

A Research Advisory Group (RAG) has been established to identify possible options for the regulation of head shops. The RAG held its first meeting on 13 January 2010. It has representatives from the National Advisory Committee on Drugs, the Departments of Community, Rural and Gaeltacht Affairs, Justice, Equality and Law Reform, Health and Children, the Health Research Board, Revenue Custom's Service, the Forensic State Laboratory and other relevant stakeholders. The RAG will report incrementally until its work is complete.

#### **Health Services.**

186. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding funding in 2010 for dental treatments under the medical card scheme; the length of time she expects the funding to last; the plans in place to ensure continuity of cover for medical card patients beyond this time; and if she will make a statement on the matter. [8869/10]

**Minister for Health and Children (Deputy Mary Harney):** It has been decided to put a cash limit on the Dental Treatment Services Scheme this year, based on the expenditure incurred under the scheme in 2008. The Health Service Executive has examined the means of achieving this and these proposals are now being examined by my Department.

#### **Public Sector Pay.**

187. **Deputy Mary Upton** asked the Minister for Health and Children if persons at an equine centre (details supplied) should be exempt from public service pay cuts; and if she will make a statement on the matter. [8883/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** Cherry Orchard Integrated Youth Service, which is managed by the Cherry Orchard Equine Centre, receives grant-in-aid funding from the Children and Youth Services Development Unit of my Office via the City of Dublin Youth Service Board (CDYSB).

The Government's decision to reduce its payroll costs in various ways — principally by reducing the salaries paid to public servants and reducing the numbers employed — was deliberately designed to protect existing levels of public services and to provide a more sustainable payroll cost base into the future.

I understand that the CDYSB issued a notice to its grant aided youth services and projects signalling that the pay reduction for public servants under the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 might automatically apply to these projects/services. Grant aided voluntary youth organisations and services funded from the Office of the Minister for Children and Youth Affairs (OMCYA) budget are not directly affected by the pay adjustments provided for under the Financial Emergency Measures in the Public Interest (No. 2) Act 2009. These organisations and services are not public service bodies as defined in that Act and their employees are not public servants.

However, the level of funding being provided to the OMCYA has been reduced as part of the general efficiency savings for the youth sector provided for in the 2010 Budget and it is entirely appropriate that notwithstanding these reductions that OMCYA funded voluntary youth work providers take appropriate measures to ensure that they continue to provide the same level of service in 2010 as previously. It is the responsibility of each individual employer to decide exactly what mix of actions should be taken to achieve this goal, to take appropriate legal and other advice, to consult and inform its employees/trade unions as necessary and to manage the HR and industrial relations implications of its decisions.

The matter is currently being clarified with the City of Dublin Youth Services Board.

### **Health Service Staff.**

188. **Deputy Michael Ring** asked the Minister for Health and Children if she will lift the embargo on nursing staff recruitment to enable nursing staff to be replaced at Belmullet District Hospital and Áras Deirbhle, Belmullet, County Mayo, to ensure that beds will not have to be closed down due to the lack of nursing staff to comply with Health Information and Quality Authority requirements; and if she will make a statement on the matter. [9016/10]

222. **Deputy Michael Ring** asked the Minister for Health and Children if the Health Service Executive made an application to recruit nursing staff to Belmullet District Hospital and Áras Deirbhle, Belmullet, County Mayo following the retirement of nursing staff members; and if she will make a statement on the matter. [9014/10]

223. **Deputy Michael Ring** asked the Minister for Health and Children the nursing staff numbers required at Belmullet General Hospital and Áras Deirbhle, Belmullet, County Mayo when there is full bed capacity to ensure compliance with Health Information and Quality Authority standards. [9015/10]

224. **Deputy Michael Ring** asked the Minister for Health and Children the number of nursing staff working at Belmullet District Hospital and at Áras Deirbhle, Belmullet, County Mayo; the number of nursing staff who have retired in the past twelve months; the number of nursing staff that have to be replaced; and if she will make a statement on the matter. [9017/10]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 188 and 222 to 224, inclusive, together.

In order to implement savings measures on public service numbers, the Government decided that, with effect from 27 March 2009 to end 2010, no post in the public sector, however arising, may be filled by recruitment, promotion, or payment of an allowance for the performance of duties at a higher grade. The decision applies to all grades of permanent and temporary staff, including nursing, notwithstanding a number of specific exemptions, some of which are highlighted below. A HSE circular has issued which gives effect to the Government decision in the public health services and other specific aspects of the employment control framework for the health services.

The Government decision was modulated to ensure that key services are maintained insofar as possible in the health services, particularly in respect of children at risk, older people and persons with a disability. The HSE has been focussing on the scope that exists within the health services for reorganising and restructuring of work in order to minimise the impact on essential service delivery. The redeployment and reassignment of existing staff will also support the reorientation of care from hospitals to the community to facilitate the development of integrated care. It is seeking a high level of flexibility from staff and unions to achieve this.

In addition, the employment control framework specifically exempts the following front line grades in the health sector from the moratorium: Medical Consultants, Speech and Language Therapists, Occupational Therapists, Physiotherapists, Clinical Psychologists, Behaviour Therapists, Counsellors, Social Workers, and Emergency Medical Technicians. Furthermore, special provisions apply in relation to certain specialist grades under the National Cancer Control Programme.

The focus on these key grades is in line with existing Government policy on the prioritisation of certain development areas, for which significant funding has already been provided. The

[Deputy Mary Harney.]

overall result will be to assist in the reorientation of health employment to services delivered in primary and community care.

Health employment levels are monitored by the Joint Employment Control Monitoring Committee, which comprises officials from my Department, the Department of Finance and the HSE. This committee also reviews the implementation of the moratorium and any issues arising.

My Department has not received an application from the HSE in relation to the recruitment of nursing staff to Belmullet District Hospital and Aras Deirbhle, Belmullet, County Mayo. As the other issues raised are service matters they have been referred to the HSE for direct reply.

### **Pre-school Services.**

189. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she has received correspondence from parents of children attending a centre (details supplied) in County Kildare under the early childhood care and education scheme; her plans to address their concerns and overturn the decision to facilitate operation of same as per correspondence forwarded to her Department in this regard; and if she will make a statement on the matter. [9043/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I have responsibility for the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme which was introduced in January of this year. This scheme provides for a free pre-school year for all eligible children prior to commencing primary school.

I am not aware of specific correspondence from parents of children attending the service referred to by the Deputy. I can, however, confirm that it was not possible to accept the service in question into the ECCE scheme in January 2010 as it was not in a position to meet the scheme's requirements to provide the pre-school year on the basis of either the 38 week model (5 days a week for 3 hours each day) or the alternative 41 week model (4 days a week for 3 hours 30 minutes each day). I understand that this was due to the provisions of its rental agreement with the local community centre.

To provide for the flexible delivery of the new free pre-school provision, childcare services participating in the scheme can choose to provide the free pre-school year from a range of options. For example a full or part-time daycare service will normally provide the place for 2 hours 15 minutes a day, five days a week over 50 weeks. A playschool sessional service will normally be required to provide a pre-school service for 3 hours a day, five days a week over 38 weeks. However, where for good reason a sessional service is unable to operate over 5 days, it may participate in the scheme by providing a place for 3 hours 30 minutes a day, 4 days a week over 41 weeks.

Further flexibility is provided for in that, a full or part-time service may choose to provide a sessional service over 38 weeks of a year (or 2 sessional services each day) while a sessional service may choose to provide 2 hours 15 minutes per day over 50 weeks. Also in cases where children attend a full or part-time daycare service for 3 days a week only, consideration will be given to allowing the service to participate in the scheme on the basis of providing the pre-school year to those children for 3 hours 45 minutes a day for 3 days a week. In such cases, a service will be required to provide the pre-school year over 50 weeks.

190. **Deputy Brian O'Shea** asked the Minister for Health and Children her plans to rectify an anomaly which exists regarding the free pre-school year for early childhood care and entry to primary school (details supplied); and if she will make a statement on the matter. [9139/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I have responsibility for implementation of the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme which was introduced in January of this year.

Children will qualify for a free pre-school year place when they are aged between 3 years 3 months and 4 years 6 months at 1 September each year. The application of this age range is being interpreted as generously as possible to include children who are aged more than 3 years 2 months and less than 4 years 7 months at 1 September each year. This means that in January this year children born on or after 2 February 2005 or on or before 30 June 2006 will qualify. Children born between 2 February 2006 and 30 June 2007 will be eligible for the free pre-school year in September 2010. The upper age limit does not apply where children are developmentally delayed and would benefit from participating in the pre-school year at a later age.

While the majority of children commence school between the age of 4 years 6 months and 5 years 6 months, it is accepted that some parents choose to send their children to primary school at an earlier age and the ECCE scheme allows for children to attend the pre-school year and still commence primary school when they are just over 4 years 2 months of age. However, the objective of the scheme is to make early learning in a formal setting available to all children in the key developmental year before they commence primary school, with appropriate age related activities and programmes being provided to children within a particular age cohort. Targeting the pre-school year at a particular age cohort is clearly fundamental to the scheme and it is necessary, therefore, to set minimum and maximum limits to the age range within which children will participate in the scheme each year.

I am satisfied that the age range set for the scheme achieves a reasonable balance between supporting the provision of appropriate age related programmes and activities and providing flexibility to parents and their children and there are no plans to review the position in this regard at this stage.

#### **Health Service Staff.**

191. **Deputy John O'Mahony** asked the Minister for Health and Children if she will lift the ban on public sector recruitment for health and ambulance personnel in the interests of public safety; and if she will make a statement on the matter. [9225/10]

**Minister for Health and Children (Deputy Mary Harney):** In order to implement savings measures on public service numbers, the Government decided that, with effect from 27 March 2009 to end 2010, no post in the public sector, however arising, may be filled by recruitment, promotion, or payment of an allowance for the performance of duties at a higher grade. The decision applies to all grades of permanent and temporary staff, notwithstanding a number of specific exemptions. A HSE circular has issued which gives effect to the Government decision in the public health services and other specific aspects of the employment control framework for the health services.

The Government decision was modulated to ensure that key services are maintained insofar as possible in the health services, particularly in respect of children at risk, older people and persons with a disability. This would mean reorganising and restructuring work in order to minimise the impact on essential service delivery. The redeployment and reassignment of staff would be an essential part of this process. It is a matter of great concern that the level of flexibility from staff and unions required to achieve the changes needed, is not forthcoming at the moment, due to the ongoing industrial action across the public service.

Health employment levels are monitored by the Joint Employment Control Monitoring Committee, which comprises officials from my Department, the Department of Finance and



[Deputy Mary Harney.]

the HSE. This committee also reviews the implementation of the moratorium and any issues arising.

### **Health Services.**

192. **Deputy Frank Feighan** asked the Minister for Health and Children the position regarding the case of a person (details supplied) in County Letrim. [8641/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### **Pharmacy Regulations.**

193. **Deputy Joanna Tuffy** asked the Minister for Health and Children the measures she has taken to ensure that pharmacists pass on reductions in the cost of medicines to consumers; and if she will make a statement on the matter. [8647/10]

**Minister for Health and Children (Deputy Mary Harney):** The price of medicines supplied to patients in Ireland under the GMS and community drugs schemes is built up as follows. Firstly, ex-factory prices are set in accordance with agreements between the Health Service Executive (HSE) and pharmaceutical manufacturers. Secondly, in addition to reimbursing pharmacists the ex-factory price of the product, the HSE also pays a wholesale mark-up of 10%, a dispensing fee of up to €5 and a 20% retail mark-up. (This is not applicable in the case of medical card prescriptions).

My Department and the HSE have implemented a number of reforms to reduce the cost of medicines for both the State and patients. Under the terms of Agreements in 2006 between the HSE and pharmaceutical manufacturers, price cuts of 35% were applied to all proprietary products for which generic alternatives are available on the Irish market. Following discussions that I had with the Irish Pharmaceutical Healthcare Association, its member companies have agreed to introduce price cuts of 40% for a large number of off-patent drugs and medicines with effect from 1 February.

It is important to note that these price cuts apply to all transactions and not just those under the various State schemes.

It is my view that the reductions in prices and mark-ups should be applied to all transactions where a person produces a Drug Payment Scheme (DPS) card, including transactions where expenditure has not reached the €120 monthly threshold under the DPS scheme.

I have been disappointed to learn that some pharmacists are not applying these reductions in prices and mark-ups in this manner. I have raised this matter with the Irish Pharmacy Union and intend to pursue it further.

### **Health Services.**

194. **Deputy James Bannon** asked the Minister for Health and Children the reason for the shortage of nursing care in the Legan, Colehill, Forgney and Carrickboy areas of County Longford despite a 24% increase in population. [8659/10]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Cancer Screening Programme.**

195. **Deputy Michael Kennedy** asked the Minister for Health and Children if the daughters of women who have had cervical cancer will be given the HPV vaccine as a priority; and if she will make a statement on the matter. [8687/10]

238. **Deputy Deirdre Clune** asked the Minister for Health and Children, further to Parliamentary Questions Nos. 272 and 273 of 9 February 2010, if the HPV vaccine will be provided to girls over 12 years of age who would be at risk for family reasons of contracting cervical cancer; and if she will make a statement on the matter. [9080/10]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 195 and 238 together.

Infection with Human Papillomavirus (HPV) is the main cause of cervical cancer. HPV is transmitted mainly through sexual contact. For this reason and having regard to the reports by the Health Information and Quality Authority and from the National Immunisation Advisory Committee and based on the best medical advice available to me that HPV vaccine does have the potential to play an important long term role in the prevention of cervical cancer I decided that a universal high uptake vaccination programme for young girls at the age of 13 or 14 every year for the foreseeable future should be introduced at this time.

Recently I requested the HSE to initiate a tendering process for the procurement of a HPV vaccine with a view to commencing a HPV vaccination programme for all girls in first year in secondary school and this process has now been completed. The programme can be delivered, commencing this year, from the extra resources committed in this year's budget to the overall Cancer Programme. It is not intended to provide vaccination outside of this programme and details of the full programme will be announced by the HSE in the near future.

The national cervical screening programme is the most efficient population approach to preventing and controlling cervical cancer and when combined with a HPV vaccination programme has the potential to reduce significantly over time the incidence of cervical cancer and the number of deaths caused by it.

### **Nursing Homes Support Scheme.**

196. **Deputy Michael Ring** asked the Minister for Health and Children when a decision will issue on the nursing home loan (ancillary State support) portion of the nursing home support scheme application in respect of a person (details supplied) in County Cavan; and if this matter will be expedited. [8689/10]

**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.

### **Nursing Homes Repayment Scheme.**

197. **Deputy Phil Hogan** asked the Minister for Health and Children the reason for the delay in a repayment under the Health (Repayment Scheme) Act 2006 in respect of a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [8694/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter it has been referred to the HSE for direct reply.

### **Thalidomide Survivors' Compensation.**

198. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support an association (details supplied) in their efforts for justice and compensation. [8710/10]

227. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the discussions she has had with an association (details supplied): her views on the requests put forward by the association; and if she will make a statement on the matter. [9036/10]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 198 and 227 together.

There are 32 Irish victims of thalidomide, 28 of whom currently reside in the State.

Thalidomide preparations were marketed in Ireland from May 1959 to January 1962 when they were withdrawn from sale by the manufacturers. The preparations on sale in this country were manufactured by Chemie Grünenthal of Germany (now Grünenthal GmbH).

Irish victims of thalidomide receive compensation from the foundation set up under German legislation to provide compensation for victims of thalidomide.

The Irish Government decision of January 1975 granted, to each Irish victim of thalidomide, a lump sum of four times the equivalent German lump sum and a monthly allowance for life equivalent to the German monthly allowance. The Irish monthly allowance, which has increased over the past 35 years, is paid by the Department of Health and Children and is currently between €514.59 and €1,109.46 per month. The German and the Irish monthly allowances are tax-free and not reckonable for State benefits. Each individual is entitled to a medical card and health services.

The Minister and Department officials have met with the Irish Thalidomide Association (ITA) on a number of occasions. The Association has made submissions to the Minister seeking additional compensation in the form of an additional lump sum payment, a substantial increase in their monthly payment and retrospection.

In May 2009, the Minister for Health and Children asked the Irish State Claims Agency to assess the ITA's requests in the context of Irish and International provisions for victims of thalidomide and in the context of Irish case law and precedent; and to advise the Minister accordingly. It is expected that the State Claims Agency will report within the next few weeks. Any proposal which comes out of this process will need to be considered by Government.

#### **Health Services.**

199. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied). [8711/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

#### **Inter-Country Adoptions.**

200. **Deputy Jimmy Deenihan** asked the Minister for Health and Children the expected date for the signing of the Hague Convention into law; the countries to which the Hague Convention will apply; the implications of that convention for countries available for adoption; the expected supports for teenagers in the new Adoption Bill; and if she will make a statement on the matter. [8726/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Adoption Bill 2009 provides for the restating or updating of the provisions of the Adoption Acts 1952-1998 as appropriate, and for the repeal of those Acts. It also gives force of law to the Hague Convention on Protection of Children and Co-operation in Inter-country Adoptions. The Bill also provides for the establishment of the Adoption Authority of Ireland to replace

An Bord Uchtála. Future inter-country adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted.

The Adoption Bill 2009 was published in January 2009 and completed all stages in the Seanad by May 2009. Second stage was commenced in Dáil Éireann on 18th November 2009 and completed on 21st January 2010. Committee stage commenced on 17 February 2010 and it is hoped that the Bill will complete its passage through both Houses in the near future. Entry into force of the Hague Convention occurs on the first day of the month following three months after the instrument of ratification or accession is deposited with the depositary, which is the Ministry of Foreign Affairs of the Netherlands.

With regard to the provision of post adoption services, adopted children will continue to have the same eligibility and entitlements to health, personal social services and special education needs as any child in Ireland. The Bill makes statutory provision for the notification by adoptive parents of the adoption on return to Ireland with the child. This must be made to both the Adoption Authority, for the purposes of registering the child, and the HSE, in order that the child receives all the normal child health surveillance services available through the public health system.

The Adoption Board has provided a List of Countries / Territories that are compliant /non-compliant with Hague and/or Irish Adoption Law. Details are available on the Adoption Board website at [www.adoptionboard.ie](http://www.adoptionboard.ie).

*Question No. 201 answered with Question No. 185.*

#### **Adoption Services.**

202. **Deputy Kathleen Lynch** asked the Minister for Health and Children the number of applicants that have submitted their papers and are awaiting a decision on their request for a declaration of suitability and eligibility to adopt; if she will assure applicants that adequate staff are in place to process all current applications before the enactment of the Adoption Bill 2009; and if she will make a statement on the matter. [8751/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I am informed by the Adoption Board that there are currently in the region of 90 applicants whose papers have been submitted to the Board for a decision regarding Declarations of Suitability and Eligibility to adopt.

The Adoption Board is making every effort to process applications on hand prior to the enactment of the Adoption Bill 2009.

#### **Proposed Legislation.**

203. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children her plans to introduce legislation requiring labels on alcohol products to warn of the dangers of drinking during pregnancy; and if she will make a statement on the matter. [8758/10]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** My Department intends drafting legislation for the placing of health advice/warnings about the consumption of alcohol during pregnancy on all alcoholic drink containers and promotional materials. It is also intended to provide for the placing of other health messages on labels and promotional materials as may be deemed appropriate. The draft legislation will also require that the amount of pure alcohol in each container will be clearly indicated.

[Deputy Áine Brady.]

Once prepared, the draft Heads of a Bill will be submitted to Government for approval in the normal way.

### **Nursing Homes Support Scheme.**

204. **Deputy David Stanton** asked the Minister for Health and Children the number of applications under the nursing home support scheme received each month since it was established; the number awaiting processing; the amount of time it takes to process an application; and if she will make a statement on the matter. [8769/10]

**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 Services.**

205. **Deputy Jack Wall** asked the Minister for Health and Children further to Parliamentary Question No. 126 of 3 December 2009, if the applicant will be facilitated at another hospital to have their operation under the National Treatment Purchase Fund; and if she will make a statement on the matter. [8798/10]

**Minister for Health and Children (Deputy Mary Harney):** The primary remit of the National Treatment Purchase Fund (NTPF) is to facilitate treatment for those public patients waiting longest for surgery. The NTPF is working with Tallaght hospital to facilitate treatment in the first place for patients waiting longer than 12 months for surgery. Thereafter it will be in a position to focus on patients waiting for less than 12 months. It is open to the patient's general practitioner to contact the hospital about the case, if he/she is of the opinion that the patient's condition merits more immediate attention.

206. **Deputy Kathleen Lynch** asked the Minister for Health and Children her plans for the future use of St. Mary's Orthopaedic Hospital, County Cork; and if she will make a statement on the matter. [8806/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### **Cancer Screening Programme.**

207. **Deputy Jack Wall** asked the Minister for Health and Children the age limit for cervical cancer vaccine; if it will be extended to other age groups; the way a person can register for the uptake of the vaccine; and if she will make a statement on the matter. [8807/10]

**Minister for Health and Children (Deputy Mary Harney):** Infection with Human Papillomavirus (HPV) is the main cause of cervical cancer. HPV is transmitted mainly through sexual contact. For this reason and having regard to the reports by the Health Information and Quality Authority and from the National Immunisation Advisory Committee and based on the best medical advice available to me that HPV vaccine does have the potential to play an important long term role in the prevention of cervical cancer I decided that a universal high uptake vaccination programme for young girls at the age of 13 or 14 every year for the foreseeable future should be introduced at this time.

Recently I requested the HSE to initiate a tendering process for the procurement of a HPV vaccine with a view to commencing a HPV vaccination programme for all girls in first year in secondary school and this process has now been completed. The programme can be delivered,

commencing this year, from the extra resources committed in this year's budget to the overall Cancer Programme. It is not intended to provide vaccination outside of this programme and details of the full programme will be announced by the HSE in the near future. It will not be necessary for people to register for the programme as all girls in first year will be offered the vaccination through their school.

### **Home Help Service.**

208. **Deputy Arthur Morgan** asked the Minister for Health and Children the number of home help hours that will be provided per month over the course of 2010 in County Donegal; and if she will make a statement on the matter. [8808/10]

**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 Services.**

209. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the reason a medical procedure has been postponed in respect of a person (details supplied) in Dublin 8; and if she will make a statement on the matter. [8812/10]

210. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if her attention has been drawn to the case of a person (details supplied) in Dublin 8. [8813/10]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 209 and 210 together.

As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Nursing Homes Support Scheme.**

211. **Deputy Michael Ring** asked the Minister for Health and Children when a decision will be made on the nursing home support scheme application in respect of a person (details supplied) in County Mayo. [8814/10]

**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.**

212. **Deputy John Deasy** asked the Minister for Health and Children the number of persons employed in the health service who are job sharing; and if she will make a statement on the matter. [8825/10]

**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.

### **Pre-school Services.**

213. **Deputy Pat Rabbitte** asked the Minister for Health and Children if she will reply to previous correspondence (details supplied) regarding the early childhood care and education scheme; and if she will make a statement on the matter. [8827/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The correspondence referred to by the Deputy concerns the free Pre-School Year in Early Child-

[Deputy Barry Andrews.]

hood Care and Education (ECCE) scheme which is being implemented by my Office since January of this year. The letter in question was received by my Office in December 2009 and was responded to earlier this month.

As the Deputy is aware, the scheme is open to children who are aged more than 3 years and 2 months and less than 4 years 7 months at 1 September each year. This means that children born between 2 February 2005 and 30 June 2006 qualified for the free pre-school provision in January this year and children born between 2 February 2006 and 30 June 2007 will qualify for the free pre-school provision in September 2010. While the majority of children commence school between the age of 4 years 6 months and 5 years 6 months, it is accepted that some parents choose to send their children to primary school at an earlier age and the ECCE scheme allows for children to attend the pre-school year and still commence primary school when they are just over 4 years 2 months of age.

However, the objective of the scheme is to make early learning in a formal setting available to all children in the key developmental year before they commence primary school, with appropriate age related activities and programmes being provided to children within a particular age cohort. Targeting the pre-school year at a particular age cohort is, therefore, fundamental to the scheme and for this reason minimum and maximum limits to the age range within which children will participate in the scheme each year have been set. I am satisfied that the age range which has been set achieves a reasonable balance between supporting the provision of age related programmes and activities and providing flexibility to parents and their children.

#### **Special Educational Needs.**

214. **Deputy Denis Naughten** asked the Minister for Health and Children her views on the Trinity College Dublin report, a cost and outcomes analysis of alternative models of care for young children with severe disabilities in Ireland; if she will meet with an organisation (details supplied); and if she will make a statement on the matter. [8845/10]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The HSE provided funding of €585,000 to the Jack and Jill Foundation in 2009 and will be happy to consider the report “There’s no Place like Home” as part of its engagement with the Foundation this year.

Neither my Department nor the HSE were involved in the preparation of this report. I agree that, in general, children’s needs are most appropriately met and provided in the home, and that we need to ensure more efficient use of resources. However, many children availing of services provided by the Jack and Jill Foundation also avail of other disability services, and the report did not compare the respective costs of the home based care provided by the Foundation with the cost of similar services provided by the HSE.

The current economic and budgetary position means we can only continue to fund new services by reducing costs and greater efficiency, including achieving greater integration of services provided by the statutory and non-statutory sectors. I should mention in this context that my Department is undertaking a review of the efficiency and effectiveness of the health and personal services provided to people with disabilities. This review is part of the Government’s Value for Money and Policy Review programme. The review will focus, in particular, on the scope for achieving greater efficiency and effectiveness from the substantial resources expended on services for people with disabilities, and will support the future planning and development of such services. I can assure the Deputy that the issues raised in the Jack and Jill Report will be considered as part of that review.

### Care of the Elderly.

215. **Deputy Seán Power** asked the Minister for Health and Children the number of applicants in receipt of a home care grant in 2008 and 2009; the number of new applications approved during those years in the Kildare and West Wicklow Health Service Executive area; and if she will make a statement on the matter. [8846/10]

**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.

### Nursing Homes Repayment Scheme.

216. **Deputy Arthur Morgan** asked the Minister for Health and Children when a person (details supplied) in County Louth will receive payment under the Health (Repayment Scheme) Act 2006; and if she will make a statement on the matter. [8851/10]

**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.

217. **Deputy Mary Upton** asked the Minister for Health and Children if her attention has been drawn to the rising cost of day care for Alzheimer's patients in the case of a person (details supplied) in Dublin 12; and if she will make a statement on the matter. [8855/10]

**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 Accommodation.

218. **Deputy Joe Behan** asked the Minister for Health and Children the terms of her contractual obligations in relation to the public use of privately operated beds in co-located hospitals in cases in which public beds are closed; and if she will make a statement on the matter. [8859/10]

**Minister for Health and Children (Deputy Mary Harney):** The Renewed Programme for Government re-affirms the Government's commitment to the current co-location programme.

Preferred bidders have been selected for six co-located projects at Beaumont, Cork University, Limerick Regional, St. James's, Sligo and Waterford Regional Hospitals. Project agreements have been signed for the Beaumont, Cork, Limerick and St James's projects. Planning permission has been granted for these latter four projects. Two other projects are at earlier stages of the procurement process.

One of the requirements under the scheme of capital allowances is that a private hospital must ensure that at least 20% of its bed capacity can be made available to the HSE for the treatment of individuals awaiting in-patient or outpatient hospital services as public patients. In addition, the fees charged must not be more than 90% of the fees that would be charged for equivalent treatment provided to a patient with private medical insurance.

Detailed and innovative features will promote the public interest. Each site will have one emergency department. The private hospitals will facilitate medical training and research and development; accept direct admissions to medical and surgical admission units from primary care centres and general practitioners on a 24-hour basis, seven days a week; comply with physical design requirements to fit with the public hospital; have joint clinical governance, shared information and records management, performance management and documented service level agreements, where these are undertaken; and participate in the public HIPE and



[Deputy Mary Harney.]

casemix information systems. While these obligations apply to the private hospital, the HSE (or public hospital) is not obliged in the project agreements to avail of bed capacity in the private hospital. However, it will be open to the HSE to enter into service level agreements for the use of capacity in the co-located facilities. This is intended to give the HSE (or the public hospital) the maximum flexibility in organising acute hospital services on the hospital campus.

### **Medical Cards.**

219. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding setting new income thresholds in respect of medical card eligibility for 2010. [8870/10]

**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 and medical need is being undertaken. Upon completion of this review, I will consider if changes are required to the medical card / GP visit card income thresholds.

### **Inter-Country Adoptions.**

220. **Deputy Joe Costello** asked the Minister for Health and Children if she has received the report of the Adoption Board on its investigation into the mediation agency dealing with Vietnamese intercountry adoption; if a decision has been made on transitional measures for prospective parents who wish to continue to adopt from non-Hague countries; and if she will make a statement on the matter. [8874/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I have not received the report of the Adoption Board in relation to this matter and I understand from the Board that enquiries in this regard are ongoing.

As regards the issue of transitional measures I brought forward at Committee stage a proposed amendment to the Adoption Bill 2009 that will enable prospective adoptive parents to proceed with an adoption from a non-Hague or non-bilateral country, if prior to the establishment date, they have been issued with a Declaration of Eligibility and Suitability to adopt. The amendment requires that the Adoption Authority (to be set up under the Act) would be satisfied that the particular adoption meets all the standards of the Hague Convention.

### **Health Service Staff.**

221. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if a number of acting community welfare officers who have permanent status with the Health Service Executive are retained in their posts as community welfare officers with permanent status when the service is transferred from her Department to the Department of Social and Family Affairs; and if she will make a statement on the matter. [8881/10]

**Minister for Health and Children (Deputy Mary Harney):** The employment status of employees and their terms and conditions are just some of the issues which have already been identified and on which agreement will need to be reached with the relevant health sector unions, prior to the transfer of the Community Welfare Service (CWS) from the Health Service Executive to the Department of Social and Family Affairs. It would be neither possible nor appropriate at this stage, in advance of such an agreement being reached, to attempt to give figures in relation to the numbers or employment status of such staff.

I should reiterate that the management of the Executive, the Department of Social and Family Affairs and my Department remain committed to implementing the Government decision, which was originally taken in 2006, to transfer the CWS. There have been prolonged periods of engagement with the health sector unions since that time but, to date, no agreement has been reached. Most recently, facilitated talks had begun under the auspices of the Labour Relations Commission, with a small sub-group, representative of management and unions, engaged in intensive discussions. However, both SIPTU and IMPACT informed the Labour Relations Commission in January of this year, that they were not in a position to attend the conciliation conferences which had been scheduled to take place. This was due to the fact that they were to be engaged in intensive dialogue/consultation with their membership throughout the month of January, regarding the Government decision to reduce the remuneration of public servants. Following this consultation, I understand that both unions have informed the LRC that they are unable to engage in these discussions, due to the ongoing industrial action across the public service. As a result of this development, these intensive talks in relation to the transfer of the CWS cannot now go ahead as planned. This decision by the unions is unwarranted, given the already unacceptable delays in implementing a Government decision that was taken nearly 4 years ago now. Ultimately, this transfer is one which will see the CWS being properly located in the Department of Social and Family Affairs, and will result in a better service for the public who avail of it.

*Questions Nos. 222 to 224, inclusive, answered with Question No. 188.*

#### **Medical Cards.**

225. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an application for an over 70 years medical card in respect of a person (details supplied) in County Cork. [9021/10]

**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.

#### **Inter-Country Adoptions.**

226. **Deputy Andrew Doyle** asked the Minister for Health and Children if the proposed Adoption Bill recognises direct adoptions from Hague-ratified contracting states where such adoptions are legislated for and administered in line with the Hague Convention Good Practice Guidelines; her plans to propose any amendments to clarify this issue; and if she will make a statement on the matter. [9024/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Adoption Bill, 2009, is designed to give force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption. The new legislation, which incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures have been followed and that all adoptions are effected in the best interests of the child. Future intercountry adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted.

With regard to 'independent' adoptions, Part 13 of the Adoption Bill outlines the restrictions on a person in seeking to make arrangements for adoptions. It also identifies the particular role of accredited authorities in this regard.

*Question No. 227 answered with Question No. 198.*

### Health Services.

228. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when placement will be provided for a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9037/10]

**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.

### Medical Cards.

229. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she has received correspondence from a union (details supplied) regarding medical card processing; her plans to address the concerns raised in such correspondence; if she will take on board the issues raised; and if she will make a statement on the matter. [9038/10]

**Minister for Health and Children (Deputy Mary Harney):** I have received three letters from IMPACT, dated 17th August 2009, 23rd December 2009 and 10th February 2010 in relation to this matter. Following the change in medical card eligibility for persons aged 70 and over in the Health Act 2008, the Health Service Executive (HSE) through its Service Plan for 2009, advised the Department of its decision to centralise the processing of all medical card and GP visit card applications and renewals to the Primary Care Reimbursement Service (PCRS) in Dublin. The HSE has indicated that this decision was taken in the context of the Executive's requirements to make efficiencies in business practices that could realise savings in a very challenging economic environment and provide a modern service to the public within sustainable levels of expenditure.

I wrote to all Oireachtas members on 19th January 2010 outlining a range of measures being employed by the Executive to address issues arising from this initiative and I also referred to the various enhancements that this process will facilitate upon completion. As stated in that letter, I fully support the HSE's decision to centralise the processing of all medical card applications and reviews.

### Hospital Services.

230. **Deputy John O'Mahony** asked the Minister for Health and Children when a person (details supplied) in County Sligo will get a bed in the Mater Hospital, Dublin. [9044/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### Mental Health Services.

231. **Deputy David Stanton** asked the Minister for Health and Children if further to Parliamentary Questions Nos. 516 and 519 of 19 January 2009, the inappropriate placing of 263 children in adult in-patient mental health facilities in 2008 puts Ireland in violation of its obligations under the UN Convention on the Rights of the Child she will seek an exemption in the public sector recruitment embargo to enhance the existing multidisciplinary community child and adolescent mental health teams and to appoint further teams to allow for the necessary provision of age appropriate facilities; and if she will make a statement on the matter. [9046/10]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I accept that it is inappropriate to admit children to units providing care and treatment to adults

but I recognise that in the absence of an alternative, such admissions are sometimes necessary for the safety and treatment of the child. In arriving at a decision to admit a child to an adult unit, due consideration is given to the risks to the child of not admitting him /her, and the potential adverse effects of such an admission. The Mental Health Commission has issued a code of practice relating to the admission of children under the Mental Health Act 2001 which outlines arrangements and facilities that should be put in place to ensure the protection and safety of such children. An addendum to this code of practice was issued by the Commission in June 2009 which provides that:

- No child under 16 years is to be admitted to an adult unit in an approved centre from 1st July 2009;
- No child under 17 years is to be admitted to an adult unit in an approved centre from 1st December 2010; and
- No child under 18 years is to be admitted to an adult unit in an approved centre from 1st December 2011.

If, in exceptional circumstances, the admission of a child to an adult unit in an approved centre occurs, the approved centre is obliged to submit a detailed report to the Mental Health Commission outlining why the admission has taken place. The HSE has prioritised the development of mental health services for children and adolescents. During 2009 the bed capacity for children and adolescents almost doubled, bringing the total number of in-patient beds to 30. In addition, two purpose built 20-bed units are under construction at present in Cork and Galway.

The Employment Control Framework for the HSE specifically exempts certain front line grades in the health sector from the moratorium including Consultants, Speech and Language Therapists, Occupational Therapists, Clinical Psychologists, Behaviour Therapists, Counsellors, and Social Workers. Posts in these key grades which become vacant may be filled and a limited number of new posts may be created within the overall numbers ceiling and moratorium policy. Funding was provided to the HSE in 2006 and 2007 for the development of child and adolescent mental health services and in 2009 additional funding was provided to allow for the recruitment of 35 therapy posts for the child and adolescent mental health service. This funding has enabled the HSE to further increase the number of multidisciplinary Child and Adolescent Mental Health Teams to 55 by the end of December 2009; a further eight teams are currently in development.

#### **Medical Cards.**

232. **Deputy Paul Kehoe** asked the Minister for Health and Children when a person (details supplied) will receive a decision on their medical card. [9051/10]

**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.

233. **Deputy Michael Ring** asked the Minister for Health and Children further to Parliamentary Question No. 219 of 9 February 2010, when a reply will issue from the Health Service Executive. [9056/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter it has been referred to the Health Service Executive again for direct reply to the Deputy.

### Hospital Services.

234. **Deputy Michael McGrath** asked the Minister for Health and Children if she will investigate the reason a person (details supplied) in County Cork, who has a very rare condition, has to be admitted through the accident and emergency department at Cork University Hospital every single time they require treatment; the number of occasions that this person has been admitted to the hospital through A&E in the past five years; and if she will make a statement on the matter. [9061/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### Medical Cards.

235. **Deputy John O'Donoghue** asked the Minister for Health and Children when a person (details supplied) in County Kerry will receive their renewed medical card; and if she will make a statement on the matter. [9073/10]

**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 Staff.

236. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she will confirm the appointment of two specialists to the orthodontic treatment centre at St. Finbarr's Hospital, Cork; when the two new appointments will commence; the way it is intended to deal with the backlog of patients; if the X-ray machine in this facility is functioning; the length of time same has been out of action; and if she will make a statement on the matter. [9076/10]

**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.

237. **Deputy Ciarán Lynch** asked the Minister for Health and Children when a cancelled orthodontic appointment in respect of a person (details supplied) in County Cork will be rescheduled; and if she will make a statement on the matter. [9077/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter it has been referred to the HSE for direct reply.

*Question No. 238 answered with Question No. 195.*

### Services for People with Disabilities.

239. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [9086/10]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** The HSE Estimate for 2010 requires the Executive to operate within tight spending parameters while meeting the objective of maintaining population health and access to services. The Minister is confident that the initiatives taken by Government to control costs will allow the HSE to maintain service levels next year. The Minister believes that building on the ambitions and achievements to date of the HSE, there is significant scope within the health system to achieve more through greater efficiency and effectiveness.

In relation to Disability, the HSE National Service Plan 2010 includes the following:

- Core disability service levels to be maintained at the same level as 2009
- Demographic Service Pressure funding for disability services to provide for a growth in demand for residential, day places and additional hours of personal assistant/home supports.
- Innovation funding to support the transition from institutions to person centred models of care in disability and mental health.

In the meantime, the Government is undertaking a review of the efficiency and effectiveness of the health and personal social services for people with disabilities in Ireland. This review is part of the Government's Value for Money and Policy Review programme for 2009 — 2011. This in-depth review will assess how well current health and personal social services for people with disabilities meet their objectives. The evaluation will focus on the current provision of disability services and explore the way forward for the development of services within a value for money and policy framework.

It is expected that the review will develop proposals to achieve optimal effectiveness and efficiency within the existing substantial resources expended on health and personal services for people with a disability and also support the future planning and development of services.

#### **Hospital Accommodation.**

240. **Deputy John O'Mahony** asked the Minister for Health and Children, further to Parliamentary Question No. 210 of 3 February 2010, when a reply will issue regarding the information sought; and if she will make a statement on the matter. [9103/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

#### **Nursing Homes Support Scheme.**

241. **Deputy John O'Mahony** asked the Minister for Health and Children further to Parliamentary Question No. 207 of 3 February 2010 when a reply will issue regarding the information sought. [9104/10]

242. **Deputy John O'Mahony** asked the Minister for Health and Children further to Parliamentary Question No. 208 of 3 February 2010 when a reply will issue regarding the information sought; and if she will make a statement on the matter. [9105/10]

243. **Deputy John O'Mahony** asked the Minister for Health and Children further to Parliamentary Question No. 209 of 3 February 2010 when a reply will issue regarding the information sought; and if she will make a statement on the matter. [9106/10]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I propose to take Questions Nos. 241 to 243, inclusive, together.

Parliamentary Questions 207-209 of the 3rd February 2010 relate to a service matter and were, therefore, referred to the HSE for direct reply on the 29th January 2010.

The HSE advises that the information required in order to reply to the Deputy is currently being collated and that it hopes to issue the reply as soon as possible.

### Legal Fees.

244. **Deputy John O'Mahony** asked the Minister for Health and Children further to Parliamentary Questions Nos. 479 and 480 of 16 September 2009 and Parliamentary Question No. 284 of 2 February 2010 when replies will issue regarding the information sought; and if she will make a statement on the matter. [9107/10]

256. **Deputy John O'Mahony** asked the Minister for Health and Children if her attention has been drawn to the fact that it takes more than one Parliamentary Question to receive answers to questions tabled to her Department; her views on the delays in providing this information; and if she will make a statement on the matter. [9227/10]

**Minister for Health and Children (Deputy Mary Harney):** I propose to take Questions Nos. 244 and 256 together.

Responding to the information needs of the Oireachtas and the public is a priority for my Department and is a regular agenda item at meetings between myself and the Chief Executive Officer of the Health Service Executive.

The operation of the Parliamentary Affairs Division of the HSE (PAD) allows for the centralised receipt, assignment and tracking of Parliamentary Questions within the HSE's extensive network of operations. More generally, PAD monitors overall performance in relation to the timely issue of replies and provides a central contact for all requests from Oireachtas members for information relating to matters within the statutory remit of the Executive. It reports on a regular basis to the Chief Executive Officer and his management team.

In 2008, a timeframe of 15 working days for replies was introduced for Parliamentary Questions referred to the Executive for direct reply. In 2009 approximately 62% of questions referred to the Executive were answered within the 15 day timeframe. I will continue to stress the importance of meeting the 15 day timeframe at my regular meetings with the CEO of the HSE.

The Deputy tabled two questions on 16th September 2009 which were referred to the HSE Parliamentary Affairs Division for direct reply. The numbers of these questions were 31305/09 and 31306/09 and the information sought related to a particular HSE region. Due to a clerical error the information supplied to the Deputy was incomplete. The error was brought to the HSE's attention and mine by the Deputy's further question, tabled on 2nd February 2010 and numbered 4587/10, on foot of which I asked the HSE to investigate the circumstances of the mistake and report on the matter to my Department. I have since been informed that the HSE have been in direct contact with the Deputy to apologise for the mistake, to supply most of the information sought and to assure the Deputy that the remaining outstanding information will be forwarded within the next two weeks.

### Proposed Legislation.

245. **Deputy John Deasy** asked the Minister for Health and Children if she will amend the Child Care (Amendment) Bill 2009 to include a legal entitlement to after care for young people coming out of care when they reach 18 years; and if she will make a statement on the matter. [9110/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Report of the Commission to Inquire into Child Abuse, 2009 Implementation Plan states that "The provision of aftercare by the HSE should form an integral part of care delivery for

children who have been in the care of the state. It should not be seen as a discretionary service or as a once-off event that occurs on a young person's 18th birthday.”

The Report makes the following recommendations in relation to aftercare:

- The HSE will ensure the provision of aftercare services for children leaving care in all instances where the professional judgement of the allocated social worker determines it is required;
- The HSE will, with their consent, conduct a longitudinal study to follow young people who leave care for 10 years, to map their transition to adulthood;
- The HSE and the Department of the Environment, Heritage and Local Government will review the approach to prioritising identified ‘at risk’ young people leaving care and requiring local authority housing;
- The HSE will ensure care plans include aftercare planning for all young people of 16 years and older;
- The HSE will ensure that aftercare planning identifies key workers in other health services to which a young person is referred, for example, disability and mental health services;
- The OMCYA, in conjunction with the HSE, will consider how best to provide necessary once-off supports for care leavers to gain practical lifelong skills.

In line with the Government commitment as reflected in the Ryan Implementation Plan funding of €1.0m was set aside by the HSE in its 2010 Service Plan, for the development of aftercare services in 2010. I am giving consideration to the legal position with regard to the provision of aftercare services, having regard to the existing legislative provisions as set out in the Child Care Act 1991. I met last week with representatives of Focus Ireland to discuss the wording of current legislation and their proposals for an amendment.

#### **Health Service Staff.**

246. **Deputy John O'Mahony** asked the Minister for Health and Children further to Parliamentary Question No. 287 of 2 February 2010, when a reply will be issued; and if she will make a statement on the matter. [9112/10]

**Minister for Health and Children (Deputy Mary Harney):** The Health Service Executive has advised my Department that the information sought is still being collated. However, the Executive hopes to issue a reply shortly.

#### **National Treatment Purchase Fund.**

247. **Deputy John O'Mahony** asked the Minister for Health and Children, further to Parliamentary Question No. 334 of 2 February 2010, when a reply will issue; and if she will make a statement on the matter. [9113/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the NTPF for direct reply.

#### **Inter-Country Adoptions.**

248. **Deputy Finian McGrath** asked the Minister for Health and Children if independent adoption is included in the Adoption Bill in view of the fact that there are a number of Irish



[Deputy Finian McGrath.]

citizens who have adopted children independently from countries that are signatories to the Hague Convention instead of from the State institutions of those countries; and if she will give recognition to these adoptions to allow these children to be afforded equal rights to children who have been adopted from State institutions of the international adoptive countries. [9141/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The Adoption Bill, 2009, is designed to give force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption. The new legislation, which incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures have been followed and that all adoptions are effected in the best interests of the child. Future inter-country adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted. With regard to ‘independent’ adoptions, Part 13 of the Adoption Bill outlines the restrictions on a person in seeking to make arrangements for adoptions. It also identifies the particular role of accredited authorities in this regard.

#### **Medical Cards.**

249. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding renewal of a medical card in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9153/10]

**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.

#### **National Treatment Purchase Fund.**

250. **Deputy Jack Wall** asked the Minister for Health and Children if a person (details supplied) in County Kildare can change the hospital into which they are booked under the National Treatment Purchase Fund; and if she will make a statement on the matter. [9157/10]

**Minister for Health and Children (Deputy Mary Harney):** The primary remit of the National Treatment Purchase Fund (NTPF) is to facilitate treatment for those public patients waiting longest for surgery. The NTPF is working with Tallaght hospital to facilitate treatment in the first place for patients waiting longer than 12 months for surgery. Thereafter it will be in a position to focus on patients waiting for less than 12 months. It is open to the patient’s general practitioner to contact the hospital about the case, if he/she is of the opinion that the patients condition merits more immediate attention.

#### **Medical Cards.**

251. **Deputy John O’Donoghue** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [9160/10]

**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.

#### **National Lottery Funding.**

252. **Deputy Tom Sheahan** asked the Minister for Health and Children the position regarding an application for lottery funding by an organisation (details supplied); and if she will make a statement on the matter. [9161/10]

**Minister for Health and Children (Deputy Mary Harney):** My Department has received an application for funding from the 2010 National Lottery allocation from the organisation in question. This is one of a large number currently being assessed by my Department. The Deputy will be informed of the outcome of the application as soon as a decision has been made.

#### **Mental Health Services.**

253. **Deputy John McGuinness** asked the Minister for Health and Children, further to a previous parliamentary question, the reason a person (details supplied) in County Kilkenny has not had the services of a psychologist; if she will alert the Health Service Executive to the urgency of his case and if she will expedite the matter. [9198/10]

**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.

254. **Deputy Mary Upton** asked the Minister for Health and Children when a psychiatric assessment will be arranged for a person (details supplied) in Dublin 10; and if she will make a statement on the matter. [9203/10]

**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.

#### **Consultancy Contracts.**

255. **Deputy John O'Mahony** asked the Minister for Health and Children the amount she has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if she is satisfied that this practice represents good value for money; and if she will make a statement on the matter. [9218/10]

**Minister for Health and Children (Deputy Mary Harney):** The amount spent on external contracts by my Department in 2007, 2008 and 2009 is as follows:

| Year | Amount spent on Consultants |
|------|-----------------------------|
|      | €                           |
| 2007 | 8,099,465.60                |
| 2008 | 7,277,575.05                |
| 2009 | 5,339,696.49                |

In seeking to address the general category of outside consultants, the information set out above relates to external contracts placed by my Department for the provision of advice and expertise, and the undertaking of studies, surveys and other services. For example, included in the above are SLAN 07 (the National Health and Lifestyle Survey) and the National Longitudinal Study of Children in Ireland (NLSCI), which involve the undertaking of a service rather than simply the provision of advice or expertise. Expenditure in areas such as this generates important publicly available information which can be used to monitor and assess the benefits of existing and potential health and social interventions.

More generally, it is the policy in my Department only to engage the services of external consultants where it is felt to be appropriate and cost-effective, taking account of Government decisions and policy on the matter. All projects must have the prior approval of myself and the Department's Management Advisory Committee before any decision can be taken by any

[Deputy Mary Harney.]

Division of the Department to go to public tender for the engagement of external consultants. Once initiated, the spend profile of each project is monitored by my Department on a monthly basis.

*Question No. 256 answered with Question No. 244.*

### **Assisted Human Reproduction.**

257. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children, further to Parliamentary Question No. 144 of 1 July 2009, her plans to introduce legislation in the area of surrogate parenthood in light of the RvR judgement; and if she will make a statement on the matter. [9229/10]

**Minister for Health and Children (Deputy Mary Harney):** The Supreme Court recently decided in the RvR (*frozen embryos*) case that the frozen embryos at issue in the case do not have the constitutional protection of Article 40.3.3 of the Constitution. It is my intention to bring forward proposals to Government later this year with a view to drafting legislation to govern the area of Assisted Human Reproduction and related practices. The work involved in developing these proposals will examine and consider — among other things — the issues arising from the *frozen embryos* Supreme Court judgment.

### **Health Services.**

258. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when speech and language therapy will be arranged in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9255/10]

**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.

### **Rural Transport.**

259. **Deputy Jan O'Sullivan** asked the Minister for Transport the reason charges are imposed on the users of a rural transport scheme (details supplied) in County Donegal without consultation and whose users are disabled and attend a centre run by the Health Service Executive; if this decision will be reconsidered; and if he will make a statement on the matter. [8880/10]

**Minister for Transport (Deputy Noel Dempsey):** This transport service is not provided under the Department's Rural Transport Programme. I understand that the service is operated by Seirbhís Iompair Tuaithe Teoranta (SITT) under a contract with the Health Service Executive (HSE), to whom the question of charges for the service should be addressed.

### **Air Services.**

260. **Deputy Fergus O'Dowd** asked the Minister for Transport the discussions he has had with an airline (details supplied) on job creation at Dublin Airport; if the Dublin Airport Authority was consulted; and if he will make a statement on the matter. [8730/10]

**Minister for Transport (Deputy Noel Dempsey):** I have not had any discussions with the airline referred to by the Deputy in relation to job creation at Dublin Airport. I have of course kept in close contact with the Dublin Airport Authority (DAA) and my colleague the Tánaiste and Minister for Enterprise, Trade and Employment on the matter concerning the use of

Hangar 6 which is leased to Aer Lingus. In very recent correspondence with Ryanair the Tánaiste has confirmed her wish to focus constructively on the alternative options to Hangar 6 which include the use of available existing hangar space or a new build on available sites on airport land or some combination of the two.

### **Road Network.**

261. **Deputy Bernard J. Durkan** asked the Minister for Transport if he has received reports on a regular basis on any matter affecting the operation of toll roads; and if he will make a statement on the matter. [8755/10]

**Minister for Transport (Deputy Noel Dempsey):** 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 National Roads Authority under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007). I have not received any reports of the nature described by the Deputy.

### **Public Transport.**

262. **Deputy Michael McGrath** asked the Minister for Transport the position regarding an application by Bus Éireann for a licence to extend a bus service (details supplied) in County Cork. [8867/10]

**Minister for Transport (Deputy Noel Dempsey):** I refer the Deputy to my previous reply on 7 July, 2009 (ref. 27468/09.). The position in relation to the issue raised remains unchanged. My Department received a proposal from Bus Éireann on 20 August, 2007, for changes to its Route 226. Following an examination of the proposal, my Department deemed that the proposal would give rise to competition with an existing licensed service. Accordingly, my Department advised Bus Éireann on 18th May 2009 that an application for my consent to introduce this service in accordance with Section 25 of the Transport Act, 1958 was required. Such an application has not been received to date.

### **Road Safety.**

263. **Deputy Ciarán Cuffe** asked the Minister for Transport the parking regulations under the Road Traffic Acts that specify when vehicles must have parking lights illuminated; and when and where it is permitted for a vehicle to be parked contrary to the direction of traffic. [9090/10]

**Minister for Transport (Deputy Noel Dempsey):** The Statutory provisions for the use of parking lights is outlined in Articles 20 and 50 of the Road Traffic (Lighting of Vehicles) Regulations, 1963 as amended. (S.I. No. 189 of 1963). Under Section 11 of the Road Traffic Act 1961, as amended, it is an offence to contravene these Regulations. The parking of a vehicle contrary to the direction of traffic is not prohibited under the Road Traffic Acts.

264. **Deputy Ciarán Cuffe** asked the Minister for Transport the regulations under the Road Traffic Acts that specify when and where it is appropriate to use front facing fog lights and rear facing fog lights; and the technical specifications that apply to fog lights placement on a vehicle, brightness, height and aiming. [9091/10]

**Minister for Transport (Deputy Noel Dempsey):** The Road Traffic (Lighting of Vehicles) Regulations 1963 to 2009 provide for the use of lighting on vehicles including the use of front and rear fog lights. Under the Road Safety Authority Act 2006 (Conferral of Functions) Order

[Deputy Noel Dempsey.]

2006 (S.I. No. 477 of 2006), responsibility for vehicle standards including technical specifications for lighting of vehicles is a matter for the Road Safety Authority.

265. **Deputy Ciarán Cuffe** asked the Minister for Transport the percentage of fatal road traffic accidents where the drivers of the vehicles involved had a blood alcohol concentration of between 0mg and 50mg, of between 50mg and 80mg, of between 80mg and 100mg, of between 100mg and 200mg and over 200mg for the past year in which statistics are available and the preceding three years. [9093/10]

**Minister for Transport (Deputy Noel Dempsey):** Under the Road Safety Authority Act 2006 and the Road Safety Authority Act 2006 (Conferral of functions) Order 2006 (S.I. No 477 of 2006) this is a matter for the Road Safety Authority.

266. **Deputy Ciarán Cuffe** asked the Minister for Transport the percentage of fatal road traffic accidents where one or more of the vehicles involved were exceeding the posted speed limit for the last year in which statistics are available and for the preceding three years. [9094/10]

**Minister for Transport (Deputy Noel Dempsey):** Under the Road Safety Authority Act 2006 and the Road Safety Authority Act 2006 (Conferral of functions) Order 2006 (S.I. No 477 of 2006) this is a matter for the Road Safety Authority.

267. **Deputy Ciarán Cuffe** asked the Minister for Transport his plans to issue guidance to local authorities regarding the standardisation of limits across all local authorities. [9095/10]

**Minister for Transport (Deputy Noel Dempsey):** Following the metrication of speed limits in 2005 guidance issued to Local Authorities from the then Minister on the setting of special speed limits in accordance with Section 9 of the Road Traffic Act 2004. The purpose of these guidelines is to provide advice and guidance to Local Authorities in relation to the making of special speed limit bye-laws by county and city councils. These Guidelines set out principles to guide local authorities in setting speed limits with the intention of contributing to the establishment of uniform and standard application of appropriate speed limits on a country-wide basis. Revised Guidelines issued to Local Authorities in December 2008. The Road Safety Strategy 2007-2012 sets out two related actions (a) to prepare and publish technical/engineering guidance for the setting of speed limits generally and (b) to audit and report on the appropriateness and consistency of speed limits every two years. Work on these Actions is now in hand and, in concluding that work, regard will be had to Action 30 of the recently published Smarter Travel Plan to “address the twin objectives of road safety and emissions reduction through the enhanced enforcement of appropriate speed limits”, as there is clearly scope for a co-ordinated approach.

### **Road Signage.**

268. **Deputy Ciarán Cuffe** asked the Minister for Transport if he has issued guidance to local authorities requiring them to remove signs indicating a special speed limit, or road works speed limit, after the expiry date of the special speed limit by law. [9096/10]

**Minister for Transport (Deputy Noel Dempsey):** Under section 95 of the Road Traffic Act 1961 the provision of traffic signs on the public roads is a matter for each road authority. I have given directions and guidance to road authorities in the Traffic Signs Manual on the provision and use of traffic signs. The revised Chapter 8 of the Manual, which was issued to all

local authorities in February 2007, provides for clear guidance on the implementation and removal of all signage associated with road works. It is a matter for the road authority to determine the location of traffic signs to ensure that clear and effective signing is in place for the efficient operation of the road network, for the enforcement of traffic regulations and for road safety purposes.

### **Consultancy Contracts.**

269. **Deputy John O'Mahony** asked the Minister for Transport the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9222/10]

**Minister for Transport (Deputy Noel Dempsey):** The amount my Department has spent on hiring or use of outside consultants in 2007, 2008 and 2009 is contained in the following table.

| 2007         | 2008          | 2009          |
|--------------|---------------|---------------|
| €4.4 million | €3.52 million | €3.62 million |

Outside consultancies are hired in circumstances where particular expertise is required and where it is deemed to add value to the overall work of the Department.

### **Cycle to Work Scheme.**

270. **Deputy Frank Feighan** asked the Minister for Transport if he will list every local authority that is participating in the cycle to work scheme; if he has had discussions with the local authorities that are not participating; the reason for their non-participation; and if he will make a statement on the matter. [9228/10]

**Minister for Transport (Deputy Noel Dempsey):** The Cycle to Work Scheme is optional and participation in it is a matter for decision by individual employers in accordance with guidance from the Revenue Commissioners under the direction of the Department of Finance. My Department has no information in relation to take up of the scheme in the local authority sector.

### **Land Registry.**

271. **Deputy Michael D. Higgins** asked the Minister for Justice, Equality and Law Reform the position regarding the Property Registration Authority's move towards the e-conveyancing of land certificates; the documents that have been saved; the locations at which they are being kept; and if he will make a statement on the matter. [8706/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to refer the Deputy to my reply to Question No. 366 of 2 February, 2010.

### **Missing Persons.**

272. **Deputy Ciarán Cuffe** asked the Minister for Justice, Equality and Law Reform the position regarding the implementation of the Emergency Alert systems in respect of missing children as contained in the National Action Plan to prevent and combat trafficking of human beings 2009 to 2012; and if he will make a statement on the matter. [8653/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Following my request to the Garda Síochána Inspectorate to assess the need to establish a dedicated Missing Persons Unit within An Garda Síochána, including a response similar to Amber Alert, and to report their findings to me, the Inspectorate published its report last year. One of its main recommendations was that an emergency alert system for missing children, similar to the Amber Alert system in place in other countries, should be established. I gave the go ahead for the implementation of this recommendation, and An Garda Síochána is committed to its implementation. They are currently exploring options to achieve the most appropriate structure to give effect to the recommendation, taking account of progress at international level in the development of alert systems for missing children.

### **Security Systems.**

273. **Deputy Liz McManus** asked the Minister for Justice, Equality and Law Reform his views on mosquito alarms being used by businesses to deter young people from congregating outside shops; his further views on whether these mosquito alarms are legal; if his attention has been drawn to any issues of health and safety surrounding these devices; and if he will make a statement on the matter. [8666/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** Section 2 of the Non-Fatal Offences Against the Person Act 1997 creates the offence of assault and refers to the application of force. The section specifies that “force” includes application of, inter alia, noise.

I am informed by the Garda authorities that an instruction has issued to all members of An Garda Síochána that any complaints received regarding devices which might use noise to deter persons from congregating are to be fully investigated. If any person has concerns about the use of such devices in a particular locality, the matter should be reported to the Gardaí.

The legislative provisions dealing with assault are kept under constant review by my Department.

### **Garda Strength.**

274. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of persons who have joined the Garda Reserve in each year since its establishment; the number recruited in Dublin; the duties in which they are engaged; the cost to the Exchequer of the Garda Reserve; the number of former members of the Garda Reserve who have subsequently applied to join An Garda Síochána; the number which have been successful; and if he will make a statement on the matter. [8684/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

### **Public Order Offences.**

275. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [8737/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The issue raised by the Deputy is primarily a civil matter and as such is outside the remit of An Garda Síochána. However, when An Garda Síochána receives a complaint about neighbours causing noise, they can request them to lower the noise levels. The Garda powers in this regard relate to ensuring

that a breach of the peace does not occur. In circumstances where the noise nuisance relating to neighbours is anti-social within the meaning of the Criminal Justice Act 2006, a member of An Garda Síochána may issue a behaviour warning.

Complainants may also be advised by An Garda Síochána of their civil entitlements under section 108 of the Environmental Protection Agency Act 1992. A local authority, the Agency or any person may complain to the District Court regarding any noise, which is so loud, so continuous, so repeated and of such duration or pitch or occurring at such a time, as to give reasonable cause for annoyance. The court may order the person or body making the noise to take the measures necessary to reduce the noise to a specified level or to take measures to limit or prevent the noise.

Legislation in relation to noise pollution is a matter for my colleague the Minister for the Environment, Heritage and Local Government. As part of the preparatory process for new legislation an extensive public consultation was undertaken in 2008. After consideration of the submissions received during the consultation process, the General Scheme of a Noise Nuisance Bill was approved by the Government.

The Department of the Environment, Heritage and Local Government has published advice in relation to noise nuisance on its website *www.environ.ie*, including information relevant to local authority dwellings, private rented or privately owned dwellings.

#### **Garda Investigations.**

276. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform the position regarding the Garda investigation into an armed robbery at a post office (details supplied) in County Donegal on 27 February 2009 in which more than €100,000 is reported to have been taken; if a file has been submitted to the Director of Public Prosecutions; and if he will make a statement on the matter. [8738/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am not in a position to respond to the Deputy at this time, but will do so as soon as the relevant information is available.

277. **Deputy Pat Rabbitte** asked the Minister for Justice, Equality and Law Reform if the Garda investigation has been completed into the death of a person in a road traffic hit and run incident (details supplied) on 27 September 2008; if a file has been sent to the Director of Public Prosecutions; and if he will make a statement on the matter. [8739/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am not in a position to provide the information sought by the Deputy at this time, but will do so as soon as the information is available.

#### **Firearms Regulations.**

278. **Deputy Jimmy Deenihan** asked the Minister for Justice, Equality and Law Reform the law governing the storage of a licensed firearm; if same is up to the discretion of a Garda District Inspector to determine if a person needs a gun safe for one fire arm; and if he will make a statement on the matter. [8756/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The minimum requirements for the secure accommodation of a firearm are laid down in the Firearms (Secure Accommodation) Regulations (S.I. 307 of 2009). The S.I. sets out the relevant standard based on the number and type of firearms present.



### Crime Prevention.

279. **Deputy Deirdre Clune** asked the Minister for Justice, Equality and Law Reform the steps he will take to address the problem of elderly persons being targeted by criminals calling to their homes and posing in different guises, including as gardaí, to convince elderly persons to give them money; the supports that exist for victims of such crimes; and if he will make a statement on the matter. [8765/10]

280. **Deputy Deirdre Clune** asked the Minister for Justice, Equality and Law Reform the steps he will take to address the problem of elderly people being targeted by criminals calling to their homes and offering to do work but refusing to provide quotes, refusing to carry out any work after being paid or demanding extra payments for work after it has been carried out; the supports that exist for victims of such crimes; and if he will make a statement on the matter. [8766/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 279 and 280 together.

I am concerned about reports of elderly persons being targeted, in whatever manner, by those engaged in criminal activities. The Garda Commissioner shares these concerns.

An Garda Síochána has highlighted the danger posed by bogus callers, posing as employees of public authorities, to the homes of elderly people. The Garda authorities have advised home occupiers to request appropriate identification from callers and to check also with the organisation they claim to represent. In cases where the home occupier is in any doubt, they should contact their local Gardaí immediately. Likewise, where there are concerns about people seeking improper payments or obtaining payments by deception, Garda assistance should be sought. An Garda Síochána has also asked neighbours and family friends to be vigilant in this regard and to remind the elderly and those living alone of the dangers posed by bogus callers.

Advice is available from An Garda Síochána for older persons and others on personal safety, including on dealing with bogus traders and callers. <http://www.garda.ie/> All members of An Garda Síochána promote crime prevention and reduction. In addition, there are dedicated crime prevention officers within each Garda Division. These officers are trained to promote and provide advice on crime prevention to individuals and the business community.

The Victims of Crime Office, which was established in September, 2008, is an Executive Office of the Department of Justice, Equality and Law Reform. The Office works to improve the continuity and quality of services to victims of crime by State agencies and non-governmental organisations throughout the country and supports the development of competent, caring and efficient services to victims of crime.

I am informed that the Department of Community, Rural and Gaeltacht Affairs provides grant support for community and voluntary organisations to address the isolation and security needs of older people. The Scheme of Community Support for Older People has enabled the installation of monitored alert systems since 1996, and the Department estimates that the homes of some 90,000 older people are currently being monitored on a 24 hour seven day basis. The Department will introduce a revised Scheme in the coming weeks and will keep the current arrangements in place to avoid any disruption in grant support.

### Citizenship Applications.

281. **Deputy Seán Power** asked the Minister for Justice, Equality and Law Reform when a decision will be made on the application for citizenship in respect of a person (details supplied); and if he will make a statement on the matter. [8773/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

282. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when an appeal will be decided on in respect of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [8776/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** In the absence of more specific details being provided by the Deputy, I regret that it is not possible to provide a response to his Question. If the Deputy wishes to re-submit his Question with a relevant reference number, I would be happy to provide the requested information.

283. **Deputy Seán Power** asked the Minister for Justice, Equality and Law Reform when a decision will be made on the application for naturalisation in respect of a person (details supplied); and if he will make a statement on the matter. [8779/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

#### **Asylum Support Services.**

284. **Deputy Tom Hayes** asked the Minister for Justice, Equality and Law Reform the facilities funded by his Department for the accommodation of refugees or asylum seekers in County Tipperary; and if he will make a statement on the matter. [8784/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision. The Office of the Minister for Integration (OMI) is responsible for integration matters in respect of Programme Refugees and other immigrant groups.

The OMI is not funding any accommodation facilities for refugees in County Tipperary. The RIA currently operates one asylum seeker accommodation centre in County Tipperary, namely Bridgewater House in Carrick-on-Suir. The contracted capacity of Bridgewater House is 120 and at end January, 2010 there were 94 persons residing at the centre.

#### **Departmental Reports.**

285. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question Nos. 172 of 21 January 2010 and 376 of 2 February 2010, when a reply will issue; and if he will make a statement on the matter. [8805/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to inform the Deputy that the information sought in Question No. 172 of 21 January, 2010 issued from my Office today.

#### **Departmental Applications.**

286. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform the position regarding an application in respect of a person (details supplied) in County Limerick. [8815/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

#### **Asylum Applications.**

287. **Deputy John Perry** asked the Minister for Justice, Equality and Law Reform if he will use his discretion to ensure that a person (details supplied) has their leave to remain in the State and subsidiary protection applications processed inside a six month period; and if he will make a statement on the matter. [8849/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I can confirm that the person concerned has submitted an application for Subsidiary Protection and has also submitted written representations for consideration under Section 3 of the Immigration Act 1999 (as amended). The application for Subsidiary Protection will be considered first following which the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

The case of the person concerned is among a large volume of such cases which are awaiting consideration at present and, as such, it is not possible to provide a commitment of the nature sought by the Deputy. However, the Deputy can be assured that the case of the person concerned will be processed to finality as soon as possible.

#### **Citizenship Applications.**

288. **Deputy Bobby Aylward** asked the Minister for Justice, Equality and Law Reform the position regarding an application for naturalisation in respect of persons (details supplied) in County Kilkenny. [8852/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

#### **Courts Service.**

289. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 314 of 16 February 2010, if the chief executive of the Courts Service is accountable to him; if the chief executive of the Courts Service or any other body, group or agency are accountable to anybody for expenditure from Vote 22; and if he will make a statement on the matter. [9041/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** As I informed the Deputy in reply to Question No. 314 of 16 February 2010, the Courts Service operates under its own Vote. The Vote, in common with all other votes in relation to State authorities, is approved annually by this House. The functions and responsibilities of the Chief Executive Officer, which include attendance before an Oireachtas Committee, are laid out in the Courts Service Act 1998.

### **Citizenship Applications.**

290. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform the position regarding an application for naturalisation in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [9059/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

### **Residency Permits.**

291. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for leave to remain in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [9075/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** On the basis of the information supplied by the Deputy, I regret that it is not possible to provide a response to his Question. If the Deputy wishes to re-submit his Question with the correct reference number included, I would be happy to provide the requested information.

### **Proposed Legislation.**

292. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding the Judicial Council Bill. [9087/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my response to Question No. 10 of 10 December 2009. I have nothing further to add to the details of that reply.

### **Gaming and Lotteries Act.**

293. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the progress made on his Department's review of gambling; if he will publish a report of submissions and deliberations; when he expects to publish legislative proposals; and if he will make a statement on the matter. [9122/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I refer the Deputy to my response to Parliamentary Question No. 299 of 16 February last, which referenced, inter alia, progress on the major review of gambling being undertaken by my Department.

As I have already indicated, I hope to be in a position to seek Government approval of policy proposals for a new gambling architecture in the State. The policy proposals, which I would intend to publish, will be based on an examination of the 70 submissions received to date as part of the review process as well as the recommendations contained in the Report of the Casino Committee, Regulating Gaming in Ireland. My Department is now finalising an examination of the 70 submissions in question. Following the settling of policy in relation to a new gambling architecture for the State, the Deputy can expect the publication of legislative proposals in the normal course.

### **Residency Permits.**

294. **Deputy Michael Noonan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on the renewal of residency in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [9145/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I am informed by the Immigration Division of my Department that the person concerned made an application for residence in the State based on his marriage to a Spanish national on 18 February 2009. The person referred to by the Deputy was informed of the decision to refuse her application on 27 July 2009. A request by the applicant and her spouse for a review of this decision was received on 8 September 2009. All applications for review are dealt with in chronological order of date of receipt and the decision to refuse this application remains under review.

### **Community Policing.**

295. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the number of gardaí involved in community policing for each of the past five years; the number proposed for 2010; and if he will make a statement on the matter. [9148/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

296. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform his views on the possibility of defining the rank of community garda officers within the Garda; and if he will make a statement on the matter. [9149/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The new Garda National Model of Community Policing aims at building upon and enhancing good community policing practice. In addition to the extension of community policing teams to all Garda Districts under this model, however, all Gardai will continue to have a role to play in addressing community policing issues as and when the need arises. There are no proposals to create a separate rank of community garda.

### **Criminal Responsibility.**

297. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the legislation he plans to deal with the developing situation whereby children under the criminal age of 12 are becoming more associated with gangland culture; and if he will make a statement on the matter. [9150/10]

**Minister of State at the Department of Justice, Equality and Law Reform (Deputy Barry Andrews):** On 16 October 2006 the age of criminal responsibility was effectively raised from 7 to 12 years. This came into force under Part 5 of the Children Act 2001, as amended by the Criminal Justice Act 2006. Under the new provisions, no child under the age of 12 years can be charged with an offence. An exception is made for 10 and 11 year-olds charged with very serious offences, such as unlawful killing, a rape offence or aggravated sexual assault. In addition, the Director of Public Prosecutions must give consent for any child under the age of 14 years to be charged.

Section 53 of the Children Act sets out a series of clear steps which a member of An Garda Síochána should undertake when faced with a child under the age of criminal responsibility who commits an offence—

1. The Garda should take the child to its parent or guardian.
2. Where the Garda has reasonable grounds for believing that the child is not receiving adequate care or protection, the Garda shall inform the HSE of the child's name, address

and age and the circumstances in which the child came to the attention of An Garda Síochána.

3. Where it is not practicable for the child to be taken to his or her parent or guardian, the Garda concerned may give the child, or arrange for the child to be given, into the custody of the HSE.
4. Where the Garda has reasonable grounds for believing (a) that there is an immediate and serious risk to the health and welfare of the child, and (b) that it would not be sufficient to await an emergency care order, the Garda may remove the child to safety.

Section 53(4) of the Children Act states that it is the duty of the HSE to apply for a care order or supervision order (in accordance with the Child Care Act 1991) where it appears to the HSE that the child is unlikely to receive the care and protection it requires under the circumstances described above.

There are no plans for legislation to change the age of criminal responsibility.

#### **Garda Recruitment.**

298. **Deputy Joe Carey** asked the Minister for Justice, Equality and Law Reform the position of all rank retirements in 2009 of gardaí; the subsequent filling of these positions; and if he will make a statement on the matter. [9151/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** While some 700 members of the force retired in 2009, over 900 students were attested as sworn members in the same period. The Deputy will be aware that I recently secured sanction from the Minister for Finance for a significant derogation from the moratorium on recruitment and appointments in the public service. As a result of this some 170 positions are being filled in An Garda Síochána now and in the very near future. The Commissioner is in the process of organising competitions from which successful candidates will be promoted to fill vacancies throughout the Force and it is expected that this process will be completed as soon as is practicable.

#### **Passport Applications.**

299. **Deputy Michael McGrath** asked the Minister for Justice, Equality and Law Reform if persons (details supplied) in County Cork are entitled to an Irish passport under the terms of the Irish Nationality and Citizenship Act 2004. [9204/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I wish to advise the Deputy that responsibility for the issuing of Irish passports rests with the Department of Foreign Affairs. I am informed that the parents of the children in question were granted permission to remain in the State on 27 September, 2005, under the revised arrangements for the non-EEA parents of children born in Ireland before 1 January, 2005, known as the IBC/05 Scheme.

The eligibility for citizenship of persons born on the island of Ireland on or after 1 January, 2005, is governed by the Irish Nationality and Citizenship Act, 2004. On the basis of the information provided by the Deputy regarding the birth dates of the children in question, it would appear that the residency criteria (minimum 3 out of 4 years) as set out in the relevant statutory provision has not been satisfied and thus the children referred to are not currently entitled to Irish citizenship.

### Consultancy Contracts.

300. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9219/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** The information sought by the Deputy in respect of the years 2007 and 2008 has been supplied in answer to PQ 41184/08. Information in respect of 2009 is currently being finalised and will be forwarded to the Deputy when completed.

### Community Policing.

301. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the number of schemes under community policing as provided for under the Garda Síochána Act 2005 that are currently up and running in each Garda district in County Mayo; and if he will make a statement on the matter. [9224/10]

**Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern):** I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

### International Agreements.

302. **Deputy Pat Breen** asked the Minister for Foreign Affairs the discussions he has had on the Government's position on the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which opened for signature and ratification in New York on 24 September 2009; and the nature, content and conclusions of those discussions. [8648/10]

303. **Deputy Pat Breen** asked the Minister for Foreign Affairs the contacts he has had on the Government's position on the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which opened for signature and ratification in New York on 24 September 2009; the nature, content and conclusions of those contacts; and if he will make a statement on the matter. [8649/10]

304. **Deputy Pat Breen** asked the Minister for Foreign Affairs the steps that have been identified by his Department as necessary to facilitate Ireland's signature and ratification of the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which opened for signature and ratification in New York on 24 September 2009; and if he will make a statement on the matter. [8650/10]

305. **Deputy Ciarán Cuffe** asked the Minister for Foreign Affairs the discussions that he has had with other Departments on his policy for the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights which opened for signature and ratification in New York on 24 September 2009; the nature, content and conclusions of those discussions; the necessary steps to be taken to facilitate Ireland's signature and ratification; and if he will make a statement on the matter. [8652/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 302 to 305, inclusive, together.

As I have indicated in response to similar recent questions, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) is intended,

when it comes into force, to set up a mechanism that will make it possible for individuals or groups of individuals to submit a complaint to the UN Committee on Economic, Social and Cultural Rights in regard to alleged violations of their economic, social and cultural rights by a State Party to the Optional Protocol. It does not create any new substantive rights.

Following consideration by the UN Human Rights Council, the text of the Optional Protocol was presented to the UN General Assembly, which adopted the text by consensus on 10 December 2008. Officials of this Department were actively engaged at all stages of negotiation on the Optional Protocol, in consultation with other relevant Government Departments, our EU partners, other UN member States and civil society/NGO representatives.

The Optional Protocol opened for signature in New York last September. I arranged for Ireland to be represented at the opening ceremony even though we were not in a position to sign. So far thirty two (32) States have signed. Only nine of the twenty seven EU member States have signed at this point. No State has yet ratified the Optional Protocol. The Optional Protocol can only come into force three months after the deposit with the UN Secretary-General of the tenth instrument of ratification or accession.

Inter-Departmental consultations have been ongoing since the process of negotiating the Optional Protocol began, with my Department playing a co-ordination role. In advance of the signing ceremony in New York, the Department chaired an inter-Departmental meeting in July 2009 as part of the ongoing consultation process. At that time, Departmental representatives indicated that more time was needed to thoroughly consider the issues arising. The Department plans to convene an inter-Departmental meeting in the near future to discuss developments.

I can assure the Deputies that I will make every effort to ensure that the consideration of Ireland's signature and ratification by relevant Government Departments is completed as quickly as possible.

#### **Irish Prisoners Abroad.**

306. **Deputy Finian McGrath** asked the Minister for Foreign Affairs the position regarding the case of a person (details supplied) in County Galway. [8686/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The provisions relating to prisoners in the Good Friday Agreement only relate to the obligations of the British and Irish Governments and are not applicable to other States.

Decisions in the matter referred to by the Deputy would be for the US authorities to determine. My Department has no record of any contact from the individual concerned regarding the situation he faces.

#### **Diplomatic Residences.**

307. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs his views on reports suggesting that a large amount of money is being spent on upgrading the Irish Ambassador to Canada's residence; if this amount was sanctioned by his Department in its entirety; and if the amount spent represents an average for such upgrading. [8701/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Ambassador's Residence in Ottawa was acquired by the State in 1960. Only modest investments were made in its upkeep over the years and it had long been in need of substantial refurbishment. In 2006, my Department was advised that total renovation was required to address a wide range of serious structural and maintenance issues. Some of these problems were aggravated by the long term cumulative impact of the severe local climate.



[Deputy Micheál Martin.]

A number of extensions to the property were found to be structurally flawed and had to be demolished and replaced. Large quantities of asbestos were discovered in the building and all services including electrical, heating and air conditioning had to be renewed or upgraded to conform to contemporary local legal codes. The alternatives, including relocation, were examined. However, the necessary renovations mitigated against the sale of the property. It was concluded that refurbishment and retention was the most cost-effective option.

The decision was taken to renovate and upgrade the property so it could serve as a multi-purpose “Ireland House” type amenity to enhance the Embassy’s capacity to promote all aspects of Ireland especially trade and culture and provide conference and presentation facilities for use by State Agencies, Irish companies and artists. The majority of the space is used for representational and support services. The Ambassador’s personal living quarters occupy only a relatively limited area.

The renovated premises represent a valuable asset for the State and a resource in the consolidation and enhancement of our important relationship with Canada with whom we have many shared foreign policy values. It is the world’s seventh largest economy and a member of the G8. Ireland is currently the fifth largest recipient of Canadian outward investment and Canada is a growing market for Irish companies. Our merchandise exports there increased by 12% in 2009 despite the economic downturn. Some 4 million Canadians (12% of the population) claim Irish descent.

I can assure the Deputy that the project was rigorously monitored and all tender and approval procedures were strictly adhered to. Tenders were sought locally on an open competitive basis and the contract was awarded to the lowest bidder in accordance with normal procedures. All expenditure was duly sanctioned by my Department. However, it is not possible to compare the cost of the work in terms of an average, due to differences in individual buildings and market conditions in various locations.

308. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs if any Irish embassies and-or diplomatic residences are in the process of being upgraded; if so, the list of same; and the expected cost for same. [8702/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The information requested by the Deputy is set out in the following table.

| Location    | Property                                  | Estimated Cost |
|-------------|---|----------------|
|             |   | €000           |
| Addis Ababa | Chancery                                  | 1,039          |
| Armagh      | Office of North South Ministerial Council | 635            |
| Oslo        | Residence                                 | 218            |
| Prague      | Residence                                 | 268            |
| Riyadh      | Chancery                                  | 273            |
| Stockholm   | Residence                                 | 243            |

#### **Overseas Development Aid.**

309. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs if he has been contacted regarding difficulties concerning the obtaining of visas to permit internationals to work and volunteer in Israel and the occupied Palestinian territories; if this matter has been raised

with relevant Governments and authorities; and if he will make a statement on the matter. [8703/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I refer the Deputy to my reply to Question No. 375 on 9 February on this issue, which was as follows: “NGOs operating in the Occupied Palestinian Territories perform a vital role in trying to mitigate and ease the burden of the occupation on the Palestinian people, provide for their physical well-being in circumstances where economic life and opportunities are severely constrained, and attempt to redress some of the injustices of occupation policies. Without their work the likelihood of the increasing pressures resulting in renewed violence would be very much greater, and they are therefore clearly of benefit to both the Palestinian and Israeli peoples, and help provide the breathing space in which the current search for a peaceful settlement can take place.

Experienced and highly qualified international staff form the backbone of international NGOs and UN operations, and international staff and volunteers contribute strongly to the work of Israeli and especially Palestinian NGOs. Despite difficulties, in general it has been possible up to now for staff working with international NGOs to obtain B1 visas, allowing them to work in Israel and Palestine, but staff with Palestinian NGOs have had to work under much more varied and irregular status, or sometimes none. In recent months I have become aware of reports of more restricted practices by the Israeli authorities in issuing visas to staff of international NGOs. They are being issued, often with considerable delays, with B2 visas entitling them to visit but not to work in Israel, with the implication being that working in Palestinian areas is a matter for the Palestinian Authority.

In addition to the increased bureaucracy and lack of transparency of the changed system, which seems to reflect a greater pressure generally on NGOs, the issuing of B2 visas causes a real difficulty in relation to East Jerusalem, which is considered by the Israeli authorities to be part of Israel. Many NGOs work among the predominantly Palestinian population of East Jerusalem, while international staff working in other parts of the West Bank often live there. The position of both NGOs and staff, and movements through the maze of restrictions around the greater Jerusalem area, are made considerably more difficult by this change.

The Irish Missions in Tel Aviv and Ramallah have been closely following this development in concert with our EU partners and through contacts with the NGO community. The exact scope and effect of the new rules are still being established. Together with our EU partners we are considering what action we can take. A very important consideration in this regard is that we should be careful that any action in this highly complex area does not make matters worse.

The basic position of principle is quite clear: for as long as Israel remains in occupation of the Palestinian territories, including East Jerusalem, it should facilitate unhindered access to those areas by international staff seeking to help the Palestinian people living under that occupation.”

310. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs if he has been contacted regarding the possibility of seeking to assist those unemployed, such as builders, to continue to benefit from State welfare payment schemes if they were to volunteer for charity rebuilding programmes in Haiti or other countries suffering from natural disasters; his views on the fact that such a scheme would be beneficial in seeking to minimise and address unemployment and in addressing issues of isolation, loss of status and the purposelessness that the unemployed often face when they lose their jobs; and if he will make a statement on the matter. [8704/10]

**Minister of State at the Department of Foreign Affairs (Deputy Peter Power):** Through the aid programme, which is administered by Irish Aid in the Department of Foreign Affairs, the Government currently funds the work of over 1,300 long term development workers, volunteers and missionaries in developing countries. Their contribution is an important and greatly valued aspect of the overall Irish contribution to the fight against global poverty and hunger.

A number of proposals have been put forward over the past year in relation to the promotion of volunteering opportunities at home and abroad among unemployed Irish workers. The issues involved, including those which relate to social welfare payments, fall under the responsibility of a number of Government Departments. Officials from Irish Aid are in ongoing discussions with other Departments on the promotion of volunteering opportunities.

International volunteering provides an opportunity to make a positive contribution to the fight against poverty in the developing world, while gaining valuable work and life experience. However, it is important to recognise that volunteering in some of the poorest and most difficult environments in the world can present serious challenges for all concerned. It is important for those volunteering, and for those they are helping, that all dimensions of the challenge are fully considered in advance.

As part of the Government's response to the devastation caused by the recent earthquake in Haiti, six experts have been deployed so far from Ireland's Rapid Response Corps roster. They are providing specific skills for emergency operations in Haiti. Three have been assigned to work with the World Food Programme, one to support the UN Office for the Coordination of Humanitarian Affairs, and two to work with the developments NGOs, Concern and Goal. The Rapid Response Corps consists of a roster of volunteers with highly specialised skills in areas such as logistics, engineering, and water and sanitation. They are available for secondment at short notice to the UN and other humanitarian organisations in need of their particular skills in response to disasters and emergencies. The Corps was established following the 2004 tsunami to enable members of the public with specific skills to make themselves available to assist in a humanitarian crisis. My Department is currently seeking to expand the size and range of expertise of the Corps.

More broadly, the Government will continue to give strong support to the volunteering sector. I have been hugely impressed by the interest which Irish people have shown in recent years in pursuing volunteering opportunities in developing countries. The Irish Aid Volunteering and Information Centre in Dublin was established in 2008 to promote and facilitate responsible volunteering. Last year, hundreds of people attended two Volunteering Fairs organised by the Centre in Dublin, to promote volunteering with the main development and humanitarian agencies and Non-Governmental Organisations. Irish Aid organised a further Volunteering Fair in Cork last weekend, and other events and activities are planned for the year ahead.

All aspects of the Government's aid programme are constantly under examination in order to ensure that they contribute effectively to the fight against global poverty and hunger. I can assure the Deputy that any proposals in relation to the further development of volunteering opportunities overseas receive will receive full consideration on this basis.

### **Counterfeit Passports.**

311. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs the reason three suspects in the execution of a person, a Hamas commander in Dubai, were in possession of Irish passports; if they were real, or forged, passports; and if he will make a statement on the matter. [8856/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Deputy will understand that for the moment it would be premature and irresponsible for me to pronounce on the reason why false Irish passports were used in the assassination of Mahmoud al Mabhouh on 20 January. I want to be perfectly clear that the supposed Irish passports were in fact fakes. The passport numbers corresponded to the numbers on genuine Irish passports. However, the photographs, signatures and identities were falsified. In all cases, the passports were counterfeit versions of the old Irish passport which was replaced in 2005 by the modern APS Irish passport. However, these are gradually being phased out over the next 5 years. In addition, since October 2006, all new Irish passports have a biometric chip embedded in the personal details page. This makes it even more difficult to alter.

The matter is still under investigation by my Department and the Gardaí, as well as by the authorities of the United Arab Emirates, France, Britain and Germany, and I would not wish to pre-empt the outcome of the investigation of such a sensitive matter. It remains unclear how the suspects came to be in possession of false Irish passports. I can assure the Deputy that, regardless of who was responsible, the Government takes grave exception to the forgery and misuse of Irish passports.

The Irish passport enjoys an excellent reputation worldwide, and the APS passport is considered a world leader in terms of the security of passports. This incident represents a threat to the reputation and integrity of our passport system, and moreover to the security of our citizens, and will be treated with the utmost seriousness.

312. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs the action that is being taken to prevent the forgery of Irish passports; and the obstacles that are in place to prevent the forgery of Irish passports. [8857/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The current Irish passport is widely regarded and respected throughout the world as being of the highest quality. In recent years there has been very significant investment in enhancing the security features of the passport book to ensure that our citizens can travel in safety.

In 2005 my Department introduced a new Automatic Passport System (APS) which fundamentally redesigned the Irish passport. This new system involved the production of a more secure Irish passport personal details page (datapage). This new datapage is a polycarbonate substance containing the personal details and the photograph of the holder. The use of this polycarbonate makes it virtually impossible to reproduce without sophisticated production processes or alter without being detected by using standard examination techniques. The personal information is laser engraved to a level under the surface of the polycarbonate, making photo substitution impossible. The polycarbonate page is further protected by a series of additional production security measures which include the image of the applicant perforated through the datapage, optically variable ink and the use of micro text.

In 2006 the security features of the APS passport, were further enhanced with the development of a new ePassport. The ePassport includes a new additional microchip, containing a digital image of the passport holder. This now means the image of the face is presented in three areas — the photo on the personal details page, the laser perforation through the personal details page and on the chip. All three must match and all three are impossible to alter without the alteration being easily detected. Data on the microchip is further protected using encryption technologies.

Passport forgery is a worldwide phenomenon and its solution requires the co-operation of all States. The development of passport security standards is under constant review by the

[Deputy Micheál Martin.]

International Civil Aviation Organisation (ICAO) and the Irish Passport Service works closely with ICAO and other passport agencies worldwide to ensure that these standards make passport forgery more difficult.

313. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs the discussions which have taken place between this country and Dubai since the recent apprehension of three persons suspected of murder, all of whom were found in possession of Irish passports. [8858/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** Immediately following publication on 4 February of local press reports that several suspects in the killing of Mahmoud al-Mabhouh were believed to have entered Dubai on Irish passports, the Ambassador of Ireland to the United Arab Emirates, Mr. Ciarán Madden, contacted the UAE Foreign Ministry to seek clarification as to the veracity of these reports. On 8 February Ambassador Madden was received at the UAE Foreign Ministry and was informed that they had no information at that time but that the matter was under investigation.

Subsequently, on 15 February, the Dubai Chief of Police gave a news conference during which he gave the details of fake Irish passports. My Department, in cooperation with the Gardaí, immediately commenced an investigation into the apparent use of fraudulent Irish passports, including by making contact with the Irish citizens whose passport numbers had been stolen. Ambassador Madden has of course maintained close contact with the UAE Foreign Ministry, along with his German, French and British counterparts, and the Dubai police have shared with us the details of the fraudulent passports which were used.

On 18 February, the Political Director of this Department met with the new Ambassador of the UAE to Ireland, H.E. Khalid Nasser Rashed Lootah, who was in Dublin to present his credentials. He expressed to him our strong concerns about the use of Irish passports by those suspected of carrying out the assassination. Ambassador Lootah said that he fully understood our concerns and assured us that any information he received from his authorities would be relayed to us.

I also received a phone call from the UAE Foreign Minister, Sheikh Abdullah Bin Zayed, during which I assured him of Ireland's cooperation in relation to this very serious incident. Following on from this, on 21 February, Ambassador Madden attended a meeting of EU Ambassadors convened by the Minister of State for Foreign Affairs of the UAE, Dr. Anwar Gargash, regarding the murder of Mahmoud al Mabhouh in Dubai, and Ambassador Madden again stressed our concern for the security of Irish citizens and our support for the UAE investigation.

We continue to cooperate closely with the UAE authorities, together with the Foreign Ministries of Germany, France and the UK, to establish the exact facts of the case.

#### **Overseas Development Aid.**

314. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that US sanctions imposed on Cuba are preventing donations to fund Cuban medical teams (details supplied) working in Haiti from reaching them; and the steps he will take to remove this block on donations reaching front-line medical teams who have been in Cuba since before the recent earthquake in Haiti. [8887/10]

317. **Deputy Maureen O'Sullivan** asked the Minister for Foreign Affairs if he will call on the US Ambassador to ask the US Treasury Department to make an exception for US banks and financial institutions to allow them transfer funds to a specified account in Cuba (details

supplied) established to receive international funds to support the work of the Cuban medical teams inside Haiti. [9065/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I propose to take Questions Nos. 314 and 317 together.

As the Deputies are aware, there has been a United States embargo on Cuba since 1962. Among the measures applied on foot of this embargo is a ban on the transfer of funds to Cuba involving United States financial institutions. The EU has a longstanding position on the US embargo, most recently expressed in the EU Presidency statement on 28 October 2009 during the debate in the General Assembly on the resolution on the “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba”. In this statement, the EU said that while it believed that the United States’ trade policy towards Cuba is fundamentally a bilateral issue, American legislation such as the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996 had extended the effects of the US’ embargo to third-party countries. As a matter of principle the European Union firmly and continuously opposes such extraterritorial measures and rejects all unilateral measures directed against Cuba that are contrary to commonly accepted rules of international trade.

In relation to the question of transfer of funds in support of Cuban medical teams, I understand that Irish groups involved in coordinating the collection of donations have made alternative arrangements for their transfer.

Finally, I commend the swift and effective response by Cuba to the devastating earthquake in neighbouring Haiti.

#### **Nuclear Disarmament Initiative.**

315. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to concerns in relation to the nuclear programme of Iran; the stance he has taken at EU level to ensure that the nuclear non-proliferation pact is complied with by all EU states; his views on the pressure that should be put on Iran to ensure it does not convert its nuclear energy programme into a nuclear weapons programme as Israel has done in the past in this region; and if he will make a statement on the matter. [8888/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** I am deeply concerned at Iran’s announcement on 11 February that it has produced its first batch of uranium enriched to 20%. This is in clear violation of successive UN Security Council resolutions calling on Iran to cease its uranium enrichment activities, and to cooperate fully with the International Atomic Energy Agency (IAEA). This latest development coincides with the IAEA report of 18 February on Iran which expresses the Agency’s concerns about “the possible existence in Iran of past or current undisclosed activities related to the development of a nuclear payload for a missile”. The IAEA continues to report that Iran is not providing the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities. Until Iran cooperates fully as requested, the international community will continue to have legitimate concerns about the ultimate purpose of Iran’s nuclear programme.

The EU has been active in trying to find a resolution to the Iranian nuclear dispute through its involvement in the E3+3 process. While Iran in recent months seemed to have revived its interest in a confidence building measure to have its existing stockpile of low enriched uranium sent out of the country for further processing, this opening now appears to have been closed by Iran’s latest enrichment pronouncement.

[Deputy Micheál Martin.]

Ireland has consistently supported the efforts of the E3+3. We have made clear in the past that in the event of continuing non-compliance by Iran, we could contemplate the adoption of further restrictive measures against Iran. Our strong preference would be for this to be agreed at UN level. If this cannot be achieved, we would be ready to support EU action.

### **Passport Applications.**

316. **Deputy David Stanton** asked the Minister for Foreign Affairs the number of Irish passport holders; and if he will make a statement on the matter. [9048/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The passport office estimates that there are approximately 4.3 million Irish passport holders worldwide.

Demand has risen from 388,000 in 2000 to 630,000 in 2005. Demand levelled off with approximately 600,000 passports being issued in 2006 and 2007 and fell slightly in 2008 to 580,000 passports. 2009 passport demand has been very similar to that in 2008, where 579,508 passports were issued.

*Question No. 317 answered with Question No. 314.*

### **Counterfeit Passports.**

318. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his plans to impose diplomatic sanctions on Israel until they confirm that they had no involvement in the assassination of a person (details supplied) in Dubai in which the assassins used Irish passports to gain entry into the country. [9158/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** Police investigations into the assassination in Dubai of Mr. Mahmoud al-Mabhouh on 20 January are continuing. The identities of those involved in the assassination, and the organization or group responsible, remain to be established.

I met with the Israeli Foreign Minister, Mr. Avigdor Lieberman in Brussels yesterday and made clear my serious concerns at the fraudulent use of Irish passports by those suspected of carrying out this assassination. I asked that the Israeli authorities provide whatever assistance they could in this matter. Minister Lieberman said that he had no information on the events in Dubai.

Similar points were made when officials of my Department met the Israeli Ambassador in Iveagh House on 18 February. The Government has made clear to the Israeli authorities that, regardless of who was responsible, we take grave exception to the forgery and misuse of Irish passports. Such action could serve to devalue the standing of the passports and potentially put at risk the safety of Irish citizens traveling abroad.

### **Passport Applications.**

319. **Deputy Brian Hayes** asked the Minister for Foreign Affairs the position regarding a passport application in respect of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [9202/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Passport Office has no record of an application from the person in question.

### Consultancy Contracts.

320. **Deputy John O'Mahony** asked the Minister for Foreign Affairs the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9217/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The Department of Foreign Affairs is responsible for two Votes — Vote 28 (Foreign Affairs) and Vote 29 (International Cooperation). The following are the details of expenditure under sub-head A7 (Consultancy) under both Votes in 2007, 2008, and up to 31st December 2009 (provisional outturn):

| Expenditure under Consultancy Subhead (A07) | Vote 28 | Vote 29   | Total Vote 28+ Vote 29 |
|---|---------|-----------|------------------------|
|   | €       | €         | €                      |
| 2007  | 245,462 | 2,839,798 | 3,085,260              |
| 2008  | 243,781 | 3,838,561 | 4,082,342              |
| 2009 (provisional outturn)                  | 58,425  | 1,109,000 | 1,167,425              |

I am very conscious of the need to achieve value for money on consultancy expenditure. The Department commissions consultancies only where specialised knowledge and/or skills are not available within the Department and, particularly in the case of Irish Aid (Ireland's official development assistance programme), where an independent evaluation of programmes and projects is required. Given the overall scale of the Irish Aid Programme, this level of monitoring, review and evaluation is both prudent and proportionate.

### Sports Capital Programme.

321. **Deputy John O'Mahony** asked the Minister for Arts, Sport and Tourism the position regarding an application under the sports capital grant in respect of an organisation (details supplied) in County Mayo; and if he will make a statement on the matter. [9100/10]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** A provisional allocation of €80,000 issued to the club in question under Sports Capital Programme on 8 August 2008. The letter of provisional allocation specified that, before the grant could be formally approved, the grantee must fully meet all of the Programme's terms and conditions. On 4 February 2009 the Department wrote to the grantee regarding a change in the Programme's terms and conditions whereby a declaration signed by all duly appointed trustees would be sufficient to safeguard the Department's interest in the grant assisted facility rather than a Deed of Covenant and Charge. A copy of the declaration form to be completed was enclosed with the Department's letter. While the club in question wrote on 12 August 2009 to inform the Department of a possible timeframe for completion of the project, none of the documentation requested by the Department from the grantee in August 2008 and February 2009 has been submitted. The Department wrote again to the grantee on 18 February 2010 enclosing a copy of the original letter of provisional approval and advising that the allocation cannot be formally approved until all of the documents required are received and cleared by the Department.

### Consultancy Contracts.

322. **Deputy John O'Mahony** asked the Minister for Arts, Sport and Tourism the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he



[Deputy John O'Mahony.]

is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9209/10]

**Minister for Arts, Sport and Tourism (Deputy Martin Cullen):** The information requested by the Deputy is set out in tabular format below.

This Department observes the Department of Finance Guidelines for Engagement of Consultants in the Civil Service. Consultants are only employed by the Department in circumstances where specialised knowledge or expertise, which is not available in the Department or elsewhere in the public service, is required for a temporary period or where a specialist study/project must be completed within a very short time scale. In that context, I am satisfied that the consultants engaged represents good value for money.

| Consultancy   | Purpose  | Year      | Expenditure              |
|---|--|-----------|--------------------------|
|   |  |           | €                        |
| Raymund Burke Consulting  | Independent evaluation of the Local Authority Swimming Pool Programme Expenditure Review   | 2006-2007 | 3,355                    |
| O'Herlihy Communications  | PR Consultancy for the Department  | 2007      | 15,245                   |
| Systems Dynamics Solutions Ltd,   | To set up a database to record the results of a public swimming pool usage survey.   | 2007      | 6,775                    |
| Séan Cromien  | Review of operation of the Heritage Fund Leading to revised updating legislation   | 2007      | 8,800                    |
| Q4PR  | PR /Media services for Culture Ireland in the US   | 2007      | 15,245                   |
| CHL Consulting  | Review of The James Joyce Centre   | 2007      | 17,000                   |
| Indecon International Economic Consultants                                      | To research and prepare an economic evaluation of the benefits to Ireland arising from the proximity of the London 2012 Olympic and Paralympic Games                             | 2007      | 113,845                  |
| Jim McCaffrey   | Mediation Consultancy  | 2007      | 2,000                    |
| Q4PR  | PR and Communications for Culture Ireland  | 2007-2008 | 72,000                   |
| Holohan Leisure   | To provide consultancy advice in relation to an analysis of sports facility provision in the development of a strategy for sports facilities                                     | 2007-2008 | 113,740                  |
| DKM Economic Consultants  | Update of the Cost Benefit Analysis for the National Museum at Collins Barracks  | 2008      | 3,145                    |
| Farrell, Grant, Sparks  | Review of the Horse and Greyhound Racing Fund  | 2008      | 19,440                   |
| Raymond Burke Consulting  | Evaluation of Irish Sports Council Value for Money and Policy Review   | 2008      | 3,265                    |
| Anne Bonnar   | To review the current proposals to combine the National Gallery of Ireland, Irish Museum of Modern Art and Crawford Art Gallery while retaining their separate brand identities. | 2009      | 8,675<br>(excluding VAT) |
| DKM Economic Consultants  | Economic impact of the Cultural Sector   | 2009      | 12,090                   |
| Arts Council — Price Waterhouse Coopers examination of Artists Exemption Scheme | Consultancy Services   | 2009      | 12,150                   |

All rates quoted are inclusive of VAT unless otherwise stated.

**National Drugs Strategy.**

323. **Deputy Joe Carey** asked the Minister for Community, Rural and Gaeltacht Affairs the steps he will take to deal with the dangers of products sold in head shops; the progress made to date; when a conclusion to this work will be expected; and if he will make a statement on the matter. [8749/10]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran):** I have voiced my concerns in regard to the activities of headshops and substances represented as “legal highs” sold in these outlets on numerous occasions since my appointment as Minister of State with responsibility for the National Drugs Strategy. The problem of “legal highs” is not unique to Ireland and headshops are causing concern across Europe. A number of countries, including the UK, have taken action, each taking their own approach to the matter in line with their own laws and experiences. However, no EU Member State has come up with a comprehensive response thus far. I have raised the issue of headshops, and the substances they sell, at various fora with a view to having measures implemented to address the dangers involved. A number of avenues are being explored to ascertain what actions might best be pursued in that regard.

My colleague, Mary Harney, T.D., Minister for Health & Children — who has overall responsibility for the Misuse of Drugs Act, the primary legislation through which these substances can be regulated — has indicated that her Department is currently preparing regulations to introduce controls on a range of substances. These regulations will make the possession and sale of these substances illegal and subject to criminal sanctions. In preparing the required regulations, officials of the Department of Health & Children are consulting with the relevant authorities to ensure that any legitimate uses of the substances involved are not impinged upon. The intention is that the regulations will be drafted within a month but a three month notification process to the EU may be involved. The advice of the Attorney General on the EU requirements has been sought by the Department of Health & Children in advance of the implementation of regulations.

Also, at my request, the National Advisory Committee on Drugs (NACD) is carrying out some research on psychoactive substances sold in headshops. The NACD has established a Research Advisory Group for this project and they provided their first interim report to me last week, with recommendations for the regulation of a broad range of substances. I have endorsed this report and forwarded it to the Minister for Health & Children, urging that the advice of the NACD be taken fully into account in formulating regulations.

Meanwhile, the activities of headshops are also being closely monitored on an on-going basis by An Garda Síochána and Revenue’s Customs Service with a view to ensuring that no substances that are currently illegal are being sold.

In addition, following correspondence with the Attorney General regarding other possible approaches to the matter, I have raised issues around public liability insurance, product liability insurance and consumer protection with the Minister for Enterprise, Trade & Employment, as well as planning issues with the Minister for the Environment, Heritage & Local Government. The matters involved are being considered by their Departments and I expect to have their views shortly. From the range of approaches outlined, the Deputy can be assured that I am very committed to pursuing appropriate and comprehensive responses to counter the potential threats of headshops and “legal highs”.

**Dormant Accounts Fund.**

324. **Deputy Maureen O’Sullivan** asked the Minister for Community, Rural and Gaeltacht

[Deputy Maureen O’Sullivan.]

Affairs the amount of money that remains in dormant accounts; and if he will make a statement on the matter. [8832/10]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** The Dormant Accounts Acts provide for an annual transfer by credit institutions and insurance undertakings of monies in accounts determined to be dormant into the Dormant Accounts Fund (DAF). Since its establishment in April 2003 to the end of December 2009, transfers to the DAF have totalled some €513.9m. Funds reclaimed by account holders for the same period have amounted to some €185.1m. The value of the DAF at the end of December 2009, net of liabilities, was some €41.5m. This figure excludes €49.4m maintained in a Reserve Account to meet future reclaims by account holders and to cover expenses associated with the operation of the Fund.

Full details of the financial position of the DAF and of the individual grants and organisations that have been approved for support and their geographical location are available on my Department’s website at [www.pobail.ie](http://www.pobail.ie)

### Maoiniú Ranna.

325. **D’fhiafraigh Deputy Eamon Gilmore** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an mbeidh airgead á chur ar fáil i mbliana do bhóithre áise ar Oileán Árann Mhór, Contae Dhún na nGall; agus an ndéanfaidh sé ráiteas ina thaobh. [8862/10]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Níl cinneadh críochnúil déanta go fóill maidir leis an méid sonrach airgid a bheidh ar fáil le caitheamh ar bhóithre áise sa Ghaeltacht in 2010, i gcomhthéacs na n-éileamh caipitil uile a mbeidh freastal le déanamh orthu sa Ghaeltacht trí chéile. Chomh maith leis sin, ar ndóigh, beidh se riachtanach díriú i dtosach ar cheadúcháin atá déanta cheana, ach nach bhfuil íoctha go fóill, a ghlanadh.

326. **D’fhiafraigh Deputy Eamon Gilmore** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cén dul chun cinn atá déanta chun foirgnimh feithimh do phaisinéirí atá ag taisteal ar na báid farantóireachta a sholáthar ag Cé Ailt an Chorráin agus ag Cé Leadhb Gharbh, Oileán Árann Mhór, Contae Dhún na nGall; agus an ndéanfaidh sé ráiteas ina thaobh. [8863/10]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** Is le Comhairle Contae Dhún na nGall na saoráidí atá luaithe ag an Teachta agus níl aon iarratas ar láimh ag mo Roinn chun foirgnimh feithimh do phaisinéirí a chur ar fáil ag na hionaid sin. Ach iarratas ina leith a fháil ón Chomhairle Contae, beifear sásta an cás a mheas tuilleadh, ag tógáil san áireamh an soláthar iomlán airgid atá ag mo Roinn i gcomhar fhorbairt oileán in 2010 agus na héilimh éagsúla ar an soláthar sin.

### Consultancy Contracts.

327. **Deputy John O’Mahony** asked the Minister for Community, Rural and Gaeltacht Affairs the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9211/10]

**Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív):** My Department has made available on its website details regarding consultancies (excepting those of minor value, i.e., less than €5,000 excluding VAT) from June 2002 to end-December 2009. The

relevant link, which will take the Deputy directly to these details, including the information sought by him, is as follows:

[www.pobail.ie/en/CorporateSupportServices/Finance/Consultancies](http://www.pobail.ie/en/CorporateSupportServices/Finance/Consultancies)

My Department has closely scrutinised the use of external consultants and I am satisfied that they are only engaged where they represent good value for money.

### **Social Welfare Benefits.**

328. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the position regarding entitlement to supplementary welfare allowance in respect of a person (details supplied) in County Cork. [8663/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### **Social Welfare Code.**

329. **Deputy Olivia Mitchell** asked the Minister for Social and Family Affairs when she will publish the revised criteria for the back to education scheme; and if she will make a statement on the matter. [8709/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Since its introduction, the underlying objective of the back to education allowance (BTEA) scheme has been to equip people on social welfare payments with qualifications that will enable them to obtain employment in the labour market. It is a second chance educational opportunities scheme for people on welfare payments who wish to participate in full time education and who would not otherwise be able to do so.

The allowance replaces the applicant's existing social welfare income and, in addition, an annual €500 cost of education allowance is payable. Increases for qualified adult and child dependants are also payable, where appropriate. In addition, participants may continue to receive any secondary benefits to which they have been entitled.

To qualify for participation, an applicant must be in receipt of a relevant social welfare payment and be at least 21 years of age prior to commencing an approved course of study. However, lone parents and recipients of jobseeker's payments can qualify at 18 years of age provided they are out of formal education for at least 2 years.

Changes to provide for earlier access to the scheme were announced in the April 2009 supplementary budget. In general, in order to qualify for participation an applicant must now be in receipt of a relevant social welfare payment for 3 months if pursuing a second level course or 12 months if pursuing a third level course. However, a two year qualifying period applies to participants coming from Illness Benefit.

The qualifying period for access to third level courses is reduced to 9 months for those who are participating in the National Employment Action Plan process or engaging with the Department's facilitator programme. People who are awarded statutory redundancy may access the scheme immediately, provided an entitlement to a relevant social welfare payment is established prior to commencing an approved course of study.

The back to education allowance has an important role to play in enhancing the employability skills of jobseeker's. The nature and structure of the scheme will continue to be monitored in the context of the objectives of the scheme and changes in the economic climate.

330. **Deputy Joe Costello** asked the Minister for Social and Family Affairs if she will clarify the policy on the habitual residency clause; the number of persons who have been refused access to welfare entitlements in each of the past five years due to this clause; and if she will make a statement on the matter. [8721/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1st May 2004, in the context of the Government's decision to open the Irish labour market to workers from the new EU Member States.

The purpose of the habitual residence condition is to safeguard the social welfare system from abuse by restricting access for people who are not economically active and who have little or no established connection with Ireland.

A person who does not satisfy the habitual residence condition is not eligible for specified social welfare payments, regardless of citizenship, nationality, immigration status or any other factor. The social welfare schemes concerned are jobseeker's allowance, one parent family payment, disability allowance, carer's allowance, widow/er's (non contributory) pension, guardian's payment (non contributory), State pension (non-contributory), blind pension, supplementary welfare allowance (except urgent or exceptional needs payments), domiciliary care allowance and child benefit.

The determination of a person's habitual residence is made in accordance with Section 246 of the Social Welfare Consolidation Act 2005, as amended by Section 30 of the Social Welfare and Pensions Act 2007 and Section 15 of the Social Welfare and Pensions (No. 2) Act 2009.

The Department's understanding of this legislation is detailed in the operational guidelines on the habitual residence condition which are published on the Department's website [www.welfare.ie](http://www.welfare.ie) The legislation and the guidelines together constitute the policy on this matter.

The following table shows the numbers of claims refused on habitual residence grounds in each of the past 5 years. This does not include Supplementary Welfare Allowance as statistics on such refusals are not maintained by the various HSE areas.

| Claims refused on HRC | 2005  | 2006  | 2007  | 2008  | 2009   |
|-----------------------|-------|-------|-------|-------|--------|
| Total                 | 4,599 | 4,361 | 5,123 | 6,297 | 10,582 |

331. **Deputy John Deasy** asked the Minister for Social and Family Affairs her views that moneys available to former workers at a company (details supplied), under the EU globalisation fund, will affect the social welfare entitlement of these persons; the steps she will take to ensure that this funding is fully utilised; and if she will make a statement on the matter. [9346/10]

375. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs the position regarding the uncertainty surrounding the rights of applicants for the EU globalisation fund of former workers in a company (details supplied) and ancillary companies to retain their social welfare entitlements and to not have them affected by their use of the fund; and if she will make a statement on the matter. [8878/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 331 and 375 together.

The European Globalisation Adjustment Fund (EGF) exists to support workers who lose their jobs as a result of changing global trade patterns or the global economic and financial

crisis so that they can be prepared to find another job as quickly as possible. Strict eligibility criteria apply subject to which Member States may make an application for assistance under the EGF. Under the operational terms 65% of expenditure on active labour market interventions can be reclaimed by the Exchequer where a sustainable case is made to and approved by the EU budgetary authorities.

An application was made by Ireland, and recently approved by EU, in the context of the DELL redundancies in Raheen, Co. Limerick. It is estimated that up to 2,900 workers are involved when qualifying downstream companies affected by this closure are included and a combined total of €22.8 million is available, between EU and Government funding, to provide complementary retraining, upskilling, entrepreneurial supports and educational opportunities for the relevant workers.

The Department of Enterprise, Trade & Employment is the responsible authority for making EGF applications and drawing down EU funding and FÁS is centrally involved at regional level in co-ordinating programmes of interventions and will also deliver appropriate training courses under their remit. Additionally, representatives of former workers will also be involved in the steering committee which FAS is establishing and will have an advisory role therein in relation to the implementation process.

The allocated funding will be available for spending until September 2011. Under the terms associated with the EGF, it is not envisaged in general that any monies from the fund will be paid directly to former workers and, therefore, the question of such monies affecting the social welfare entitlements of the former workers does not arise. Funding is being channelled through the relevant State agencies and educational institutions to deliver the require supports to eligible redundant workers.

Though the full programme of complementary measures and courses is still being finalised, former workers wishing to pursue courses of study, established within the auspices of the EGF, will be entitled to apply to my Department for access to the Back-to-Education Allowance (Second or Third Level) in respect of attendance at qualifying courses. In addition, former workers who wish to pursue qualifying courses that are organised on the basis of part-time attendance may apply, under the Part-time Education Option, to continue to receive their Jobseeker's payments, for the duration of their underlying entitlement, whilst studying on a part-time basis.

### **Social Welfare Benefits.**

332. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of persons claiming rent supplement more than 18 months; her views on the speed of transfer of persons from rent supplement onto the rental accommodation scheme; the steps she has taken to speed up this transfer; and if she will make a statement on the matter. [9236/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The scheme primary purpose is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer.

There are currently almost 93,200 tenants benefiting from a rent supplement payment — an increase of 55% since the end of 2005. Over half of these recipients have been in payment for more than one year, while over 33,000 have been in payment for 18 months or more.

[Deputy Mary Hanafin.]

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 over 13,400 rent supplement cases to RAS units. Housing authorities have also transferred a further 11,413 recipients to other social housing options; a total of over 24,800 transfers from rent supplement has occurred since 2005. It is accepted that progress in relation to RAS was initially slower than expected. However the pace of delivery has improved significantly, in total, 14,000 recipients were transferred in 2008 and 2009; achieving targets set for RAS transfers for these years. The target established for 2010 is 8,000.

In addition to this official target, due to the numbers of unsold affordable stock around the country, an opportunity has been created to make use of some of these properties for RAS and it is expected that additional transfers may be possible in 2010. The position regarding the availability of property is monitored on an ongoing basis, given the current market condition, and there may be an opportunity to achieve further transfers.

The Department continues 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. The Department provides regular reports to Department of the Environment Heritage and Local Government highlighting rent supplement recipients in the 18 plus month target group. Regular meetings are conducted with the RAS program managers of the various local authorities, the Department of the Environment, Heritage and Local Government and my Department. Again, the purpose of these meetings from my Department's perspective is to support in every possible way the Department of Environment, Heritage and Local Government's objective of ensuring RAS's success in transferring long term rent supplement recipients to a more sustainable housing model.

*Question No. 333 answered with Question No. 80.*

334. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs the reason a person (details supplied) is only receiving €163 a week social welfare allowance. [8642/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

335. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs the reason a person (details supplied) is receiving €163 a week social welfare allowance. [8643/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Appeals.**

336. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the position regard-

ing a carer's allowance appeal in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8645/10]

343. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs when a decision will be made on a disability allowance appeal in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8696/10]

370. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the position regarding a jobseeker's allowance appeal in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8843/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 336, 343 and 370 together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

337. **Deputy Michael Noonan** asked the Minister for Social and Family Affairs when a decision will be made on an application for illness benefit in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [8655/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

338. **Deputy James Bannon** asked the Minister for Social and Family Affairs the position regarding jobseeker's benefit in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [8657/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Appeals.**

339. **Deputy John Perry** asked the Minister for Social and Family Affairs if a person (details supplied) in County Sligo will have their appeal on a habitual residence condition decision upheld in order to be awarded jobseeker's allowance in view of their financial circumstances; and if she will make a statement on the matter. [8661/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

340. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs when a decision on an application for disability benefit will issue in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8665/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.



341. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in Dublin 13; and if she will make a statement on the matter. [8688/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to the staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

342. **Deputy Pat Breen** asked the Minister for Social and Family Affairs the position regarding an application in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [8695/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 343 answered with Question No. 336.*

#### **Pension Provisions.**

344. **Deputy Brian Hayes** asked the Minister for Social and Family Affairs the reason a person (details supplied) in Dublin 7 was refused payment for their pension; and if she will make a statement on the matter. [8714/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Insurance.**

345. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs if she will support the case of a person (details supplied) in Dublin 5; and if she will make a statement on the matter. [8715/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

346. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs when a decision will be made on an application in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [8719/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

347. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an application for back to work allowance payment in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [8732/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

348. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo is entitled to backpayment of the child benefit compensatory payment; and if so, when payment will issue. [8752/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

349. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs when a decision will be made in respect of the application for carer's allowance in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [8753/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Appeals.**

350. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when social welfare appeal will be heard in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [8754/10]

377. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the position regarding an invalidity appeal in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [9039/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 350 and 377 together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

351. **Deputy Tom Sheahan** asked the Minister for Social and Family Affairs if she will expedite the case of a person (details supplied) in County Kerry to qualify for their vocational educational committee scheme which begins on 1 March 2010. [8757/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

352. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs when a decision will issue on a claim for jobseeker's allowance in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8759/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Insurance.**

353. **Deputy David Stanton** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork who paid social insurance using a PPS number while in employment in 2005, was subsequently allocated a different PPS number in 2009; if social insurance records under each number will be amalgamated in the case of application for any future benefits; and if she will make a statement on the matter. [8762/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

**Social Welfare Benefits.**

354. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the position regarding a claim for carer's allowance in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8763/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

**Social Insurance.**

355. **Deputy Michael Creed** asked the Minister for Social and Family Affairs if a person (details supplied) in County Cork has accrued enough contributions to be entitled to a contributory State pension on reaching retirement age; and if she will make a statement on the matter. [8771/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

**Social Welfare Appeals.**

356. **Deputy Pat Breen** asked the Minister for Social and Family Affairs the position regarding an application in respect of a person (details supplied) in County Clare. [8772/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

**Social Welfare Benefits.**

357. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when an illness benefit payment will issue in respect of a person (details supplied) in County Mayo for a specified period. [8775/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

358. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the position regarding a claim for disability allowance in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [8777/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

359. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs the reason for the delay in awarding child benefit in respect of a person (details supplied) in County Kildare. [8780/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

**Pension Provisions.**

360. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs the reason for

the delay in awarding non-contributory State pension in respect of a person (details supplied) in County Kildare. [8781/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

361. **Deputy Michael Noonan** asked the Minister for Social and Family Affairs when a decision will be made on an unemployment assistance appeal application in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [8782/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Code.**

362. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the maximum length of time a person may claim illness benefit in the circumstances where they were in receipt of illness benefit for several years, then returned to employment but subsequently claimed illness benefit again; and if she will make a statement on the matter. [8797/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** From 5 January 2009, a person may claim illness benefit for a maximum period of 624 days. A person who had been in receipt of illness benefit for several years and returned to employment but subsequently claimed illness benefit would, assuming he satisfied the qualifying conditions, be subject to the 624 day limit provided the period between the two illness benefit claims is greater than 3 days.

#### **Pension Provisions.**

363. **Deputy Bernard Allen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork is only receiving €160 per week old age pension; and if this application will be reconsidered with a view to granting an increase. [8800/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

364. **Deputy Pat Rabbitte** asked the Minister for Social and Family Affairs when child benefit will be restored in respect of a person (details supplied); and if she will make a statement on the matter. [8801/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

365. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare is in receipt of their entitlements; and if she will make a statement on the matter. [8837/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### Social Welfare Appeals.

366. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a decision will be made on a carer's allowance appeal in respect of a person (details supplied) in County Mayo. [8838/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### Social Welfare Benefits.

367. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social and Family Affairs the reason for the delay in processing a jobseeker's application in respect of a person (details supplied) in County Monaghan; and if this will be expedited. [8839/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### Social Welfare Code.

368. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs if a person switching from an invalidity pension to a retirement pension retains their entitlements to the free schemes; and if she will make a statement on the matter. [8840/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** A person, whose circumstances have not changed other than switching from an invalidity pension to a retirement pension, will retain his/her entitlement to the household benefits package and to free travel.

### Social Welfare Benefits.

369. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs when a decision will issue on carer's allowance appeal in respect of a person (details supplied). [8842/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 370 answered with Question No. 336.*

371. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs when a decision will be made on an application for jobseeker's payment in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [8848/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

372. **Deputy John McGuinness** asked the Minister for Social and Family Affairs if all matters relevant to a claim for carer's allowance in the case of a person (details supplied) in County Kilkenny have been resolved; if the allowance will be approved and backdated. [8850/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

373. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs if it is possible for a person to claim family income supplement as well as jobseeker's benefit, when the person is on a three day week and receives jobseeker's benefit for the other three days. [8864/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Family Income Supplement is designed to provide support for people with families who are on low earnings. This preserves the incentive for them to remain in employment in circumstances where they might only be marginally better off than if they were claiming other social welfare payments. Family Income Supplement is paid on a weekly basis over a period of 52 weeks, taking into account a family's net earnings and the number of children under age 18 or aged 18 and 22 years who are in full time education. A person on a three day week in receipt of job seekers benefit for the other three days would not be entitled to Family Income Supplement.

374. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs the reason for the delay in awarding carer's allowance in respect of a person (details supplied) in County Kildare. [8865/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 375 answered with Question No. 331.*

376. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and awarded disability allowance. [9020/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 377 answered with Question No. 350.*

378. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the reason jobseeker's allowance was not awarded for the week ending 5 January 2010 in respect of a person (details supplied) in County Kildare; when same will be awarded; and if she will make a statement on the matter. [9040/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Code.**

379. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the means by which the value of farmland holdings are assessed in the means test for jobseeker's allowance when no rental income is derived from the holding; and the way in which such holdings are assessed when a small rental income is derived from the holding. [9058/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Pension Provisions.**

380. **Deputy Ciarán Lynch** asked the Minister for Social and Family Affairs if she will re-

[Deputy Ciarán Lynch.]

examine the case of a person (details supplied) in County Cork to establish if the full pension entitlement is being awarded; and if she will make a statement on the matter. [9060/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### Social Welfare Code.

381. **Deputy Charlie O'Connor** asked the Minister for Social and Family Affairs if she will review the habitual residency clause for persons returning here; and if she will make a statement on the matter. [9062/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The determination of a person's habitual residence is made in accordance with Section 246 of the Social Welfare Consolidation Act 2005, as amended.

Subsection (4) specifically directs the deciding officer to “take into consideration all the circumstances of the case, including, in particular, the following:

- (a) the length and continuity of residence in the State or in any other particular country;
- (b) the length and purpose of any absence from the State;
- (c) the nature and pattern of the person's employment;
- (d) the person's main centre of interest, and
- (e) the future intentions of the person concerned as they appear from all the circumstances.”

These five specified factors have been derived from European Court of Justice case law which examined the concept of habitual residence in the context of social welfare benefits. The Department's guidelines go on to point out that “No single factor is conclusive. The evidential weight to be attributed to each factor will depend on the circumstances of each case. It is necessary to weigh up all the information and balance the evidence for and against an applicant satisfying the habitual residence condition”.

The current guidelines address the issue of returning emigrants very specifically under the heading: Resuming previous residence. “A person who had previously been habitually resident in the State or within the Common Travel Area and who moved to live and work in another country and then resumes his/her permanent residence in the State may be regarded as being habitually resident immediately on his/her return to the State.

In determining habitual residence in such cases the deciding officer should take account of purpose of return e.g. expiry of foreign residence permit ; the applicant's stated intentions ; verified arrangements which have been made in regard to returning on a long-term basis e.g. transfer of financial accounts and any other assets ; length and continuity of the previous residence in the State; the record of employment or self employment in another State and whether s/he has maintained links with the previous residence and can be regarded as resuming his/her previous residence rather than starting a new period of residence.”

I am satisfied that Irish nationals returning to live in Ireland on a permanent basis should experience no difficulty in demonstrating that they satisfy the requirements of the Habitual Residence Condition.

**Social Welfare Benefits.**

382. **Deputy Charlie O'Connor** asked the Minister for Social and Family Affairs if her attention has been drawn to the concerns of an association (details supplied) that there appears to be a significant delay in processing carer's allowance applications; and if she will make a statement on the matter. [9063/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

383. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will receive the result of their application for disability allowance; and if she will make a statement on the matter. [9066/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

384. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will receive the result of their application for job-seeker's allowance; and if she will make a statement on the matter. [9067/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

385. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will receive the result of their application for job-seeker's benefit; and if she will make a statement on the matter. [9068/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

386. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will receive the result of their application for job-seeker's allowance; and if she will make a statement on the matter. [9069/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

387. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) will receive their result of their application for carer's allowance; and if she will make a statement on the matter. [9070/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

388. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will receive the result of their application for disabled persons benefit or allowance; and if she will make a statement on the matter. [9071/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.



### **Pension Provisions.**

389. **Deputy Ciarán Lynch** asked the Minister for Social and Family Affairs when a decision will be made on a non-contributory State pension application in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [9074/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret I am unable to provide the information sought by the Deputy.

### **Social Welfare Benefits.**

390. **Deputy Tom Hayes** asked the Minister for Social and Family Affairs the position regarding arrears of jobseeker's benefit claim in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [9088/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### **Social Welfare Appeals.**

391. **Deputy Pat Breen** asked the Minister for Social and Family Affairs when a person (details supplied) in County Clare will be facilitated with a date and time; and if she will make a statement on the matter. [9101/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### **Social Welfare Benefits.**

392. **Deputy Joe Costello** asked the Minister for Social and Family Affairs the number of persons in receipt of mortgage interest supplement; and if she will make a statement on the matter. [9117/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The supplementary welfare allowance scheme (SWA) provides for a supplement to be paid in respect of mortgage interest to any person in the State whose means are insufficient to meet their needs. The scheme is administered by the community welfare service of the Health Service Executive on behalf of the Department.

The purpose of mortgage interest supplement is to provide short term support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only.

There are currently just over 15,400 people in receipt of mortgage interest supplement, compared to 8,091 recipients in 2008, an increase of 91% in just over twelve months. Expenditure for the years ending December 2009 and December 2008 was €60.7m, and €27.7m respectively, a 119% increase year on year in terms of outturn.

There is a review of the administration of the mortgage interest scheme in progress. The main purpose of the review is to examine how the scheme can best meet its objective of catering for those who require assistance on a short-term basis, where they are unable to meet mortgage interest repayments on their sole place of residence.

The review group includes representatives from the Department, the Community Welfare Service, the Departments of Finance, Environment, Heritage and Local Government together

with a representative from the Office of the Financial Regulator. The group is examining trends in programme and administrative costs, the impact of the Financial Regulator's statutory Code of Practice on Mortgage Arrears on the mortgage interest supplement scheme and legislative and operational issues arising, including the cap on hours of employment.

The review is also considering whether alternative approaches to achieving the scheme's objectives are warranted in the light of recent changes in the economic climate and the mortgage market. The full review should be completed in the coming weeks and the ensuing report will be available for publication in April 2010.

As part of this review, following consultation with the community welfare service, guidelines on specific and immediate operational issues for the community welfare officers operating the scheme have been finalised and were issued in June 2009. The guidelines are available on the Department's website [www.welfare.ie](http://www.welfare.ie)

393. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Kildare did not receive all arrears of disability allowance; and if she will make a statement on the matter. [9119/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

394. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and paid jobseeker's allowance. [9137/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

395. **Deputy John McGuinness** asked the Minister for Social and Family Affairs if an application for one parent family payment will be expedited and approved in respect of a person (details supplied) in County Carlow. [9138/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

396. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs the position regarding the case of persons (details supplied); and if she will make a statement on the matter. [9140/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

397. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare will be furnished with a social welfare statement for 2008; and if she will make a statement on the matter. [9144/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

398. **Deputy Tom Sheahan** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will be awarded jobseeker's allowance; and if she will make a statement on the matter. [9163/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Pension Provisions.**

399. **Deputy Tom Sheahan** asked the Minister for Social and Family Affairs if she will carry out investigations into a request for repayment of overpayment of the qualified portion of the contributory State pension in the case of a person (details supplied). [9165/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Social Welfare Benefits.**

400. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs if she will restore child benefit to 19 years old who are still in post-primary school; and if she will make a statement on the matter. [9207/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Child benefit (CB) is a tax free non means tested benefit paid monthly in respect of all children up to the age 16 years and in respect of children over 16 years of age up to their 18th birthday who are in full time education or have a disability. Child Benefit assists parents in the cost associated with raising children and it contributes towards alleviating child poverty.

Given the difficult economic and fiscal circumstances, the Government decided to limit over-all expenditure on this scheme by lowering the upper age limit from 19 years to 18 years with effect from January 2009. The impact of this measure is being phased in, with payment being halved from January 2009 and payment stopping from the 18th birthday from January 2010.

A compensatory payment of €15 was provided during 2009 and will continue in 2010 for any week during which those affected by this measure are receiving a social welfare payment which includes an increase in respect of the 18 year old child or a family income supplement payment which includes payment in respect of that child.

#### **Consultancy Contracts.**

401. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs the amount she has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if she is satisfied that this practice represents good value for money; and if she will make a statement on the matter. [9220/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

*Question No. 402 answered with Question No. 114.*

#### **Social Welfare Benefits.**

403. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if she proposes to introduce full disability occupational injury payment or equivalent for those affected by pneumoconiosis whether or not they are deemed to be only partially affected by the illness; and if she will make a statement on the matter. [9240/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Pneumoconiosis is a prescribed disease for the purpose of the Occupational Injuries scheme administered by my

Department. The legislation governing the Occupational Injuries Scheme provides entitlement to benefit for persons suffering from certain prescribed diseases which are listed in the legislation and where that person has contracted that disease in the course of their employment.

Where a person has contracted one of the diseases listed in the legislation, benefits are payable if they were employed in an occupation which is specifically prescribed in relation to that disease or if they can show, to the satisfaction of the Chief Medical Advisor in the Department, that the disease was contracted through an employment not specifically prescribed in relation to that disease.

Employment under a contract of service is insurable for Occupational Injuries Benefit under the Social Welfare Acts. An insured person who contracts pneumoconiosis may qualify for disablement benefit under that scheme, in addition to disability benefit under the general social insurance scheme, subject to meeting the qualifying conditions. Medical assessments are undertaken in all such cases to determine the degree of disablement, which is calculated by comparison of the state of health of the applicant with a person of the same age and gender.

Persons claiming Occupational Injuries Benefit in cases of Pneumoconiosis are referred to Consultant Respiratory Physicians in the first instance for an examination and report. This examination consists of a clinical assessment and pulmonary function testing (PFT). Disablement benefit is awarded on the basis of the consultant's report, including the pulmonary function test result. The degree of disablement is expressed as a percentage of loss of faculty and the compensation payable varies accordingly.

Loss of faculty may be determined within a range of less than 1% to 100%, depending on the severity of the condition. A person must be assessed as having a minimum of 20% loss of faculty before they may be considered as being incapable of work due to their disablement. Where a person feels that his/her condition has deteriorated since the assessment was made under the scheme, it is open to that person to apply for a review of the percentage calculated.

There are no plans at this time to introduce changes to these arrangements.

404. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs her plans to introduce further improvements in respect of the level of payments under family income supplement in view of the likelihood of a greater demand arising from increased levels of unemployment; and if she will make a statement on the matter. [9241/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Family Income Supplement (or FIS) payment provides income support for employees on low earnings with children. The manner in which the value of the payment is calculated is designed to preserve the financial incentive to take-up or remain in employment in circumstances where the employee might be only marginally better off on social welfare payments.

Fundamental to the design of the FIS scheme is that a person must be engaged in insurable employment for a minimum number of hours — currently 38 hours per fortnight. A couple may combine their hours of employment to meet the qualification criteria.

The payment amount is based on a fixed proportion of the gap between the assessable income of the household and prescribed FIS income thresholds. As these thresholds are linked with the number of dependent children in a household, FIS provides an important policy instrument in reducing child poverty in working households as well as improving incentives to work.

An example of how FIS works is as follows: If a family has one parent working full-time and the other working 19 hours a week — both on the minimum wage, their net income from employment would be around €500 per week. If they have four children they would be entitled

[Deputy Mary Hanafin.]

to a FIS payment of about €190 per week, as a top-up to their wages, giving them a combined net income from employment and FIS of about €690.

If only one parent in the same family was working, and they were in full-time employment at the minimum wage, their gross income from employment would be around €340 per week and their additional income from FIS would be about €280 per week. Their combined net income from employment and FIS would therefore be around €620 per week.

In both scenarios they would also be entitled to child benefit of €155.53 per week.

Considerable improvements have been made to FIS since the late 1990s. These have improved its effectiveness as an instrument of support for low-income employees. These changes include a change in how income is assessed (that is, from a gross to net basis) and, in recent years, the re-focusing of income thresholds to include additional gains for larger families. Partly as a result of this, and partly reflecting higher levels of take-up, spending on FIS has risen from €33 million in 1997 to an estimated €215 million in 2010.

Increases to FIS thresholds were already announced as part of the Budget 2010 package. These increases effectively compensate low-income households on FIS for the necessary reduction in child benefit rates. I do not propose any further significant changes to the qualifying criteria of FIS at this time.

405. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for child benefit received in each of the past three years and to date in 2010; the numbers approved, rejected or pending; and if she will make a statement on the matter. [9242/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

406. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for back to education allowance received in each of the past three years and to date in 2010; the number approved, rejected or pending; and if she will make a statement on the matter. [9243/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Participants in 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.

In the 2007/2008 academic year, there were 8,883 participants in the back to education allowance scheme and this rose to 11,646 in 2008/2009. At the end of December 2009, there were 20,808 participants and this number is unlikely to change significantly in the remainder of the 2009/2010 academic year. Changes to provide for earlier access to the scheme announced in the April 2009 supplementary budget would have contributed to the increased uptake in the 2009/2010 academic year.

The back to education allowance has an important role to play in enhancing the employability skills of jobseekers. The nature and structure of the scheme will continue to be monitored in the context of the objectives of the scheme and changes in the economic climate.

### Social Welfare Appeals.

407. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for a social welfare payment referred to appeal in each of the past three years and to date in 2010; the number of such cases in respect of which the previous decision was upheld; the number overturned; and if she will make a statement on the matter. [9244/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The statistics requested by the Deputy in respect of appeals received in the last three years are given in the following table. The number of decisions upheld and overturned in the last three years is also shown but these do not necessarily relate to the claims received in those years as each year starts with a carry over of appeals from the previous year. Statistics in respect of 2010 are not available.

| Year | Received | Decision upheld | Decision overturned |
|------|----------|-----------------|---------------------|
| 2007 | 14,070   | 7,314           | 6,531               |
| 2008 | 17,833   | 8,201           | 7,523               |
| 2009 | 25,963   | 9,219           | 8,568               |

With regard to the decisions overturned, in excess of half of these were revised decisions made by Deciding Officers of the Department who reviewed the claim following the receipt of the appeal. These revised decisions arose in many cases as a result of new facts or fresh evidence produced by the appellant in support of his or her appeal. In the case of decisions overturned by Appeals Officers, some of these are also made on foot of additional evidence adduced at oral hearing.

### Social Welfare Benefits.

408. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the action she proposes to take to eliminate the backlog and dramatically reduce the waiting time of applicants for various social welfare payments regarding the current economic climate; and if she will make a statement on the matter. [9245/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The Department is committed to delivering the best possible service to its customers. To this end, operational processes and procedures and the organisation of work are continually reviewed and supported by modern technology in all areas of the Department. Claims are processed in the most efficient and expeditious way possible, having regard to the eligibility conditions that apply to each scheme.

Processing times vary across schemes because of both the volume of applications and the differing qualification criteria. For example, means assessments are required for all of the social assistance schemes; medical examinations are required for illness related schemes and customers must also satisfy the habitual residence conditions. In the case of the insurance based schemes, it may be necessary to ascertain details of foreign insurance records.

It should also be noted that many factors outside the Department's control can impact upon claim processing times e.g. the supply of relevant information by the customer, employers or other third parties. From January 2009, new processing targets, based on processing 90% of claims within a particular timescale, were introduced for all schemes. Specific process improvements have been introduced across many areas of the Department. Some recent examples of these are as follows:

[Deputy Mary Hanafin.]

### *Jobseekers*

A range of process improvement initiatives to deal with the increased volume of Jobseekers claims has been introduced. In addition, six Local Office Support Units have been set up around the country to support the processing of claims. The number of claims awaiting a decision as of the 13th February 2010 was 54,534. This is a significant reduction on the 82,000 that were pending in July and illustrates that the additional resources that have been assigned to local offices coupled with the range of process improvement initiatives are having a positive effect.

### *State Pensions*

In order to ensure that entitlement to a pension is decided by the due date all pensioners are advised to apply at least three months in advance of pension age and people are proactively invited to claim. In addition, a desk assessment process has been introduced in State Pension Non-Contributory, whereby claims are processed and decided based on the information provided by the customer on their application form without recourse to investigation by a Social Welfare Inspector.

### *Automated processing and On-line Application Forms*

To ensure that claims are processed as efficiently as possible and that customers receive their entitlements in a timely manner all application forms have been designed to facilitate the use of scanning and automated processing. An on-line facility to enable applications for a number of schemes, i.e. State Pension (Contributory) and Household Benefits, to be completed and submitted on-line, has been implemented. This facility will be extended to other schemes in the coming months. The objective is to enable people to access services at a time and place that best suits their needs. The use of on-line application forms reduces the administrative burden for customers and facilitates efficient processing of claims by the Department.

The need to ensure that people can receive financial support from the Department as early as possible is of course appreciated, and I assure the Deputy that we continuously strive to improve processing times in all schemes. In the meantime, it is important to remember that people who have urgent income support needs can apply for the means tested supplementary welfare allowance (SWA) and that more than 95% of basic SWA applications are decided on and paid within a week.

409. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for jobseeker's, unemployment assistance, disability allowance or sick benefit received from persons who were previously self-employed in each of the past three years and to date in 2010; the number of such applications approved, rejected or pending; the criteria applicable for qualification for such persons for a means tested payment; and if she will make a statement on the matter. [9246/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

410. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for mortgage support received in each of the past three years and to date in

2010; the number approved, rejected or pending; and if she will make a statement on the matter. [9248/10]

411. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for rent support received in each of the past three years and to date in 2010; the number approved, rejected or pending; and if she will make a statement on the matter. [9249/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I propose to take Questions Nos. 410 and 411 together.

The supplementary welfare allowance scheme provides for a weekly or monthly supplement to be paid in respect of rent or mortgage interest to any person in the State whose means are insufficient to meet their needs. The supplementary welfare allowance scheme is administered by the community welfare service of the Health Service Executive on behalf of the Department.

The purpose of the rent supplement scheme is to provide short-term 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. Similarly, mortgage interest supplement provides short-term income support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only.

The following tabular statements show the number of rent and mortgage interest supplement claims registered and awarded in: 2007; 2008; 2009; and up to the 12 th of February 2010. The statement also sets out the number of claims pending at the 12 th February 2010 and at the end of 2007, 2008 and 2009. Statistics are not available on the total number of individuals who applied for and were refused a rent or mortgage interest supplement payment.

Rent Supplement Claims Registered, Awarded and Pending — 2007 to 2010

| Year  | Claims Registered | Claims Awarded | Claims Pending |
|-------|-------------------|----------------|----------------|
| 2007  | 43,832            | 41,197         | 429            |
| 2008  | 67,136            | 62,122         | 1,125          |
| 2009  | 97,523            | 87,802         | 1,674          |
| 2010* | 9,983             | 8,788          | 1,818          |

\*To 12th February 2010.

#### Notes

- Claims registered include:
  - claims not pursued by the applicant and
  - re-application where a rent supplement recipient moves to new accommodation.
- Claim details are recorded electronically where it is established that rent supplement is payable. Where an appeal has been lodged, claim details are also recorded electronically.
- Given the pressure on the community welfare service, claim details are not always recorded on the system where no entitlement has been established to rent supplement.
- The difference between claims registered and claims awarded is not necessarily a refusal rate, for the reasons outlined above.
- In these circumstances, fully reliable statistics are not available on the total number of people who applied for and were refused rent supplement.
- Claims pending are claims pending at the end of year in question and at 12 th February 2010 in the case of the 2010 year.



[Deputy Mary Hanafin.]

Mortgage Interest Supplement Claims Registered, Awarded and Pending — 2007 to 2010

| Year  | Claims Registered | Claims Awarded | Claims Pending |
|-------|-------------------|----------------|----------------|
| 2007  | 3,694             | 2,985          | 119            |
| 2008  | 8,827             | 7,080          | 368            |
| 2009  | 18,796            | 13,724         | 734            |
| 2010* | 1,898             | 1,339          | 708            |

\* To 12th February 2010.

Notes

- Claims registered include claims not pursued by the applicant.
- Claim details are recorded electronically where it is established that rent supplement is payable. Where an appeal has been lodged, claim details are recorded electronically.
- Given the pressure on the community welfare service, claim details are not always recorded on the system where no entitlement has been established to mortgage interest supplement.
- The difference between claims registered and claims awarded is not necessarily a refusal rate, for the reasons outlined above.
- In these circumstances, fully reliable statistics are not available on the total number of people who applied for and were refused mortgage interest supplement.
- Claims pending are claims pending at the end of year in question and at 12 th February 2010 in the case of the 2010 year.

412. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for farm assist received in each of the past three years and to date in 2010; the number approved, refused or pending; and if she will make a statement on the matter. [9250/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

413. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for optical or dental benefit in each of the past three years; and if she will make a statement on the matter. [9251/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The number of applications for Dental and Optical Treatment Benefit received in the years 2007-2009 are as follows:

| Year | Dental  | Optical |
|------|---------|---------|
| 2007 | 638,312 | 207,948 |
| 2008 | 675,880 | 220,405 |
| 2009 | 690,196 | 223,577 |

414. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of EU nationals who have been refused a social welfare payments or entitlements on the grounds of failure to comply with the habitual residency clause; and if she will make a statement on the matter. [9252/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assist-

ance schemes and child benefit with effect from 1st May 2004. The following table shows the numbers of claims from EU nationals which were refused on habitual residence grounds. This does not include Supplementary Welfare Allowance as statistics on such refusals are not maintained by the various HSE areas.

| Period              | Irish | UK    | Other EU Member States | Total  |
|---------------------|-------|-------|------------------------|--------|
| Year 2009           | 738   | 692   | 7,770                  | 9,200  |
| Year 2008           | 985   | 165   | 4,346                  | 5,496  |
| May 2004 – end 2007 | 1,684 | 708   | 10,472                 | 12,864 |
| Total               | 3,407 | 1,565 | 22,588                 | 27,560 |

About three-quarters of the claims refused were for jobseeker's allowance. Most of the remainder of the claims refused were for child benefit, disability allowance, one-parent family payment or carer's allowance.

415. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applications for respite grants received, approved or rejected in each of the past three years and to date in 2010; and if she will make a statement on the matter. [9253/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

416. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the number of applicants for carer's allowance received, refused, granted or pending in each of the past three years and to date in 2010; the grounds on which refusals were based; and if she will make a statement on the matter. [9254/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

#### **Pension Provisions.**

417. **Deputy John Deasy** asked the Minister for Social and Family Affairs the way an administrative error could have occurred in determining qualification for an old age contributory pension for claimants who were qualifying in recognition of their commercial partnerships, in view of the fact that entitlement to a contributory old age pension is the same for these applicants as anyone else; if she will explain exactly the way such an error occurred; and if she will make a statement on the matter. [9347/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Spouses who are actively engaged in a commercial partnership, including the operation of a farm, are treated as individual self-employed contributors. In these cases both spouses are liable to pay PRSI (Class S) contributions in a timely manner.

On foot of a Programme for Government commitment an information leaflet, 'Working with your spouse: how it affects your social welfare contributions and entitlements', has been developed between the Department of Social & Family Affairs and the Revenue Commissioners to set out the social welfare and tax implications of families co-working in a shared business. It was published on the 25th of June, 2008. The leaflet clarifies that spouses who operate in a commercial partnership may be brought into the social insurance system, subject to certain criteria. In this way, both spouses incur a liability to pay self-employed PRSI and

[Deputy Mary Hanafin.]

build up entitlement towards a contributory state pension and other social welfare benefits. It is open to any person to apply for recognition of a commercial partnership. There have been over 1,000 applications to Scope Section following its publication.

Following receipt of an application in Scope Section, a case is referred to a Social Welfare Inspector for investigation and on receipt of the Inspector's report a Deciding Officer in Scope Section determines if a commercial partnership existed for the period in question. Where the partnership is approved, both partners incur a liability to pay self-employed PRSI for the years in question and build up a social insurance record which will be used in determining their entitlement to a State Pension (Contributory) and other social welfare benefits.

Where a positive partnership decision is made, the case is referred to Self Employment Section, in Waterford, for determination and collection of any PRSI liability and subsequent updating of the person's record on the Central Records System, on receipt of payment. Where Scope Section decided that a commercial partnership did exist, some of the people concerned would then have been entitled to the State Pension (Contributory), provided they met the other conditions for that scheme.

The qualifying conditions for State Pension (Contributory) require the applicant to:

- have entered insurable employment before attaining the age of 56 years
- have at least 260 paid contribution weeks since entry into insurance and
- satisfy the yearly average condition.

In addition, Section 110 (1) of the Social Welfare (Consolidation) Act 2005 provides that a self-employed contributor shall not be regarded as satisfying the qualifying conditions unless:

- (a) the person has paid self-employment contributions in respect of at least one contribution year before attaining pensionable age (66), and
- (b) all self-employment contributions payable by him or her have been paid.

These conditions are designed to ensure that those qualifying for payment have an adequate and sustained history of contributions to the social insurance fund over their working lives.

However, following a review of pension claims, it was found that in certain cases, the self employment contributions were all paid after the persons concerned had passed their 66th birthday. They therefore had no an entitlement to a State Pension (Contributory), and should not have been paid under this scheme. As a result, some of the claims for State Pension (Contributory) which were in payment have been disallowed, while other customers have had their rates reduced. In addition, other customers failed to satisfy the qualifying conditions for State Pension (Contributory) and accordingly their claims have been refused.

All of the above disallowances carried out were on foot of failure to comply with the qualifying condition for State Pension (Contributory) under Section 110(1)(a) of the Social Welfare (Consolidation) Act 2005 above. This Section has been on the statute books for over fifteen years and there has not been a change in policy in relation to the requirement to have paid at least one year's self employment contributions prior to reaching age 66, in order to qualify for a State Pension (Contributory).

All disallowed customers were advised of their right to review and appeal. Overpayments will be determined in the above cases and the customers will be notified and requested to repay the amounts involved. The total amount of overpayments arising in these cases has not yet

been determined. However, a Recovery Officer may reduce or cancel an overpayment based on the circumstances of an individual case, in line with governing legislation.

In conclusion, therefore, it should be noted that while the publication of the leaflet ‘Working with your spouse: how it affects your social welfare contributions and entitlements’ clarified existing procedures in relation to the recognition of commercial partnerships between husbands and wives for social insurance purposes, including retrospective payment of social insurance, it did not involve a change in existing policy or administration. In particular, the clarification of the position did not alter people’s potential entitlements and all applicants for the State Pension (Contributory) must continue to satisfy the eligibility conditions as contained in legislation, and outlined above. The Department understands and apologises for the upset and distress caused to persons who had originally been awarded a State Pension in error and regrets the administrative error involved.

### **Social Welfare Appeals.**

418. **Deputy John Deasy** asked the Minister for Social and Family Affairs the reason no cancellation system is in place whereby persons awaiting oral appeal hearings can avail of such a system; her views on the fact that the present system whereby members of the public do not turn up or make a late cancellation is most unsatisfactory and a waste of taxpayers money; if she will devise a system to ensure that there is a minimum waiting period to members of the public; and if she will make a statement on the matter. [9348/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** I am informed by the Social Welfare Appeals Office that a cancellation policy is operated by that Office. In cases where appellants cancel in time a replacement appeal is scheduled to replace the resultant vacancy. Persons who wish to cancel their hearing for whatever reason are provided, in the notice of appeal, with a LoCall number for that purpose.

The notification of oral hearings to appellants carries a warning that the date of a hearing cannot be changed except in exceptional circumstances and, further, if they do not attend their hearing that the Appeals Officer may consider the appeal on the available evidence and may make a decision in their absence. It is accepted that it is unsatisfactory if appellants make late cancellations or fail to show up for their hearings and the Social Welfare Appeals Office endeavours to strike a balance in its approach to those cases between rescheduling the hearing (in cases where a valid excuse is accepted) and deciding the case on the basis of the available evidence in all of the other cases.

### **Social Welfare Benefits.**

419. **Deputy Terence Flanagan** asked the Minister for Social and Family Affairs if she will support the case of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [9349/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

420. **Deputy Fergus O’Dowd** asked the Minister for Social and Family Affairs the reason child benefit payment in respect of a person (details supplied) in County Louth has ceased; and if she will make a statement on the matter. [9351/10]

**Minister for Social and Family Affairs (Deputy Mary Hanafin):** Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

### Pension Provisions.

421. **Deputy Dinny McGinley** asked the Minister for Defence the number of veterans and veterans dependants who are in receipt of pensions (detail supplied); the number resident on a county basis; and the number abroad who are in receipt of allowance. [9054/10]

**Minister of State at the Department of Defence (Deputy Pat Carey):** There are no Veterans of the War of Independence in receipt of a pension from my Department. Of the 370 widows of deceased Veterans currently in receipt of a monthly allowance from my Department, 8 are living in the United States. The remaining 362 recipients are resident in Ireland on a county basis as follows:

| County  | No. of Recipients | County   | No. of Recipients | County    | No. of Recipients |
|---------|-------------------|----------|-------------------|-----------|-------------------|
| Antrim  | 2                 | Kerry    | 18                | Monaghan  | 13                |
| Armagh  | 1                 | Kildare  | 6                 | Offaly    | 4                 |
| Carlow  | 6                 | Kilkenny | 8                 | Roscommon | 10                |
| Cavan   | 9                 | Laois    | 10                | Sligo     | 6                 |
| Clare   | 28                | Leitrim  | 8                 | Tipperary | 29                |
| Cork    | 39                | Limerick | 15                | Tyrone    | 4                 |
| Donegal | 10                | Longford | 10                | Waterford | 9                 |
| Down    | 1                 | Louth    | 4                 | Westmeath | 12                |
| Dublin  | 35                | Mayo     | 14                | Wexford   | 15                |
| Galway  | 24                | Meath    | 9                 | Wicklow   | 3                 |

### Overseas Missions.

422. **Deputy Joe Costello** asked the Minister for Defence when Irish troops will be withdrawn from Kosovo and Bosnia; if any Irish military personnel will remain; the savings to the taxpayer here; if the equivalent of the savings could be allocated for the development of the region; and if he will make a statement on the matter. [9118/10]

**Minister of State at the Department of Defence (Deputy Pat Carey):** As outlined in the budget in December 2009, it has been decided that the Defence Forces commitments to overseas peace support operations will be scaled back in 2010 as one of the budgetary expenditure reductions. The operations where Ireland will be reducing its commitments will be NATO led mission in Kosovo (KFOR) and Operation ALTHEA in Bosnia and Herzegovina. In April 2010, at the next rotation of this mission, it is planned to draw-down Irish personnel from KFOR from the current 236 personnel to approximately 50 personnel, and to retain a small residual component post October 2010.

In July 2010, at the end of the next rotation to Operation ALTHEA, Ireland will reduce its current contribution of 44 personnel to approximately 5 personnel.

Reductions in the numbers of personnel serving in Kosovo and Bosnia-Herzegovina will achieve savings of up to €7 million in 2010 and nearly €13 million in a full year. The savings referred to relate specifically to the Defence Vote.

Regarding the funding of development in this region, the EU continues to commit financial and other assistance to the Balkan region. The question of such funding by Ireland is a matter for my colleague the Minister for Foreign Affairs.

423. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence the cost to date of Ireland's involvement in the European Nordic Battle-group. [9205/10]

**Minister of State at the Department of Defence (Deputy Pat Carey):** In July 2009, the Government approved Ireland's participation in the Swedish-led Nordic Battlegroup 2011. The Nordic Battlegroup 2011 will be on standby for 6 months commencing on the 1st January 2011. To date Ireland has deployed four Officers to serve in staff posts at the Force Headquarters in Enköping, Sweden and these officers took up their duties on the 28th August 2009.

The total cost to date of Ireland's involvement in the Nordic Battlegroup 2011 consists solely of the foreign allowance payments made to these four Officers and amounts to €137,085.73. Foreign allowance payments consist mainly of a local post allowance, rent allowance, children's foreign service allowance, a cost of living allowance, medical expenses and other miscellaneous expenses.

There have been no equipment procurement costs incurred to date for specific equipment for the Nordic Battlegroup 2011.

#### **Consultancy Contracts.**

424. **Deputy John O'Mahony** asked the Minister for Defence the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9212/10]

**Minister of State at the Department of Defence (Deputy Pat Carey):** The information requested by the Deputy in relation to the amount spent by my Department on hiring or use of outside consultants in 2007, 2008 and 2009 is set out in the table below. My Department is always mindful of the costs involved in engaging consultants. External consultants are engaged only when there is a clear need for specialised expertise and following a rigorous examination of skills and resources available in-house. The objective of using outside consultants is to ensure that my Department achieves value for money by implementing recommendations for improvements in order to maximise efficiency and effectiveness.

| Year | Amount Spent |
|------|--------------|
|      | €            |
| 2007 | 482,748.21   |
| 2008 | 2,436,786.46 |
| 2009 | 383,606.72   |

#### **Water and Sewerage Schemes.**

425. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the position regarding a submission (details supplied); and if he will make a statement on the matter. [9672/10]

436. **Deputy Seán Power** asked the Minister for the Environment, Heritage and Local Government when approval will be given to advance the construction of the new Ballymore Eustace waste water treatment plant, County Wicklow, as a serviced land initiative; and if he will make a statement on the matter. [8778/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 425 and 436 together.

The Ballymore Eustace Wastewater Treatment Plant was included in my Department's Water Services Investment Programme 2007-2009 under the Serviced Land Initiative measure.

In April 2009, following a review of the Serviced Land Initiative in light of developments in the economy at large, and in the housing market in particular during 2008, and having regard to the oversupply of housing in some areas, my Department informed all local authorities that the Initiative was being discontinued. All existing scheme approvals under the Initiative, for which contracts had not been signed or letters of intent had not issued, were withdrawn.

However, local authorities were also informed that where they were of the opinion that the continuation of a scheme is necessary for the proper development of an area, it was open to the relevant authority to make a case to the Department by 29 May 2009 for the scheme to progress. The Ballymore Eustace Wastewater Treatment Plant was the only Serviced Land Initiative scheme resubmitted by Kildare County Council. My Department has assessed the responses received and the decisions on the schemes to progress will be conveyed to the relevant local authorities in light of the finalisation of the Water Services Investment Programme for the period 2010 to 2012, which I expect to publish in the coming weeks.

#### **Environmental Policy.**

426. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if he will reply to a matter (details supplied); and if he will make a statement on the matter. [8646/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** There is no legislation in Ireland that places restrictions on the height of hedges or trees. Planning legislation does not make any particular provision for recognition of a right to light or remedy from any other nuisance which may be caused by trees in an urban residential area.

Complaints relating to matters such as trees or shrubs overhanging a property are normally addressed, where necessary, under civil law between the parties concerned.

#### **Capital Investment Projects.**

427. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the checks he has put in place to vet companies prior to the awarding of contracts for major construction projects; and if he will make a statement on the matter. [8660/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** All capital investment projects initiated or funded by my Department are subject, inter alia, to EU and national public procurement requirements and to guidance relating to appraisal and management of capital expenditure proposals in the public sector.

#### **Natural Heritage Areas.**

428. **Deputy Pádraic McCormack** asked the Minister for the Environment, Heritage and Local Government if, in view of proposals for establishing a preferred route for a new road from Barna to Rossaveal, County Galway, there are restrictions in place to prevent this route from impinging on a proposed Natural Heritage Area or Special Area of Conservation that more than 80% of Connemara are proposed NHA or SAC areas. [8662/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Any plan or project likely to have a significant impact on a Special Area of Conservation must undergo an appropriate assessment in accordance with Article 6(3) of the Habitats Directive to ascertain whether it would have an adverse impact on the integrity of the site, in view of its conservation objectives. In the case of roads projects, it is for the relevant planning authority or An Bord Pleanála to carry out this assessment. The appropriate assessment will, in part, determine whether the project can be consented to. The Directive also provides for projects to proceed notwithstanding a negative assessment, where imperative reasons of overriding public interest can be demonstrated, where there are no alternative solutions and where compensatory measures can be provided.

Under S.19 of the Wildlife (Amendment) Act, 2000, my consent, as Minister, is required for any activities which are liable to destroy or significantly to alter, damage or interfere with a Natural Heritage Area. Any application for consent under this provision is considered on its merits.

**Special Areas of Conservation.**

429. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government if the Heritage and Wildlife Service have reconsidered their opposition to the proposal to breach the causeway linking the Bull Island, County Dublin to the mainland in order to restore a tidal flow and prevent the island from silting up; and if he will make a statement on the matter. [8668/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Bull Island is both a Special Area of Conservation and a Special Protection Area under the EU Habitats Directive and the Birds Directive, respectively. Unless they could be described as necessary for the management of the site, any proposal to undertake such works would require an appropriate assessment as provided for in Article 6 of the Habitats Directive. This assessment would ascertain whether the proposed works would have an adverse impact on the integrity of the site, in view of its conservation objectives. The conclusions of such an assessment would, in part, determine whether such works could be consented to.

I understand that no proposal has been made to the National Parks and Wildlife Service of my Department in this regard, nor has it been asked for observations on such a proposal.

**Planning Issues.**

430. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding the power of local authorities to dezone land and or to alter a development boundary; when local authorities have such power; and if he will make a statement on the matter. [8691/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Section 10(8) of the Planning and Development Act 2000 states that there shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan.

Section 13(1) of the Act provides that a planning authority may make a variation to a development plan which is in force and this could, *inter alia*, include changes to zoning objectives.

The 2007 Guidelines for Planning Authorities on Development Plans state that while the development plan should include strategic or county-wide objectives specifying the quantum



[Deputy John Gormley.]

and location of land, including general development boundaries for urban areas, the more detailed identification and zoning of lands involved could be undertaken in the context of local area plans.

Section 20 of the Act, as amended, provides that the making, amending or revoking of a local area plan is a reserved function of the planning authority and this would include setting or amending a development boundary for the purpose of the plan.

Copies of the legislation and Guidelines are available on my Department's website at [www.environ.ie](http://www.environ.ie).

### **Water and Sewerage Schemes.**

431. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government when approval will be given to proceed to contract stage for sewerage schemes at Johnstown, Freshford and Goresbridge, County Kilkenny. [8697/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Freshford/Johnstown/Goresbridge Sewerage Scheme was included in my Department's Water Services Investment Programme 2007-2009. My Department approved Kilkenny County Council's brief for the appointment of consultants for the design and construction stages of the scheme, subject to some minor modifications, in September 2009.

Local authorities were asked in July 2009 to submit an assessment of needs for water and sewerage services to my Department by 23 October 2009. My Department is currently considering these assessments, which form a key input to the development of the 2010 to 2012 Water Services Investment Programme. In conducting their assessments, local authorities were asked to prioritise schemes and contracts for progression over the coming years based on key environmental and economic criteria. I expect to publish the Water Services Investment Programme 2010 to 2012 shortly.

### **Environmental Policy.**

432. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if he has received a plan for the south-western river basin district; if so, his plans to publish same; the actions he will take as a result of the plan; and if he will make a statement on the matter. [8699/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The making of a river basin management plan is a function reserved to local authorities and the process of finalising plans, including that for the South-Western River Basin District, will be completed in the coming months. A National Advisory Committee has been established to co-ordinate this work across each of the Districts and to oversee the subsequent implementation of the plans.

Cork County Council is the co-ordinating authority in relation to the South-Western River Basin District. This project has been funded by my Department and to date in excess of €8 million has been granted to the South-Western RBD.

The plans will specify the environmental objectives to be achieved in relation to water-bodies and the measures to be implemented in order to achieve these objectives. The programmes of measures must be operational by the end of 2012.

### **Departmental Bodies.**

433. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government when he received the report on the Dublin Docklands Development Authority; the reason he has not published that report; when he expects to act on the report; and if he will make a statement on the matter. [8720/10]

444. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if he has received a report on the Dublin Docklands Development Authority; if he will release this report on receiving it; and if he will make a statement on its recommendations. [9159/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Question Nos. 433 and 444 together.

On foot of my request to the Chair of the Dublin Docklands Development Authority last Autumn to undertake a comprehensive review of corporate governance within the Authority, two comprehensive independent consultants' reports were commissioned by the Authority to assess its planning and financial procedures.

These comprehensive reports were submitted to me in early February and are now being considered by my Department, in consultation with the Attorney General's Office. I expect that the consideration of the reports will be completed within a matter of weeks, at which stage I will bring my Department's analysis and recommendations to Government in response to the issues raised in the reports. Having initiated this governance review, I am determined to complete it in the public interest and will publish these reports in due course, subject to any legal constraints.

### **Water and Sewerage Schemes.**

434. **Deputy Dan Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding a sewerage scheme (details supplied) in County Limerick. [8725/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Kilmallock Sewerage Scheme was included for funding in my Department's Water Services Investment Programme 2007-2009. My Department is currently examining Limerick County Council's revised contract documents for the Wastewater Treatment Plant Design/Build/Operate contract and a decision on it will be conveyed to the Council as soon as possible. My Department awaits the Council's contract documents for the collection network contract.

Further progress on the scheme awaits the finalisation of the Water Services Investment Programme for 2010 to 2012, taking account of the priority attached to the Scheme by Limerick County Council in its recent assessment of needs. In July 2009, local authorities were asked to submit an assessment of needs for water and sewerage services to my Department by 23 October 2009. My Department is currently considering these assessments, which form a key input to the development of the 2010 to 2012 Water Services Investment Programme. In conducting their assessments, local authorities were asked to prioritise schemes and contracts for progression over the coming years based on key environmental and economic criteria. I expect to publish the Water Services Investment Programme 2010 to 2012 shortly.

### **Proposed Legislation.**

435. **Deputy Andrew Doyle** asked the Minister for the Environment, Heritage and Local

[Deputy Andrew Doyle.]

Government if the greyhound breeding kennels are exempt from the provisions of the proposed Dog Breeding Establishment Bill; and if he will make a statement on the matter. [8736/10]

440. **Deputy Niall Collins** asked the Minister for the Environment, Heritage and Local Government if he has received any correspondence or submission from an organisation (details supplied) seeking to have keepers and breeders of greyhounds excluded and exempted from the proposals in the Dog Breeding Establishments Bill 2009; and if he will make a statement on the matter. [8885/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 435 and 440 together.

The Dog Breeding Establishments Bill 2009 commenced committee stage in the Seanad on 10 February 2010.

The Bill contains provisions to give statutory effect to the recommendations of the Working Group that reviewed the management of dog breeding establishments. A dog breeding establishment is defined in the Bill as a premises with not less than 6 bitches of 4 months old capable of breeding. There is no provision in the Bill to exempt greyhound breeding establishments.

I have not received any correspondence or submission from the Irish Coursing Club.

*Question No. 436 answered with Question No. 425.*

#### **Fire Services.**

437. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the guidelines that are provided to local authorities for the provision of fire brigade services; the money spent by each local authority in each of the past three years in providing fire services to the public; the number of fire fighters employed; the number of assistant fire chiefs employed in each local authority area; and if he will make a statement on the matter. [8833/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The provision of a fire service in a fire authority's functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs, the provision of a premises, and the making of such other provisions as it considers necessary or desirable, is a statutory function of the individual fire authority under section 10 of the Fire Services Act 1981 and 2003. Section 26 of the Act requires each fire authority which maintains a fire brigade to prepare and revise plans for fire and emergency operations showing the provision made by it in respect of organisation, appliances, equipment, fire stations, water supplies and extinguishing agents, training, operational procedure and such other matters as may be relevant, and for dealing with operations of an emergency nature. The making and revision of such plans is a reserved function.

The Department's role is one of supporting and assisting local authorities in delivering fire services through the setting of general policy and the provision of funding under the fire service capital programme.

At the end of December 2009, there were 1,222 full-time and 2,049 retained firepersons employed by local authorities. The number of Assistant Chief Fire Officers employed by each authority at the end of December 2009 is being compiled and will be forwarded to the Deputy when available.

Details of the expenditure by local authorities in 2007 and 2008 in providing fire services are set out on the following table. Details for 2009 are not currently available.

|                                    | Expenditure 2007 | Expenditure 2008 |
|------------------------------------|------------------|------------------|
| <i>County Councils</i>             |                  |                  |
| Carlow                             | 1,955,190        | 2,527,180        |
| Cavan                              | 3,079,486        | 4,117,754        |
| Clare                              | 5,037,205        | 5,773,672        |
| Cork                               | 13,662,421       | 15,034,079       |
| Donegal                            | 5,781,521        | 6,770,540        |
| Dun Laoghaire-Rathdown             | 14,286,815       | 19,370,460       |
| Fingal                             | 17,608,741       | 14,843,985       |
| Galway                             | 9,743,576        | 12,245,050       |
| Kerry                              | 5,543,656        | 6,186,064        |
| Kildare                            | 4,352,614        | 5,779,803        |
| Kilkenny                           | 4,446,662        | 5,035,520        |
| Laois                              | 3,239,886        | 3,720,931        |
| Leitrim                            | 1,943,858        | 2,203,939        |
| Limerick                           | 6,294,366        | 6,950,638        |
| Longford                           | 2,267,500        | 2,474,823        |
| Louth                              | 1,821,802        | 2,098,370        |
| Mayo                               | 8,964,519        | 6,836,607        |
| Meath                              | 3,827,180        | 4,417,193        |
| Monaghan                           | 2,172,476        | 2,571,688        |
| North Tipperary                    | 3,441,289        | 4,034,822        |
| Offaly                             | 3,446,287        | 3,796,290        |
| Roscommon                          | 3,463,726        | 3,774,270        |
| Sligo                              | 3,264,554        | 4,231,739        |
| South Dublin                       | 18,412,362       | 18,958,572       |
| South Tipperary                    | 3,605,697        | 3,588,415        |
| Waterford                          | 3,524,519        | 4,161,410        |
| Westmeath                          | 2,426,527        | 2,698,885        |
| Wexford                            | 3,800,586        | 4,803,012        |
| Wicklow                            | 4,006,730        | 4,502,397        |
| <i>City Councils</i>               |                  |                  |
| Cork City                          | 13,635,222       | 16,389,555       |
| Dublin City                        | 109,526,711      | 120,678,105      |
| Galway City                        | 3,701,567        | 3,896,531        |
| Limerick City                      | 10,466,750       | 8,821,976        |
| Waterford City                     | 3,670,146        | 4,594,526        |
| <i>Borough &amp; Town Councils</i> |                  |                  |
| Athlone                            | 974,657          | 1,023,572        |
| Bray                               | 447,990          | 545,553          |
| Carrick on Suir                    | 96,013           | 101,774          |
| Cashel                             | 58,211           | 61,704           |
| Clonmel Borough                    | 470,654          | 498,790          |
| Drogheda Borough                   | 2,275,731        | 3,150,561        |
| Dundalk                            | 2,639,600        | 3,193,982        |
| Tipperary                          | 138,918          | 147,253          |

**Planning Issues.**

438. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government his views on the provision of drying facilities in new and old apartments; and if he will make a statement on the matter. [8872/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I am aware that many apartment management companies do not permit the drying of clothes on balconies and that this is stipulated in the lease/letting agreement.

Insofar as new apartment developments are concerned, I published Guidelines for Planning Authorities on Design Standards for Apartments in 2007, which state that communal facilities for drying clothes may be provided in well-ventilated areas in some larger schemes. Where such communal facilities are not provided, the Guidelines state that consideration should be given to the provision of drying facilities within each unit, such as the use of screened balconies. A copy of the Guidelines is available on my Department's website at [www.environ.ie](http://www.environ.ie). There are no such guidelines in place for apartments which were granted permission or constructed prior to the publication of the 2007 Guidelines.

**Housing Grants.**

439. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government his plans for the redevelopment of a premises (details supplied) in Dublin 1; the amount of funding he will make available; and if he will make a statement on the matter. [8875/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department's Capital Assistance Scheme (CAS) provides funding to approved housing bodies of up to 100% of the approved costs of accommodation for older people, the homeless, persons with special needs, returning emigrants and victims of domestic violence. I recently announced the approval of funding for some 75 voluntary and co-operative housing projects at various locations around the country, including the project referred to in the question.

My Department's involvement with the CAS relates primarily to the provision of funds for individual projects. The detailed administration of the scheme, including the certification that projects comply with its terms and conditions, the processing of applications and the payment of capital grants in respect of approved housing projects, are the responsibility of the local authority.

It is therefore a matter for Dublin City Council to progress this project in accordance with the terms and conditions of the CAS and, in advance of procurement, it is not possible to indicate the level of funding needed to complete the project, which will be funded as part of the City Council's annual CAS allocation.

*Question No. 440 answered with Question No. 435.*

**Planning Issues.**

441. **Deputy Niall Collins** asked the Minister for the Environment, Heritage and Local Government if a person who is concerned about a zoning proposal in a draft local area plan or county and city development plan can make a submission or complaint directly to him; the course of action following same he will undertake; and if he will make a statement on the matter. [8886/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

The making, reviewing and varying of a development plan or a local area plan is a reserved function of the elected members of the planning authority for the area. The statutory consultation process for such plans is set out in the Planning and Development Act 2000, as amended; any person can make a submission on a draft plan, including in relation to zoning issues, to the planning authority within the statutory timescales provided.

While there is no provision in the Act for persons to make submissions in relation to such issues directly to the Minister for the Environment, Heritage and Local Government, the Minister is a statutory consultee on draft development plans and ultimately has powers of direction under Section 31 of the Act where he considers that the draft development plan fails to set out an overall strategy for the proper planning and sustainable development of an area.

**Company Closures.**

442. **Deputy Brendan Howlin** asked the Minister for the Environment, Heritage and Local Government if he is dealing with the appeal of a company (details supplied) as headland of leases at Marino Point, Cork, in relation to rent increases for which a company may as a sub-tenant have partial liability; if his attention has been drawn to the fact that this is the only issue impeding the finalisation of the liquidation of the company; if he will expedite a decision to this appeal; and if he will make a statement on the matter. [9079/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):**

Following the enactment of the Foreshore and Dumping at Sea (Amendment) Act 2009, my Department assumed responsibility on 15 January 2010 for a range of foreshore functions including all foreshore energy-related developments (including oil, gas, wind, wave and tidal energy).

The liquidation of Irish Fertilizers (IFI) is solely a matter for the liquidator. My Department is dealing with the appeal of the Port of Cork Company (previously Cork Harbour Commissioners) with regard to the two leases in relation to the Marino Point site in Cork. The position is that when the rent payable under these leases was last reviewed and increased in 2003 and 2004 the tenants, Port of Cork Company, appealed that increase. In accordance with the conditions of the Lease, the Department with responsibility for the Foreshore at the time, the Department of Agriculture, Fisheries and Food agreed to request the Chairman of the Society of Chartered Surveyors to nominate an Arbitrator. An Independent Expert has recently been appointed by that body in an effort to resolve the issue, and my Department will be informed of the outcome of his deliberations.

**Planning Issues.**

443. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government if the task force to examine the planning implications of the siting and location of adult entertainment shops has completed its deliberations; when he expects to publish the findings; his plans to introduce legislation to ensure that such shops are not inappropriately located; and if he will make a statement on the matter. [9120/10]

445. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Heritage and Local Government when he expects to publish the report from the task force his Department established in 2007 to examine the way the planning system could support the wider regulatory context around the siting and location of adult entertainment venues. [9200/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I propose to take Questions Nos. 443 and 445 together.

I refer to the reply to Question No. 587 of 9 February 2010.

In 2007, my Department established a task force to examine the planning and land use implications of the siting and location of adult entertainment venues. The task force was chaired by my Department and comprised representatives from the Department of Justice, Equality and Law Reform, the Office of the Revenue Commissioners, An Garda Síochana and Dublin City Council.

The task force met on a number of occasions, and its work was informed by detailed consideration of a range of issues based on agreed terms of reference. Given the relevance of a number of different statutory codes to this matter, it was not clear whether planning regulation alone could adequately support an appropriate and effective local control regime, and the interaction of these various codes needed to be carefully examined to ensure that the best possible approach is taken.

The task force has finalised its work and I will make the necessary arrangements to publish the report shortly.

In advance of any new proposals, it is open to local authorities to use the powers currently available to them under the planning code, such as the development plan process, to ensure that new late night entertainment venues are not inappropriately located, for example in quiet residential areas.

*Question No. 444 answered with Question No. 433.*

*Question No. 445 answered with Question No. 443.*

#### **Private Rented Accommodation.**

446. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the break down of all rental tenancies here by type (details supplied) from 1999 to 2009. [9201/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Information on the number of local authority tenancies and the numbers of households supported through the Rental Accommodation Scheme to end 2008 can be found in my Department's Annual Housing Statistics Bulletins which are available on my Department's website at [www.environ.ie](http://www.environ.ie). Approved voluntary and co-operative housing bodies provide some 23,000 units of accommodation to meet the needs of various categories of tenants including older people, people with a physical or intellectual disability, the homeless, the elderly, returning emigrants and victims of domestic violence. Details of the number of units provided per year by the sector over the period 1999 to 2008 are also set out in the annual Housing Statistics Bulletins. Figures for 2009 will be published later this year in the 2009 Bulletin.

437 units had been leased under the long term leasing initiative up to the end of 2009. Information on activity under the long term leasing initiative — which first commenced in 2009 — will be carried in future Annual Statistics Bulletins.

The rent supplement scheme is the responsibility of the Department of Social and Family Affairs.

### Consultancy Contracts.

447. **Deputy John O'Mahony** asked the Minister for the Environment, Heritage and Local Government the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9215/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Total expenditure through my Department's Vote in respect of consultancies for the years 2007 to 2009 is published in the Revised Estimates for Public Services for the relevant years and is set out in the following tabular statement. My Department continues to work to ensure best practice in the engagement and use of consultants and to achieve maximum value for money from the resources employed, having regard to the appropriate Department of Finance guidelines in this regard.

DoEHLG Expenditure on Consultancies

| Year | 2007      | 2008      | 2009    |
|------|-----------|-----------|---------|
| €    | 1,406,000 | 2,447,000 | 926,000 |

### Waste Disposal.

448. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if he has issued any guidelines to the public regarding the disposal of video cassette recording tapes; and if he will make a statement on the matter. [9350/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department has not issued guidelines to the public regarding the disposal of video cassette recording tapes. In general, these items are disposed by way of landfill or they can be shredded and recycled with other plastics.

### Fisheries Protection.

449. **Deputy Phil Hogan** asked the Minister for Communications, Energy and Natural Resources if he has received a submission from an organisation (details supplied) in respect of the control of Salmon Fisheries Order 2010; his views on this submission; when he will come to a conclusion regarding this matter in view of the improvements that this would make to the Order; and if he will make a statement on the matter. [8698/10]

**Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Conor Lenihan):** The submission referred to by the Deputy has been received by my office. Salmon fishing licences are public licences issued on foot of applications received annually. The Control of Fishing for Salmon Order establishes the priority to be afforded by regional fisheries boards to applications for commercial licences. I can advise the Deputy that the Department is in the process of reviewing the existing Order in advance of the 2010 fishing season.

### Energy Resources.

450. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the European Union document (details supplied) in the promotion of the use of energy from renewable sources; the way he plans to conduct a national renewable energy action plan; his plans to conduct a national renewable energy action



[Deputy Enda Kenny.]

plan; his further plans to consult with individuals, local and regional authorities in advance of the preparation of a plan in accordance with Article 23 of the directive and in particular with communities in areas in which the quality of the renewable resource is exceptional; and if he will make a statement on the matter. [8700/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Ireland was closely involved in the negotiations at EY level on Directive 2009/28/EC on the promotion of the use of energy from renewable sources. I was fully supportive of the Directive in discussions with the Commission and Ministerial colleagues at the successive Energy Councils.

Under the Directive, each Member State has been assigned an individual binding target. Ireland's target is to reach 16% of energy consumption from renewable sources by 2020. It is for each Member State to decide how to achieve their national target across the heating, electricity and transport sectors.

Under the Directive, each Member State has to submit a 'National Renewable Energy Action Plan' to the Commission by 30 June 2010 setting out its plans for compliance with the Directive and delivery on the national targets. Under Article 4(3) of the Directive, an initial non binding forecast was required to be submitted to the European Commission in December 2009. Ireland, together with other Member States has submitted the preliminary forecast.

My Department chairs the 'Renewable Energy Development Group' (REDG) which acts as a consultative forum for all stakeholders including the renewable industry and relevant Departments and Agencies.

The Renewable Energy Development Group (REDG) is fully involved in the preparations for the National Renewable Energy Action Plan and is being briefed on progress as well as providing inputs.

My Department, working in collaboration with Sustainable Energy Ireland and other key players, is currently progressing the many strands of work on the National Renewable Energy Action Plan including modelling of renewable energy targets covering the electricity, transport and heat sectors. The results will inform the planned trajectory towards reaching Ireland's national target by 2020. The Department will continue to consult with the Renewable Energy Development Group on the development of the National Plan and will undertake any additional consultation required at regional and local level.

In that context the Renewable Energy Development Group is also currently being expanded to include representation from the City and County Management Association to ensure that Local Authorities areas are aware of and involved in the preparation of the Plan.

#### **Telecommunications Services.**

451. **Deputy Arthur Morgan** asked the Minister for Communications, Energy and Natural Resources when a community (details supplied) in County Donegal will be connected under the national broadband scheme; and if he will make a statement on the matter. [8811/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

#### **Broadcasting Regulation.**

452. **Deputy Tom Hayes** asked the Minister for Communications, Energy and Natural Resources the reason the Broadcasting Authority of Ireland levy remains high when costs are

falling here; if he will provide a breakdown of the spending of the levy to commercial stations; if this levy can be reduced in view of the reduced advertising revenue commercial stations are experiencing; and if he will make a statement on the matter. [9018/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Section 33 of the Broadcasting Act 2009 provides for the making of a levy order by the Broadcasting Authority of Ireland (BAI) for the purposes of meeting the expenses of the Authority and its Committees in undertaking the performance of its statutory functions. The setting of the levy is a matter for the Authority and not one in which I have a function.

In addition, in accordance with section 37 of the Act, the setting of the budget for the BAI for any particular year is a matter for the Authority. While the legislation makes provision in section 37(1) for the Minister to be able to specify the form the estimates should take and any additional information as may be needed, it does not require the estimates to be submitted for specific Ministerial approval.

The budget for 2010 was set by the BAI at €7.6 million at its meeting in December 2009.

The BAI has indicated that the need for an increased budget over those previously provided for the Broadcasting Commission of Ireland (BCI) is as a result of the increased role given by the Oireachtas to BAI. While the BAI has taken over the functions of the BCI and the Broadcasting Complaints Commission (BCC), it has also been given a range of new functions additional to those held by its predecessors, mainly in relation to public service broadcasting and the provision of digital broadcasting services. The BAI has also indicated that the extent to which any budget is actually expended will depend on the level of activity of the organisation in any one year. They have confirmed that they will discharge their functions in a cost effective manner and are conscious of not imposing an undue burden on the broadcasting sector.

In this context, section 32(4) of the Broadcasting Act, requires the Authority to ensure that regulation by the Authority and the statutory committees does not involve the imposition or maintenance of unnecessary administrative burdens.

As I stated in reply to a previous question on this matter, I have made it clear to the Authority the need to be particularly vigilant about keeping costs down in the current economic climate.

I understand that the Authority has requested the Chief Executive to review the detail of the 2010 budget with a view to reducing it where possible and that the Chief Executive will shortly report to the Authority on this.

In accordance with section 37(7) of the Act, any revised 2010 estimate of income and expenditure approved by the Authority will be published on the BAI's website, with my consent and that of the Minister for Finance.

The Authority has also asked the Chief Executive to continuously review its proposed expenditure throughout 2010 with the aim of reducing it where possible. In accordance with section 33 of the Act, any surplus of levy income over expenditure in 2010 shall be offset against future levies or refunded, as appropriate.

In addition, I understand that the Chief Executive has arranged meetings in regard to the levy and the 2010 budget with relevant stakeholders, including the commercial broadcasters, over the coming days to address any issues and concerns that these stakeholders may have on this issue.

#### **Telecommunications Services.**

453. **Deputy Paul Kehoe** asked the Minister for Communications, Energy and Natural

[Deputy Paul Kehoe.]

Resources his plans for the roll-out of high-speed broadband in areas not currently served by broadband, particularly where Eircom exchanges are not digital subscriber line enabled and where there are no plans for the provision of broadband under the national broadband scheme; his further plans to ensure high speed broadband is made available in these rural areas, communities and schools in view of the fact that individuals are being socially and economically disadvantaged as a result of not having access to what is an essential utility in 21st century Ireland; and if he will make a statement on the matter. [9022/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** It is accepted that even after the full roll-out of the National Broadband Scheme (NBS) there will still be a small percentage of premises that will not be capable of receiving broadband services. This is primarily due to technical and other reasons (suitability of a telephone line, distance from an enabled exchange, no line of sight etc.). The European Commission has set aside a portion of the European Economic Recovery Plan (EERP) funding for rural broadband initiatives. In this context, my Department is currently considering the detailed design and implementation of a scheme which would address the issue of broadband availability to unserved rural premises outside of the NBS areas.

It is hoped to commence the scheme this year with the identification of premises not capable of receiving broadband. State Aid approval has been granted by the European Commission as part of the overall process of securing the necessary approvals and funding for the scheme.

454. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources if his Department has a nationwide map of each State and semi-State owned or controlled broadband network; and if he will make a statement on the matter. [9028/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

455. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources when high-speed broadband will be available to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [9042/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

#### **Postal Services.**

456. **Deputy Ciarán Lynch** asked the Minister for Communications, Energy and Natural Resources the protocols in place regarding delivery of registered post from here to the United Kingdom; if An Post has reported difficulties regarding the delivery of registered post to its final destination in the UK; and if he will make a statement on the matter. [9098/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that due to industrial action it is not possible to deal with his question.

#### **Energy Resources.**

457. **Deputy Joe Costello** asked the Minister for Communications, Energy and Natural

Resources when he expects the new biofuel obligation of 4% of annual fuel sales to be reached; the amount of biofuel produced for the Irish market; the amount imported; and if he will make a statement on the matter. [9121/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The legislative basis for the national biofuel obligation, which will require suppliers of road transport fuels into the Irish market to ensure that 4% of their volumes sold is biofuel is provided for in the Energy (Biofuels Obligation and Miscellaneous Provisions) Bill which has recently been introduced in the Oireachtas with a view to its enactment in the coming month and entry into force by July next.

The Department calculates that in a full year, approximately 220 million litres of biofuels would be required to deliver the 4% target, depending on the overall volumes of fuel sold in the Irish market. In 2008, the last year for which complete data are currently available, 85 million litres of biofuels entered the Irish market. The only biofuels on which my Department is currently in a position to compile origin information are those biofuels being imported under the Mineral Oil Tax Relief Schemes (MOTR). Under the Schemes, approximately 30% of eligible biofuels are produced in Ireland in 2008, with the remainder being imported.

#### **Energy Conservation.**

458. **Deputy Thomas Byrne** asked the Minister for Communications, Energy and Natural Resources the position regarding an application for the warmer homes scheme in respect of a person (details supplied) in County Meath. [9131/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

459. **Deputy Thomas Byrne** asked the Minister for Communications, Energy and Natural Resources the position regarding an application for the warmer homes scheme in respect of a person (details supplied) in County Meath. [9132/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

460. **Deputy Thomas Byrne** asked the Minister for Communications, Energy and Natural Resources the position regarding an application for the warmer homes scheme in respect of a person (details supplied) in County Meath. [9134/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

#### **Consultancy Contracts.**

461. **Deputy John O'Mahony** asked the Minister for Communications, Energy and Natural Resources the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9210/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

#### **Live Exports.**

462. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the position regarding section C(9) of the European Community Export Cert 64/432 F1 Bovine; if animals inspected for export to Northern Ireland by his Department officials and found to be correct can be removed anytime with the specified 24 hour period, without the presence his Departments officials; and if he will make a statement on the matter. [8658/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Ireland attaches a high priority to ensuring that the export of bovines from Ireland is carried out to a very high standard in relation to compliance with animal health and welfare requirements. It is a requirement under the relevant EU legislation that the health certificate for livestock is certified on the basis of a veterinary inspection carried out during the 24 hours prior to scheduled departure.

My Department operates a policy whereby the loading of the trucks is carried out under veterinary supervision wherever possible to ensure compliance with requirements for welfare during transport in relation to critical issues such as stocking density, water and feed provisions and the standard of trucks. Thus for reason of operational efficiency and to ensure that the highest possible welfare standards apply, veterinary certification is carried out at the time of loading of the cattle, wherever possible.

#### **Grant Payments.**

463. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the steps he will take to resolve the issues surrounding REP scheme payments in County Kerry; and if a district superintendent will be put in place in Killarney, County Kerry. [8664/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** As the Deputy will be aware there is a moratorium on recruitment and promotion in the public service. My Department has alternative arrangements in place to ensure the prompt processing of claims.

#### **Rural Environment Protection Scheme.**

464. **Deputy Arthur Morgan** asked the Minister for Agriculture, Fisheries and Food the position regarding the new REP scheme; when the scheme will be implemented; and if he will make a statement on the matter. [8731/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

#### **Grant Payments.**

465. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 280 of 10 February 2010, when a reply will issue. [8770/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

466. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their single farm payment for 2009. [8774/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** There is no record of an application under the 2009 Single Payment Scheme having been received by my Department from the person named.

#### **Departmental Offices.**

467. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 1101 of 16 September 2009, the position regarding the local agricultural office in Ennis, County Clare; if agreement has been finalised on the redeployment of staff; if he is proceeding with his plan to relocate the office; if so; the plans, he has to ensure the continuation of services and facilities for farmers in County Clare; and if he will make a statement on the matter. [8783/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** On 15th July, the Government approved my plan for a reorganisation of my Department's Local Office Network. The plan involves reducing, from 57 to 16, the number of offices from which the Department will operate District Veterinary, Forestry and Agricultural Environment and Structures support services in the future. This will result in a reduction of some 400 in the number of staff working in my Department. This reorganisation will yield significant savings for the exchequer and no staff will be made redundant as a result of this rationalisation.

As part of this process, the Ennis Local Office will close on 16th April and all services will transfer to the regional office in Limerick. A 'Lo-call' telephone number will be provided for the Limerick office. My Department is currently finalising discussions with other Departments in relation to the redeployment of administrative staff currently working in Ennis local office.

#### **Grant Payments.**

468. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their payment under REP scheme four; and if he will make a statement on the matter. [8799/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

#### **Crop Losses.**

469. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food his plans to provide compensation to farmers growing fodder beet who have suffered heavy losses due to the recent bad weather; and if he will make a statement on the matter. [8822/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Following a preliminary assessment of the crop losses caused by the severe weather conditions in January, I recently announced the introduction of a limited scheme of financial assistance to certain potato and field vegetable growers who have suffered significant losses of produce due to frost damage. It is not proposed to extend the scope of the scheme to include fodder beet.

470. **Deputy Brian O'Shea** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 575 of 16 February 2010, if he will carry out a survey of the crop losses in the hardy nursery stock sector caused by severe weather conditions in January; and if he will make a statement on the matter. [8879/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Following a preliminary assessment of the crop losses caused by the severe weather conditions in January, I

[Deputy Brendan Smith.]

recently announced the introduction of a limited scheme of financial assistance to certain potato and field vegetable growers who have suffered significant losses of produce due to frost damage. It is not proposed to extend the scope of the scheme to include hardy nursery stock.

#### **Grant Payments.**

471. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) will receive her REP scheme payment. [9050/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to reply to this question.

#### **Dog Transporters.**

472. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the conditions of approval for authorisation of dog transporters issued by his Department; the way these authorisations are reviewed to ensure compliance with conditions; the capacity of each transporter; the destination of each transporter; and if he will make a statement on the matter. [9052/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Certain categories of transporters of live animals, including dogs, must be authorised by the Department. An application form and explanatory information on the legislation that governs the transport of live animals, including Council Regulation (EC) No 1 of 2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 and S.I. No. 675 of 2006 [European Communities (Animal Transport and Control Post) Regulations 2006], are issued to a transporter on foot of request to my Department.

Completed application forms submitted by transporters are assessed by my Department. I have powers to refuse an application or to suspend or to revoke an animal transport authorisation if in my opinion, in relation to an application, information required has not been furnished or information that is false or misleading in a material respect has been furnished or there has been a failure to comply with a condition of an authorisation or where an offence has been committed that relates to animal welfare. An authorisation is reviewed should a complaint be made against the transporter. The legislation does not define a capacity for a vehicle transporting dogs nor require information on the destination of a transporter of dogs.

#### **Grant Payments.**

473. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive his REP scheme 4 payment; and if he will make a statement on the matter. [9072/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

#### **Fishing Industry Development.**

474. **Deputy John Deasy** asked the Minister for Agriculture, Fisheries and Food his plans to allow commercial bass fishing off the coast of County Waterford; and if he will make a statement on the matter. [9109/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Federation of Irish Fishermen (FIF) has made a proposal regarding the possibility of a limited offshore Sea Bass fishery to my colleague Minister Killeen. Minister Killeen is giving careful consideration to this proposal in conjunction with the Marine Institute and the Sea Fisheries Protection Authority and is particularly conscious of the necessity of maintaining the existing protection afforded to the inshore Sea Bass fishery. This factor is also recognised in the FIF proposal which gives assurances that the inshore Sea Bass fishery around our coast would not be targeted for commercial fishing. Under the FIF proposal, vessels would be permitted to land Sea Bass caught south of (51.30°N) in area VII. This area is approx 50 KM off the SE coast of Ireland.

Given the overall economic situation and the challenges facing fishermen generally, Minister Killeen is anxious to pursue any proposal that would create additional commercial fishing opportunities for the Irish fleet. In that context Minister Killeen has written to Minister Lenihan in the Department of Energy, Communications and Natural Resources, who has responsibility for inland fisheries, seeking his views on this proposal before making any final decision in the matter.

#### **Grant Payments.**

475. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Roscommon will receive his payment; the reason for the delay; and if he will make a statement on the matter. [9111/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

#### **Decentralisation Programme.**

476. **Deputy Michael McGrath** asked the Minister for Agriculture, Fisheries and Food the position regarding the planned decentralisation of his Department's office from Cork city to another location in the county. [9114/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** As part of the reorganisation of my Department's national network of local offices it is intended that the Mallow and South Mall offices in Cork City will be closed. The work from these offices will transfer to a new office to be located in the North County Cork area once a suitable location has been identified. The Office of Public Works together with my Department are examining various options. No date has yet been scheduled for this transfer to take place.

#### **Animal Feedstuffs.**

477. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food if a farmer purchasing loose feedstuff at the premises of a local supplier can reuse half ton bags for this purpose or is it necessary to use a new bag on each occasion; and if he will make a statement on the matter. [9126/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** In line with the Regulations governing the supply/handling of feedstuffs for animal feed, a bag brought by a farmer for refilling with feed at a local supplier may only be used or reused if clean and in good condition.

#### **Direct Payment Schemes.**

478. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when



[Deputy Paul Connaughton.]

a person (details supplied) in County Galway will receive their 2009 single farm payment; and if he will make a statement on the matter. [9135/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Payment under the 2009 Single Payment Scheme has not issued in this case as the Single Payment entitlements in question are still registered in the name of the late previous owner of the herd number in question. An official of my Department will make direct contact with the person named regarding this matter.

#### **Grant Payments.**

479. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme payment. [9152/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

#### **Direct Payment Schemes.**

480. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food if he will carry out an investigation into the circumstances surrounding the moving of entitlements to the national reserve (details supplied). [9162/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The first person named was allocated 7.92 Single Payment entitlements to the value of €127.79 each in 2005. The EU Regulations governing the Single Payment scheme provide that a farmer must use his/her entitlements at least once over a three year period otherwise they are lost to the National Reserve. A farmer uses entitlements by declaring one hectare of land per entitlement per year on a Single Payment application form. The persons named did not declare any land on a Single payment application form in the years 2007, 2008 or 2009 therefore the entitlements concerned were surrendered to the National Reserve at the end of 2009. A letter of notification regarding the expired entitlements issued on 25 January 2010 and includes an option of appeal. My Department had not been notified of the extenuating circumstances involved in this case but a representative of my Department will now make contact with the second person named with a view to having the entitlements restored to her under force majeure.

#### **Farm Waste Management.**

481. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the position regarding a claim for payment under the farm waste management scheme in respect of a person (details supplied); and if he will make a statement on the matter. [9164/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to industrial action by staff in my Department, I am unable to provide a reply to this question.

#### **Consultancy Contracts.**

482. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9208/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Due to Industrial Action in my Department I am not in a position to provide a reply to this question.

### **Inquiry into Child Abuse.**

483. **Deputy Phil Hogan** asked the Minister for Education and Science the procedures regarding the trust fund that is being established for victims of abuse in terms of financial compensation; the process by which this money will be discharged to the victims; and if he will make a statement on the matter. [8693/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The present position is that I have received individual responses from the 18 religious Congregations that were party to the 2002 Indemnity Agreement, to the call for them to make further substantial contributions by way of reparation, following publication of the Ryan Report. Details of the Congregations’ offers of contributions, together with the report of the Panel appointed by the Government to assess the Statements of Resources submitted by the religious Congregations are under consideration the Government.

On the question of the uses to which the contributions will be put, the Deputy will be aware that in the meetings with former residents and the Congregations, support was expressed for the proposal that the use of a further substantial contribution from the Congregations should include a form of independent trust to be set up by the State which would be available to support the needs of survivors for general education and welfare purposes. The Government will consider the matter, in consultation with the representatives of the survivors and the Congregations.

484. **Deputy Joe Behan** asked the Minister for Education and Science the names of the 161 services, schools, hospitals and other facilities apart from industrial and reformatory schools which were referred to in the Ryan report and the 259 witnesses who testified; and if he will make a statement on the matter. [8860/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Part 2 of the Confidential Committee’s Report in Volume 3 of the Report of the Commission to Inquire into Child Abuse, contains evidence given by 259 witnesses to the Confidential Committee in relation to 161 facilities, apart from Industrial or Reformatory Schools, that fell within the definition of an institution for the purposes of the Commission to Inquire into Child Abuse, Acts 2000 and 2005. As outlined in Chapter 2 of the Confidential Committee’s Report, the Acts give a commitment of confidentiality in relation to information furnished to the Committee and require that its Report should not identify or contain information that could lead to the identification of witnesses, or the persons against whom they made allegations, the institutions in which they alleged they were abused or any other person. As noted in the Report, it is a criminal offence to breach the assurance of confidentiality provided by the Acts to witnesses and to the work of the Committee.

### **Departmental Correspondence.**

485. **Deputy Fergus O’Dowd** asked the Minister for Education and Science if he will reply to correspondences (details supplied); and if he will make a statement on the matter. [8644/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** A reply to the correspondence referred to by the Deputy has issued from my Department.

### Special Educational Needs.

486. **Deputy Joan Burton** asked the Minister for Education and Science the number of special needs assistants or full-time equivalents employed in Dublin 15 primary and secondary schools in the academic years 2006-07, 2007-08, 2008-09 and 2009-10; the number of special needs assistants or full-time equivalents employed in each of the schools (details supplied) in Dublin 15 in 2006-07, 2007-08, 2008-09 and 2009-10; and if he will make a statement on the matter. [8654/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information requested by the Deputy on the number of special needs assistants or full time equivalents employed in Dublin 15 primary and secondary schools is not readily available in the requested format.

The number of wholetime equivalent Special Needs Assistants employed in each of the three schools named by the Deputy in September of the school year 2006/2007, 2007/2008, 2008/2009 and 2009/2010 is provided in the table below.

Number of Wholetime Equivalent Special Needs Assistants

|                 | September 2006 | September 2007 | September 2008 | September 2009 |
|-----------------|----------------|----------------|----------------|----------------|
| Loreto College  | 1              | 1              | 1              | 1              |
| Holy Family JNS | 2              | 4              | 4              | 6              |
| Holy Family SNS | 6              | 5              | 6              | 7              |

### Higher Education Grants.

487. **Deputy James Bannon** asked the Minister for Education and Science the reason a person (details supplied) in County Longford has been refused a third level training maintenance grant; and if he will make a statement on the matter. [8656/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The decision on eligibility for a student grant is a matter, in the first instance, for the relevant assessing authority, i.e. the applicant’s local authority or VEC. An applicant may appeal the decision to the relevant local authority or VEC.

Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the grounds for the appeal.

No appeal has been received by my Department to date from the candidate referred to by the Deputy.

### State Examinations.

488. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied). [8685/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations including organising the holding of examinations, determining procedures in places where examinations are conducted including the supervision of examinations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### **Schools Building Projects.**

489. **Deputy Finian McGrath** asked the Minister for Education and Science if he will include a school (details supplied) in Dublin 3 on the priority building programme for 2010. [8712/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I am pleased to inform the Deputy that the school to which he refers was included in my announcement on 16 February of major school building projects which are to progress to tender and construction this year.

The project to which the Deputy refers is currently at an advanced stage of architectural planning.

Representatives from the school and its design team recently attended a briefing by my Department on the requirements for completing stage 2(b) of architectural planning. The design team are currently working on completing the stage 2(b) submission.

490. **Deputy Brian Hayes** asked the Minister for Education and Science the position regarding the development plans for a new school (details supplied) in Dublin 7; and if he will make a statement on the matter. [8713/10]

527. **Deputy Joe Costello** asked the Minister for Education and Science the progress made on acquiring a site for a school (details supplied) in Dublin 7; and if he will make a statement on the matter. [9123/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 490 and 527 together.

Following discussions with my Department, revised proposed school building drawings have been submitted to the club and the City Council for their consideration. A response is awaited.

### **Early Retirement Scheme.**

491. **Deputy Richard Bruton** asked the Minister for Education and Science his views on implementing an early retirement scheme in education or extending the scheme that is available elsewhere in the public service to the teaching sector; and if he will make a statement on the matter. [8722/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Incentivised Scheme of Early Retirement for public servants over 50 years of age was announced in the Budget in April last year. The intention behind the scheme is that those that retire would not be replaced thus enabling cost savings to be achieved. This scheme does not apply to teachers. The moratorium arrangements within the education sector provide that teachers can be replaced in the normal way and that teacher numbers be capped at the aggregate overall number of posts in place in schools in September 2009.

The Early Retirement Scheme is aimed at civil and public servants who retire before the age of 60 and whose superannuation options are limited to receiving their entitlements at preserved pension age or, for people aged over 50, immediate payment of pension benefits subject to an actuarial reduction. It is not being applied to sectors who have fast accrual of service (eg An Garda Síochána, Prison Officers and the Army) or for those who have other preferential pension benefits such as the 55/35 year rule for teachers. Under the 55/35 year rule a teacher, other than a new entrant appointed after 1 April 2004, who has reached the age of 55 years and has at least 35 years of actual pensionable service, may retire voluntarily. There is no actuarial reduction in benefits and credit for certain pre-service training is given in order to assist teachers to reach the 35-year threshold for retirement.

### Schools Building Projects.

492. **Deputy Ruairí Quinn** asked the Minister for Education and Science the new school building projects that will commence in 2010; and if he will make a statement on the matter. [8735/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy will be aware, on 16 February, I announced details of 52 major school building projects which can go to tender and construction as part of the Government’s €579 million school building programme for 2010.

Of these, 25 major school building projects which have planning permission will move to tender and construction shortly. A further 27 major projects which have not yet secured full planning permission have been authorised to prepare their tender documentation and they are expected to go to tender and construction later this year and early next year.

As well as that, 22 major school building projects approved to enter architectural planning in recent years will appoint design teams this year. Another 29 high-priority major school building projects will begin the design process and appoint design teams this year.

Details on all of these projects are available on my Department’s website. For the Deputy’s convenience, the lists which accompanied my announcement of 16 February are included below.

#### Projects authorised to prepare tender documents

| County    | Roll No.           | School Name  | Project                 |
|-----------|--------------------|--|-------------------------|
| Cork      | 17609N             | Rathcormac NS, Rathcormac  | New school              |
| Cork      | 17667E             | SN Pádraig Naofa, Whitechurch  | Extension/refurbishment |
| Cork      | 81008W             | Ashton Comprehensive School, Blackrock Road                                | New school              |
| Donegal   | 18052S             | Scoil Mhuire gan Smál, Letterkenny   | Extension/refurbishment |
| Donegal   | 19971R             | Gaelscoil Adhamhnain, Letterkenny  | Extension/refurbishment |
| Donegal   | 16672P             | St Patrick’s Primary School, Lurgybrack                                    | Extension/refurbishment |
| Dublin    | 19474D &<br>19742C | St Colmcille’s Junior and Senior NS, Knocklyon, Templeogue, Dublin 16      | New school              |
| Dublin    | 19878E             | Ballycragh NS, Ballycragh, Firhouse, Tallaght, Dublin 24                   | New school              |
| Dublin    | 76062B             | Castleknock Community College, Carpenterstown Road, Castleknock, Dublin 15 | Extension/refurbishment |
| Dublin    | 00697S             | St. Brigid’s NS, Castleknock   | Extension/refurbishment |
| Dublin    | 18451J             | Scoil Lorcaín, Eaton Square, Monkstown                                     | Extension/refurbishment |
| Galway    | 19795A             | Tirellan Heights NS, Headford Road, Galway                                 | Extension/refurbishment |
| Galway    | 20199O             | Oughterard NS, Oughterard  | New school              |
| Galway    | 08512U             | Iomair NS, Killimor  | New school              |
| Galway    | 12706J             | SN Sailearna, Indreabhán   | Extension/refurbishment |
| Kerry     | 20197K             | Kenmare NS, Kenmare  | New school              |
| Kildare   | 17064U             | Scoil Pádraig, Ballylinan, Athy  | New school              |
| Laois     | 17671M             | Scoil Chomhgáin Naofa, Killeslin   | Extension/refurbishment |
| Limerick  | 64240G             | St Munchin’s College, Limerick City  | Extension/refurbishment |
| Louth     | 63920A             | Dundalk Grammar School, The Crescent                                       | Extension/refurbishment |
| Mayo      | 20142I             | Scoil Íosa, Ballyhaunis  | Extension/refurbishment |
| Sligo     | 19495L             | Carbury NS, The Mall   | New school              |
| Tipperary | 72370P             | Borrisokane VS, Tipperary  | Extension/refurbishment |
| Tipperary | 65470F             | Ursuline Convent, Thurles  | Extension/refurbishment |
| Tipperary | 65240L             | Scoil Mhuire Presentation Secondary School, Thurles                        | Extension/refurbishment |
| Wexford   | 17017L             | SN Phádraig, Crossabeg   | Extension/refurbishment |
| Wicklow   | 19522L             | St Catherine’s Secondary School, Newcastle                                 | New school              |

## Projects going to tender and construction

| County    | Roll No              | School Name  | Project                 |
|-----------|----------------------|--|-------------------------|
| Carlow    | 17501Q               | Bennykerry NS, Bennykerry                            | New school              |
| Cork      | 62690E               | Scoil Mhuire, 2 Sydney Place, Wellington Road        | Extension/refurbishment |
| Cork      | 18279A               | St Mary's NS, Waterpark, Carrigaline                 | Extension/refurbishment |
| Cork      | 13450F               | Rushbrook NS, Cobh                                   | New school              |
| Donegal   | 18219F               | SN Chonaill, Machaire Chlochair, Bun Beag            | Extension/refurbishment |
| Dublin    | 60860Q               | Our Lady's School, Templeogue                        | Extension/refurbishment |
| Dublin    | 19006Q and<br>17936F | Eoin Baisde B Sois and Eoin Baisde Snr, Clontarf     | Extension/refurbishment |
| Dublin    | 19374W               | Garran Mhuire, Goatstown, Dublin 14                  | New school              |
| Galway    | 19506N               | Cappataggle Central School, Ballinasloe              | Extension/refurbishment |
| Kerry     | 61440W               | St Mary's CBS Tralee                                 | Extension/refurbishment |
| Kerry     | 17646T               | SN Uaimh Bhreanainn, Ballymacelligott, Tralee        | Extension/refurbishment |
| Kilkenny  | 61580P               | Loreto Secondary School, Granges Road                | Extension/refurbishment |
| Laois     | 14260F               | Abbeyleix Sth NS, Abbeyleix                          | New school              |
| Laois     | 20071L               | Scoil Bhríde, Rathdowney                             | Extension/refurbishment |
| Limerick  | 18991S               | JFK Memorial School, Ennis Road                      | New school              |
| Longford  | 20128O               | St Matthew's Mixed NS, Ballymahon                    | Extension/refurbishment |
| Meath     | 17213L               | SN Mhuire, Ma Nealta, Ceannanus Mór                  | New school              |
| Offaly    | 17637S               | SN Sheosaimh Naofa, Beal Atha na gCarr,<br>Tullamore | New school              |
| Offaly    | 18267Q               | Croinchoill NS, Birr                                 | Extension/refurbishment |
| Sligo     | 65170Q               | Summerhill College, Sligo                            | New school              |
| Tipperary | 72440K               | Nenagh VS, Nenagh                                    | Extension/refurbishment |
| Waterford | 64970U               | Presentation Secondary School, Waterford City        | New school              |
| Westmeath | 63290Q               | Loreto College, Mullingar                            | Extension/refurbishment |
| Wicklow   | 20016D               | Gaelscoil Uí Cheadaigh, Bray                         | Extension/refurbishment |
| Wicklow   | 09760V               | Powerscourt NS, Powerscourt, Enniskerry              | New school              |

## Projects to appoint design teams in Quarter Two 2010

| County  | Roll No.                 | School Name   | Project                 |
|---------|--------------------------|---|-------------------------|
| Cavan   | 16083T                   | Virginia Mixed NS, Virginia                                     | Extension/refurbishment |
| Cavan   | 19608V                   | St Killian's National School, Mullagh                           | New school              |
| Cork    | 17848I                   | SN Mhuire National School, Gleann An<br>Phreacháin, Glenville   | Extension/refurbishment |
| Donegal | 18625Q                   | Scoil Colmcille, Convent Road, Letterkenny                      | Extension/refurbishment |
| Dublin  | 76129H                   | Ardgillan Community College, Castlelands                        | Extension               |
| Dublin  | 20252P                   | Gaelscoil Baile Bhrigin, Balbriggan                             | Extension               |
| Dublin  | 20282B                   | Bracken Educate Together NS, Balbriggan                         | Extension               |
| Dublin  | 20201V                   | Tyrellstown Educate Together NS, Dublin 15                      | New school              |
| Dublin  | 16675V                   | Mulhuddart NS, Dublin 15  | New school              |
| Dublin  | 20303G                   | Lucan East Educate Together NS, Lucan                           | Extension               |
| Dublin  | 17472M                   | Baile Falbach, Lusk   | New school              |
| Galway  | 19858V                   | Gaelscoil Dara, Galway City                                     | New school              |
| Kildare | 20192A                   | Scoil Átha Í, Athy  | Extension               |
| Laois   | 13386W & 18828H & 19286C | Scoil an Chroí Naofa, St Paul's NS and SN<br>Mhuire, Portlaoise | New school              |
| Meath   | 17705J                   | Scoil Cros Bán, Whitecross, Julianstown                         | Extension/refurbishment |
| Offaly  | 18057F                   | Scoil Mhuire, Tullamore   | Extension/refurbishment |
| Offaly  | 72560U                   | Tullamore College, Riverside, Tullamore                         | Extension/refurbishment |

[Deputy Batt O’Keeffe.]

## Projects to appoint design teams in Quarter Three 2010

| County    | Roll No. | School Name   | Project                 |
|-----------|----------|---|-------------------------|
| Cork      | 91499E   | Kinsale Community School, Kinsale                     | Extension/refurbishment |
| Dublin    | 70080T   | Lucan Community College, Esker Drive, Lucan           | Extension/refurbishment |
| Kildare   | 19277B   | St Anne’s Special School, The Curragh                 | Extension/refurbishment |
| Kildare   | 70700A   | Maynooth Post-Primary School, Moyglare Road, Maynooth | Extension/refurbishment |
| Kilkenny  | 20255V   | Bunscoil McAuley Rice, Callan                         | New school              |
| Kilkenny  | 61520U   | St Brigid’s College, Callan                           | Extension/refurbishment |
| Tipperary | 18435L   | Sacred Heart Primary School, Newline, Roscrea         | Extension/refurbishment |
| Meath     | 20017F   | Scoil an Spioraid Naomh, Laytown                      | Extension/refurbishment |
| Galway    | 18089S   | Scoil Naomh Mhuire/Maree NS, An Gharran, Oranmore     | Extension/refurbishment |
| Westmeath | 18640B   | Naomh Iosef NS, Rath Ghuaire                          | New school              |

## Projects to appoint design teams in Quarter Four 2010

| County    | Roll No.                 | School Name   | Project                 |
|-----------|--------------------------|---|-------------------------|
| Cavan     | 08490N                   | St Clare’s Primary School                                     | Extension/refurbishment |
| Clare     | 16677C                   | Bunscoil na mBráithre, Ennis                                  | Extension/refurbishment |
| Cork      | 15781P                   | Ballintemple NS, Ballintemple                                 | New school              |
| Cork      | 14839P                   | Clondrihid NS, Clondrihid                                     | Extension/refurbishment |
| Dublin    | 13217W                   | Holy Family NS, Rathcoole, Dublin                             | Extension/refurbishment |
| Dublin    | 16461C                   | Caisleán Nua Liamhna, Newcastle Lyons, Dublin                 | Extension/refurbishment |
| Dublin    | 17055T                   | NS Naomh Mhuire, Saggart, Dublin                              | New school              |
| Dublin    | 19865S                   | Archbishop Ryan Junior NS, Balgaddy                           | Extension/refurbishment |
| Dublin    | 20187H                   | Archbishop Ryan Senior NS, Balgaddy                           | Extension/refurbishment |
| Dublin    | 70120F                   | St Finian’s Community College, Fingal                         | Extension/refurbishment |
| Dublin    | 07546J                   | Goldenbridge Convent, Goldenbridge                            | Extension/refurbishment |
| Dublin    | 19542R & 19676P          | St Thomas’ NS and Scoil Áine Naofa, Esker, Lucan              | Extension/refurbishment |
| Dublin    | 18671A                   | St Michael’s House Special School, 17 Grosvenor Road, Rathgar | New school              |
| Dublin    | 19032R                   | Stewart’s Hospital Special School, Palmerstown, Dublin 20     | New school              |
| Kerry     | 19512I                   | St Oliver’s NS, Ballycasheen                                  | Extension/refurbishment |
| Kildare   | 19796C                   | St Patrick’s Boys NS, Clane                                   | Extension/refurbishment |
| Louth     | 14069P                   | Dun Dealgan NS, Jocelyn Street, Dundalk                       | New school              |
| Meath     | 18106P                   | SN na Trionoide Naofa, Lios Muilinn                           | Extension/refurbishment |
| Roscommon | 18395C                   | SN Cluain na Cille, Athlone                                   | Extension/refurbishment |
| Waterford | 19244J                   | St Joseph’s Special School, Parnell Street, Waterford City    | Extension/refurbishment |
| Waterford | 19108B                   | St Martin’s Special School, Ballytruckle, Waterford City      | Extension/refurbishment |
| Waterford | 18681D                   | Christ Church NS, Lower Newtown                               | Extension/refurbishment |
| Wexford   | 12372G & 16741I & 17457Q | Michael Street NS and CBS NS and Naomh Iosaf NS, New Ross     | New school              |
| Wicklow   | 20208M                   | St Joseph’s and St Ernan’s, Wicklow Town                      | New school              |

**School Staffing.**

493. **Deputy Brian Hayes** asked the Minister for Education and Science the names and addresses of primary schools where the number of English as an additional language teachers is less in September 2009 than it was in September 2008 on a county basis; and if he will make a statement on the matter. [8740/10]

494. **Deputy Brian Hayes** asked the Minister for Education and Science the names and addresses of primary schools where the number of English as an additional language teachers was the same in September 2009 as it was in September 2008 on a county basis; and if he will make a statement on the matter. [8741/10]

495. **Deputy Brian Hayes** asked the Minister for Education and Science the names and addresses of primary schools where the number of English as an additional language teachers was greater in September 2009 than it was in September 2008 on a county basis; and if he will make a statement on the matter. [8742/10]

496. **Deputy Brian Hayes** asked the Minister for Education and Science the number of English as an additional language teachers in primary schools in September 2008 and in September 2009; and if he will make a statement on the matter. [8743/10]

497. **Deputy Brian Hayes** asked the Minister for Education and Science the names and addresses of primary schools where the number of resource teachers is less in September 2009 than it was in September 2008 on a county basis; and if he will make a statement on the matter. [8744/10]

498. **Deputy Brian Hayes** asked the Minister for Education and Science the names and addresses of primary schools where the number of resource teachers is greater in September 2009 than it was in September 2009 on a county basis; and if he will make a statement on the matter. [8745/10]

499. **Deputy Brian Hayes** asked the Minister for Education and Science the names and addresses of primary schools where the number of resource teachers was the same in September 2009 as it was in September 2008 on a county basis; and if he will make a statement on the matter. [8746/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 493 to 499, inclusive, together.

The level of extra teaching support provided in respect of language support to any school is determined by the numbers of eligible pupils enrolled and the associated assessed levels of these pupils’ language proficiency. This is done through an annual application process in the Spring/Summer of each year.

Following on from the Government decision in Budget 2009 in relation to language support provision my Department published Circular 0015/2009 which sets out a structured and transparent process for the allocation of up to 4 language support teachers to schools.

The Department’s circular also states that additional support is available for those schools which have at least 25% of their total enrolment made up of pupils that require language support. Such applications for additional language support are dealt with through the Staffing Appeals process.



[Deputy Batt O’Keeffe.]

The total number of whole time equivalent Language Support posts in place at primary level in the current school year is 1,182. The challenge for schools is to ensure that this very significant resource is used to maximum effect. In the 2008/09 school year there were 1,620 language support posts at primary level.

The general allocation system of learning support/resource teachers provides teaching resources to schools to enable them to cater for children with high-incidence special education needs. It is a matter for the individual school to use its professional judgement to identify pupils that will receive this support and to use the resources available to the school to intervene at the appropriate level with such pupils. The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers to schools to support children with special educational needs. The number of resource posts in individual schools change from year to year based on changes in the number and needs of their pupils.

The number of whole time equivalent learning support/resource teacher posts at primary level in the current school year is 6,192. There were 5,842 posts in place in the 2008/09 school year.

The level of detail sought by the Deputy in respect of each individual school would take some time to collate within my Department. My Department’s Teacher Allocation Section is currently focused on the initial work for the allocation of staffing for the coming school year and I do not propose to divert them from this work at this key time in the allocation process.

### **Third Level Education.**

500. **Deputy Fergus O’Dowd** asked the Minister for Education and Science the steps he will take to deal with the increase in demand for third level places; and if he will make a statement on the matter. [8760/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The increasing demand for higher education is a very positive development in the context of Ireland’s objectives for developing the ‘Smart Economy’, which will rely heavily on a well educated, skilled labour force.

The number of applications received by the CAO by 1st February for the 2010/11 academic year is up approximately 6% on 2009. This increase is broadly in line with expectations and is in line with the increase seen the previous year.

Higher education institutions have been responding to the increasing demand through increasing the number of places they offer. In this regard, CAO acceptances in 2009/10 were up 8.3% on the previous year.

My Department will continue to work with the sector, through the Higher Education Authority, in monitoring demand and in identifying opportunities to maximise the use of available resources in responding to growing demand. The High Level Group which I have established to develop a new national strategy for higher education, is also examining how well the system is performing, how it ranks internationally, how well existing resources are being used and how the system should be configured to best meet the many challenges it faces over the next decade, including a significant increase in demand. I expect this Group to complete its work before the Summer.

### **Schools Building Projects.**

501. **Deputy Simon Coveney** asked the Minister for Education and Science the position

regarding a school (details supplied) in County Cork; the measures being taken to deal with the capacity issues faced by the school; and the time scale involved in the completion of this project. [8764/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** As the Deputy will be aware, on 16 February 2010, I announced that a new school building for the school to which he refers will commence architectural planning later this year.

At this early stage of the process, it is not possible to give an indicative timetable for the completion of the project.

In the meantime, it is open to the Management Authority of the school to apply for additional temporary accommodation for September 2010 should there be an issue regarding capacity.

### **Higher Education Grants.**

502. **Deputy Deirdre Clune** asked the Minister for Education and Science further to Parliamentary Question No. 1066 of 19 January 2010, the timeframe for the review and reform of the student grant system; if these reforms will be in place by the summer of 2010; the completion date for the programme of administrative and legislative reform undertaken by his Department; and if he will make a statement on the matter. [8767/10]

503. **Deputy Deirdre Clune** asked the Minister for Education and Science further to Parliamentary Question No. 1066 of 19 January 2010, the number of staff working full time on his Department’s business process re-engineering exercise being conducted in respect of the administration of student grants; when this exercise will be concluded; and if he will make a statement on the matter. [8768/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 502 and 503 together.

The Deputy will be aware that the programme of legislative and administrative reform of student grants is being provided for within the framework of the Student Support Bill. This will facilitate progress on the development of a single unified grant scheme and the reform of grants administration. A number of amendments to the Bill in relation to legal and policy issues which have arisen since Second Stage are being advanced by my Department in close consultation with the Office of the Attorney General. I hope to be in a position to have these amendments finalised in order to move to Committee Stage as early as possible in the current session.

In light of the commitment to put the grants on a statutory footing, I am anxious to provide a statutory basis for all student grants, pending transition to new administrative arrangements. This transitional period will necessitate retention of the existing administrative structures in the immediate term. In bringing amendments to Committee Stage, I will therefore be endeavouring to provide for existing administrative arrangements for this transitional phase, while progressing to a single scheme of grants as provided for in the Bill at the earliest possible date.

In the context of the Government’s wider programme of public service reform, I am also re-assessing organisational options for the grants administration function in the longer run, with a view to revisiting the current proposals provided for in the Bill. Possible options for a more significant centralisation of functions are now being explored with a view to streamlining operations and maximising administrative efficiency. This examination is being undertaken as part of a business process re-engineering exercise being conducted under the Transforming Public Services agenda. The staff of the Higher Education — Equity of Access section of my Department who are involved in the grants reform process are also engaged with the business process

[Deputy Batt O’Keeffe.]

re-engineering exercise. In addition, the Department of Finance is providing assistance to my Department in conducting this exercise.

Transition to the new arrangements will depend on a number of factors, including:

- Passage of the Bill
- Commencement of the legislation
- Completion of the regulations providing for the new single scheme
- Development of new business processes through technical working groups
- Development of a new IT system for the operation of grants
- Other organisational and implementation requirements

Given the timelines and other implementation factors involved, it is necessary to continue with the existing arrangements for the 2010/11 academic year.

While it is not possible to say definitively at this point when the transfer of the new administration arrangements will take place, the situation is being kept under continuous review in the context of progression of the legislation and other implementation factors.

My Department is working closely with the VECs, local authorities and other relevant stakeholders to develop a number of initiatives to support more effective delivery of student grants in the interim, including matters relating to application, assessment and payments arrangements. For example, work is currently being advanced on the development of an on-line applications facility in conjunction with the VEC and local authority sectors and on examining the possibility of introducing this for 2010. Other measures will include:

- Earlier approval of the grant schemes for 2010;
- Introduction of a new, more simplified application form for 2010;
- Examining possible extension of the pilot electronic funds transfer (EFT) payments system introduced in 2009/2010;
- Development of common renewal/re-assessment processes.

#### **Local Drugs Task Forces.**

504. **Deputy Ciarán Cuffe** asked the Minister for Education and Science the funding available in 2010 under the local drugs task force administered by his Department; the funding that has been granted to a service (details supplied); if his attention has been drawn to the fact that cuts to funding for this service may directly affect provision of services including the cessation of a project; and if he will make a statement on the matter. [8802/10]

**Minister of State at the Department of Education and Science (Deputy John Curran):** My Department provides funds for over thirty projects in Local Drugs Task Force areas, including the project specifically referred to by the Deputy. These projects, through a variety of programmes and activities, seek, in the main, to encourage young people not to engage in drug-taking.

Arising from Budget 2010, it was decided that funding for these projects was to be reduced from €3,643,000 in 2009 to €2,461,000 in 2010 (a reduction of 32%) and to cease from 2011.

The project referred to by the Deputy had an allocation of €69,283 in 2009 and is receiving an allocation of €65,313 in 2010. I acknowledge that this 6% cut may present difficulties for the project.

My Department is currently reviewing the implications of the budget decisions for the Local Drugs Task Force projects.

### Departmental Reports.

505. **Deputy John O'Mahony** asked the Minister for Education and Science further to Parliamentary Question Nos. 329 of 21 January 2010 and 668 of 2 February 2010, when a reply will issue; and if he will make a statement on the matter. [8804/10]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I would like to inform the Deputy that a reply to his Parliamentary Questions issued on 18th February 2010.

### Third Level Enrolments.

506. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of students who are enrolled in part-time and full-time access courses in third level institutions by these institutions and student numbers in tabular form; and if he will make a statement on the matter. [8817/10]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The table attached is a summary by the Higher Education Authority of available data on access courses being delivered by publicly funded third level institutions. This data indicates that there are currently 1,176 students enrolled on 40 part-time and full-time access courses, being delivered by 16 higher education institutions, either alone or in collaboration with another higher education institution. 18 of these courses are full-time with an estimated 594 participants each year and 22 are part-time courses with an estimated 582 participants each year. It should be noted that there are also a number of access courses (7) being delivered by further education institutions in collaboration with a higher education partner.

In December of last year the Higher Education Authority and the Department of Education and Science convened a Taskforce on Access/Foundation Courses. This Taskforce includes representatives of both the further and higher education providers of access courses. The group are considering research and practice to date in the provision of access courses as well as routes of access more generally to higher education. The Taskforce is expected to report with its recommendations later this year.

Access Courses Delivered by Further Education in Partnership with Higher Education

| Institution                      | Course                              |    | NFQ Level | Student Nos. |
|----------------------------------|-------------------------------------|----|-----------|--------------|
| Liberties College (with TCD)     | Certificate in Liberal Arts         | FT | FETAC 5   | 30           |
| Pearse College (with TCD)        | Certificate in Liberal Arts         | FT | FETAC 5   | 22           |
| Plunkett College (with TCD)      | Certificate in Liberal Arts         | FT | FETAC 5   | 29           |
| Dun Laoghaire College (with DCU) | Foundation Certificate in Education | FT | FETAC 5   | 15           |
| Whitehall College (with DCU)     | Foundation Certificate in Education | FT | FETAC 5   | 15           |
| Rathmines College (with UCD)     | Certificate in Liberal Arts         | FT | FETAC 5   | 31           |
| Donahies Community School        | Certificate in Liberal Arts         | FT | FETAC 5   | 7            |
| Total                            | 7 Courses                           |    |           | 149          |

[Deputy Batt O’Keeffe.]

Access Courses Delivered Within the Higher Education Sector (available HEA data in respect of publicly funded institutions)

| HEI  | Course  | Mode  | NFQ Level | Student Nos* |
|--|---|-------|-----------|--------------|
| UCD  | Access to Arts/Human Sciences                               | PT    | NUI 6     | 105          |
|  | Access to Arts/Human Sciences                               | PT    | NUI 6     |              |
|  | Access to Arts/Human Sciences                               | PT    | NUI 6     |              |
|  | Access to Science/Engineering                               | PT    | NUI 6     | 24           |
|  | Cert in Access to Commerce                                  | PT    | NUI 6     | 11           |
| NUIG   | School Leavers Access Course                                | FT    | NUI 6     | 38           |
| NUIG (Partners: St. Angela’s College; GMIT, AIT, LyIT, DkIT, NUIM) | Access 21 (6 courses; Border Counties)                      | PT    | NUI 6     | 166          |
|  | Access 21 (2 courses; Midlands)                             | PT    | NUI 6     | 56           |
|  | Access 21 (2 courses; Midwest & West)                       | PT    | NUI 6     | 38           |
| NUIG   | Mature Access   | PT    | NUI 6     | 18           |
| NUIG   | Mature Access (through Irish)                               | PT    | NUI 6     | 11           |
| NUIG   | Access Certificate  | PT    | NUI 6     | 30           |
| NUIG & GMIT  | Foundation Course in Eng, Sci, IT                           | PT    | NUI 6     | 40           |
| NUIG & GMIT  | Foundation Course Business/Commerce                         | PT    | NUI 6     | 30           |
| NUIM   | Certificate in Return to Learning                           | PT    | NUI 5     | 21           |
|  | Certificate in Economics/Finance/Ventr Mgt                  | FT    | NUI 5     | 7            |
|  | Certificate in Science                                      | FT    | NUI 5     | 17           |
|  | Certificate in Economics/Finance                            | FT    | NUI 5     | 15           |
| UL & MIC   | Foundation Cert — Adult Learners                            | PT    | MIC 6     | 32           |
| UL   | ACE Certificate — Foundation Studies                        | FT    | UL 5      | 17           |
|  | Mature Student Access Certificate                           | FT    | UL 5      | 39           |
|  | Certificate in General Studies                              | FT    | FETAC 5   | 21           |
|  | Certificate in Business Studies                             | FT    | FETAC 5   | 21           |
| TCD  | Foundation Course — Young Adults                            | FT    | TCD       | 27           |
|  | Foundation Course — Mature Students                         | FT    | TCD       | 20           |
| IADT   | Certificate in General Studies                              | FT    | FETAC 5   | 30           |
| ITB  | Certificate in General Studies                              | FT    | FETAC 5   | 3            |
| GMIT   | Foundation Certificate                                      | FT    | FETAC 5   | 78           |
| LKIT   | Cert. in Introductory/Preparatory Studies for HE (1 Course) | FT/PT | HETAC 6   | 179          |
| Tralee IT  | Certificate in General Studies (Preparatory Programme)      | FT    | FETAC 5   | 28           |
| WIT  | Certificate in Foundation Studies (1 Course)                | FT/PT | FETAC 5   | 41           |
| Tipp. Institute  | Highway Programme (2 courses)                               | FT    | FETAC 5   | 13           |
|  | Total Full-Time   | 18    |           | 594          |
|  | Total Part-Time   | 22    |           | 582          |
|  |   | 40    |           | 1,176        |

\*Provisional data.

### Special Educational Needs.

507. **Deputy Tom Hayes** asked the Minister for Education and Science if he will intervene with officials at the special needs section, Trim, County Meath to enable replies to be obtained. [8826/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy will be aware that the National Council for Special Education (NCSE) is an independent agency which is responsible for allocating special needs resources to schools in line with my Department’s policy. The NCSE has advised my Department that it will ensure that a response issues to the Deputy within the coming days.

### School Staffing.

508. **Deputy Jimmy Deenihan** asked the Minister for Education and Science the number of assistant principal posts and special duties posts that have been lost and not replaced at primary level and secondary level in 2008, 2009 and 2010; the number of principals and deputy principals that are likely to retire by the end of December 2010; and if he will make a statement on the matter. [8829/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information requested by the deputy is being compiled and will be forwarded to him directly.

### Teaching Qualifications.

509. **Deputy Jimmy Deenihan** asked the Minister for Education and Science the number of second level teachers of maths who have a full maths degree from university or third level college; if it is the situation that teachers in vocational education committee schools of maths must have had maths for their degree; and if he will make a statement on the matter. [8830/10]

529. **Deputy Seán Sherlock** asked the Minister for Education and Science his views on the report (details supplied) on out of field teachers, particularly the finding that 48% of surveyed teachers teaching mathematics in post-primary schools have no qualification in mathematics; and if he will make a statement on the matter. [9136/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I propose to take Questions Nos. 509 and 529 together.

The report in question is based on questionnaires completed by 324 teachers in a representative sample of 51 schools. The report showed that all but one respondent were fully qualified as teachers, but 48% did not have a major qualification in mathematics. Of the latter group 35% had a Bachelor of Science degree, 34% had a Bachelor of Commerce or Business degree and 27% had a concurrent teacher education degree.

The study showed that 30% of students in the 51 schools were taught by a teacher without a major qualification in Mathematics. Such teachers were generally deployed to teaching Ordinary, Foundation Level or Leaving Certificate Applied students, mainly in the junior cycle. There were no teachers without a Mathematics qualification teaching at higher level in the Leaving Certificate classes, and only 4.5% and 3% respectively taught at higher level in the second and 3rd years of junior cycle.

The study did not undertake any analysis of the teaching approaches used by the respondents or associate the data in any way with student performance.

To be registered as a teacher of mathematics with the Teaching Council, a person is required to have a recognised teaching qualification, and a degree in which Mathematics represents at least 30% of the course over at least 3 years, and which qualifies them to teach the syllabus to the highest level. A teacher in a VEC school is required to hold a degree in Mathematics which

[Deputy Batt O’Keeffe.]

meets these criteria, but is not required at present to hold a teaching qualification. From 1 April 2013, all post primary teachers registering with the Council will be required to have a teaching qualification.

The data from the Teaching Council in 2009 suggested that 65% of those teaching mathematics have Mathematics as a major qualification in their degree. This figure was deduced by applying the number of Mathematics teachers registered with the Council in February 2009 (3858) to the estimated number of Maths teachers in second level schools (5900). Registration with the Teaching Council does not mean that a teacher is currently employed or that they are deployed to teaching mathematics, but the figure of 65% is a reasonable estimate based on the data available. The updated information as of February 2010 from the Teaching Council indicates that 4005 teachers are registered with qualifications in Mathematics.

Once a teacher is recruited into a school the deployment of him/her to subjects and teaching duties is a matter for decision by the school authorities. Clearly the qualifications of the teacher is an important factor in this decision, but there are other constraints also, such as the numbers of students and class groups choosing different subjects, the overall pupil:teacher ratio, the mix of qualifications available among the staff, and the balance of full-time and part time staff available.

The deployment of teachers to subjects which are not part of their major qualification is also a feature of education systems in other jurisdictions. For example, the report shows that Finland, Canada and Australia, which ranked 2nd, 6th and 8th respectively in Maths out of 57 countries in the 2006 OECD PISA (Programme of International Student Assessment) study had 68%, 25% and 72% respectively of students taught by certified teachers with mathematics as a major qualification.

A major programme of reform in Mathematics is under way in 24 schools at present under the Project Maths Initiative. This will begin in all schools in September and is being supported by an extensive investment in professional development for teachers. Some €5m is being invested in this area in 2010, building on a €3m investment in 2009. The programme of professional development for teachers will continue to at least 2013. Upskilling teachers through post graduate programmes will form a major element of the implementation of Project Maths, and funds for intensive programmes have been provided in 2010 to begin this process. A particular target for intensive courses will be those teaching maths who do not hold a major qualification in the subject.

In addition to this, the Teaching Council will be examining the recent research report on the out-of-field teaching of maths and will work with the other education stakeholders in terms of developing appropriate responses to the issues raised.

### **School Staffing.**

510. **Deputy Joanna Tuffy** asked the Minister for Education and Science if he will reconsider proposals to reduce staff at a school (details supplied) in Dublin 24; if his attention has been drawn to the impact such proposals will have on the pupils and staff at the school; and if he will make a statement on the matter. [8844/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Deputy will be aware that the National Council for Special Education (NCSE) is an independent agency with responsibility for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in mainstream and special schools. The Deputy will also be aware that the NCSE, through its network of local Special Educational Needs Organisers (SENOs), is at present carrying out a review of Special Needs Assistant (SNA) allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts are properly met. This is an exercise in identifying surplus posts which are in the system and which do not

meet the current criteria — posts that have been retained when a pupil's care needs have diminished or where the pupil has left.

The NCSE has advised the school that it is to reduce the number of SNAs by four and that this should have been achieved by 19th February. The NCSE has also advised the school that it will not alter the level of teaching staff in the school for the remainder of the current school year.

The NCSE is committed to engaging with the school authorities and all other relevant State agencies to manage the situation in the short term and to ensure a sound basis for staff levels in the interest of pupils. The NCSE has already met with the school and is arranging a further meeting. Without prejudice to the NCSE's role in allocating resources, my Department has indicated to the NCSE that it is prepared to attend a meeting with the school if this is considered helpful. The NCSE has already offered to meet with any parents who may wish to meet with them.

The Deputy is fully aware that I have prioritised the provision of special education supports to schools. This is a key Government policy. However, this does not mean that resources, allocated in response to various historical factors, are retained in schools ad infinitum. At a time of constrained resources it is essential that we ensure that public resources, both staff and resources, are deployed as effectively as possible. Resources left in an area that are not in accordance with criteria mean public resources are not available for another deserving area.

I am sure that the Deputy shares my concern to ensure that there is a consistent application of policy in relation to the allocation of special needs supports across the country. This is all that is happening at the moment. I can assure the Deputy that supports will continue to be made available to schools, including the school in question, in line with my Department's policy.

### **Schools Building Projects.**

511. **Deputy Chris Andrews** asked the Minister for Education and Science if a school (details supplied) in Dublin 4 received funding for a new classroom in 2009; the amount of funding that was granted and the progress to date of this build. [8853/10]

**Minister for Education and Science (Deputy Batt O'Keeffe):** The school in question was approved funding in December, 2009 for the provision of additional accommodation. It is open to the school authority to utilise this grant to purchase temporary accommodation or to build a permanent structure.

I understand that the school authority are preparing an application for planning permission for submission to the relevant local authority in the near future.

As the works have not yet been tendered it is not possible to provide information on the level of grant aid approved.

### **School Enrolments.**

512. **Deputy Joe Behan** asked the Minister for Education and Science the number of students in full and part-time education excluding first level, second level, universities and institutes of technology; and if he will make a statement on the matter. [8861/10]

**Minister of State at the Department of Education and Science (Deputy Seán Haughey):** For learners who wish to access learning opportunities outside the mainstream provision identified by the Deputy, my Department allocates funds to Vocational Education Committees (VECs) to provide a suite of full-time and part-time further education programmes.

For the current academic year (2009/2010), there are just over 41,000 approved full-time places available in Post-Leaving Certificate (PLC, 31,688), Vocational Training Opportunities



[Deputy Seán Haughey.]

Scheme (VTOS, 5,000), Youthreach (3,692) and Senior Traveller Training Centres (STTCs, 984).

In relation to PLC in particular, based on the annual school returns, the total enrolment nationwide was some 38,500. I understand that the other full-time programmes are fully subscribed.

Over 2010, part-time further education opportunities will be provided for an estimated 125,000 participants under the Back to Education Initiative (BTEI), Adult Literacy and Community Education schemes.

This gives an estimated total of over 170,000 learners in full-time and part-time further education funded by my Department.

### **Schools Building Projects.**

513. **Deputy Niall Collins** asked the Minister for Education and Science the position regarding the new school building contract for a school (details supplied) in County Limerick; and if he will make a statement on the matter. [8884/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** My officials are currently assessing the supplementary tender report which was received recently from the Board of Management. When this assessment is complete and assuming that no issues arise, the project will be authorised to proceed to construction.

### **Schools Refurbishment.**

514. **Deputy Brian Hayes** asked the Minister for Education and Science when a decision will issue on the upgrade of windows under summer works scheme 2010 at a school (details supplied) in Dublin 24; and if he will make a statement on the matter. [9019/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** An application under the Summer Works Scheme 2010 has been received from the school to which the Deputy refers for a window replacement project.

Following an assessment process, projects will be selected for funding from all valid and approved applications on a top down basis in accordance with the prioritisation criteria published with the Scheme.

The timetable for the Summer Works Scheme 2010 has been published as part of the governing Circular Letter for the Scheme. This Circular Letter (0057/2009) is available on the Department’s website [www.education.ie](http://www.education.ie).

In accordance with the timetable, it is my intention to publish a list of successful SWS applicants in March.

### **Information and Communications Technology.**

515. **Deputy Paul Kehoe** asked the Minister for Education and Science the steps he will take to address the situation whereby schools being served by satellite broadband are not achieving reasonable speeds; his views on the fact that the students and teachers in schools without access to high speed broadband are being disadvantaged *vis-à-vis* their peers in other schools, in view of the fact that his Department should only be used as a last resort; his further views on the fact that it is therefore incumbent upon him to address this disadvantage; if it is possible for him to liaise with the Department of Communications, Energy and Natural Resources to have Eircom exchanges digital subscriber lines enabled for schools that are currently experiencing very poor speeds with satellite broadband; and if he will make a statement on the matter. [9023/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** All broadband contracts under the Schools Programme were retendered last year and new contracts were signed from September onwards. Under these new contracts it is expected that there will be approximately a 50% decrease in the number of schools reliant on satellite. The exact number of schools that will be reliant on satellite will not be known until the migration to the new services is complete and the level of technology failure is known.

For those schools that remain reliant on satellite, where a wireless or DSL solution becomes available they will be migrated to the improved service as soon as is practicable. Furthermore some schools on satellite should also see an improvement in their service as bandwidth speeds to a number of schools has been increased depending on their size.

### **Schools Amalgamation.**

516. **Deputy Tom Hayes** asked the Minister for Education and Science the level of priority attributed to a schools amalgamation project (details supplied) in County Tipperary; when the level was decided upon; the next stage of the building process for the school; and if he will make a statement on the matter. [9025/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In 2004, agreement was reached to amalgamate the two primary schools referred to by the Deputy. The application was assessed and the project was assigned a band rating of 1.4. Details of other Band 1.4 rated building projects are available on my Department’s website [www.education.ie](http://www.education.ie).

A technical inspection was carried out on the existing school buildings to determine which would be suitable to facilitate the amalgamated school. The report produced following this inspection concluded that the most suitable building to facilitate the amalgamation would be the girls’ school. It also found that an additional portion of land would be required from the Sisters of Mercy to facilitate the development. The Sisters of Mercy have indicated that they would, in principle, be disposed to selling land to the Department to facilitate the proposed works.

The progression of this building project and the acquisition of the additional land required to facilitate the amalgamation, will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme.

However, in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

517. **Deputy Tom Hayes** asked the Minister for Education and Science the level of priority attributed to a schools amalgamation project (details supplied) in County Tipperary; when that level was decided upon; the next stage of the building process for the school; and if he will make a statement on the matter. [9026/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I presume the Deputy is referring to the proposed acquisition of a site for the Gaelscoil referred to. I am advised that an examination of two proposed sites was recently concluded by my Department and on foot of same my officials intend approaching the Local Authority with a view to discussing terms for a possible land transfer. Upon acquisition of a suitable site, the proposed building project for the school will be considered in the context of the capital budget available to my Department for school buildings generally.

518. **Deputy Tom Hayes** asked the Minister for Education and Science the level of priority attributed to a schools amalgamation project (details supplied) in County Tipperary; when that level was decided upon; the next stage of the building process for the school; and if he will make a statement on the matter. [9027/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can confirm that the schools to which the Deputy refers had agreed to amalgamate in 2002 but due to accommodation concerns the amalgamation did not progress at that time.

The application has been assessed in accordance with published prioritisation criteria for large scale 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 will be considered in the context of the school building and modernisation programme. However, in view of the level of demand on the Department’s capital budget, it is not possible to give an indicative timeframe for the progression the project at this time.

However, my Department is aware of a situation in relation to the accommodation issues in the schools in question. My Department recently wrote to the schools’ Patron and Boards of Management seeking agreement for the amalgamation to progress on certain terms. My Department is still awaiting a reply from one of the schools.

### **Teachers’ Remuneration.**

519. **Deputy Brian Hayes** asked the Minister for Education and Science the position regarding reconciliation of payments for part-time resource teachers from his Department; if staff have started to process payments for the 2008-2009 academic year; his views that significant amounts are still outstanding from his Department to schools around the country; and if he will make a statement on the matter. [9029/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** Since 1 September, 2009 all part-time resource teachers are paid through my Department’s payroll. Prior to that the teachers were paid by individual Boards of Management under a grant system. A reconciliation process between grant issued and salary payment made by boards is carried out by my Department in the school year following grant payment.

In November, 2009 my Department issued Circular 0067/09 to primary schools seeking applications to reconcile grant payment for part-time teachers for the 2008/09 school year. This circular is available on my Department’s website.

Priority of work in the current school year has been to sanction allocations to schools for resource teaching support and to facilitate putting part-time teachers on the Department payroll. Work on the reconciliation process for the 08/09 school year has commenced and applicant schools will be contacted in this regard.

### **Special Educational Needs.**

520. **Deputy Michael Ring** asked the Minister for Education and Science if funding will be provided for a school (details supplied) in County Mayo. [9053/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The project to which the Deputy refers is not a recognised school.

The Deputy will be aware of my commitment to ensuring that all children, including those with autism, can have access to an education appropriate to their needs preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils.

In excess of 380 autism-specific classes have now been approved around the country at primary and post primary level. I will continue to be advised by the National Council for

Special Education concerning the need for additional special education provision in schools, including special education provision for children with autism.

### **Departmental Schemes.**

521. **Deputy Michael McGrath** asked the Minister for Education and Science the details of the devolved grant scheme available for schools in respect of certain building works; the maximum amount which can be made available to a particular school under this scheme; and when he plans to announce such grants for 2010. [9081/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** In addition to the major capital projects funded by my Department, there are grant schemes in which responsibility for project managing and overseeing the delivery of these projects within budget is devolved to the school authority.

Schemes such as the Summer Works Scheme, the Permanent Accommodation Scheme and the Small Schools Scheme operate on this basis.

The amount of grant aid available under the schemes depends on the level of need presenting in the individual school.

The closing date for the Summer Works Scheme was last November and the applications received are currently being assessed. Applications for the Permanent Accommodation Scheme, whereby schools require additional mainstream or ancillary accommodation, can be submitted by schools at any time.

Applications for the Small Schools Scheme have not been sought this year due to the focus of the schools building and modernisation programme on major projects in areas experiencing a rapid growth in demand for school places.

However, the situation will be kept under review by my Department. In the meantime, it is open to small schools to apply for funding under the Permanent Accommodation Scheme and the Summer Works Scheme, which continue to operate.

### **Pension Provisions.**

522. **Deputy Pat Rabbitte** asked the Minister for Education and Science the estimated amount to be received from teachers by way of their pension contributions, including pension levy, in the 2010 calendar year, separated by primary and post primary teachers; the estimated amount of expenditure on payment of pensions to retired primary and post-primary teachers and their dependants in 2010; and if he will make a statement on the matter. [9097/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The following are details of profiled pension expenditure and receipts for 2010 for teachers in primary and post-primary schools (excluding VECs): Primary Teacher Pension Payments €371,655m; Post-primary Teacher Pension Payments €254,367m; Primary Teacher Pension Receipts €107,300m; Post-primary Teachers Pension Receipts €68,500m; Primary Teacher Pension Related Deduction €109,994m; Post-primary Teacher Pension Related Deduction €64,014m

The Deputy should note that figures for post-primary teachers who are VEC teachers are not readily available to the Department, as data in respect of pension contributions of all VEC employees, including teachers, is held by VECs, whereas data relating to all retired VEC employees is held by local authorities, which administer the pension payrolls for such staff.

### **School Accommodation.**

523. **Deputy Olivia Mitchell** asked the Minister for Education and Science if the forward planning section of his Department has carried out the detailed analysis of more than 40 locations of highest population growth to identify the school accommodation requirements up

[Deputy Olivia Mitchell.]

to and including the 2014-2015 school year; if the results of this survey will see the expansion of a school (details supplied) in Dublin 16 in order to meet the demands of the increasing population; if a new school is envisaged; and if he will make a statement on the matter. [9099/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The Forward Planning Section of my Department is in the process of carrying out detailed analysis of over 40 locations of highest population growth in order to identify the school accommodation requirements up to and including the school year 2014/2015. Given the increase in the birth rate in recent years the initial focus of this analysis is on primary school accommodation requirements and this will be followed by a more detailed analysis of post-primary school accommodation requirements.

When the required reports have been completed for these initial areas selected the Forward Planning Section will continue to work on preparing reports on a priority basis for the remainder of the country.

Overall post-primary Forward Planning, including the position of the school referred to by the Deputy, will be considered in this regard.

### **Schools Refurbishment.**

524. **Deputy Seán Sherlock** asked the Minister for Education and Science if an application for the summer works programme by a school (details supplied) in County Cork is being considered; and if he will make a statement on the matter. [9102/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** An application under the Summer Works Scheme 2010 has been received from the school to which the Deputy refers for a windows replacement project.

Following an assessment process, projects will be selected for funding from all valid and approved applications on a top down basis in accordance with the prioritisation criteria published with the Scheme.

The timetable for the Summer Works Scheme 2010 has been published as part of the governing Circular Letter for the Scheme. This Circular Letter (0057/2009) is available on the Department’s website [www.education.ie](http://www.education.ie).

In accordance with the timetable, it is my intention to publish a list of successful SWS applicants in the Spring.

### **Schools Building Projects.**

525. **Deputy Seán Sherlock** asked the Minister for Education and Science the position regarding an application for funding in respect of a new building by a school (details supplied) in County Cork; and if he will make a statement on the matter. [9115/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** I can confirm to the Deputy that the school to which he refers has made an application to my Department for large scale capital funding. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 2 rating.

Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, are now available on my Department’s website at [www.education.ie](http://www.education.ie).

The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and

the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website.

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.

526. **Deputy Seán Sherlock** asked the Minister for Education and Science the position regarding an application for funding in respect of a new building by school (details supplied) in County Cork; and if he will make a statement on the matter. [9116/10]

**Minister for Education and Science (Deputy Batt O'Keeffe):** I can confirm to the Deputy that the school to which he refers has made an application to my Department for large scale capital funding. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 2 rating.

Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, are now available on my Department's website at [www.education.ie](http://www.education.ie).

The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website.

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.

*Question No. 527 answered with Question No. 490.*

#### **Schools Patronage.**

528. **Deputy Joe Costello** asked the Minister for Education and Science if he proposes to grant approval to Educate Together to become a patron of second level schools; and if he will make a statement on the matter. [9124/10]

**Minister for Education and Science (Deputy Batt O'Keeffe):** My Department is considering a number of broad policy issues relating to the recognition process for second level schools and the application from Educate Together to be recognised as a patron body at second level is being fully examined within the context of the relevant legal, financial and other factors.

In view of the range of issues involved, it has not been possible to bring this matter to a conclusion as quickly as I would have liked. However, it is my intention to finalise this matter and convey a decision to Educate Together at the earliest date possible.

*Question No. 529 answered with Question No. 509.*

#### **Higher Education Grants.**

530. **Deputy Seán Barrett** asked the Minister for Education and Science his views on the Budget 2010 withdrawal of maintenance grants under the back to education allowance scheme; if his attention has been drawn to the impact of such a drop in expected income on long-term

[Deputy Seán Barrett.]

unemployed persons seeking to get back into third level education; if the back to education allowance maintenance grants will be restored; and if he will make a statement on the matter. [9147/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** From September 2010, as announced in the Budget, all new applicants who are in receipt of the Back to Education Allowance for all schemes, and the VTOS allowances for those pursuing PLC courses, will be ineligible for maintenance grants. The cost of the student services charge and any fees payable to colleges will continue to be met, for eligible students, by the Exchequer on their behalf. Students should apply to their assessing authority to have their eligibility assessed.

Students currently in receipt of the BTEA or VTOS allowances and the maintenance grant will continue to be eligible for both payments for the duration of their current course provided they meet the terms and conditions of the scheme. Students progressing to a new course, with effect from 2010/11, will no longer be eligible for maintenance grants but can apply for assistance towards the cost of the student services charge and any fees payable.

It was decided to discontinue the practice of allowing students to hold both the BTEA or VTOS allowance and a student maintenance grant simultaneously as this represents a duplication of income support payments.

### **Schools Building Projects.**

531. **Deputy Brian Hayes** asked the Minister for Education and Science the number of schools that have planning permission and have tender documents with his Department but are still waiting for approval to proceed to construction. [9206/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** There are 31 major projects currently at tender stage. When the tendering process is complete, these projects will progress to construction. A further 7 major projects have planning permission and have tender documentation under consideration by my Department. These projects will proceed to tender and construction as soon as possible.

In addition to the above, the Deputy will be aware that I recently announced 52 major projects to proceed to tender and construction. Of these projects, 25 have full planning permission and are currently in the process of preparing tender documentation under stage 2(b) of the architectural planning process. These projects will receive authorisation to proceed to tender and construction shortly.

A further 27 projects have been authorised to prepare their tender documentation and complete the planning application process with a view to going to tender and construction during 2010 and in early 2011.

### **Consultancy Contracts.**

532. **Deputy John O’Mahony** asked the Minister for Education and Science the amount he has spent on hiring or use of outside consultants in 2007, 2008 and 2009 in tabular form; if he is satisfied that this practice represents good value for money; and if he will make a statement on the matter. [9213/10]

**Minister for Education and Science (Deputy Batt O’Keeffe):** The information is currently being compiled and will be forwarded to the Deputy as soon as possible.