

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*

(OFFICIAL REPORT—*Unrevised*)

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DÁIL ÉIREANN

Dé Céadaoin, 19 Bealtaine 2010.
Wednesday, 19 May 2010.

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

Paidir.

Prayer.

Leaders' Questions.

Deputy Enda Kenny: We cannot have a sound economy without small businesses. Three years ago, 800,000 people worked in the small business sector, in tourism, services and manufacturing. That number has declined to 700,000 and on current projections is likely to further decrease to 600,000 next year.

The banking strategy set out by the Government has failed in so far as small businesses are concerned. The Taoiseach said that we will write whatever cheques are necessary. Those cheques have thus far amounted to €74 billion in taxpayers' money. When the guarantee scheme was introduced, the Minister for Finance stated that the Government is deeply embedded in the banking sector and, as such, would bring leverage to it.

The Minister also asserted that NAMA would bring a wall of cash for credit. On 17 December 2009, the Taoiseach stated: "Passing the legislation will cleanse the balance sheets of the Irish banks and so enable them to increase the provision of credit which is their core role in the economy." These words were not true. I reminded him on that occasion that NAMA was a secretive and politically directed work-out for banks, developers and speculators which would do nothing to address the fundamental issue of getting credit flowing. It was the most costly and riskiest solution for the Irish taxpayer and it was deeply unfair.

In light of the comments made in the past few days and again this morning, does the Taoiseach accept that his Government's banking strategy in regard to providing credit on proper terms to small businesses has failed and, as a consequence, the Irish small business sector is facing destruction? The Government can respond to this if it has the courage to do so.

Deputies: Hear, hear.

The Taoiseach: I do not agree with the Leader of the Opposition that we can fix the banking system without recapitalising the banks. That intervention has been found to be necessary by every government in the developed world, with the exception of Canada.

Deputy Seymour Crawford: It is the way that one does it.

The Taoiseach: It is important to recognise that the recapitalisation of the banks was an absolute necessity to get credit flowing and return them to their core business of lending to the real economy. This involved cleaning up their balance sheets and providing an outlet to

[The Taoiseach.]

NAMA. I reject the Deputy's suggestion on the motivation for NAMA and consider it an awful slur against the integrity of those who run the agency, including its chairman, the former chairman of the Office of the Revenue Commissioners. The very good outline of NAMA's progress that the chairman gave in a speech he made last week gives the lie to the sort of politically motivated attack which the Deputy repeated. He was inaccurate then and is inaccurate now.

Deputy Bernard J. Durkan: The Taoiseach is the one who is making a slur.

Deputy Bernard Allen: Answer the question.

An Ceann Comhairle: Allow the Taoiseach to continue without interruption.

The Taoiseach: To assist small businesses, or any business, we have to get banking back to its core function of providing credit to the real economy. That required recapitalisation of the banks and the provision of credit. The credit review arrangements we have put in place under Mr. Trethowen allow appeals by viable but vulnerable businesses against bank decisions which they feel are unjustified.

Deputy Frank Feighan: What about the foreign banks that are sticking the boot in?

Deputy Enda Kenny: I completely reject the Taoiseach's remark that my party cast a slur on the former chairman of the Revenue Commissioners. When the Minister for Finance contacted me about that gentlemen, I described him as a person of absolute integrity and I have no difficulty with him whatsoever.

The Taoiseach: Why refer to him as a political operator then?

Deputy Enda Kenny: My point is that NAMA is a secretive organisation which was set up by the Taoiseach. The fees it pays to accountants and lawyers will make the tribunal fees look like chicken feed.

The Taoiseach did not answer my question on whether he accepts that his banking strategy has failed in so far as small businesses are concerned. This morning I listened to the Minister for Enterprise, Trade and Innovation admit that the Fine Gael Party and others were correct to argue over the past 15 months that small businesses throughout the country are unable to get credit from banks. He is like a travelling troubadour who visits every bank to plead with them to give credit to small businesses in the name of God. This is unseemly at best.

The banks are either demanding personal guarantees from small businesses or making it so difficult that they will only lend on the basis of property. They are unwilling to consider loans on the basis of cashflow or volume of turnover. Will the Taoiseach adopt the practical and sensible solution suggested on numerous occasions by Deputy Bruton and set up a national recovery bank employing no more than 50 or 60 people to drive a loan guarantee scheme? This would shift the banks from their obstinate refusal to lend to small businesses under normal conditions to a situation where credit flows again. Similar initiatives are being implemented in other countries at a relatively small cost. I understand the guarantee on bank deposits has earned between €800 million and €900 million. I am aware this money goes into a fund in the Central Bank but it could be used to fund a loan guarantee scheme.

That should be done in the interest of protecting at least 100,000 jobs. It should be done in the interest of the thousands of small businesses that are struggling and listening to the Minister for Enterprise, Trade and Innovation telling them only that if their loan application is turned down, he will tell them how to appeal it. That is no consolation or comfort to small businesses

struggling to hold onto employees. Is the Taoiseach prepared to consider a loan guarantee scheme for small businesses throughout the country which would get credit flowing again, protect jobs and strengthen the Irish economy? A fundamental sector of the economy is being destroyed by a bank policy that is concerned only with protecting shareholders and building up reserves.

Deputies: Hear, hear.

The Taoiseach: In setting out the recapitalisation plans for the banks, the Minister for Finance gave a statement to the House indicating that he is awaiting sectoral plans from the banking system in respect of those banks that are in the process of recapitalising. Bank of Ireland is doing so currently. It is about making sure the €3 billion per year that the Minister has outlined for this year and next to be provided for lending to business will be enumerated and that it is set out to him and to the regulator how that is intended to be done by the banks. We are in the process of recapitalising the banks and in the process of obtaining those plans in coming weeks. The Government will do everything it can to ensure those targets are met by the banks.

Deputy Enda Kenny: Will the Taoiseach consider a loan guarantee scheme?

Deputy Eamon Gilmore: Last Thursday the Taoiseach made a long speech in which he admitted for the first time that Ireland's economic crisis was due not just to the international recession but to failures of his Fianna Fáil Government. When one wades through the grammatical constructs he used to distance himself from all of that, he appears to be saying that somebody somewhere should have done something earlier but that he himself was not to blame because nobody told him what was happening and what was coming down the track. He specifically mentioned that independent commentators had not alerted him to the problem.

I have been going back over the record and I find that in August 2003 the IMF warned that Irish house prices were overvalued and that there were risks to the financial sector from investor-owned housing and the commercial property market. In September 2004 the IMF again warned of the potential for what it called a "disorderly correction". Many of us probably did not know at the time what that was but we certainly do now. The IMF spelled out that 50% of the banks' loan portfolio was concentrated in property, that the correction would lead to a protracted period of slow private consumption and investment, that the construction sector would suffer sizeable output and employment losses and that there would be a protracted slowdown in consumption growth. In November 2005 the OECD said that Irish house prices were overvalued by 15% and that there was a speculative element to property prices. In December 2006 Professor Morgan Kelly, in an article in *The Irish Times*, predicted what would happen and drew attention to events in Finland and the Netherlands. In March 2007 Davy Stockbrokers drew attention to the fact that house prices in Dublin were 100 times the rents being earned and that only boundless optimism would sustain that. In April 2007 RTE's "Prime Time" special report, entitled "Future Shock", warned of the danger of a property price collapse.

An Ceann Comhairle: Does the Deputy have a question?

Deputy Eamon Gilmore: If the Taoiseach did not hear all of that, his predecessor, Deputy Bertie Ahern, did because he described it as "people sitting on the sidelines cribbing and moaning". He referred to a lost opportunity and said he did not know why the people engaged

[Deputy Eamon Gilmore.]

in that do not commit suicide. Does the Taoiseach accept that the problem was not that he did not get the advice but that he did not act on it?

The Taoiseach: First, I do not accept the Deputy's misrepresentation of the speech I set out last Thursday. Second, I was simply pointing out that the causes of our problem relate both to the international crisis and to the vulnerabilities identified in the Irish economy. Third, despite Opposition contentions to the contrary suggesting that we did nothing about the situation or were indifferent to it, I set out in clear detail and in full factual terms what we did about it.

(Interruptions).

Deputy Tom Hayes: The Government was concerned only with winning the election.

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

The Taoiseach: Fourth, I set out what lessons were to be learned based on what we now know. I refer Members to the full speech and ask that they not accept the characterisation Deputy Gilmore places on it.

One of the points I made was that the balance of evidence suggested that the vulnerabilities in the economy could affect the soft landing for the construction industry. I made the point that I was the first Minister for Finance in the past 20 years to do something in regard to property tax based incentives. Those incentives were introduced by predecessors including some from Deputy Gilmore's party.

(Interruptions).

An Ceann Comhairle: Members must allow the Taoiseach to respond without interruption.

The Taoiseach: I am sure they were based on the best judgments and advice then available. I did not oppose them at the time. In hindsight one can look back on many issues. What I said candidly was that looking at it now, knowing what subsequently happened, one will see that the elimination of property-based incentives could have happened sooner. In hindsight that would be the way in which one would try to slow down the rate of growth.

Deputy Dan Neville: The Taoiseach waited five years to act.

Deputy Bernard J. Durkan: What about foresight?

The Taoiseach: The suggestion that this Government or previous Fianna Fáil-led Administrations were indifferent to the problem is not correct. I also made the point that in the run-up to the last election there were Opposition Members suggesting that we needed to reduce stamp duty further, which would have led to even greater increases in property prices.

(Interruptions).

An Ceann Comhairle: I have called Deputy Gilmore, he should be allowed to speak without interruption.

Deputy Eamon Gilmore: It is bad enough that the Taoiseach, both in his capacity as Taoiseach and in his former capacity as Minister for Finance, and his Fianna Fáil Government

have ruined the Irish economy, but it is adding insult to injury for him to claim he had nothing to do with it, it was all somebody else's fault, he was not advised correctly, somebody else made certain proposals and so on. The fact of the matter is that his party is in government for the last 13 years——

A Deputy: Thank God for that.

Deputy Eamon Gilmore: ——and he must take responsibility for what has happened. It is doing a grave injustice to all those people who have suffered severely as a result of what he has done to offer the type of self-justification in which he engaged last Thursday. The record will show that over the years, the Labour Party in particular identified various actions that should have been taken but were not.

Deputy Noel Dempsey: What about the proposal to abolish stamp duty?

Deputy Eamon Gilmore: The proposal to abolish stamp duty came from the Government side of the House, from the former Minister for Justice, Equality and Law Reform, Mr. Michael McDowell.

(Interruptions).

An Ceann Comhairle: Deputy Gilmore must be allowed to speak without interruption.

Deputy Eamon Gilmore: It is a serious rewriting of history to suggest it came from elsewhere.

The truth of the matter is that the Taoiseach got warnings about what was happening in the property market and he got warnings about the consequences of light regulation. As far back as 2005 *The New York Times* was describing the Irish financial sector as the Wild West of the financial world and pointing out that the Government was trumpeting the light regulation that was in place. We now know where that has ended up.

An Ceann Comhairle: Does the Deputy have a question for the Taoiseach?

Deputy Eamon Gilmore: The bottom line is that the Taoiseach did not listen to the warnings, did not do enough and did not take action. Last Thursday he described what has happened as a “stunning failure of corporate governance”. It was a stunning failure — a stunning failure of government and by the Taoiseach in particular because it was he, as Minister for Finance, who was in charge during all of that period.

Deputies: Hear, hear.

The Taoiseach: Again the Deputy seeks to synopsis and misrepresent what I had to say last Thursday. I at no stage suggested that this is a matter of the Government not taking its responsibilities. I have always taken my responsibilities; I take them fully and absolutely. Every action I took was on the basis of a decision taken rationally at the time based on advices received and my own judgment.

(Interruptions).

The Taoiseach: In regard to the Deputy's suggestion that the balance of evidence was in favour of taking other proposals, the balance of evidence was along the lines I outlined in my speech. We took account of the IMF, OECD, stockbrokers and other forecasting firms internationally and domestically that were setting out their views. The Department of Finance,

[The Taoiseach.]

as former Ministers for Finance will know, will take cognisance of all of these forecasts and come to its own conclusions on what it sees as prospective economic and employment growth and the vulnerability and downsides.

Deputy Joan Burton: It came to the wrong conclusions.

The Taoiseach: I refer Deputies to my budget speeches, all of which also set out the downsides. What is clear is that the Department of Finance took forecasting on the conservative side of the equation, rather than taking the most optimistic forecasts available. It has taken this approach under various Ministers of all political ilk and persuasions. The record will show that is the case.

It is all right to suggest, as Deputy Gilmore does, that all of this was foreseeable but it is not correct to suggest that the mid-term prospects for the Irish economy would see us facing the situation we faced in the past two years. There is no doubt that a small, open economy such as Ireland has been greatly and more adversely affected than most, just as other small, open economies such as Singapore and Korea have been affected in terms of a reduction in economic growth. This is because the world downturn has such an impact on countries such as Ireland which produce mostly for export.

The position is simply this. The Deputy mentioned stamp duty. The fact is that his party's position in 2007 was that stamp duty should not be payable on the full amount and the threshold should be extended to €317,500. Stamp duty would only be paid on the amount above this threshold. The Labour Party's position——

Deputy Joan Burton: As Minister for Finance, the Taoiseach exempted developers from stamp duty.

The Taoiseach: ——would have meant a substantial reduction——

Deputy Joan Burton: The glass bottle site was one example.

An Ceann Comhairle: Deputy Burton must not interrupt the Taoiseach.

The Taoiseach: Shouting me down does not change the position.

Deputy Joan Burton: What about contracts for difference and Seán Quinn? The Taoiseach fixed that as well.

The Taoiseach: The proposal from the Labour Party was to change the basis on which stamp duty was computed. One would not pay the full rate. Instead, one would only pay the higher rates in respect of those parts of the property that were within the higher bands. The position was that one would pay the full amount on a property costing €400,000. The Labour Party brought forward a proposal which would have exempted the first €317,500. One would then have paid extra rates as one went through the bands, resulting in a reduction in stamp duty take. This was a surprising proposal from a socialist party which talks about increasing taxes on capital rather than labour.

Deputy Joan Burton: Developers did not want to pay stamp duty and the Taoiseach fixed it for them.

An Ceann Comhairle: I ask Deputy Burton not to interrupt, please.

The Taoiseach: It would also have increased property prices because more disposable income would have been available for the property price and the State would have taken less in the transaction. Those are the facts of the matter. They speak for themselves.

Ceisteanna — Questions.

Social Partnership

1. **Deputy Enda Kenny** asked the Taoiseach if he will report on his recent discussions with the public service trade unions; and if he will make a statement on the matter. [12967/10]

2. **Deputy Enda Kenny** asked the Taoiseach when he next expects to meet the social partners; and if he will make a statement on the matter. [12968/10]

3. **Deputy Eamon Gilmore** asked the Taoiseach when he last met the social partners; when he next expects to meet the social partners; and if he will make a statement on the matter. [13689/10]

4. **Deputy Eamon Gilmore** asked the Taoiseach the progress made to date on the talks currently underway with the public service unions; if any deadline has been set for the conclusion of these talks; and if he will make a statement on the matter. [13690/10]

5. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach if he has scheduled further meetings with public service unions, other trade unions and employers; and if he will make a statement on the matter. [18793/10]

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

On 12 March last, along with the Minister for Finance, Deputy Brian Lenihan, and the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, I met with officers of the Irish Congress of Trade Unions. The purpose of this meeting was to explore the potential and appropriate conditions for a renewed engagement between public service unions and management on the development of a comprehensive agenda for the transformation of public services and on a framework for public service pay determination.

At this meeting, it was agreed that both sides would invite Mr. Kieran Mulvey and Mr. Kevin Foley of the Labour Relations Commission as facilitators to undertake initial discussions with public service management and unions. While appointed in a personal capacity, the facilitators would draw on the resources of the Labour Relations Commission to support their work.

As Deputies are aware, following lengthy and complex discussions, on 30 March a draft agreement was reached with the public service unions on a comprehensive agenda for public service transformation and a framework for public service pay determination over the period to 2014. This draft agreement, if ratified, will result in significantly enhanced public services and a more cost effective and better integrated public service. It will also provide certainty for public servants on job security and income levels.

The draft agreement is the best deal that can be negotiated. As set out in the Government statement of 14 April, it is the Government's intention, on ratification, to enter into and operate the agreement in absolute good faith, including the provisions relating to the review of public service pay.

[The Taoiseach.]

In recent weeks, the public service unions have sought clarifications on a number of aspects of the draft agreement. Following consideration of this request, clarifications on a number of issues were provided on 6 May. These clarifications will provide greater certainty and assist the parties in having a better understanding of various issues that have been raised since the completion of the Croke Park negotiations. It is now for the individual members of the unions concerned, through their ballots, to decide whether to accept or reject the deal.

With regard to meetings with the social partners, I last met representatives of the farming pillar, community and voluntary pillar and environmental pillar at a series of bilateral meetings on 27 October last. I last met with representatives of the employer and business pillar at a bilateral meeting on 20 October. I had subsequent bilateral engagement with representatives of the Irish Farmers Association on 4 February. In addition to these formal meetings, there is ongoing contact on issues of concern to the social partners through bilateral contacts or consultation structures across my Department and other Departments.

Deputy Enda Kenny: I thank the Taoiseach for his response. If the Croke Park deal is endorsed by the trade union membership, as I hope it will be, the Fine Gael Party, if elected to government, will commit to honouring the commitment not to cut public sector pay between now and 2014. We would also prioritise the earnings of lower paid public servants in the first instance. In addition, as I have stated publicly, my party will contest the next general election seeking a public mandate on a more ambitious reform agenda, including the implementation of our party programmes on new politics, fair care in the health area and the establishment of a new economic recovery authority as part of our jobs plan.

The Croke Park deal falls short of the scale of reform that is needed to transform our public services in order that they will become absolutely efficient, rewarding and professional. While the deal includes some welcome and long overdue reforms in the areas of redeployment and flexible hours, it leaves core structural problems relatively untouched. It is worth noting that failure to tackle the over-centralisation of power in unaccountable Departments and bureaucracies such as the HSE leaves front line staff demoralised and frustrated. The system strangles initiative and does not reward creativity. In short, while the agenda is important, it is limited to achieving a small reduction in the cost of doing things in the same way. We should aspire to having a public service in which people are enthusiastic and understand that the work they do makes a contribution to the welfare and benefit of the country, economy and society and their initiative, creativity, contribution and hard work are rewarded.

As the Taoiseach is aware, the current industrial action is causing difficulties for people who were not responsible for cuts in salaries. Arising from this action, I am not sure if the Health Service Executive knows how much of its budget has been spent. The backlog of 70,000 applications in the Passport Office has also caused difficulties. It would be helpful if the Taoiseach were to recognise that one of the most sensitive issues in respect of the Croke Park agreement is the provision that commitments entered into in may be withdrawn due to what are known as unforeseen circumstances. Will the Taoiseach clarify what this phrase means? For instance, if tax receipts for 2010 were to fall short of projections by up to €1 billion, would this constitute unforeseen circumstances?

The Taoiseach: This phrase has been used in other agreements and has been clarified by the facilitators of the agreement when clarification was sought by the public sector trade unions.

There is a full understanding on its meaning and content. It is important to point out that if this agreement is ratified, then the Government as an employer will implement the agreement in a *bona fide* manner.

I do not accept the Deputy's contention that this is a limited agreement. It provides an important platform, setting out the details of public service commitments on the reduction of staff and staff redeployment, reconfiguration of the design and delivery of services, looking at the issue of performance and skills, sectoral agreements, pay and pensions policy, performance verification, the mechanism to resolve disagreements, as well as a commitment to a stable industrial relations climate. This is a very important draft agreement which will be ratified in the weeks ahead for those who have yet to consider it. It is a matter of importance that this is the best agreement that can be negotiated.

I note that the Deputy is suggesting that he will be imposing other issues beyond what is agreed here, should he ever get into Government. That will be an interesting development to watch.

Deputy Bernard J. Durkan: That is not as interesting as the developments we are watching now.

The Taoiseach: This agreement sets out the commitments being entered into on both sides, namely, pay commitments by the Government and commitments by employees on the transformation of services.

Deputy Enda Kenny: I agree with the Taoiseach that this is an important draft agreement. I do not accept his assertion that I make impositions. I made it clear that this party will contest the next general election on the basis of three serious programmes that are related to how we conduct politics in here, how to change our health system from a two-tier system to a universal health care system that will bring about efficiencies, make the patient central to that change and enable the Government to employ more front line people as nurses, doctors, physiotherapists and so on, and a major investment programme in job creation. We would co-ordinate the State agencies and other State bodies to a much greater extent.

Everybody can recognise the value and the work of our public servants, such as our teachers, nurses and gardaí. Many of them work exceptionally long hours in a dedicated fashion. The system strangles their initiative. We must find methods to change that so that our public servants are enabled to give their best in the interest of all our people. That is what an efficient public service should be about.

There are structural problems running through the entire public service that will need serious negotiations to overcome. I accept the references that the Taoiseach read out. I asked him whether the projected €1 billion shortfall in tax receipts constitutes unforeseen circumstances, but he did not reply to that.

The Taoiseach: No, that would not be regarded as an unforeseen circumstance.

Deputy Enda Kenny: Perhaps in his response he can give an example of what unforeseen circumstances might be. This is of interest to the trade union membership who are being asked to vote on the Croke Park agreement. A clarification from the Taoiseach of his understanding of what the facilitator has drawn up between the Government and the trade unions would be very important in how trade union members approach the vote before they make their decision.

The Taoiseach: The clarification has been given by the facilitators. It is the expressed intention and expectation of the Government that there will be no further reductions in the remuneration of public servants.

[The Taoiseach.]

ation of employees in the public service for the lifetime of this draft agreement, subject to compliance with the terms of draft agreement. Paragraph 1.28 of the draft agreement states that the “implementation of this agreement is subject to no currently unforeseen budgetary deterioration” and the Government has agreed that these terms will be applied in a *bona fide* manner by the Government side. Similar clauses have applied in previous agreements. It is not envisaged that the clause will be utilised on the basis of any currently known facts. The option of the draft agreement will itself give a measure of certainty about policy and spending that will assist in the process of economic recovery.

There is nothing that we see at the moment that will cause that clause to be invoked. There is an arrangement in the agreement that should unforeseen issues arise that are so serious they will call into question the whole economic recovery programme, the Government and the trade unions will discuss that issue and see what impact it has on the agreement. I want to make it clear that it is a term that has been used and understood from previous agreements. The clarification given by the facilitators does not have to be added to in this respect.

Deputy Eamon Gilmore: There are a number of issues in these questions which were tabled prior to the conclusion of the discussions with the public service trade unions. The first issue is the agreement negotiated between the Government and the public service trade unions and which is now the subject of a ballot. I note that the president of the Irish Congress of Trade Unions has appealed to politicians in all parties to refrain from commenting on the proposed Croke Park agreement in order to allow trade union members time to focus on the intrinsic merit or otherwise of the proposals during the balloting period. I agree with that position. The danger of politicians commenting on it is the danger of hairs being raised, which is quite unhelpful in the balloting process.

Where stands the wider social partnership agreement now? We had two agreements in place, namely, the Towards 2016 agreement and the Towards 2016 review and transitional agreement. Are those agreements now over? Are they still alive? My understanding is that IBEC has withdrawn from the process, so I wonder if there is a social partnership agreement that governs the wider industrial relations scene.

Is the Government still committed to introducing the various Bills in respect of employment rights and compliance? There were some suggestions in a newspaper report at the weekend that these are no longer a priority for the Government. What is the position on the national minimum wage? That had been on the agenda for the last full meeting between the social partners. It is now over a year since the Labour Court was asked to review the national minimum wage. When does the Taoiseach expect to get a determination from the Labour Court about it and can he give a commitment that the Government will not reduce it?

The Taoiseach: I agree that the draft agreement and the clarification provide a basis upon which a consultation is being undertaken by trade unions with their membership.

They should be allowed to proceed with that and conclude their arrangements for the organising of ballots and the results that will ensue. I agree that is a wise course of action. I wanted to ensure there had been reasonable clarifications. Clarifications were being sought because, as the Deputy knows, certain interpretations were being put on things which were not, in my opinion, in keeping with precedent in any event. The clarifications have an intrinsic merit in that respect given that they refer to the texts that were negotiated during what were very long, intensive and detailed negotiations between management and union representatives. I note that trade union representatives have, in terms of a negotiated settlement, confirmed that as far as

they are concerned nothing has been left back on the table that was not available. This is the best negotiated settlement that can be provided for in current circumstances.

As I have said, there are arrangements to review the situation. As the Deputy knows, under the transition agreement there is an arrangement for review in the spring of 2011, which will proceed. In that respect those operable parts of the transition agreement still remain in place. There were pay aspects of that agreement, which, obviously, have been superseded by events and this draft agreement on the public sector side provides us with a prospect of having a way forward if ratified and agreed as far as the public service is concerned.

In the private sector, I understand the protocol between IBEC and the Irish Congress of Trade Unions is that there will be further discussions in the autumn to see if something can be provided for there. In the overall scheme of things there is recognition by the parties that they are operating in a new context without a formal agreement on pay determination. Bearing in mind the shared commitment to maximising the sustainability of employment, it is accepted that the economic, commercial, employment and competitiveness circumstances of any firm are legitimate considerations in any discussion of claims for adjustments to pay or terms and conditions of employment. It is not the intention of parties to alter their historical approach to dealing with normal ongoing change. They are committed to ensuring they have a protocol that is effective for this year. They will meet in the autumn to discuss arrangements to apply thereafter. Otherwise the parties will meet as required to review the operation of the protocol, to oversee the delivery of industrial peace, stability and good industrial relations, and to consider any procedural matters where difficulties arise. The parties will establish agreed tripartite structures under a rotating chairmanship to include Government to discharge the functions set out in paragraph that I outlined before making that comment.

It is clear that they are seeking to deal with these matters on a case-by-case basis taking into account issues I have just mentioned as being important, shared commitments that both employer and employee representatives would have in terms of trying to maintain and protect employment, and provide a way forward consistent with the maintenance of employment generally.

On legislation, I would not agree with the characterisation the Deputy suggested. The Employment Law Compliance Bill and the Employment Agency Regulation Bill are being considered at present. The Employment Law Compliance Bill passed Second Stage here without division in March. It awaits Dáil Committee and Remaining Stages and Seanad consideration. A comprehensive set of Government amendments will be tabled for Dáil Committee Stage consideration, including changes to the body of the Bill to reflect the outcome of detailed consultation with stakeholders as well as further detailed examination of the Bill with the Parliamentary Counsel in the Office of the Attorney General.

The Employment Agency Regulation Bill was published in July 2009 and its Second Stage was completed on 25 February. We hope Committee Stage will take place during this session. It updates existing law on the licensing of employment agencies and extends the licensing regime to agencies outside Ireland. It is anticipated that progress will be made on the Bill in the current Dáil session.

There is also the Industrial Relations (Amendment) Bill, the consumer and competition Bill and the issue of the transfer of undertakings directive. Legislation will be required to transpose into Irish law the terms of an EU directive on temporary agency work. Discussions between the social partners aimed at agreeing a framework agreement are continuing. Public consultation and preparatory work on the Bill are expected to be completed by the end of this year. Considerable work on legislation, both detailed and preparatory, is going on at the moment.

Deputy Eamon Gilmore: Will the discussions, which the Taoiseach expects to take place in the autumn between trade unions and private sector employer organisations, deal with the issue of pay in the private sector? I ask the Taoiseach to respond to the question I asked on the national minimum wage, which has been with the Labour Court for some time. When does he expect the Labour Court to issue its views and findings on the national minimum wage? What is the Government's thinking on the national minimum wage? There has been speculation that the Government was contemplating reducing the national minimum wage. Will the Taoiseach deny that speculation and give an assurance to those who are on the national minimum wage that it will not be cut?

The Taoiseach: I have no information on the status of that issue in the Labour Court at the moment. I would need to check it out for the Deputy and come back to him. As he says, there is speculation. I am not aware that there is a basis for that speculation. I do not know where it came from. We introduced the minimum wage and there is a process by which it is reviewed and referred to the Labour Court. That is an issue that is with the Labour Court at present.

Deputy Eamon Gilmore: Has the Government made any views of its own known to the Labour Court in respect of the minimum wage?

The Taoiseach: I will need to check that and come back to the Deputy.

Deputy Caoimhghín Ó Caoláin: Can the Taoiseach confirm that the Croke Park deal will maintain the current recruitment embargo in the health services? Can he confirm that to date some 1,900 non-replacements of front line service providers, nurses and midwives in the main, have resulted from that embargo? If it is to be maintained in the health services, over the next three years in excess of 6,000 further posts will remain unfilled and not replaced, with a corresponding cut of the order of some 3,500 further acute hospital beds in the public hospital network. If those are the facts — I understand them to be so — is it any wonder that the INMO has overwhelmingly rejected the Croke Park deal?

Having said that, I recognise that there are divided opinions among some trade union representatives of workers within the health services and that SIPTU has taken a conflicting position regarding the workers in the health services that it represents. At the end of the day how will it be possible to reconcile a situation, whatever the outcome, where there is such strong opposition within the sector representing the nursing staff and midwives and also the SIPTU representation within the health services? How is it possible to reconcile these respective positions, whatever the outcome, especially if acceptance is to be the case? How will the Government expect that to roll out after the final judgment on the Croke Park proposals?

The Taoiseach: As Deputy Ó Caoláin said, a general moratorium on recruitment and promotion was applied to most of the public service and incentivised early retirement and career breaks schemes were introduced. The way to deal with the situation outlined by the Deputy is through agreement on redeployment. Reduction in public service numbers is one aspect of the way we will deal with transforming the public service in the future. It is not simply about reducing numbers but also about getting a greater degree of flexible redeployment in order to ensure there is proper redeployment within the sector. Cross-sector redeployment can take place, within a geographic area where possible, having regard to the arrangements agreed in respect of non-commercial, semi-State sponsored bodies. To help with the integration of the public service, barriers to a unified public service labour market will be dismantled, including through legislative provision, as appropriate. To the greatest extent possible there will be standardised terms and conditions of employment across the public service, with the focus

initially within sectors. In that context, the parties have agreed to review and revise contractual or other arrangements or practices which generate inflexibility or restrict mobility.

In those two aspects of dealing with the issue, there is also the reconfiguring of the design and delivery of public services whereby the parties agree they must work more closely across sectoral, organisational and professional boundaries when designing and delivering services. The focus will be on having people delivering cost-effective public services, committed to engaging at national, sectoral and local level to achieve specified measurable outcomes in regard to cost containment, service integration and reconfiguration, as well as on engaging staff, progressing change and maximising the productivity gains proposed from how work is organised and from streamlining procedures, processes and systems to allow for shared services and Government developments.

A substantial commitment to the redesign of work processes will be necessary. The parties will co-operate with the drive to reduce costs through organisational rationalisation and restructuring and by having service delivery organised in different ways or delivered by different bodies. The aim is to minimise duplication of effort, reuse data within the public system and reduce information demands on the citizen and on business. The introduction of new or improved technology, service provision and on-line electronic funds transfer would be regarded as the norm. Processes and service delivery would be improved by better collation and reuse of data and personal information and by centralising transaction and certain sectoral data handling support functions.

A range of issues are addressed and there are separate sectoral agreements. In the six chapters and 83 pages one can see what is envisaged in regard to various sectors.

Deputy Caoimhghín Ó Caoláin: I listened carefully to the Taoiseach's reply but there is nothing in what he said that gives any comfort to the wider populace, who will present at accident and emergency departments or in need of particular hospital care, concerning any possible changes in the current recruitment embargo and the posts that have been made vacant. Will the Taoiseach not avail of the opportunity to indicate clearly that the Croke Park deal maintains the current recruitment embargo on frontline staff? I speak specifically about nurses and midwives, an area where 1,900 posts are already vacant as a result of the embargo and, over the next three years, a signalled in excess of 6,000 further posts across the public health system will be left unfilled. Is the Taoiseach not aware also, from Deputies from all constituencies and across the House, there are huge difficulties at present within the health services and that frontline staff are being stretched well beyond the limit? This is exemplified in the very understandable position taken by the Irish Nurses and Midwives Organisation.

An Ceann Comhairle: We have spent an inordinate amount of time on this group of questions.

Deputy Caoimhghín Ó Caoláin: This is the question I want to ask the Taoiseach. I want to know what he is prepared to say, further, because there is no relief in what he offers. Is he prepared to make any further statement that will give any hope or comfort to nurses, midwives, other frontline staff and to the dependent population?

On 2 February I asked the Taoiseach about the national minimum wage. In his response to Deputy Gilmore he indicated only that he did not know from where the question had arisen but he never answered it, either today to Deputy Gilmore or to this Deputy on 2 February. I ask again, will the Taoiseach give comfort to people in low-wage situations who are dependent on the minimum wage to sustain any level of making ends meet by clearly stating the Government does not intend to interfere with the national minimum wage and will maintain and sustain it? I acknowledge that a Fianna Fáil-led Government introduced it in the first place.

[Deputy Caoimhghín Ó Caoláin.]

Will the Taoiseach now give comfort to those who are most concerned, those at the lowest income levels throughout the State, and state he will not countenance interference and reduction in the national minimum wage, as currently stated?

The Taoiseach: As I said to Deputy Gilmore in regard to the minimum wage, there is a process and mechanism in place by which that matter is reviewed and looked at. I do not intend to interfere with the process.

In regard to the wider issue, a detailed health sector agreement is set out in chapter 2 of the draft public service agreement which specifically sets out, in such great detail that one could not contemplate reading it into the record, what is envisaged and what has been provided for. It is the case that a challenge faces us but the objective is to provide more cost efficient and better services and as good a service as we are able to provide, in a way that is sustainable in budget terms, which redesigns services and ensures that we get as many frontline people involved in the service as possible. The whole management and administration behind supporting that cannot be dismissed completely but must be done in a cost effective way that ensures that one provides the resources where they are needed and that they are not dissipated in other ways. That is the whole purpose of the transformation agenda.

There are arrangements for a very robust consultation with staff interests in respect of bringing this forward. These also mention ensuring a system is put in place where the contribution being made by those on the front line can be measured and ensure we are able to show the inputs and outputs are such that they justify resources going into particular areas. It will be therefore be possible to address the whole question of streamlining processes and procedures behind all of that. This is required to bring forward all the necessary modern technological advances to ensure costs are cut there as well.

An Ceann Comhairle: I will take a brief supplementary question from Deputy Shatter.

Deputy Alan Shatter: In the context of the negotiations and agreements concluded, did the Taoiseach or the Government at any point address the scandal that since 2002 the IMPACT trade union has been involved in industrial action in respect of which social workers across the eastern seaboard areas have been directed not to apply the Children First child protection guidelines? This is referred to by the Ombudsman for Children in her report published last week. This is a major industrial relations issue that has placed children at risk and the Government has ignored for the best part——

An Ceann Comhairle: It sounds like a question for the line Minister.

Deputy Alan Shatter: ——of eight years now. The questions relate to the public service unions. In the context of all the issues discussed and resolved, did it cross the Taoiseach's mind or the Government's mind, based on the scandals and revelations of the past ten years and the State's failure in respect of providing protection to children, that this issue should be addressed, that the dispute should be resolved? Why is it that until the Ombudsman for Children's report was published not a single Minister acknowledged this dispute is taking place and is sabotaging the implementation of the Children First guidelines?

An Ceann Comhairle: This is the time for questions to the Taoiseach.

Deputy Alan Shatter: No action since the ombudsman's report was published a week ago has been taken by a single Minister to indicate any intervention to resolve this dispute.

The Taoiseach: I can only speak generally with regard to the draft public service agreement. We must wait to see if the agreement is ratified by the membership. The public service committee of the Irish Congress of Trade Unions must confirm the outcome before this is implementable. However, in the coming weeks, those ballots will be finalised. We have the prospect of a very important series of changes in terms of how we do our business in the public service and a commitment from all sides to work together to achieve this and obtain savings from it. That is the focus and if there are specific issues, like those referred to by the Deputy, or other matters which have not been resolved through the industrial relations processes, this agreement sets out a system for dealing with some of those perhaps more effectively than previously.

Deputy Alan Shatter: If the Government is genuinely concerned with ensuring that children are given the protection to which they are entitled, could he explain why this dispute has been left simmering for eight years, preventing implementation of the Children First guidelines and resulting, as the Ombudsman for Children have told us, in instances of child abuse not being properly reported to the Garda? It is a particular scandal in current circumstances. Could the Taoiseach explain why it was not addressed in the context of these discussions? Did the Taoiseach even know the dispute was taking place until the Ombudsman for Children's report was published? What has he done as Taoiseach to have this dispute resolved?

An Ceann Comhairle: The Deputy should really submit that question to the line Minister.

Deputy Alan Shatter: We are talking about industrial relations and public service unions. This is an example of a problem that has festered on the watch of the current Taoiseach and his predecessor which has left children at risk. It is a dispute that both the union and the Government kept secret for eight years. It took the Ombudsman for Children to reveal the existence of this dispute and the impact on child protection. I think that is a serious issue and the House is entitled to hear what the Taoiseach has to say about it. Is he going to do anything to have this dispute resolved? Is he going to intervene in it? Is he going to order his Minister of State with responsibility for children to intervene? Is he going to ask his Minister for Health and Children why she has done nothing about it since 2005?

The Taoiseach: Specific questions on particular disputes should be put to the line Minister and I am sure a detailed update from the Department could be obtained in that way. The questions I have been asked relate specifically to discussions we have been having with public service trade unions generally in the context of the draft agreements we are now discussing.

Requests to Move Adjournment of 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 the Deputies in the order in which they submitted their notices to my office.

Deputy James Bannon: I wish to seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the hypocrisy of the Government, which is blaming the potential reduction in accident and emergency hours on the working time directive rather than the Government cutbacks in front line staff, which will endanger the lives of the 1.2 million people who visit accident and emergency departments annually.

Deputy Aengus Ó Snodaigh: Ba mhaith liom an Dáil a chur ar athló chun an cheist rí-thábhachtach seo a phlé, the deplorable failure of the Government to operationalise the EU's 116000 missing children hotline, which needs to be set up on an island-wide basis. The urgency

[Deputy Aengus Ó Snodaigh.]

of this hotline is underlined in particular by the more than 500 non-national children who went missing from HSE care over the past decade, the 183 children reported as abducted in this State last year and research from Barnardos which found that one in six of the children helped by its specialist sexual exploitation service had been moved around the country by the abuser. There is an urgent need for the Government to make funding available so that the 116000 hotline can start.

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. 12, motion re by-election for Waterford; No. 6, Euro Area Loan Facility Bill 2010 — Second and Remaining Stages; and No. 20, Nurses and Midwives Bill 2010 — Second Stage (resumed). It is proposed, notwithstanding anything in Standing Orders, that in the event of No. 12, the motion re by-election for Waterford being moved, the proceedings shall, if not previously concluded, be brought to a conclusion after 20 minutes today and the speeches shall be confined to the main spokespersons for Fine Gael, the Labour Party, Sinn Féin and to a Minister or Minister of State, who shall be called upon in that order, who may share their time, and which shall not exceed five minutes in each case; and the following arrangements shall apply in relation to No. 6 — the proceedings on the resumed Second Stage shall, if not previously concluded, be brought to a conclusion at 5.30 p.m. today and the proceedings on the Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 7 p.m. by one question which shall be put from the Chair and which shall, with regard to amendments, include only those set down or accepted by the Minister for Finance.

Private Members' business, No. 74, motion re final report of the Joint Committee on the Constitutional Amendment on Children (resumed), shall be taken at 7 p.m., or on the conclusion of No. 6, whichever is the later, and brought to a conclusion after 90 minutes.

An Ceann Comhairle: There are three proposals to put to the House today. Is the proposal for dealing with No. 12, motion re by-election for Waterford, agreed to? Agreed. Is the proposal for dealing with No. 6, Euro Area Loan Facility Bill 2010, agreed to?

Deputy Caoimhghín Ó Caoláin: It is not agreed. I object to the taking of the Euro Area Loan Facility Bill 2010 throughout the course of this evening and having guillotines applied at the end of Second Stage and the Committee and Remaining Stages. It is clear that the significant body of the Dáil supports the passage of this legislation but there is a sufficient scope for a range of views to be heard that will not be aired within the timeframe provided. It is important that those with a particular view of objection in a principled way are afforded the opportunity to make additional contributions. That will not be the case if this order is agreed and I oppose it on the basis of the guillotines being applied.

Deputy Emmet Stagg: We have considered the time allotted for the Bill and consider it adequate for the requirements. There is general agreement across the floor of the House on the Bill so there is no need for a guillotine. The new Whip has been very successful in getting legislation through the House without the use of a guillotine and I ask him to revert to such practice.

Question, "That the proposal for dealing with No. 6, Euro Area Loan Facility Bill 2010, be agreed to" put and declared carried.

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

Deputy Enda Kenny: I have two questions for the Taoiseach. Yesterday, the Tánaiste while filling in for the Taoiseach said that, in her opinion, the importance of a referendum on children's rights was such that it should be held on its own. As has been pointed out, the all-party committee did its work well and a wording was agreed. Some €3 million has been allocated to the Minister of State with responsibility for children for the purposes of holding a referendum and that process is in train. In light of the Tánaiste's comment yesterday to the effect that this important referendum should be held on its own, is it intended to hold a referendum on children's rights in the calendar year of 2010?

As pointed out by Deputy Shatter, the body of Daniel McAnaspie was discovered in tragic circumstances. The young lad had been in the care of the State. It seems to be a most unfortunate situation. Where there are major accidents, there are authorities that move in automatically to find out what occurred. In the Taoiseach's judgment, should an independent inquiry be conducted into this case by three persons who have no connections to the HSE and who are appointed by the Minister and should their report be published in full? Does he consider this to be an appropriate course of action to find out what occurred in the case of this young man's murder while in the care of the State?

An Ceann Comhairle: Many of those questions were more appropriate to the line Minister.

The Taoiseach: The Tánaiste, the Government and I have outlined on a number of occasions in the House in recent times the position relating to the amendment and where the work of the Government is currently in relation to it. That work continues and we will consider and deal with the matter as soon as the work is completed.

In relation to the question of Mr. McAnaspie, the circumstances were very, very sad. Obviously, this is a matter that will be considered by the Minister in due course as to what the appropriate arrangement should be to ensure that the facts of the matter are understood and lessons are learned from a very tragic case.

Deputy Enda Kenny: The Tánaiste rejected charges from myself and others that the Government was afraid to hold the referendum on children's rights because the Government would also feel obliged to hold three by-elections on the same date. She stated that the referendum was much too important and should be held on its own. In light of the Tánaiste's statement, if the Minister of State concludes his work and produces the wording for the appropriate Bill, will the referendum be held on its own this year?

The Taoiseach: I cannot anticipate the decision of the Government. Obviously, the Tánaiste gave the Deputy the benefit of her views on the matter. The Government will make a decision in due course.

Deputy Enda Kenny: But the Taoiseach has his own judgment.

Deputy Eamon Gilmore: Following on from Deputy Kenny's question, the Minister of State told the House last night where he is in terms of his preparation for the referendum. From his comments, I understood there to be no significant issue in respect of the wording to be used in the referendum. He seemed to accept that the wording agreed by the all-party committee was substantially the wording that should appear in the referendum. If this is the case, there does not appear to be any impediment to the holding of the referendum this year.

[Deputy Eamon Gilmore.]

On European issues, for example, the Government has tabled amendments quite soon after the conclusion of complex negotiations at European level. Several times, the Government has brought forward referenda that none of us was expecting and ran them with elections held at different times. This is a referendum on which we are all agreed. A motion before the House will be voted on tonight. We could agree the motion if the Taoiseach assured the House that the referendum will be held some time in 2010. I invite him again to give this assurance.

After this week, six sitting weeks are left before the Government closes the House down for the summer. Will the Bill to provide for a directly elected mayor of Dublin be before the House in those six weeks?

The Taoiseach: Deputies are asking me to anticipate work that is ongoing and to give a timeline for it. In relation to how the Deputy has portrayed what the Minister of State for children had to say, the Minister of State made the point — it is not a criticism, but a statement of fact — that the committee took two years and three months to reach its final conclusions. The Government is not asking or suggesting that such time is required to come to a conclusion. However, it is important to complete our work in a thorough fashion. The Government does not want to recommend amending the Constitution by way of a Bill that is flawed or may have unintended consequences. He then went on to state, “Having urged caution, I am not suggesting that this be put on the long finger”. This is the position. There is work ongoing in relation to that matter. The Minister of State is conducting that work and the Attorney General obviously will be involved as well. We will have to consider it with the working Ministers concerned and then have it considered by Cabinet.

I will not anticipate the outcome of those discussions, but I have said at all times that I commend the committee on the work it has done. It obviously gave detailed consideration to these matters and took that time in which to do so. I am not suggesting a similar time should be available to the Government because, obviously, the work has been substantive, but there is work for the Government to do in terms of taking responsibility for a Bill to come to the House that proposes an amendment to the Constitution that does not have unintended consequences. That is an issue upon which the Government awaits full advice, etc. from legal and other officers.

In relation to the other matter, the other Bill is in preparation and will be brought to the House in due course.

Deputy Eamon Gilmore: For reasons of clarity, the Taoiseach drew attention to the comments last night of the Minister of State, Deputy Barry Andrews, to the effect the committee sat for two years and three months.

An Ceann Comhairle: Deputy Gilmore knows we will revisit this matter during Private Members’ business.

Deputy Eamon Gilmore: I am confining myself to——

An Ceann Comhairle: A full-scale debate on the Order of Business is inappropriate, as the Deputy well knows.

Deputy Eamon Gilmore: I am not debating it. I am asking a question about promised legislation, which I am entitled to do. It is true that the committee took two years and three months, but the Government was a party to the committee. The Taoiseach makes it sound as if the Government was somehow separate. The heavy lifting was agreeing the wording, and that is

done. Last night, the Minister of State acknowledged that there was no great difficulty with the wording. What is the delay?

On the mayoral issue, we were promised the election would occur in 2010. This was the commitment given by the Minister for the Environment, Heritage and Local Government, Deputy Gormley. If the election is to occur in 2010, the legislation will need to be dealt with. Do I understand correctly from the Taoiseach that it is unlikely the legislation will be in the House before the summer recess?

The Taoiseach: No, I am not suggesting that at all one way or the other. I have simply stated that the legislation is in preparation and is being worked on in that Department. It will be duly prepared, brought to the Government for consideration and dealt with in the normal way. I am not in a position to give the Deputy specific dates on that issue. I can only say the programme for Government refers to 2010.

Deputy Caoimhghín Ó Caoláin: I wish to raise two items, the first of which will be quick. Regarding the children's referendum committee's recommendations, which were published last February, how soon after their publications were the recommendations presented to each Department and the Office of the Attorney General? Yesterday evening, the Minister of State with responsibility for children indicated that this was part of the timeframe.

An Ceann Comhairle: The Deputy is anticipating the ongoing Private Members' debate.

Deputy Caoimhghín Ó Caoláin: No, it is in the context of a legislative proposal and promised legislation, a referendum Bill, to facilitate an opportunity for the people to pass judgment on the merits or otherwise of the all-party committee's recommendations, which I underscore were unanimous. Yesterday evening, the Minister of State indicated that the time delay was because each Department needs to respond on its particular assessment of what is involved *vis-à-vis* its respective portfolio. Is the Taoiseach in a position to advise how soon after receipt of the final report the details of the all-party committee's deliberations were provided to each Department and to the Office of the Attorney General? How long does the Taoiseach regard as a reasonable timeframe for them to give the recommendations their respective considerations?

Significant concern has been caused by the comments of Deputy Ó Cuív, the Minister for Social and Family Affairs, as the Department was known, about the old age pension.

An Ceann Comhairle: That is not promised business.

Deputy Caoimhghín Ó Caoláin: I would like to know because huge concern has been caused for pensioners the length and breadth of the State, as was exemplified in comments by the Taoiseach's own party colleagues in the Seanad yesterday.

An Ceann Comhairle: I suggest that the Deputy should submit a parliamentary question to the appropriate Minister. This question is not in order.

Deputy Caoimhghín Ó Caoláin: Of course it is in order.

An Ceann Comhairle: It might be at Question Time, but not on the Order of Business.

Deputy Caoimhghín Ó Caoláin: Earlier today, the Minister indicated he had no idea where the question had arisen concerning a cut in the minimum wage. We have no doubt in our minds as to from where the idea emanated regarding a cut in the old age pension.

An Ceann Comhairle: The Deputy will have to utilise parliamentary question time more effectively to get answers to these matters.

Deputy Caoimhghín Ó Caoláin: It was a kite-flying exercise on the part of the Minister in tandem with the Taoiseach and the rest of the Cabinet. What exactly is it all about? Pensioners are seriously concerned. Has any consideration been given to such a measure?

An Ceann Comhairle: It would be appreciated if the Deputy would submit a parliamentary question to the line Minister. We must move on. We are abusing the Order of Business. It is now 11.55 a.m. and we are still on it.

Deputy Caoimhghín Ó Caoláin: The Ceann Comhairle always seems to talk me down.

An Ceann Comhairle: I do not wish to do so, but I want to point out the error of the Deputy's ways.

Deputy Caoimhghín Ó Caoláin: I want to know if any consideration has been given, or is it being given, to facilitate such an outrageous proposition or, indeed, a supplementary budget?

An Ceann Comhairle: The Deputy is completely out of order.

Deputy Caoimhghín Ó Caoláin: It is a valid question by any standards——

An Ceann Comhairle: Not on the Order of Business.

Deputy Caoimhghín Ó Caoláin: ——irrespective of what the Ceann Comhairle may feel.

An Ceann Comhairle: The Deputy should table a question for the line Minister.

Deputy Arthur Morgan: Some social protection.

The Taoiseach: As regards the first matter raised by the Deputy, the Minister of State for children set out in his speech precisely when this matter was first discussed. The normal processes apply. When a report is published, it is sent out to Departments for their consideration, to examine the implications of the proposed wording for their individual areas of responsibility. They are also asked to consider what legislation would need to be put in place in advance of any referendum, and the matter is therefore referred to the Cabinet sub-committee on social inclusion to carry out that work and report back to the Government. That is the normal procedure. The Minister of State mentioned March in his speech, so that is the answer to the Deputy's question.

Deputy Caoimhghín Ó Caoláin: Is there a normal timeframe involved?

The Taoiseach: I have just referred the Deputy to the speech. That is the information as it stands.

Deputy Caoimhghín Ó Caoláin: It could go on forever.

The Taoiseach: As regards the other matter the Deputy mentioned, it is an absurd proposition to suggest that the Government is making decisions on these budget questions in the month of April. What caused it was an attempt to misinterpret what the Minister had to say. He was asked what his position was on these matters. He said he was simply starting an

Estimates process, as any Minister would do at this time. There have been no discussions and no decisions whatever.

Deputy Caoimhghín Ó Caoláin: The Taoiseach had a budget last April.

The Taoiseach: We are not having another budget this April. The cause of it is the political opportunism and scare-mongering in which the Deputy and his likes engage.

Deputy Caoimhghín Ó Caoláin: No. It was the Taoiseach's own Minister who raised it yesterday.

An Ceann Comhairle: We are moving on. I call Deputy Crawford.

Deputy Caoimhghín Ó Caoláin: He did raise it.

The Taoiseach: He did not raise it. Go and chase your own hare. Put him in the slips.

An Ceann Comhairle: Could we have some order in the Chamber? I call Deputy Crawford.

Deputy Seymour Crawford: I wish to revert to a question I asked the Taoiseach last week, concerning the attachment of fines Bill. Many people are currently in jail because they have not been able to pay their fines. We have been seeking that Bill for the past nine years. When will it come before the House? The Taoiseach said the fines Bill is being dealt with at the moment, but that is a totally different Bill.

Many people in need are having their medical cards withdrawn because of the requirement to cut costs in the Department of Health and Children. When will the Taoiseach consider taking the legal costs Bill to curtail costs at that level, while ensuring that money is available for those in need?

Will the Taoiseach explain why the solvency period for the VHI has been extended to 2012, whereas 24 hours could not be given to the Quinn group to provide the same solvency?

The Taoiseach: I understand the fines Bill is imminent and will be ready for discussion shortly.

Deputy Seymour Crawford: That is the fines Bill, not the attachment of fines Bill.

The Taoiseach: It is the attachment of earnings Bill. The legal costs Bill is not due until next year. I will have to come back to the Deputy, if that is not the one to which he referring.

Deputy Seymour Crawford: What about the solvency issue?

The Taoiseach: That is a separate matter altogether.

An Ceann Comhairle: It does not concern legislation.

Deputy Seymour Crawford: It is extremely important.

Deputy Bernard J. Durkan: I wonder if the Ceann Comhairle can assist me concerning the progress to date on the legislative programme. Under promised legislation, is it intended to introduce a new minister for backlogs? Several pieces of legislation have been proposed for a long time, yet no progress has been made. We are promised daily that legislation is imminent, but we have had no indication from any quarter that anything will change. As regards the delivery of health service, legislation has been promised.

An Ceann Comhairle: Is the Deputy talking about specific legislation?

Deputy Bernard J. Durkan: I am. I have a lot of them in mind, but I will not upset the House by going through the whole list. To focus on the large number of people awaiting health services, will the Taoiseach take some initiative to introduce the relevant Bills to the House, which have been promised by the Minister for Health and Children? I am trying to get information for the public concerning their entitlement to health and personal services. That is the proposed legislation.

An Ceann Comhairle: Is it promised legislation?

Deputy Bernard J. Durkan: It has been promised, although I can understand the confusion.

The Taoiseach: In the past few weeks these questions have been asked concerning a number of legislative proposals. I do not know whether the Ceann Comhairle can refer to Standing Orders because not all Deputies attend the Order of Business every day. Nonetheless, we have questions being asked about the same Bills. Perhaps all Deputies should be notified when Bills are due to be taken. That would avoid a duplication of effort. To answer the Deputy's question, however, I think the eligibility for social services Bill is not due until the end of this year or next year.

Deputy Bernard J. Durkan: I understand what the Taoiseach is trying to say — that it is an annoyance to have to answer questions repeatedly when Opposition Members raise them. However, the general public are currently awaiting the delivery of health services. When Members table questions in the House, which the Ceann Comhairle has kindly advised me to do, the reply states that it is not possible to answer the question at this particular time due to an industrial dispute. In God's name, how long more can this continue? It also affects the Ceann Comhairle's constituency.

An Ceann Comhairle: I know it does, but we are on the Order of Business. Does the Deputy have a query on promised legislation?

Deputy Bernard J. Durkan: Is this the way we order business in this House?

An Ceann Comhairle: Certain things are allowable on the Order of Business.

The Taoiseach: It is a fair point in terms of our procedures and how we operate them in the House. I do not think it makes sense to have different people asking the same questions about the same legislation every week. The situation has not changed from last week regarding the eligibility for social services Bill.

Deputy David Stanton: We want to reform the Dáil, but the Taoiseach will not do it.

The Taoiseach: I am just making the point that I do not think it is a good procedure. I will abide by the Standing Orders of the House, but I think my point is reasonable.

Deputy Bernard J. Durkan: The Taoiseach is missing the point entirely. I am trying to use promised legislation as a vehicle to focus on the delivery of health and social services. There are huge backlogs for every procedure offered by the health services, including medical cards, hip operations and others, and they are growing on a daily basis,

An Ceann Comhairle: All these matters would be much more appropriately directed to the line Minister by way of a parliamentary question.

Deputy Emmet Stagg: The Ministers will not answer the questions.

Deputy Bernard J. Durkan: For God's sake, this is a House of Parliament. Why can the Government not do something——

An Ceann Comhairle: I accept that fully and I advise the Deputy to table a parliamentary question to the line Minister to investigate such matters.

Deputy Bernard J. Durkan: I already have outlined the answer I am getting.

An Ceann Comhairle: The Order of Business is not the appropriate time. While a short reference to an issue is fine, we are abusing the Order of Business by pursuing this matter.

Deputy Bernard J. Durkan: I am not abusing the Order of Business. I am representing my constituents, which is now very difficult to do. I again appeal to the Ceann Comhairle to do something about this. Why can Members not get answers to parliamentary questions regarding urgently required services that are provided by the Department of Health and Children at present? Why is the Minister unable to come before the House to tell the people the reason the entire system has broken down and nothing is happening?

The Taoiseach: The Deputy is out of order.

An Ceann Comhairle: Deputy, we are on the Order of Business. We have this every morning. I have been more than tolerant with the Deputy and my patience is wearing thin.

Deputy Bernard J. Durkan: It is because there is a need to address these issues and the Taoiseach has entirely missed the point I was trying to make. He spoke of order in the House.

An Ceann Comhairle: Yes, okay.

Deputy Bernard J. Durkan: What about order outside the House or delivery of services to the people?

Deputy John O'Mahony: I wish to ask the Taoiseach about a matter that has not been raised in the House in the past two weeks. Does the Government plan to introduce legislation to examine the relationship between the Irish Sports Council and the governing bodies? I have two reasons for asking this question. First, in recent months Athletics Ireland has been obliged to pay out close to €1 million on foot of a dispute regarding the making of appointments. Second, within the past month, the Irish Amateur Boxing Association has been in dispute and now has been informed by the Irish Sports Council that its appointments of chief executive officer and high-performance director will not be funded.

12 o'clock

An Ceann Comhairle: Deputy, the question to the Minister——

Deputy John O'Mahony: I will explain if the Ceann Comhairle allows me to finish. Although basketball is the fourth largest participation sport in Ireland, Basketball Ireland is on its knees and its staff have been told that their jobs will not extend beyond June.

Deputy Bernard J. Durkan: Hear, hear.

An Ceann Comhairle: Deputy, I think——

Deputy John O'Mahony: I will pre-empt the Ceann Comhairle's question, which will be to ask why did I not raise this matter with the line Minister. Four of the questions I tabled to the

[Deputy John O'Mahony.]

Minister for Tourism, Culture and Sport, one of which was a priority question, were disallowed today. The State is paying millions of euro to fund support, and rightly so. The Taoiseach also supports this but there must be accountability and a process in this regard.

An Ceann Comhairle: Deputy, there are other ways of raising such matters.

Deputy John O'Mahony: My question is whether legislation is promised to consider this matter and to smooth the matters in this respect?

An Ceann Comhairle: Is legislation promised?

The Taoiseach: While I do not believe legislation has been promised, I note the Deputy's remarks on these matters and will ascertain what is the position.

Deputy James Reilly: The Ceann Comhairle has informed the House that his patience is running thin. Can he imagine the positions for Irish citizens in the south of this country who now are obliged to wait two years for respiratory appointments at Cork University Hospital? That point is merely incidental. As for the Taoiseach who tells Members that he abides by the rules of the House, Deputy Stanton already has pointed out he enjoys a majority in this House and can change the rules if he does not believe the institution is working properly, a sentiment with which all Members would agree.

An Ceann Comhairle: Deputy, the line Minister would be the appropriate person.

Deputy James Reilly: May I inquire about specific legislation about a highly important issue? Although licensing of health facilities Bill has been promised, there is no mention thus far of that legislation covering the issue of ambulances. Private ambulances are operating, although some are not licensed. For example, I am given to understand the ambulance at Dublin Airport has no clinical licence. Moreover, as there also is no medical clinic at Dublin Airport, people who find themselves in difficulties do not even have the benefit of getting a medical opinion before an ambulance is called. In addition, I refer to a serious incident in which a child was transferred from a Limerick hospital to a Dublin hospital——

An Ceann Comhairle: Deputy, please.

Deputy James Reilly: ——in an ambulance of which I understand no proper vetting was conducted.

An Ceann Comhairle: While the Deputy is entitled to ask about legislation, he is not entitled to elaborate.

Deputy James Reilly: I can inquire under a second item of legislation that follows the aforementioned licensing of health facilities Bill on the list of promised legislation, namely, the proposed national vetting bureau Bill. Although private ambulances are operating, it is not known whether those who are operating them are being vetted.

An Ceann Comhairle: If the Deputy will allow me, I will inquire for him to ascertain when he might expect——

Deputy James Reilly: Clearly, the question to the Taoiseach is when will this legislation be introduced? Will HIQA be involved in the licensing and inspection of the ambulance service, which can be the difference between life and death to a patient before he or she reaches hospital? This is the key point.

An Ceann Comhairle: The Taoiseach, on promised legislation.

The Taoiseach: I understand the national vetting bureau Bill is due to be published this year. However, no date is available for the first Bill.

Deputy Joan Burton: I wish to raise two issues. The first concerns a matter I have raised with the Taoiseach a number of times because it is very important for many young people who bought apartments and who now are paying management fees that are 1% to 2% of the capital value——

An Ceann Comhairle: Deputy, is promised legislation in this regard?

Deputy Joan Burton: Yes, absolutely. The aforementioned management fees are 1% to 2% of the capital value of the apartment in question. In my constituency, on an apartment that is worth €200,000 at present, the management fee varies——

An Ceann Comhairle: The Deputy is engaged in repetition as I have heard this previously.

Deputy Joan Burton: ——from €1,400 to €2,400. When the Taoiseach responds in respect of——

An Ceann Comhairle: I understand this Bill is before the Seanad. Deputy, please.

Deputy Joan Burton: Sorry, while the Taoiseach has responded on this issue previously, people's water and lights have been or are being cut off and a complete mess obtains.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Joan Burton: When is this legislation——

An Ceann Comhairle: Elaboration is not contemplated.

Deputy Joan Burton: When is this legislation coming before the Dáil in order that these people, who are in negative equity, are in terrible difficulties with their mortgages and who also have a bill of €1,400 to €2,400——

An Ceann Comhairle: Deputy, this legislation is before the Seanad and this matter was raised on the Order of Business yesterday.

Deputy Joan Burton: This situation is one of the absolute scandals of the left-over disasters of the Celtic tiger.

An Ceann Comhairle: The Deputy may make all these points when the Bill comes back to this House from the Seanad.

Deputy Bernard J. Durkan: When?

Deputy Joan Burton: No, I seek a date.

An Ceann Comhairle: The Deputy will have ample opportunity to make such points.

Deputy Joan Burton: While the Taoiseach may not have many management companies operating in his constituency, for Deputies such as myself——

An Ceann Comhairle: Deputy, this material is suitable for the debate when the Bill comes before this House.

Deputy Joan Burton: I have tens of thousands of constituents who live in managed apartments and houses.

An Ceann Comhairle: Deputy, please. I cannot allow you——

Deputy Joan Burton: In some cases, people now are unable to sell their houses or apartments because the title is damaged by the absence of such legislation. Moreover, services such as lifts and so on are stopping.

An Ceann Comhairle: These are subjects for the debate when the Bill returns to this House.

Deputy Joan Burton: My first question is when will this legislation come before the Dáil? Can hope be given to the tens of thousands of purchasers who have been caught in the management company trap that the Government will legislate?

An Ceann Comhairle: Deputy Burton, we will make inquiries to ascertain when we anticipate the Bill will come before this House, even allowing for the fact that it is before the Seanad, which is a different House.

Deputy Joan Burton: Very well. Second, will the Taoiseach commit to providing the Dáil with an update regarding the proposals in the McCarthy report to amalgamate, reorganise and, in some cases, suppress various Government boards and quangos? I have to hand a response from the Minister for Community, Rural and Gaeltacht Affairs in respect of——

An Ceann Comhairle: Deputy, this is not promised legislation.

Deputy Joan Burton: Actually, both the letter and the formal answer to me refer to promised legislation in the coming months to dissolve the Dormant Accounts Board. This is one of many such legislative items. I also refer to the National Consumer Agency and the Competition Authority.

An Ceann Comhairle: We will make inquiries for the Deputy and ascertain what is the position with the promised legislation.

Deputy Joan Burton: What is the position in this regard? Will the Taoiseach provide the Dáil with an update on the proposals made by the committee chaired by Mr. Colm McCarthy, an bord snip nua, in respect of dissolving, amalgamating and so on the hundreds of quangos that can longer be afforded?

An Ceann Comhairle: Is legislation promised in this area?

Deputy Joan Burton: Can the Taoiseach comment on the Dormant Accounts Board?

An Ceann Comhairle: Deputy, we are inquiring about the promised legislation.

Deputy Joan Burton: When will that legislation be published?

An Ceann Comhairle: The Taoiseach, on promised legislation.

The Taoiseach: That legislation is due this year and the other Bill is before the Seanad. I would like this Bill to come before this House as quickly as possible.

Deputy Joan Burton: What about the management companies?

The Taoiseach: As I stated, that Bill is before the Seanad at present but I would like to have it back as soon as possible.

Deputy Eamon Gilmore: On a point of order, Deputy Burton was inquiring about two items of legislation, both of which have been promised. She is perfectly entitled to do so.

An Ceann Comhairle: While I accept that fully Deputy, there is no provision——

Deputy Eamon Gilmore: I lost count at No. 10 of the number of times the Ceann Comhairle interrupted her——

An Ceann Comhairle: ——on the Order of Business for a Second Stage contribution on the query.

Deputy Eamon Gilmore: ——as she asked those questions. Can the Ceann Comhairle indicate how she was out of order? She asked two questions that were perfectly in order.

Deputy Noel Dempsey: It is because she went on for too long. The Deputy need only ask when the legislation is due to come before the House.

An Ceann Comhairle: Strictly speaking, I should not allow Seanad business to be raised.

Deputy Eamon Gilmore: But she was in order.

An Ceann Comhairle: I do not dispute that. I am not denying Deputy Burton the entitlement to ask the question. However, my point is that elaboration on the query is not contemplated by the Order of Business. It is as simple as that. I call Deputy Broughan.

Deputy Thomas P. Broughan: I have two brief questions for the Taoiseach. First, I refer to the volcanic ash crisis about which changed guidelines have been issued. I understand the Minister for Transport is available to provide the House with an updated report and perhaps this could take place within the next few days. Second, when can Members expect the local government services Bill?

As the Taoiseach is aware, I also have a problem with management companies. However, I have an even worse problem in that perhaps 1,000 new homes that were built while the Taoiseach was Minister for Finance are badly damaged and may cost €50 million or more to repair. The suppliers of a defective material are fighting the case in the commercial court. The Minister for the Environment, Heritage and Local Government refuses to talk about this issue. Up to 50,000 homes might have been damaged, including in the Ceann Comhairle's constituency, in Meath and in Fingal. The Minister has washed his hands of a desperate problem for thousands of young householders, an appalling situation. This is the greatest scandal after the banking scandal. Could the Taoiseach get the Minister for the Environment, Heritage and Local Government to come to the House to talk to us about this?

The Taoiseach: On the problems in aviation as a result of continuing volcanic activity in Iceland, it is up to the Whips to decide how to deal with that. It can be discussed at committee or could be taken here at some stage during Thursday.

On the second point, these are people we cannot but sympathise with but a product liability case is ongoing at the commercial court and until the legal liability is addressed, it is difficult to see what can be done or where liability lies.

Deputy Dan Neville: The Health and Social Care Professionals Act 2005 designated 12 occupations for regulation by the State, including dietitians, occupational therapists, psychologists,

[Deputy Dan Neville.]

radiographers, social workers and speech and language therapists. Five years later, none of them is being regulated. The Taoiseach might not be able to reply to me now but perhaps he would let me know the situation in terms of designating the 12 occupations.

The Taoiseach: I will look into that for the Deputy.

Deputy Joe McHugh: Some parents have moved their adoption applications from Vietnam to Russia. Under the Adoption Bill 2009, is it possible for these parents to transfer their Garda vetting applications from Vietnam to Russia? I know the Taoiseach will not be privy to the exact information but perhaps he will note the importance of this issue and get back to me on it. Time is not on the side of these parents.

An Ceann Comhairle: The Deputy should submit a question.

Deputy Joe McHugh: Unfortunately, the alternative means the Ceann Comhairle has offered, and we appreciate his guidance, are simply not working. I am not accusing the Ceann Comhairle of being sexist when he intervenes but I hope he is not being ageist. We have a serious problem; there is an information deficit. This is a sensitive issue and time is against many parents.

I appreciate the latitude displayed by the Ceann Comhairle; it is the first time I have been able to ask a question fully. I might continue to speak for the sake of it because the Ceann Comhairle has given me so much time.

An Ceann Comhairle: I ask the Deputy not to do that.

The Taoiseach: At the risk of encouraging the Deputy, I will look into the matter.

Issue of Writ: Waterford By-election

Deputy Enda Kenny: I move:

That the Ceann Comhairle direct the Clerk of the Dáil to issue his writ for the election of a Member to fill the vacancy which has occurred in the membership of the present Dáil consequent on the resignation from Dáil Éireann of Martin Cullen, a member for the constituency of Waterford.

The Government intends to vote down this writ. Mr. Martin Cullen, a former Minister, resigned his seat some time ago and a vacancy therefore occurs. I wish Mr. Cullen, who has suffered chronic back problems for some time, well in his recovery. The Government, however, exhibits political cowardice because it will not go before the people in this or any other constituency and it clings to power because there are now three unfilled vacancies. It does this simply because the numbers in the Dáil allow Fianna Fáil and the Green Party to vote down a writ such as this.

The people of Waterford are entitled to full representation in this Dáil. They elected representatives on the last occasion and their verdict stands for itself. There is now a vacancy in that constituency and it should be filled. It is disgraceful that time and again the Government is afraid to go before the people in this constituency. We have selected our candidate, Senator Coffey, and Deputy Deasy needs assistance to deal with all the representations being made in his constituency.

This Government is guilty of political cowardice in refusing to contest the by-election in Waterford. I urge the Government Chief Whip, Minister of State, Deputy John Curran, to

accept the writ and allow a by-election. It is not a distraction, but a necessary democratic facility to allow the people to have their say and to elect their full representation.

Deputy John Deasy: My constituency is no different from any other in that there is a great deal of uncertainty and many people are afraid. Small business owners insist banks are not releasing credit and that it is impossible to pay off existing debt. The main problem, however, is the extreme lack of confidence out there. More than any time since I entered in politics, people crave leadership and a clear direction.

My constituents are pragmatic and savvy enough to understand the damage that has been done to the economy but they are no longer prepared to tolerate the political double talk and evasion. I received a leaflet in the post the other day, presumably in error. It was an “economic update” from Fianna Fáil, entitled “The Road to Recovery — Ireland is Turning a Corner”. It talks about improvements in retail sales, motor sales, exports and foreign direct investment. It was an upbeat assessment of the economic position. When it comes to holding a by-election in Waterford, or anywhere else for that matter, the reason given for not holding it is that we are in no position economically to consider any by-election. Effectively, Fianna Fáil is speaking out of both sides of its mouth, and has been for some time.

We all understand the real reason there will not be a by-election or an election to the mayoralty of Dublin any time soon. Fianna Fáil would be lucky to get 15% of votes in the capital, an assessment that comes from Fianna Fáil’s own Deputies. One of them told me last week that was an optimistic forecast and that, if that happened, it would spell serious problems for the Fianna Fáil leadership. This is down to the naked reality of political survival and absolutely nothing else.

We will wait for the general election in Waterford. I have been given the job of winning two seats there, which I have taken on. I take nothing for granted — it will be difficult — but in the meantime, when it comes to the Government giving its reasons for not holding the Waterford by-election, I would appreciate one thing, that the Government would stop insulting the intelligence of my constituents. They know what the score is and understand why these by-elections are not taking place.

Deputy Brian O’Shea: Beidh Páirtí an Lucht Oibre ag vótáil ar son na tairisceana seo go n-órdóidh an Ceann Comhairle do Chléireach na Dála a eascaire a chur amach chun Comhalta athghadh chun an folúntas a líonadh a tharla i gcomhaltas na Dála seo de dhroim Martin Cullen, comhalta do dháilcheanntar Phort Láirge, a éirí as oifig.

The Labour Party will be supporting this motion to move the writ for the overdue by-election in the Waterford constituency.

The by-election is necessary arising from the resignation of Martin Cullen due to his unfortunate ill-health. I trust that he is recovering and will be restored to a good quality of life. Martin Cullen resigned on 23 March and there is no valid reason for delaying the by-election this long. The people of Waterford are under-represented in the Dáil and should and must have their full compliment of Dáil Deputies. There has hardly been a time in the history of the State when full representation has been more necessary.

As of 30 April, the live register for Waterford stood at 14,291. This is an increase of 1,216 on the same date last year. The live register in the Waterford exchange area is 12,045 while it is 2,246 for the Dungarvan area. In the Waterford exchange area 1,685 males and 988 females under 25 years of age are on the live register. The comparative figures for Dungarvan are 279 males and 131 females. These figures do not include the people from the Waterford constituency who have been forced to emigrate.

[Deputy Brian O'Shea.]

Against this background, the absolute need to have the full complement of Dáil Deputies is all too apparent. The Government will almost certainly not agree to holding the Waterford by-election, or indeed the by-elections in Donegal and Dublin South. The very strong possibility is that it will lose all three, thereby ending up in a very precarious position regarding its Dáil majority. The fact that the Dublin South writ has not been moved is odd, considering that George Lee resigned his seat on 8 February, six weeks before Martin Cullen resigned.

Deputy Enda Kenny: That will be the next one.

Deputy Brian O'Shea: The practical way forward would be to hold the three by-elections on the same day.

Getting back to today's motion, I call on the Government to put the rights of the people of Waterford before its narrow interests by accepting this motion. Fianna Fáil and the Green Party know that the judgment of the electorate of Waterford will be very harsh on their performance in Government so they are running away. They can run but they cannot hide. Within two years they will have to face the music anyway. If the motion is not agreed, the Government will be continuing a grave injustice against the people of Waterford. Waterford and the south east have been neglected by the Government, in particular in the area of job creation.

There is a crying need to upgrade Waterford Institute of Technology to university status. The model proposed is for the university of the south east. The Government continues to prevaricate on the application of Waterford Institute of Technology. The south east is the only region without a university. In order for the region to get its share of the new type employment that will come on stream, the research and development capacity of Waterford and the region must be brought in line with the rest of the country. Nothing is more important than university status for the future prosperity of and job creation in Waterford and the region. The Government is afraid to face the electorate of Waterford on this and many other issues.

The way the Government has failed the people of Waterford and its lack of joined-up thinking is illustrated by the ongoing crisis due to the chronic lack of courtrooms in Waterford. There is a proposal for the extension of the existing courthouse but this cannot progress unless the fire station is demolished and a new modern fire station is constructed on a different site. There is a singular lack of urgency and co-ordination in regard to moving these projects forward.

The Government failed the Waterford Crystal workers. The constituency of Waterford needs jobs and needs to be listened to by the Government. The Government will choose not to face the people so that a new Deputy can be elected for the constituency. Waterford will continue to be deprived.

Deputy Martin Ferris: The first point that needs to be made on the overall delay in calling the by-elections due in Donegal, Dublin and Waterford is that Seanad by-elections have been held quickly. One would assume that the same considerations apply to Dáil by-elections as to Seanad by-elections in terms of the logistics of organising them. We must assume that factors are at work other than the organising of a poll.

It is clear the factor which applies to Dáil by-elections is that the Government is terrified of facing the electorate in any constituency in the State in the current climate. That is the sole reason we have not had these by-elections. Polls have indicated that support for both Government parties is low and that Fianna Fáil is facing the worst election outing since the party was founded. That would give little or no hope of winning seats in any of the by-elections that

need to be held. However, that is not a sufficient reason in any democracy for not holding an election. People have rights.

The reasons popular support for Fianna Fáil and the Green Party is so low is due to the current state of the economy and the high and rising level of unemployment and all the problems associated with that in terms of people slipping into poverty and debt. There is also massive anger over the manner in which public sector workers' pay has been undermined and the slashing of public services in contrast with what appears to be the Government's kid-glove approach to those responsible for the current mess, particularly the fallout from financial and property speculation. Instead of punishing those responsible, the Government has shifted the onus for the crisis on those who have no power over the Government's ability to attack their wage packets and living standards.

Unemployment in Waterford city has risen by more than 50% in the 12 months to the end of July 2009, with 12,744 people now signing on. This increased from 8,383 in July 2008. Waterford city is heavily dependent on manufacturing and a series of heavy hits have devastated the local economy. There are a number of positive steps that can and must be taken to secure the long-term economic viability of the region and the city. Waterford city must become the engine of the economic driver in the region. Government support and investment in the city as a gateway of the region has been poor and no doubt the former Member would have been aware of this in making his decision to retire.

What needs to be done in Waterford is the same as what needs to be done nationally, which is to provide a stimulus to local indigenous enterprises to capitalise on existing and potential advantages to kick-start growth rather than to wait for an international upturn overseen by austerity measure packages which could mean we would be left behind if and when such an upturn comes about. Part of Sinn Féin's proposals on this is a €300 million job retention fund to subsidise workers in small and medium sized enterprises. Such a fund would ensure access to credit in small businesses while also offering other advice and business development skills now on offer only to new or exporting businesses. The Government has finally introduced a €250 million job subsidy scheme. This is a small step towards what is needed. The Government also introduced a €50 million enterprise stabilisation fund and it is vital that Waterford projects are included in those which access funding from that source.

The only potential power people have is their right to exercise their vote. They will do so in no uncertain manner when the Government faces the overall electorate in the next general election, whenever it is held. In the meantime, the Government ought to facilitate the electorate in Waterford, Donegal South-West and Dublin South, where by-elections are due to be held, by moving the writs and at least allowing people in those constituencies give their judgment. To do otherwise is to show cowardice.

Deputy John Curran: I will share time with Deputy Brendan Kenneally.

I pay tribute to the political career of Martin Cullen, and along with his Fianna Fáil colleagues his strong record of delivering for the people of Waterford. Taking a seat in the House in Waterford in 1987, Martin Cullen went on to become a strong advocate for the people of Waterford and their interests. Working with Fianna Fáil colleagues, such as Deputy Brendan Kenneally and former Deputy Ollie Wilkinson, throughout his career, Martin Cullen has a proud and successful record of delivery for the people of Waterford. He took immense pride in his Waterford roots and always fought ferociously on its behalf. Although he has many achievements at constituency level, the one which stands out the most was the opening last

[Deputy John Curran.]

October of the outstanding new bridge and bypass of Waterford. Martin was rightly immensely proud of the delivery of that project.

The country has just gone through one of the worst economic recessions in memory. Many people have been hurt by the severe economic downturn, particularly those who have lost their jobs. The Government has had to take very hard decisions, which were not popular but were necessary. I am glad the tough decisions we have taken are now beginning to bear fruit. We are emerging from the recession.

The European Union is now forecasting that we will be one of the fastest growing economies in the European Union next year. This is growth and recovery which will help to breath new energy into the economy, not just of the island of Ireland but also of Waterford and the south east. We must not become complacent about this recovery. We must stay the course and make the decisions which are needed to keep Ireland on the road to recovery. It is important that we send out a very clear message from this House regarding the work we are doing and that international confidence is maintained. That can be seen very clearly by the fact that the Government bonds issued yesterday were three times oversubscribed. The Government will be staying focused on bringing jobs not just to the country generally but to Waterford in particular and lifting Ireland out of recession. That is the reason why we will vote against the motion.

The Fine Gael Party, in tabling this motion today, is breaking somewhat with the convention of the House. It was normally the party whose member had left that moved the writ.

Deputy Enda Kenny: Not always.

Deputy John Curran: I understand that it probably would have been somewhat difficult for Fine Gael to move the writ and table this motion for the Dublin constituency from which its member resigned, even though it predates the vacancy caused by the departure of Martin Cullen. In that regard I view this——

Deputy Enda Kenny: On a point of information——

Deputy John Curran: In this regard I refer to this as political opportunism on the part of Deputy Kenny.

Deputy Enda Kenny: On a point of information, it is not normally the convention. It has been done before. I give notice that next week Fine Gael will table a Private Members' motion on an amendment to the 1992 Electoral Act requiring that all by-elections be held within a six month period. We will see if the Government puts its money where its mouth is.

Deputy P. J. Sheehan: Hear, hear.

Deputy Brendan Kenneally: I thank the Minister of State, Deputy Curran, the Chief Whip, for sharing his time with me. I am glad to have the opportunity to say a few words on this motion today. I wish Martin Cullen well. We all know why we are here; it is because, unfortunately, he had to resign his seat in this House. I have not seen him in a number of weeks but I know he has been undergoing rehabilitation for his very bad back ailment. I wish him a good recovery and I hope he will have a good quality of life in the future.

I would like to take this opportunity to thank the Opposition parties this morning for thinking of my welfare in trying to bring about a situation whereby we would elect another Fianna Fáil

Deputy for Waterford in order that he could share the workload with me. I would like to tell it that I am coping very well with the duties I have at present.

Deputy Kathleen Lynch: Why would it not be a woman?

Deputy Tom Hayes: You always did.

Deputy Brendan Kenneally: Nevertheless, its gesture in that regard is much appreciated. Normally I agree that we should hold by-elections whenever it is prudent to do so but we are not in normal times. We are living in unprecedented times and everybody here knows that. We are coming out of a global recession. This country has been in recession and we are coming out of it.

Deputy Aengus Ó Snodaigh: Whose fault is that?

Deputy Brendan Kenneally: I know that the people of this country would not thank us for taking our eye off the ball while we are turning things around and sending the Taoiseach, Ministers and Deputies from both sides of the House to Waterford, Donegal South-West or Dublin South to fight three by-elections which will not make a huge difference in here because the Government will still have a majority. It is more important——

Deputy Tom Hayes: What about the people?

Deputy Brendan Kenneally: It is more important that we get on with our work here. I, along with my colleagues in Waterford, Deputies Deasy and O'Shea, are capable of representing the views and wishes of the people of Waterford in the House and will continue to do that. Nobody is coming into my clinics in Waterford to ask me when we will have a by-election and saying that we should have one. Their focus is on jobs; that is what our focus should be and we should concentrate on that.

Deputy Tom Hayes: They are coming into south Tipperary because they cannot be represented. They are coming across to Clonmel.

Question put.

The Dail divided: Tá, 72; Níl, 77.

Tá

Allen, Bernard.
Bannon, James.
Barrett, Seán.
Behan, Joe.
Breen, Pat.
Broughan, Thomas P..
Bruton, Richard.
Burke, Ulick.
Burton, Joan.
Carey, Joe.
Clune, Deirdre.
Connaughton, Paul.
Costello, Joe.
Coveney, Simon.
Crawford, Seymour.
Creed, Michael.
Creighton, Lucinda.
D'Arcy, Michael.
Deasy, John.

Deenihan, Jimmy.
Doyle, Andrew.
Durkan, Bernard J..
English, Damien.
Enright, Olwyn.
Feighan, Frank.
Ferris, Martin.
Flanagan, Charles.
Flanagan, Terence.
Gilmore, Eamon.
Hayes, Brian.
Hayes, Tom.
Higgins, Michael D..
Hogan, Phil.
Howlin, Brendan.
Kenny, Enda.
Lynch, Ciarán.
Lynch, Kathleen.
McEntee, Shane.

Tá—continued

McGinley, Dinny.
 McGrath, Finian.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.

O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheehan, P.J..
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.

Níl

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Aylward, Bobby.
 Blaney, Niall.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Calleary, Dara.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Grealish, Noel.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.

Killeen, Tony.
 Kitt, Michael P..
 Kitt, Tom.
 Lenihan, Conor.
 Lowry, Michael.
 Mansergh, Martin.
 Martin, Micheál.
 McDaid, James.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J..
 Ó Cuív, Éamon.
 Ó Fearghail, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Tellers: Tá, Deputies Emmet Stagg and David Stanton; Níl, Deputies John Curran and John Cregan.

Question declared lost

Euro Area Loan Facility Bill 2010: Second Stage (Resumed)

Question again proposed: "That the Bill be now read a Second Time."

Deputy Arthur Morgan: If this Bill was intended to present a loan to the ordinary decent people of Greece, Sinn Féin would have no problem supporting it but we know that is not the case. The purpose of the Bill is to bail out international bond holders, who are predominantly German bankers in this case. The ordinary working people of Greece will have to repay the debt to the Irish State.

An Leas-Cheann Comhairle: I ask the House and the Gallery to come to order.

Deputy Arthur Morgan: This is yet another bailout of the bankers. As we opposed Ireland's bailout of bankers and international bond holders, we are being consistent in opposing the bailout in this instance. We would have no problem with helping our Greek neighbours in their moment of need but that is not being asked of us. We are being asked to bail out the bankers while the working people of Greece are being made to repay the money. We do not accept that proposition and we completely oppose this Bill.

Deputy Michael Ahern: I am grateful for the opportunity to speak on this Bill in the context of the wider economic situation in which we find ourselves. On 10 May 2010, the ECOFIN Council agreed on a €500 billion package of measures to support financial stability in the European Union. By this decision, member states are showing their resolve in supporting the overall European economy and the interests of all European citizens. The measures adopted by the ECOFIN Council are bold and I hope they restore confidence in the euro. EU finance ministers unanimously agreed to assist Greece through the use of loans which must be repaid within a fixed time period. Contrary to some reports which appeared in newspapers over the weekend, these loans will carry a significant interest rate of approximately 5% per annum to ensure that all countries make a return on them.

The agreement also provides that the funding costs of member states participating in the financial support package will be fully covered. Ireland's contribution of up to €1.3 billion will be sourced by the National Treasury Management Agency and made available over three years. Not only will there be a financial return to the State from these loans but there will also be wider economic benefits in terms of safeguarding financial stability in the euro area. Given that 40% of our exports go to mainland Europe, this will be vital for Ireland's own recovery.

The Bill before us will enable Ireland to play its part in providing financial support to Greece, which because of its economic mismanagement over many years can no longer borrow in the international bond markets at sustainable rates. This support is designed to safeguard the fundamental financial stability of the single currency area. Ireland will not be making a gift of this money and the full amount will be repaid with interest.

Since the commencement of the global recession, negative sentiments have regularly been repeated by Opposition Members. Positive questioning and constructive criticism are welcome and necessary but that has not been forthcoming in general, much to the shame of the Opposition in these times of national crisis. Examples of tribal negativity, knee-jerk reactions and irrational arguments include the debates over NAMA, the deposit guarantee scheme and the bank recapitalisation scheme. Many in the Opposition claim they are being ignored but nothing could be further from the truth. The Minister for Finance, Deputy Brian Lenihan, has listened attentively and with great interest to all the views expressed by his Opposition colleagues. This House held its longest sitting in many years to debate Committee Stage of the National Assets Management Agency Bill 2009.

[Deputy Michael Ahern.]

It is interesting to compare the views of international experts with those of the Deputies opposite. The *Financial Times* reported:

“Yet Irish finance minister Brian Lenihan has led the way among ailing peripheral euro-zone economies in taking the harsh fiscal measures needed to regain investor confidence. He set the example months ago that Athens should follow. . . Ireland is not in the same league as Greece: the former Celtic Tiger has a credible recovery plan and has bounced back before. Its public debt, now at 64.5 per cent of output, from 25.2 per cent pre-crisis, is certainly more manageable than Greece’s ruinous 110 per cent, not least because Dublin — unlike Athens — has completed its funding requirements for this year.

As Athens forces the eurozone to confront its principal defect — one currency, one central bank governor, but no single finance minister — investors should not forget Mr Lenihan’s first-mover advantage. He is at least 18 months ahead of his peers.”

The economic outlook for 2010 has improved significantly and most commentators, including the Central Bank and the ESRI, now forecast positive growth in the second half of the year. This echoes the Minister’s comments during December’s budget debate. Exchequer figures published last week indicate that the public finances are stabilising. Tax revenues and public spending are in line with expectations, which shows we are meeting the targets set in the budget. The European Commission’s economic forecast predicts Ireland will have a 3% growth rate in 2011. This reinforces the positive economic outlook for the Irish economy. EU Commissioner for Economic and Monetary Affairs, Ollie Rehn, has stated that Ireland’s bold and credible measures are paying off. The President of the European Central Bank, Mr. Trichet, and the Minister for Economic Affairs, Industry and Employment of France, Christine Lagarde, have also commented favourably on the Government’s strategy.

Today, Nouriel Roubini, the economist who became known as “Dr. Doom” in 2006 after he predicted worldwide financial meltdown, was interviewed on “Morning Ireland”. He believes Ireland is going in the right direction even though policy changes are difficult. He is more optimistic for Ireland despite the difficult times we are experiencing and thinks the Government was willing to implement financial adjustments more credibly and sooner than Greece and other countries. He stated that Ireland has a more flexible, dynamic and entrepreneurial economy and that we have not lost as much competitiveness as Spain, Portugal or Greece. He sees a light at the end of the tunnel for us if the Government can hold to fiscal austerity and structural reform and that we might end up doing better in time. The Government’s actions are paying off, therefore.

There are several hopeful signs. The purchasing managers index has gone over 50 for the first time in months, indicating an increase in confidence in that area. A recent editorial in *The Irish Times* spoke of hopeful indicators that the economy has turned the corner. The Bank of

Ireland has succeeded in raising private capital funds which only weeks ago the
 1 o'clock Opposition was predicting could not be done. Yesterday’s bond sale by the National Treasury Management Agency raised €1.5 billion, with demand three times greater than supply. I have already referred to the views expressed by the ESRI and the Central Bank. Davy Stockbrokers has indicated its view that the economy returned to growth in the first quarter and that we have turned the corner. As a result of decisions taken by the Government in dealing with the banks, we have ensured there will be a payback in the future when the banks become profitable again. By contrast, the AIB-ICI bailout by a Labour Party-Fine Gael Government some years ago included no payback clause and a 2% levy remains in place.

The State and its taxpayers will receive a handsome return on its investment in the Bank of Ireland. The State will shortly receive more than €540 million for its previous investment in the bank. We will own more than €1.8 billion of preference shares which will yield some €180 million in cash to the Exchequer annually. The State will own up to 36.5% of this valuable bank, which it can sell in the future. Our policies are delivering a cleaned up, well capitalised and better funded bank that is in a position to provide the vital credit to support economic recovery and job creation. This transaction is good news for our economy, good news for the taxpayer and good news for Bank of Ireland's shareholders and investors.

We are in a global recession and the Irish economy has for several years been facing unprecedented challenges. The economy went into reverse for three reasons, namely, a steady loss of competitiveness, the bursting of the property bubble, and an international banking crisis which triggered a worldwide recession. However, the Government has taken bold decisions to address this, as it did in the 1930s, 1960s and late 1980s when faced with other crises, and we have seen decisive and innovative steps to manage our way through the crisis. In the last 18 months the Government implemented budgetary adjustments of more than €8 billion for 2009. Had it not done so, the deficit would have ballooned towards 20% of GDP, a level at which the very financial survival of the country would have been at risk. We have taken many decisions that have brought the country around the corner and set us on the right road for the future.

Fine Gael and the Labour Party agree we need to adjust public expenditure by €4 billion in 2010, but they differ entirely on how best to achieve these savings. For example, Fine Gael wants headline salary cuts imposed on the public sector, but the Labour Party is strongly opposed to such a measure. The Labour Party proposes an additional €2.3 billion in taxes in a full year, while Fine Gael tells us it is not possible to tax our way to recovery. This is surely an empty mantra given that the party proposes large hikes in employee PRSI to fund reductions in employer PRSI and the extension of the health levy to incomes over €13,000 which is the same as a tax increase. The Labour Party advocates a new top rate of tax, giving an effective marginal rate of 59%, which is simply a reversion to the failed policies of a more socialist past. Just as they are in regard to the banks, the two main Opposition parties are deeply and fundamentally divided on how to stabilise the public finances. This is at the core of the issues facing us. We need quick decisive action to put our public finances back on track. It is unclear whether the Opposition parties would, in government, be able to agree a coherent and credible economic policy. We do not want a repeat of the 1980s with the necessary action being delayed and deferred.

The most recent set of Exchequer returns covering the period to the end of April are in line with expectations and show that the action taken by the Government in managing the public finances is working. Our focus now is to continue to engender confidence in households, in the domestic business sector and in the international investment community by adhering to our stated plan and proving we can look after our own affairs. Recent developments such as those which give rise to the Bill before us today highlight the need to adhere to that plan.

Deputy Alan Shatter: I propose to share time with Deputy Reilly.

An Leas-Cheann Comhairle: That is agreed.

Deputy Alan Shatter: I will begin by responding to Deputy Michael Ahern's contribution. The temerity of anybody in the Fianna Fáil Party lecturing Members on this side of the House on economic policy is extraordinary. In the context of talking about a credible and coherent economic policy, if this Fianna Fáil-led Government and its predecessors had a coherent and co-ordinated economic policy that took account of economic realities in the past seven years,

[Deputy Alan Shatter.]

we would not be in the appalling and catastrophic economic mess in which we find ourselves. A Fianna Fáil critique of Fine Gael policy is the equivalent of a convicted burglar giving advice on house security.

Fine Gael supports the Bill before us today. It is important that we have cohesion and solidarity within the European Union. This State clearly has a real interest in ensuring stability within the eurozone. It is important in dealing with economic issues, both domestically and across Europe, that we have a rational, mature and reasoned debate about economic and banking issues and that we do so without political abuse and name calling. There are distinct advantages to the State in being part of a monetary union. They include facilitating our trade with continental Europe and providing within the eurozone a currency stability that is essential to trade. Being part of the eurozone makes us an attractive location as a gateway to Europe for multinationals from the United States and other countries outside the European Union. We have also had the benefit for a number of years of low interest rates, a benefit that was tragically abused in the context of the property boom and bust.

It is and always has been essential that states adhered to budgetary constraints in the context of government deficits not exceeding 3% of GDP. This was at the foundation of the formation of the euro and the entering by this State and others into the eurozone. Unfortunately, not only this State but Greece, Spain, Portugal and Italy have all failed to adhere to these guidelines. This is part of the reason we find ourselves where we are today.

The European project always involved a pooling of sovereignty. That pooling of sovereignty facilitated this State in playing a role on the international stage greater than warranted by our size and extended to us substantial economic advantage. No one in Fine Gael is denying that is the case. There has been, in recent days, much discussion of the Commission proposals for budgetary oversight which, of themselves, are not inherently objectionable in that if the type of oversight that was envisaged had taken place over the past five to six years, we, in this State, may not have found ourselves experiencing the current difficulties. I am sorry the discussion on this matter has been misrepresented. What is objectionable is that the European Commission or European Parliament might engage in a pre-budget discussion of our macro-economic policy, while the House is prevented from doing so. This is a substantial democratic deficit.

This Government and its predecessor have staunchly resisted reforming our budgetary processes so as to involve this Parliament in a pre-budget consultative process to make choices or at least contribute to the discussion as to what choices should be made in determining macro-economic policy. I will give an example of what I am talking about. We are told that there must be reductions of €3 billion next year. The savings of €3 billion which Government Ministers have been asked to formulate in a four week period, much earlier than is usual, could derive in a variety of ways. One could have €1 billion by way of a reduction in current expenditure, a €1 billion reduction in capital expenditure and €1 billion in tax increases. One could do it differently and mix the sums. One could have a €2 billion reduction in current expenditure, no reduction in capital expenditure and a €1 billion increase in taxes or one could decide not to increase taxes. One could have a variety of different mixes, all of which would have different impacts on issues of job protection, job growth, economic recovery and competitiveness. Politics is about choices and the House should be involved in making these choices. It should have an opportunity to be consulted before an overall macroeconomic policy or budgetary package is presented at a European level. We need a cost benefit analysis of budgetary proposals and choices open to us. We need to recognise, as Deputy Bruton stated yesterday evening, that financial retrenchment alone will not get us out of the mess in which we find ourselves. There must be policies that provide for job creation and job protection. The difficulty of balancing fiscal accounts by austerity measures in the middle of a deep recession must be recognised.

There is a risk that we will do greater damage in administering the medicine by focusing solely on fiscal retrenchment.

The experience of Argentina showed the risk of deepening recession by fiscal consolidation alone in circumstances in which there is no growth policy available. No one should pretend that it is simple for this State to address these problems. For example — I have already made reference to this — we have a national interest in securing the stability of the euro area. There are, however, domestic economic advantages in the reduction in the value of the euro against the dollar. It increases our competitiveness in getting into American markets.

Let us not pretend that the issues that need to be addressed are simple or that there is a monopoly of wisdom on the Government side and there are not Members on this side who can make a constructive contribution in the national interest to the budgetary choices that must be made. Last night, Deputy Bruton, the deputy leader of Fine Gael, made absolutely clear that we must have a growth strategy and retrenchment alone is not enough. We must have particular regard to this. In a European Union context, we must also have regard to the need for greater economic convergence. Public finances are not the only issue to be addressed in the context of the economic crisis confronting this State and other European Union member states.

In the budgetary decisions made, we must also bring people with us, both in this State and other European Union member states in the context of what is proposed by the Commission. We cannot have an elite group in Europe, behind closed doors, exercising oversight on a pre-budgetary basis of macroeconomic policy in circumstances in which there is no public debate in this House. To bring the public with us, achieve social solidarity, the proposals for budgetary changes, the proposals to deal with our growing and terrifying large deficit must be given the oxygen of critical analysis and debate, choices must be publicly made. By all means, involve Europe in the process and discussion but first involve the sovereign Parliament of this State.

These are important issues. I am sorry that as a consequence of the contributions made last week by Deputies Kenny and Bruton the Government sought to name call and allege in some way that Fine Gael had joined the band of eurosceptics. Fine Gael, as a party deeply committed to Europe which wants the success of the European voyage to be maintained, is also concerned to ensure that the democratic deficits in this Parliament and at European level are fully and properly addressed and we have real debate on issues of fundamental importance relating to our economy, the economy of Europe and the eurozone which directly impact not only on our current economic condition but our capacity to recover from the recession in which we find ourselves.

Let us not undermine this debate by name calling. Let us look at the structural deficits that exist in this Parliament and at European level. Let us bring about reform in Europe and this State but let us do so in a considered way. Let us not adopt the approach Fianna Fáil adopted in the past seven or eight years that got us into these difficulties when that party believed it had a monopoly of wisdom, it should never let in the light of real discussion or give value to anything said on this side of the House.

Deputy James Reilly: I support the Bill because it will go a long way towards preventing the problems of Greece becoming Ireland's problems. It shows that Europe is capable of acting decisively and as one when faced with a grave crisis. However, notwithstanding my support, I have many concerns about the Bill. The root cause of the problem Europe faces is debt. Greece, in particular, has borrowed so much money that its ability to repay is in doubt. The financial markets decided that the risk of Greece defaulting was so high that they must charge the Greek Government crippling rates of interest on new loans. If debt is the root cause of the problem Europe faces, is more debt the answer? One day, Greece will have to source its funding from the markets again in the same way that every other Government in the world does. When

[Deputy James Reilly.]

that day comes, the country will be even more in debt than it is now. How will the markets react then?

It is nonsense to argue that Ireland will not have to borrow €1.3 billion for this bailout. If we take €1.3 billion from the National Pension Reserve Fund, we will have to borrow an extra €1.3 billion to pump into the banks. To allay investors' fears about Ireland being unable to repay our debts we are borrowing more money to lend to a country that investors believe is unable to repay its debts.

It is possible to calculate the total debt in the economy. EUROSTAT provides figures for every country's national debt and total debt for households and non-profit institutions serving households. This is the best indication of the total debt in Europe's economies. The figures are shocking. Every Greek worker would have to pay €90,000 to clear the total debt in the Greek economy. If this figure appears bad, the equivalent Irish figure is petrifying. Every Irish worker would have to pay €160,000 to clear the total debt in the Irish economy. The average mortgage outside Dublin is €183,000, while the average national mortgage is €205,000, so that puts the €160,000 into perspective. This is almost twice as high as Greece. The figure is astronomical.

This clearly highlights the dangers of the Government's plans for Anglo Irish Bank. It is daft to think that we can take on Anglo Irish Bank's losses when every Irish worker is already expected to repay €160,000. Keeping that bank open will be a catastrophe for this country. We simply cannot afford the money to bail out Anglo Irish bank. We need to terminate the guarantee to the bank and force the bondholders who funded the bank to take the hit. They are responsible for gambling their own money. They made great returns when that bank was expanding. Now there is no choice but to force them to accept and face the consequences of their gambles. We cannot cover their gamble with a two-way bet.

Debt is the root cause of the problems in Ireland and Greece. Instead of treating the root cause of this problem, we are just treating its symptoms. The medicine being taken risks making our problems much worse in the long run if we do not grow our economy and get people back to work. The EU and the Government will argue that they are tackling the root cause. They argue that budget deficits are responsible for more debt and must be tackled straight away and tackled head on. However, they are missing the full picture. Ireland, Greece and Europe will never get out of this mess unless we grow our economies. Economic growth means more jobs, more taxes and smaller budget deficits. Economic growth must play the largest part of the solution.

In the 1980s, the size of the national debt added to a feeling of hopelessness. It seemed insurmountable, yet within a few years Ireland took its place as one of the richest countries in the world. We did not do this by focusing exclusively on cuts. The lion's share of the credit for this turnaround must go to the policies that grew our economy. We slashed corporation tax and devalued our currency, and the result was a Celtic tiger economy that led to full employment and one of the lowest national debts in the world. We need to remember how we dragged ourselves out of despair in the 1980s and we need to ensure that Europe learns lessons from our experience.

Focusing exclusively on cuts will add to the problem. It takes too much money out of the pockets of ordinary working men and women. They cannot spend what they do not have. If they have less money, they will buy fewer goods and services and more people will be made unemployed. This is the vicious cycle in which we are caught. We need to do something to recover our standards of living. Both the Government and the EU are missing this point. Where are our policies to grow the economy? Where are our policies to get people back to work?

Nothing is being done to create jobs. Where is the Government's job package? This is the key to our recovery and to a sustainable economy.

For every 100 young men that were employed before the recession, fewer than 50 are employed now. This is a tragedy for them and for their families. They are being forced to emigrate again not by choice, but by financial necessity. Unemployment is forcing the country into more debt because the Government no longer receives their income tax and must pay the social welfare bill for those who stay. A country that tries to get out of a crisis like this by only focusing on spending cuts and tax rises is like a boxer in the ring fighting with one arm behind his back. Both Europe and Ireland need to do something to grow our economies.

Europe needs to encourage economic growth in the troubled countries of the eurozone. All options need to be on the table, and the EU should allow interest rates and the value of the euro to continue to fall. All countries need to play their part. Germany must increase its DIRT rate on savings to encourage its citizens to put more money into the European economy.

I support this Bill because it has bought us time and because Ireland should show solidarity with Europe. We had their support in the past, so we can show ours now, painful and all as it is. However, it is not a solution to our problems. The root cause of this problem is too much debt. This Bill adds further debt to both to Irish and Greek economies. This needs to be tackled urgently not through raising taxes and cutting spending, but by focusing growing our economy and growing Europe's economy.

Minister of State at the Departments of An Taoiseach and Foreign Affairs (Deputy Dick Roche): I was very interested in the last two contributions, as they showed the rich diversity of views that exist within Fine Gael.

When the financial position of Greece deteriorated, the governments of the EU decided that determined and co-ordinated action was required. We are now seeing legislation introduced to this House to reflect part of that. The Heads of Government of the eurozone endorsed the loan facility for Greece on 7 March. The loan facility for Greece makes sense and I disagree fundamentally with Deputy Reilly's contribution, but I will get back to that later. The arrangements agreed, which are the subject matter of this Bill, are to be implemented through bilateral loans that are centrally pooled by the European Commission as part of an agreed eurozone package. They are fundamentally different from individual borrowing by different countries. The arrangement is to be co-financed by the International Monetary Fund, which is very welcome because it means that the euro is being protected.

Deputy Shatter made the point that a devalued euro might have some benefits for us on occasion, but it also has some significant costs as we know from filling our petrol tanks. Deputy Reilly really should re-appraise his analysis of the bondholders of Anglo Irish Bank. A very significant proportion of the senior bonds are held by pension funds, while some are held by credit unions. To destroy pension funds or credit unions is an extraordinary proposition and——

Deputy James Reilly: The Minister of State's contention is that all bondholders are credit unions——

Deputy Dick Roche: ——the idea that we could renege on bonds that were the subject of a guarantee and to which the Deputy's party agreed is fundamentally wrong.

Deputy James Reilly: We are talking about terminating the guarantee, not reneging on anything.

An Leas-Cheann Comhairle: Allow the Minister of State to speak without interruption.

Deputy Dick Roche: Ireland is a small open economy depending on trade and inward investment.

Deputy James Reilly: If the Minister of State did not make false accusations, I would not respond.

Deputy Dick Roche: I listened to the Deputy put a series of statements on the record that are simply false. I did not interrupt the Deputy once and I would be grateful if he could display the same courtesy. I will make my points and he can make his points. That is how we work in this House.

The lessons from Greece are for us all. Failing to deal with the crisis in Greece in a timely way has made the situation worse. Failing to deal with the crisis in Ireland, such as not dealing with bloated public expenditure, would make the situation infinitely worse. I would agree with the Deputy if the only area for public expenditure was capital investment in programmes that create jobs, but that is not the case. In Ireland's case, economic pundits and political parties, especially the Labour Party, have been saying that we could put off dealing with our public finances, but they should look at what happened in Greece. The impact of the Greek financial crisis has had a knock-on effect on the whole eurozone. If the Greek economy had been allowed to go under, it would have had a domino effect and that would have destroyed other economies in Europe. One of the economies that would have been destroyed is the Irish economy.

We are a trading nation. We have a particular interest in seeing off the challenges to the euro, especially the speculative challenges to the euro. Safeguarding financial stability in the eurozone remains essential for Ireland.

Debate adjourned.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Communications, Energy and Natural Resources has completed its consideration of the Energy (Biofuel Obligation and Miscellaneous Provisions) Bill 2010 and has made amendments thereto.

Ceisteanna — Questions (Resumed)

Priority Questions

Tourism Industry

36. **Deputy Olivia Mitchell** asked the Minister for Tourism; Culture and Sport the initiatives that are envisaged to deal with the crisis facing the tourism industry arising from the decline in visitors and the access difficulties posed by the volcanic ash; and if she will make a statement on the matter. [21069/10]

37. **Deputy Mary Upton** asked the Minister for Tourism; Culture and Sport the actions being taken directly by her Department to stem the continued haemorrhage of foreign tourists visiting Ireland; the impact that the removal of the air travel tax would have in promoting Ireland as a potential destination for tourists; the actions her Department and the semi State bodies under its aegis are taking regarding the impact of the ash cloud which is seriously affecting foreign tourism; and if she will make a statement on the matter. [20854/10]

Deputy Mary Hanafin: I propose to take Questions Nos. 36 and 37 together.

This year was always going to be a challenging one for tourism, made even more difficult in recent weeks by the travel disruption due to volcanic ash. Based on Central Statistics Office surveys, the number of overseas visits to Ireland fell by 11.6% between 2008 and 2009. However, these figures must be seen in the context of a decline in tourist numbers internationally. Tourism worldwide was deeply affected by global economic difficulties and loss of consumer confidence, with Ireland particularly hit by exchange rate challenges. With exceptional weather conditions in the first two months of this year affecting Ireland and most of our overseas markets, the number of visits to Ireland fell by 25% from 2009 figures. While CSO figures are not yet available for the period since the volcanic ash episode commenced, there is little doubt that there was a considerable impact on overseas visits to Ireland. Initial figures from the Irish Aviation Authority indicate total traffic at Dublin Airport in April 2010 reduced by 26.8% on 2009.

In regard to the air travel tax, Ireland continues to face significant fiscal challenges and this tax is regarded by the Minister for Finance as an important revenue-raising measure.

Turning to the impact of volcanic ash, the Government's overall response is led by the Government task force on emergency planning. The task force, which is meeting on a regular basis, is chaired by the Department of Transport and includes all the key players such as the Irish Aviation Authority, Met Éireann, Departments, including the Department of Tourism, Culture and Sport, consumer and regulatory agencies, and health and environment bodies. In parallel, Tourism Ireland convened the tourism industry response group which is the main tourism forum for the various key players to communicate and co-ordinate their responses to events such as this and this group will continue to meet as and when required.

For my part, last week I met representatives of tourism industry groups, as well as the tourism agencies, to discuss responses to the continuing challenges. Subsequently I announced that Fáilte Ireland would work with the industry to draw up a customer care charter addressing issues such as cancellations, pricing, information and quality of services for all tourists affected by delayed travel plans due to volcanic ash. This charter builds on the positive approach of the industry in recent weeks in dealing with customers facing travel disruption and will help to reassure and improve confidence for both tourism enterprises and potential tourists. At the heart of the latest challenge we face is confidence and the charter will play a key role in that respect.

The charter has now been finalised and was issued by Fáilte Ireland last week to all accommodation providers on its database. Fáilte Ireland's regional offices will be also promoting the charter to local and sectoral contacts in their regions and Tourism Ireland will be promoting it internationally.

Despite these difficulties, it is essential to remember that millions of people across the world will still take holidays this year. I know that the industry and the tourism agencies are fighting hard for every bit of this business. On 6 May, I launched a €20 million summer marketing campaign on behalf of Tourism Ireland. This initiative will build on Tourism Ireland's marketing effort earlier in the year and is designed to win as much business as possible for the peak season. This unprecedented drive in key markets in Great Britain, the United States, Germany and France aims to create the conditions for recovery later this year. The new marketing drive was developed in conjunction with hundreds of tourism industry partners, including hotels, bed and breakfasts, self-catering, cultural institutions, golf courses, visitor attractions as well as air and sea carriers, which have got behind the campaign with a range of value-for-money offers.

The tourism agencies are taking every opportunity to remind potential visitors that Ireland is accessible and open for business — and will continue to be — by air, sea and through

[Deputy Mary Hanafin.]

Great Britain. Arising from last week's meeting, Tourism Ireland has also committed additional investment in marketing to strengthen its partnership with tour operators overseas.

In addition to our continuing marketing drive in key overseas markets, Fáilte Ireland is working with the industry to engage the Irish holidaymaker with attractive and accessible offers highlighting the value and quality available within Ireland, and I expect Fáilte Ireland will be targeting this in the weeks ahead. Fáilte Ireland is also supporting tourism enterprises through a range of programmes, at a cost of €11 million, addressing such issues as cost control, use of e-platforms and human resource development.

Ireland's tourism sector has proven its resilience and adaptability in the face of adversity in the past. Most recently, whereas operators elsewhere were criticised for appearing to exploit travel delays as a result of the ash plume, Ireland's tourist industry was praised for its rapid and sensitive response to the crisis. I am confident that the co-ordinated approach I have outlined will ensure a positive outcome. I look forward to ongoing engagement with the industry and the tourism agencies to ensure that every support is in place to allow the tourism industry to return to growth in the near term.

Deputy Olivia Mitchell: I do not blame the Minister for trying to appear upbeat. While I do not blame the Government for all the factors affecting tourism, including exchange rates, weather, recession at home and abroad, and now the ash, those in the industry must wonder if it will ever recover. I did not comment when the Minister announced her initiative. However, it was high in media hype, but low in content. There was only one thing worth saying, which was that there would be no cancellation fee for tourists who could not get here. However, the other items in the code were really things that any hospitality service should be providing. Is a promise not to overcharge the best we can offer people?

The Minister has said that the purpose of the initiative is to create confidence. In my view it did not create confidence; it did the exact opposite. It highlighted that we are the only island country in Europe and there was quite a strong possibility that tourists who got here could end up being left here. That was the danger of having a code such as this and marketing it in every one of our possible markets.

What is happening now to deal with the fluctuating situation? It would be within the Government's remit to eliminate the departure tax. The airlines are haemorrhaging money and Aer Lingus in particular must be *in extremis* and yet it is being asked to pay money to the Government in this tax.

The Dublin Airport Authority must be in extreme difficulty with the fall in passengers. While the Minister indicated that the number of overseas visits to Ireland fell by 11.6% between 2008 and 2009, the throughput through the airport must have reduced by more than that.

Regarding the redirecting of marketing as a result of exchange rates changing and the fact that it is so difficult to get from, for example, Germany with any certainty because of the volcanic ash, should we consider targeting countries, whose tourists can come by ferry, and America, which is not as affected by the ash?

Deputy Mary Hanafin: I believe it is valuable to have the charter. It addresses more than just cancellation fees. In other countries people who found themselves stranded, especially in the lead-up to a weekend, found that the prices for a hotel room for a weekend were far in excess of what they had been paying, whereas here they will not be charged over and above what they had been paying.

Another factor that came through to us very strongly was the lack of personal contact with people who could give real information on where they were going.

Deputy Olivia Mitchell: While I understand that, the Minister is highlighting our island disadvantage.

Deputy Mary Hanafin: When this was offered to people the response was very positive. Deputy Mitchell says that is basic customer care. While I agree it is, it has not always been the case in the past that people did not capitalise on unforeseen events such as volcanic ash. However, this charter is based on how the hospitality industry reacted and responded to people in the past month. We argued as to whether it should be marketed abroad. Unfortunately because Ireland was the first land mass that was affected by the volcanic ash, we were the ones to get the negative publicity on international radio and television, including on CNN and CBS news. We needed to try to counteract that. We certainly will keep it under review. The response from the tour operators has been very positive and I believe it will help us.

The Deputy asked about the departure tax. It is a budgetary and fiscal matter. While it might not be the case in these particular times, Department of Finance estimated it would bring in €125 million.

Deputy Olivia Mitchell: Has it done so?

Deputy Mary Hanafin: We shall have to see how that pans out over the year because of the decreasing numbers and the impact on the airport in recent months but it is not possible to do anything about it in the mid-year because it is a budgetary matter. We continue our marketing campaign, targeting and working in a co-operative and new way with the ferries. People who never used ferries in the past have discovered them. We are working with the United Kingdom, in particular, to try to bring up that market because that was one area where figures actually dropped.

Deputy Mary Upton: The volcano is outside everybody's control and I appreciate the short-term planning that was put in place and some of the short-term actions which were taken but now there is an urgent need for longer term planning because this situation will not go away. Other events will happen over which we have no control. Are any policy reviews being undertaken in the Minister's Department? If so, what is their status and when will we see new policies that will take account of what has happened and is likely to happen in the future?

I am aware of what an agency such as Fáilte Ireland does. However, when we ask questions in the House about that organisation or other quangos the Minister tells us she cannot answer them and we should write directly to Fáilte Ireland. This happens all the time with quangos. What is the Minister's Department doing? How many people are working in the tourism area?

On a practical issue, I have seen people literally trapped at Dublin Airport, for example, and they do not give out a happy message. As they probably are stuck there for two days what services are in place at the airport that might tell them the names of hotels, how they might get to them and what is available? Does Fáilte Ireland have a service facility at the airport to advise and help people? The picture that comes across to us from the airport is not a happy one. People look very tired, cranky and fed up with the whole business. There seems to be a communications gap around that.

Deputy Mary Hanafin: Tourism and booking by tourists have changed in recent years. In the past people tended to book their annual holiday months in advance but increasingly they are booking much closer to departure dates and we have had to adapt our marketing strategies to look after them. The fact that the marketing budget for this year, which was increased, is now spent on a more seasonal basis means we are able to respond to different issues. I mentioned the summer marketing campaign of €20 million which started only in May because 60% of our

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tourists come between May and September. We will launch an autumn marketing campaign but will be able to review what happens in the few months before it starts and can see how best to target that money.

There will be long-term policy initiatives and full discussions with Fáilte Ireland and Tourism Ireland on new drives. Only last week, for example, we unveiled Padraig Harrington as our golf ambassador. The potential for golf tourism to this country is enormous and Mr. Harrington is giving very generously of his time in that regard. The same applies to Gabriel Byrne, our cultural ambassador, and whereas culture is valuable in itself there is huge potential for linking culture and tourism, especially with the United States, and Mr. Byrne is throwing himself fully into that.

There are new initiatives such as the “silver surfer” and “golden trekker” whereby people from all over the world, irrespective of the country they come from, can get free rail travel when they come here if they are over 66 years of age. These are significant initiatives that are very attractive to people when they come here, especially for the market from Great Britain. People may come across on the ferry and then get on the train. These are the new and constantly changing initiatives coming up all the time.

The Deputy also asked me——

Deputy Mary Upton: I asked about Fáilte Ireland.

Deputy Mary Hanafin: Any answers I might give in regard to Fáilte Ireland and Tourism Ireland obviously reflect all my interaction and work with Fáilte Ireland because it is directly funded by the Department.

Deputy Mary Upton: Are there any specific facilities at Dublin Airport? Has Fáilte Ireland set up an information stand accessible to everybody?

Deputy Mary Hanafin: I am not aware there is a specific Fáilte Ireland stand there dealing with issues but, as part of this charter, all the accommodation bases have made themselves available to give personal information to assist their guests in arranging return journeys and are liaising with local tourist offices to facilitate individual requirements. It is being done very much on a localised basis.

Sports Funding

38. **Deputy Olivia Mitchell** asked the Minister for Tourism; Culture and Sport if she has received representations from the Irish Rugby Football Union regarding the threat to income that the change in broadcasting arrangements will pose for the organisation; if she is concerned that this will jeopardise the development of the sport; and if she will make a statement on the matter. [20602/10]

Deputy Mary Hanafin: I recently met with representatives of the Irish Rugby Football Union who briefed me on the organisation’s opposition to the proposals by the Minister for Communications, Energy and Natural Resources to make a number of additions to the current list of designated events of major importance to society, thus making them free-to-air for Irish television viewers. The IRFU considers that any form of change to the existing designated list would have a very significant impact on revenues to the organisation which would impact greatly on its grass roots programmes and lead to an exodus of professional players to other jurisdictions. The IRFU advised me that the proposals would undermine the economic model on which the funding of Irish rugby is based.

I have also met representatives of the GAA to discuss the proposals as they relate to Gaelic games although the proposals do not have the same impact on the GAA as they do on rugby.

Under legislation, the Minister for Communications, Energy and Natural Resources is required to consult with me before bringing forward any changes to the designated list. I already had informal discussions with the Minister about his proposals. He has now written to me seeking my views and I intend to fully engage with the Minister on this issue while consulting further with the relevant national governing bodies.

There is a need to maintain a balance between the rights of the public to have free to air access to sports events and the rights of sporting bodies to fund and thereby sustain and develop their sport.

Deputy Olivia Mitchell: I am not sure after that reply whether the Minister agrees with the IRFU or with the Minister for Communications, Energy and Natural Resources. There are all kinds of perspectives involved — sport, tourism and Ireland's image abroad generally. Professional rugby is the second most successful sport Ireland has after horse racing and is one for which we are well known in Europe. It reflects very well on all of us to have the kind of name we have in rugby.

I do not know whether the Minister understands the fragile nature of the funding model rugby has in conjunctions with its partners, namely, the unions and various federations around Europe. If the linchpin of that funding model is pulled out the whole edifice collapses. As the Minister noted, there are four professional teams and there is no way they could be maintained without present funding. They will lose players to other clubs in Britain, France and other countries where rugby is a well-funded sport. Performances will deteriorate and audiences will dwindle away, with a trickle down effect on schools and clubs.

This is a case of the kindly doctor over-prescribing and killing the patient. It may be well motivated but is ill advised. The Minister has a real responsibility to defend the sport and ensure it will survive. I understand there is to be a further consultation period and the Minister is entitled to be consulted, as she should be. I ask her to make the strongest possible representations to her Cabinet colleague in this regard.

Deputy Mary Hanafin: The IRFU has engaged in a number of partnerships. One such is with the Government in so far as between 2006 and 2010 more than €17.5 million was invested directly in the IRFU, outside of any capital expenditure. One may consider the €191 million that went into the Aviva stadium which opened only last week. The organisation also has commercial partnerships and is tied into these with other countries and these issues also must be considered.

Sport is for all and should be for all and participation at the broadest base possible should be encouraged. That is one of my aims. However, there is a balance to be found between participation by viewers and being able to encourage the sport at grass roots level while maintaining the professional element involved. There is no doubt that rugby has given us great sporting heroes and great success in recent years. That success breeds success because the sport has expanded hugely on the ground.

The IRFU made very strong arguments in regard to its financial commitments and its commercial partnerships and how it spends that money, not only in supporting professional players but in supporting the development of junior players, which I support. On the other hand, there are very good arguments to be made about ensuring people can have access to viewing our great games and our national games. This balance now must be discussed during the consultation process. It is about who we are.

Deputy Olivia Mitchell: The national games are——

Deputy Mary Hanafin: I accept there are arguments on both sides. That is why the consultation period has been extended until 4 July, which will give people ample opportunity to be able to make their case. I will make a formal submission to the Minister but I will also be engaging with the IRFU.

Deputy Olivia Mitchell: It is disturbing that the Minister does not appear to have a point of view. She has outlined the arguments on both sides but what is her perspective on the matter? Does she support the IRFU and the case being made that this will destroy Irish rugby, or does she support the Minister for Communications, Energy and Natural Resources, who had a rush of blood to the head when he thought an Irish side would get into the Heineken Cup final?

Deputy Mary Hanafin: The value of a consultation process and my being a formal part of it is that we can have engagement, as we have had already on an informal level. The formal process will take place between now and 4 July to balance the different arguments. I will be carrying all the different views into that consultation.

Deputy Olivia Mitchell: Is that a “Yes” or a “No”?

Deputy Mary Hanafin: That is what the consultation will be about.

Deputy Olivia Mitchell: I have to hand it to the Minister. She is good.

39. **Deputy Mary Upton** asked the Minister for Tourism; Culture and Sport if she has received the report from the Irish Sports Council into the serious issues that have developed in the Athletics Association of Ireland; when this report will be published; if she has, or plans to, launch an independent investigation into the issue; her views on the behaviour of the Irish Sports Council on this matter; if her attention has been drawn to other issues surrounding sports bodies which receive funding from the Irish Sports Council; and if she will make a statement on the matter. [20855/10]

40. **Deputy John O'Mahony** asked the Minister for Tourism; Culture and Sport if she has received a report from the Irish Sports Council regarding the case involving Athletics Ireland; and if she will make a statement on the matter. [20626/10]

Deputy Mary Hanafin: I propose to take Questions Nos. 39 and 40 together.

I have received the report from the Irish Sports Council, ISC, referred to by the Deputy. It is my intention to place the report on the Department's website, subject to legal advice, when I have fully considered the issues contained in it. I will also be shortly meeting with representatives of the ISC and take the opportunity to discuss the report with them.

As I have previously stated in the House, from a legal perspective, I have no role in the day to day operations of the ISC. Under section 9 of the Irish Sports Council Act 1999, the council has to have regard to Government policy and to comply with any general policy directive which may be given by me as the Minister but it is not under my control. The council is established as a corporate entity with legal personality and is responsible for its own activities.

I have no plans at this stage to launch an independent investigation into this issue. What is important is that we learn how we can avoid this happening in the future. There is a need to learn from this issue about the relationship between the ISC and the national governing bodies of sport, particularly the interaction between them and whether other processes should be used. I am always in favour of using mediation processes in the first instance where they are available,

irrespective of the difficulties, and at all times we should avoid recourse to the courts if possible. I consider that there is great potential for the Just Sport Ireland initiative, which was established by the Federation of Irish Sports in 2007 as a specialised independent arbitration and mediation facility. At my first meeting with representatives of the Irish Sports Council, I made it clear to them that I believe that mediation should always be used in the first instance to avoid the type of circumstances we see in this case.

Deputy Mary Upton: I am concerned that there will not be an independent report on this. There are three different groups involved in the issue which prompted this debate. In the order of €800,000 of what is effectively public money has gone down the Swanee and this should not have been allowed. I welcome the Minister's suggestion that she is in favour of mediation but surely there must be more. There must be some process whereby a condition of funding is that mediation will take place. That did not happen in this case.

There is another major issue which I raised at the committee. A person who came before the committee went to the High Court and was quoted as saying that he tried to avoid answering questions, doing much prevarication and spoofing. It is absolutely appalling that a witness before an Oireachtas committee would go to the High Court and describe such occurrences at the committee. If this is the case with a sporting organisation which gives evidence before a committee, it is not good enough and we should sort out the issue.

Has the Minister any plans to review the remit of the Irish Sports Council and is there a need for new legislation? The council is defining itself and there are many issues that have not been addressed in the way funding was drip-fed to particular organisations. There seems to be a level of dysfunction in what is happening with various sporting organisations and the Irish Sports Council. As a matter of urgency, these should be addressed.

Deputy Mary Hanafin: In the first instance I regret and object to funding given to a sporting organisation being used to fight law cases rather than going into sport.

Deputy Mary Upton: That must be stopped.

Deputy Mary Hanafin: The Irish Sports Council would argue that the direct funding to organisations has not been affected, although it meant there was no money in the contingency fund for events that might arise during the year. Ultimately, money was lost to sporting organisations, which should not have happened. For that reason I said that where disputes arise, as they inevitably will, the mediation process should be used. I suggested it could be used as a condition but it was argued that some organisations might not be ready for that. A number of organisations have already signed up for Just Sport and using mediation; 17 organisations are taking part and five more are about to do so. It is all the better if the process continues with the organisations.

There are a number of other issues. It was a mistake for me to indicate last month that the settlement was confidential; I presumed this was the case but it was not a confidential settlement. There was no admission of liability and the settlement was made in court. The cost included the settlement and legal costs, with the total amounting to over €300,000. That money could have gone to sport.

Several issues must be addressed. The first is the involvement of mediation and arbitration in the settlement of disputes. The second concerns corporate governance training for the organisations. There is also the issue of clarifying the relationship between the Irish Sports Council and the organisations; the council exists to support and develop sport and should help organisations in doing so. It is necessary to have a policy on the recruiting of strategically important

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senior posts within organisations. All those issues arise immediately from this case and I expect the Irish Sports Council to deal with them.

Deputy Mary Upton: An important part of the question relating to an independent report was not answered. The Minister indicated we must learn from what has happened but I suggest this will not happen unless we get a full independent report into what exactly happened. It is not good enough that the Irish Sports Council, which forms one part of the triangle, is doing a report. That is not independent and will not serve sports or the Irish taxpayer very well.

Deputy Mary Hanafin: Having read the report, I am not convinced that another report will solve anything. We know the issues and what needs to be done. The report presented to me was in the form of a letter from the Irish Sports Council setting out the issues. It attached the proceedings from the court, which I already had but which gave all the arguments made by the plaintiff. Neither the Irish Sports Council nor Athletics Ireland got the opportunity to give their side of the argument in court because a settlement was made. Between the letter and the proceedings from the court, we have the overall picture. We know what was said, by whom and when. Issues have undoubtedly arisen and some which I referred to a few moments ago need to be addressed.

We know what happened and I am not sure we need an independent inquiry to tell us what happened. We must consider the issues to ensure it does not happen again.

Deputy John O'Mahony: I am interested in the Minister's statement that she knows what has happened and needs to be done. Perhaps she might tell us what needs to be done. I was also interested in her comments on the relationship between the Irish Sports Council and the governing bodies. I agree that it has reached a critical point. Deputy Mitchell raised the question of this report in the past and the need for an independent report. It is unacceptable that the report comes from one side of the battle.

I had four questions disallowed today which dealt with the relationship between the Irish Sports Council and governing bodies. In reply to Deputy Mitchell the last day in dealing with this report, the Minister suggested that we should see that this does not happen again. It is already happening in the boxing association, which my disallowed question dealt with. There is a dysfunctional pattern building between the Irish Sports Council and governing bodies.

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

Deputy Mary Upton: I am not apportioning blame to sides but this matter should be examined. There is a high-performance director who was not appointed in the boxing sector but who brought all the medals and glory to us. That director has been offered a position with another nation.

The basketball association will be having its AGM in a couple of weeks time. It is on its knees and its staff have been told that their employment cannot be guaranteed past June.

An Leas-Cheann Comhairle: The Deputy is making a speech rather than asking a question.

Deputy John O'Mahony: I have a letter with me from a parent whose daughter has been picked for an international basketball team. She must pay €2,500 if she is to play.

An Leas-Cheann Comhairle: I want to allow the Minister to reply.

Deputy John O'Mahony: This is a new system of pay-for-play.

Deputy Mary Hanafin: I wish to clarify something. The settlement in the case amounted to €309,283, of which the Irish Sports Council's contribution was €150,000. Its legal costs amounted to €225,000. I wish to clarify this in case I gave the wrong impression.

We know what occurred because we have both sides of the story. We have the sports council's account in the form of a letter and we have the court proceedings, which constitute the plaintiff's account. Mediation, governance and recruitment into important posts are three of the issues that must be addressed.

Deputy O'Mahony raised two important issues about boxing, which is not only important in terms of sport, but also in the context of our Olympic hopefuls, given the fact that 12 of our 23 Olympic medals have come from boxing. Basketball is also important. The sports council, which gets almost €50 million per year, will give €864,048 to basketball this year. I do not know why the association claims it cannot keep its staff, as this is a significant amount of money. The council supports associations and governing bodies in drawing up job descriptions and participating in recruitment panels, etc. It is important that all recruitment should be open and transparent.

Deputy John O'Mahony: With regard to boxing, the Irish Sports Council, ISC, has stated it will withdraw funding to the Irish Amateur Boxing Association for the posts that have been appointed. What is the Minister's opinion on this matter? The situation cannot continue.

Deputy Mary Hanafin: It is a matter for the ISC, but it is important that all appointments be made in an open and transparent way. I hope that any difficulties between the council and an important sport like boxing can be resolved. The funding for this year is €959,000, which could go a long way in boxing.

Deputy Mary Upton: The Minister keeps saying it is a matter for the sports council, but that is at the heart of the matter. There is a level of dysfunction between the sports council and the governing bodies of the various sporting organisations. There is a need to review the role and responsibilities of the council and there may be a need to introduce legislation.

We have learned of a big spat with the Athletics Association of Ireland, AAI, and we now know of another with the amateur boxing association. Where will it stop? We are also aware of other issues. The learning curve is slow indeed and the legislation needs to be reviewed.

Deputy Mary Hanafin: The legislation probably encompasses enough of what the ISC is trying to do. A clear policy on recruiting strategically important senior positions into the governing bodies is necessary and the ISC has indicated to me it wants this to be done in order that the process can be as open and transparent as possible.

Deputy Mary Upton: It does not interfere——

Deputy Mary Hanafin: In respect of boxing, the council has indicated that its decision only applies to the two specific posts that have been in question in recent weeks and that the priority is to ensure a minimum of impact on boxers and to see the men's senior team participating in the European championships. In the past month, the boxers have met with considerable success on the international stage, so the situation is not impacting on them.

We need transparency at that level. While there is no need for a change in legislation, clarification of the relationship and the support the ISC can give is necessary.

Deputy John O'Mahony: Is further legal action pending in respect of the AAI as a result of the original case? This matter is in the public domain.

Deputy Mary Hanafin: No. My understanding is that the settlement ended all future legal action, including before the Employment Appeals Tribunal, etc.

Deputy John O'Mahony: That is not the information we have.

Deputy Mary Upton: Deputy O'Mahony is on the same wavelength as me.

Deputy John O'Mahony: It was in last weekend's *Sunday Times*.

An Leas-Cheann Comhairle: Perhaps this matter could be followed up by the appropriate committee.

Deputy Mary Upton: We are discussing vast amounts of money and potentially significant costs for sport and the taxpayer if further legal cases are pending, which we believe to be the case.

Other Questions.

Cultural Institutions

41. **Deputy David Stanton** asked the Minister for Tourism; Culture and Sport her role and responsibilities in relation to the development of cultural institutions and activities and their promotion to the public, in particular young people; and if she will make a statement on the matter. [20673/10]

Deputy Mary Hanafin: The stated mission of my Department is “to enrich Irish society by supporting the growth of a competitive and sustainable tourism industry and increasing access to and participation in sport, the arts and culture”. Having particular regard to the cultural sector, my role as Minister is to recognise the social and economic roles of that sector by promoting and encouraging artistic expression, cultural awareness and participation through an appropriate policy, legislative and resource framework. Inherent in this role is the formulation, development and evaluation of policy and structures to create an environment that enables arts and culture to flourish, the development of the national cultural institutions and supporting the development of other arts and cultural projects at national, regional and local level.

The State's national collecting institutions provide access to their extensive and impressive collections free of charge. All of our national cultural institutions provide free educational and family friendly events throughout the year, which have particular appeal for the younger audience. While my Department provides funding to our national cultural institutions, the board of each institution is responsible for all operational matters relating to it and I do not have a statutory function in respect of day-to-day operational matters.

My Department also provides funding to certain other cultural bodies that hold collections of national importance or collections that are unique and relate to matters of national interest or international culture. These institutions and their collections are accessible to the public. They include the Hunt Museum, Limerick, Archbishop Marsh's library, the Hugh Lane Gallery, the Irish Architectural Archives, the Irish Manuscripts Commission, the National Print Museum, Foynes Flying Boat Museum, Limerick and the Science Gallery.

In addition, funding is provided to projects that meet specific cultural needs and support the high level goals of my Department. Without detailing these individually, they include projects that enhance Ireland's cultural patrimony and access to it, for example, digitisation, reproduction, translation and-or publication of historical documents, including the digitisation of the

1901 and 1911 censuses, the translation of the History of the Capuchins in Ireland and the church records project.

Additional information not given on the floor of the House.

These projects will enhance access to historically significant documents and are important for research and scholarship purposes.

The culture night project has been supported by my Department since the event's inception in Dublin in 2006. On culture night, arts and cultural organisations, including the national cultural institutions, extend their opening hours until late in the evening to provide the public with increased free access to the various collections, workshops and other events. In 2008, the concept was extended outside of Dublin and, in 2009, 11 towns and cities throughout Ireland participated in the event showcasing the best of their artistic and cultural heritage and facilities and attracting over 200,000 participants-visitors, all of whom enjoyed the opportunity to discover and explore the rich cultural offerings of our various national cultural institutions and other venues. Plans are under way to allow for the further extension of the culture night initiative in 2010.

In accordance with the commitments under the renewed programme for Government, plans for an extensive contemporary art event in Dublin in 2011 are being progressed as part of my Department's cultural tourism initiative. Dublin Contemporary 2011, DC2011, will be a major event that will include the exhibition of leading and emerging Irish and international contemporary art spread across a number of landmark sites in Dublin city centre over a period of up to 12 weeks in 2011.

In the first four months of 2010, visitor numbers to the cultural bodies funded by my Department were up almost 5% on the first four months of 2009. Overall, I am satisfied that my Department is fulfilling its mission statement by supporting our cultural institutions and promoting and encouraging artistic expression, cultural awareness and participation.

Deputy David Stanton: I thank the Minister for her reply. Regarding the Arts and Cultural Capital Enhancement Support Scheme, ACCESS, has she any plans to launch an ACCESS III?

Her Department's statement of strategy notes the need to seek business sponsorship for culture, arts, film and so on. What has been done in this regard and what plans has she? The statement also refers to appropriate grant schemes being made available. Will the Minister provide the House with information on what grant schemes are available for small local drama and culture groups as opposed to national groups, as the former are suffering through a lack of funding?

Deputy Mary Hanafin: Regarding the question on the ACCESS programme, 40 projects were funded between 2001 and 2004 to the tune of €43 million. The subsequent ACCESS II programme, which will provide €81 million, has seen 63 successful projects announced to date accounting for grants totalling €32 million. A number of these have already been completed, including the Royal Hibernian Academy, the Druid Theatre, Cork Opera House, Waterford's Theatre Royal, the Gallery of Photography and the Irish Film Institute. The scheme is running, but there are no proposals to open it up for new applications.

Regarding the Deputy's question on commercial sponsorship for the arts and culture, I see it more in terms of philanthropy than sponsorship. There is considerable potential, given the contribution of the likes of people such as Ms Loretta Brennan Glucksman or Ms Carmel Naughton. They are both women, but the potential for any individual to support the arts and culture in a philanthropic way as opposed to in terms of the branding and commercialism used in other areas is significant. What was the final question about?

Deputy David Stanton: Grant schemes.

An Leas-Cheann Comhairle: And local groups.

Deputy Mary Hanafin: There are various grant schemes, but I will forward the details to the Deputy.

Deputy Mary Upton: How many people are employed in the Department directly in respect of the cultural aspects of its portfolio? Will the Minister update the House on the National Concert Hall?

Deputy Mary Hanafin: We have a small Department which works hard. There is a staff of only 108, which breaks down into three parts. There is an assistant secretary in charge of sport, another for culture and a third for tourism. Each of them is backed up by a small team that does tremendous work.

The National Concert Hall is one of the major capital projects we would like to progress. All capital projects have gone back for review to see if we can get better value. I do not have a go-ahead on it yet, but it is something I would like to see proceeding.

Deputy Olivia Mitchell: The Minister mentioned Access 2 and the fact that it was ongoing. Is there an overhang of commitments and is the Minister aware of how much is still outstanding on Access 2? How much does the Department still owe?

Deputy Mary Hanafin: I do not have the specific figures. Some 63 projects were initially announced for €32 million. An additional 13 projects were then announced and €10.29 million in grant aid was given in May 2008. Some 27 of the projects had been completed up to the end of 2009. A further 22 projects have yet to draw down grant aid. These projects have been delayed for a number of reasons — a lot of them from a failure to provide the obligatory matching funding. Some of them have planning difficulties, while some have failed to complete the necessary legal agreements to provide the Department with the required legal charge on the property. I suspect the bigger one is probably a failure to come up with matching funding.

Deputy David Stanton: Does the Minister have any concrete plans to encourage philanthropy and support it? Will she examine that whole area, which is a lucrative one for arts and culture? Can she tell us what she is planning to do in the near future regarding the encouragement of and support for philanthropy?

Deputy Mary Hanafin: It is an issue that was being led by the Department of the Taoiseach a year or two ago, because it is wider than culture alone. However, culture is one of those areas that could benefit from philanthropy, so I will be following it up at that level.

National Archives

42. **Deputy Kieran O'Donnell** asked the Minister for Tourism; Culture and Sport the measures planned to address the storage difficulties of the National Archives; and if she will make a statement on the matter. [20616/10]

43. **Deputy James Reilly** asked the Minister for Tourism; Culture and Sport if she intends to convene the National Archives Advisory Council; and if she will make a statement on the matter. [20672/10]

Deputy Mary Hanafin: I propose to take Questions Nos. 42 and 43 le chéile.

The storage difficulties at the National Archives are widely acknowledged. A permanent solution would be a new storage building, but in the current economic climate it will not be

possible to set aside the necessary resources to construct a new building. However, I am concerned that the best possible use should be made of the accommodation that is currently available to the National Archives. There is a large warehouse behind the National Archives' Bishop Street offices in which many archives are being stored. Unfortunately, the roof of the warehouse is of poor quality. As a result, many of the records have to be stored in waterproof plastic bales to protect them from damage and are not readily accessible to the public. The other main National Archives record store is located within the Four Courts complex, which makes retrieval difficult and relatively expensive.

My Department has requested the OPW to fit out new storage space within the Bishop Street building. This space was recently vacated by the Land Commission. This work is currently underway. My Department has also asked the OPW to draw up a short to medium-term plan to improve the overall amount of useable storage space in the Bishop Street warehouse, and this is being drawn up. In addition, the OPW has already provided some off-site storage accommodation for certain series of archives. While it is not ideal to have archives dispersed, the combination of measures being taken at the moment should relieve the situation in the short to medium-term for the National Archives. Notwithstanding the reduced allocation to my Department's capital programme, I have asked my officials to ensure that the OPW monitors the potential suitability for the National Archives of any properties that become available.

The National Archives Advisory Council derives its legal existence under section 20 of the National Archives Act 1986, "to advise him [the Minister] in the exercise of his powers under this Act, and on all matters affecting archives and their use by the public, and to discharge the other functions conferred on it by this Act". The council was first established in January 1987. Under the Local Government Act 1994 and the Harbours Act 1996, the council may also advise the Minister for the Environment, Heritage and Local Government, and the Minister for Communications, Marine and Natural Resources on any matters affecting local archives and harbour archives respectively.

The council may not meet at present as, unfortunately, there are a number of vacancies that fall to be filled, including that of the chairman, which is a statutory requirement. I am currently considering reconstituting the council and I intend to bring this to a conclusion at an early date.

Deputy Olivia Mitchell: I will deal with the storage matter first. No Minister could be other than ashamed for the treatment our National Archives have received over the years. It is a disgrace. It is our written history, yet it is being stored on inaccessible pallets with the rain pouring down on. In addition, we do not even know what is in there because it cannot be accessed. What is happening now is a sticking plaster job and, welcome as it is, it will not solve the problem in any way. There is no humidity control or access. It is a waste of the staff's time running up and down to the Four Courts to obtain material. There is no space for conservation and while good work is being done by the staff it is being done in a corridor. It is outrageous. The tragedy is that even though they have a statutory responsibility to take State papers, the staff cannot take them from many Departments. Therefore, Departments are holding archival material in God knows what sort of conditions.

The Minister has a capital budget, so this matter should be a priority. The Minister says things are bad now, but when things were good it was not considered a priority either. It is far more important than giving out lottery grants. This is our written history and we have a responsibility to do something about it.

Will the Minister give a commitment to make this matter a priority? This is the most important capital project because if it goes, it cannot be replaced. We lost so much of our archives in 1922 and therefore we must save the existing material. That is not to mention local authority, hospital and other archives, which are mouldering away due to lack of attention.

Deputy Mary Hanafin: As a minor historian, I would be very sympathetic towards trying to preserve the National Archives. My colleague, the Minister of State, Deputy Mansergh, has told me what a wonderful reading room there is there. He shares with me the value of protecting such material, given that we saw the loss of so much in 1922. The latter material can never be retrieved. I accept there is a responsibility on us but, on the other hand, an estimate for a new building in 2006 was put at €120 million. That kind of money is not there at the moment, but I do accept a responsibility for protecting the documents we have through basic work such as repairing roof leaks. Our National Archives must be preserved for future generations. In so far as possible, I will try to ensure that we will protect what is already there.

Deputy Olivia Mitchell: The sum of €120 million would be a lot less now, so perhaps the Minister could obtain a new estimate.

The other question concerns the National Archives Advisory Council, which is a statutory body. It has not been appointed and went out of existence at least two years ago. I presume the reason it has not been appointed is due to the proposed changes to amalgamate the National Archives with the National Library. The National Archives, as currently constituted, are under threat so this is the very time the Minister needs a council to advise her. Will the Minister appoint the advisory council now? Has she had any second thoughts about amalgamating the National Archives and the National Library? I would urge her to have such second thoughts. It is not a statutory obligation and the functions of both bodies are very different. No cost benefit analysis was done on the amalgamation. As far as I can gather, the former Minister, Martin Cullen, was asked to come up with a few money-saving devices. He thought this might save money, but there is no rationale for it. There is no proof whatsoever that it will save money, but money must be spent on the National Archives.

Will the Minister appoint the advisory council? Before proceeding any further with the amalgamation, will she undertake a full cost-benefit analysis? In addition, she should read the report produced when this amalgamation was first considered 20 years ago. A full report was done at that time, although no such report was done on this occasion. Will the Minister read that report and examine the arguments for maintaining the National Archives as they are?

Deputy Mary Hanafin: I am greatly inclined towards appointing a new council because I believe much guidance is needed regarding the deposition of archives, as well as their conservation and management. At present, I envisage such a development in the context of working towards a management merger. This simply pertains to management in order that back-office services and technology in particular can be shared. The enormous public interest in the National Archives in recent years has been focused on the 1911 census and, from next month, will be on the census of 1901. Even before its formal launch in the United States or elsewhere, a total of 240 million people have accessed the website to look at the census.

The use of digital technology will be a major feature of archives in the future and is a major feature of the National Library. Consequently, it makes a great deal of sense to combine efforts in this regard and to have a common focus. It makes a great deal of sense for them to collaborate on their back-office systems. However, I am absolutely satisfied that whatever processes and procedures are put in place will ensure the existence of two separate bodies with two independent directors and two separate roles. Moreover, these roles and the services provided will not change. This proposal is to ensure that such services are improved and that best use can be made of the facilities that would be available for both. However, my aim will be to appoint a council to work towards and to advise on this issue to protect the archives.

Deputy Mary Upton: What consultations did the Minister have with what one might call the experts in the area from both the National Archives and the National Library? I would have thought the functions of each are quite separate. While the Minister identified some common

ground, the functions of each institution are highly distinct. Certainly, the experts perceive no real purpose in combining them. To take up on the point regarding cost-benefit analysis, it is difficult to envisage what would be the overall savings, were this simply meant to be a cost saving exercise.

As a separate issue, does the Minister agree it would be more appropriate to have a 15-year rule, rather than a 30-year rule? While I appreciate this would generate the need for more space, I believe that 15 years now appears to be an adequate length of time and the records should be available within that period.

Deputy Mary Hanafin: One could have a debate on that issue for a long time. I believe the freedom of information legislation probably has changed thinking in that regard because that Act allows one to have immediate access to decisions, policies and the backgrounds thereto. It then means that under the 30-year rule, one is holding for the fullness of time. While this is the first time I have considered this proposal, even thinking out loud I would have thought that all the papers on Northern Ireland, for example, probably were best kept for 30 years, rather than 15 years, because while we were in the middle of peacekeeping talks and discussions, it might not have been helpful for people to have read into them. However, such papers now can be considered retrospectively from the perspective of the historian. Consequently, I believe freedom of information legislation should be used for an immediate understanding of government and governance, while the 30-year rule is for historians. These are my initial thoughts on the subject but I have not really thought it through. I would be interested to hear the opinions of my colleague, the Minister of State, Deputy Mansergh, because I am sure he has live views in this regard.

I accept fully that the National Archives and the National Library are two different creatures, both of which are highly valuable. However, that does not preclude co-operation to make best use of what we have. Members have just been talking about capital expenditure for the National Archives, which has not taken place for a number of years. However, I do not want either me or someone else to state in this Chamber in a few years' time that although the money was available for the technology for one institution, it was not available for the other. One must take advantage of changing times and changing technology and must use it to the benefit but not to the detriment of both.

An Leas-Cheann Comhairle: Deputy Mitchell, in a final question.

Deputy Olivia Mitchell: The Minister is doing what she does very well, which is raising a red herring. Shared services are a great idea and I am absolutely in favour of them. The Minister has 13 bodies under her remit and I have tabled another question on this point asking why they all do not share services. However, the point is that the National Archives is not a body under the Minister's remit but is within her Department and my objection is to changing that structure. While I have no difficulty with sharing services, merging the National Archives with a State body that shares very few of its functions constitutes a major change, as about all they hold in common is that both involve written records. I urge the Minister to undertake some form of cost-benefit analysis on the proposed merger before taking this path because there is no rationale for it. Moreover, no papers have been produced under freedom of information legislation to demonstrate there is any reason to do this or that anyone will benefit. I acknowledge the sharing of services should be done by everyone.

An Leas-Cheann Comhairle: An t-Aire, in a final reply.

Deputy Mary Hanafin: I understand there will be a similar type of issue in respect of the Irish Manuscripts Commission and the National Library.

Deputy Olivia Mitchell: Yes.

Deputy Mary Hanafin: This is not necessarily even being considered from a cost-benefit perspective. In my last position as Minister for Social and Family Affairs, MABS and the Citizens Information Board came together under a single body and management and yet both are maintaining highly distinct identities, which also is what I envisage happening in this regard. I hope to re-establish the council and to be able to benefit from its expertise. I will be happy to take any suggestions the Deputies might have regarding those whom they consider might make a good input.

Tourism Industry

44. **Deputy Pádraic McCormack** asked the Minister for Tourism; Culture and Sport if she has had contact with representatives from the car rental market relating to the adequacy of the capacity of the car rental fleet to meet the requirements of the tourism market; and if she will make a statement on the matter. [20622/10]

Deputy Mary Hanafin: I have received a number of representations from the car rental industry seeking support for the provision of additional car hire capacity in 2010. The matter was also raised with me at meetings with the Irish Hotels Federation and the Irish Tourist Industry Confederation on 1 April and 13 April, respectively. The concerns expressed to me relate mainly to the availability of automatic transmission cars in the traditional summer peak season, chiefly with the American market in mind.

From a tourism perspective, the main concern is the availability of cars and the price consumers must pay. In that regard, my Department and the tourism agencies have been monitoring the situation closely with regard to its possible impact on visitors from overseas. Tourism Ireland has examined the situation and advises me that tour operators in Great Britain, France and the Netherlands have reported no concerns regarding availability of automatic or manual cars for hire in Ireland for the summer season. In Germany, I understand that tour operators such as DerTour, which have reported a rise in car rental bookings compared to last year, have been advising consumers to book the car hire element of their holiday early. One smaller tour operator has reported a drop in car rentals booking this summer, citing high prices as a reason. In the United States, where the availability of automatic cars is particularly important, I understand that tour operators that have long-established relationships with car rental companies in Ireland have to date reported no problems in respect of the availability or price of cars.

As part of its own monitoring exercise, the Department conducted a web-based survey of car hire on Tuesday, 11 May, which examined the availability of cars for rental in July and August. The key finding in the survey was that every car rental company with one exception had several types of auto transmission cars available for rent for every week in July and August. In all cases except one, there were three to four types of auto transmission car available. While the survey concentrated specifically on data on automatic transmission cars, every one of the companies researched also had a wide selection of manual transmission cars during the weeks in question. Prices in the May survey did not vary significantly from an earlier similar survey carried out by my Department in March. While I accept that as the summer peak season approaches, the position may change as regards availability, it is difficult at this stage to gauge the precise market outlook given uncertainty as regards supply and demand.

Additional information not provided on the floor of the House.

Although I have received representations urging Government intervention, I have also received a number of approaches, both from within the car hire industry itself and the wider tourism sector against such a course of action. In these cases, the view is that the potential

shortages may not be as extensive as suggested and the market should take its course. As I have stated previously, it may well be that the existing car rental business model, which is dependent on a high turnover of new car sales, is no longer appropriate in the current market and must be adapted to changed circumstances.

Taking all this into account, I continue to consult with the Minister for Finance regarding the options open to the Government if State intervention is considered necessary. For State intervention to be warranted, there would have to be clear evidence of market failure and the prospect that any intervention would result in incremental hire vehicles coming onto the market, and remaining in place, to deal with potential peak demand in 2010 and later years. I will continue to engage with the sector and monitor developments closely with a view to taking a very early decision on the issue.

Deputy Olivia Mitchell: The price to hire a car here is twice that which obtained in Scotland. There is a shortage of cars. I will not spend too much time on this subject because I realise it was discussed the last time, when the Minister suggested that second-hand cars might be used. However, it transpires that as a result of the scrappage scheme, there are not that many second-hand cars available at present. I do not know whether the Minister has had the opportunity to read the report by Mr. Jim Power. He made two suggestions, one of which involves a subsidy, which could only be considered within the context of a budget. It would be, if one likes, a self-financing subsidy that would only be paid if visitors actually arrive and spend money here. The other suggestion he made and which could be implemented quickly with a small legislative change is to allow cars registered in Northern Ireland and Great Britain to be rented here by rental companies that have offices in both jurisdictions. Would the Minister consider such a measure if the position becomes extremely tight as the summer season approaches?

Deputy Mary Hanafin: I am considering a number of different issues. In the first instance, groups within the tourism industry have been telling me that a subsidy is required while other groups demur. On the other hand, I am not completely sure that the business model which has been used for a number of years by car companies remains appropriate.

We must ensure we have availability this year. Unfortunately, the possible dip in the number of tourists that we have seen in the last months would lead to a lower demand.

I have spoken to some of the car hire and motor import companies to see how we can address this issue. There is no easy answer but I have been in discussions with the Minister for Finance to see what we can do. There is an issue with automatic cars because American tourists will not drive anything else. We are keeping a close eye on the numbers.

A subsidy was considered under an economist's report which I considered to be the easy answer. I have put to the industry the idea of importing from the North or using relatively new second-hand cars, although there are issues there related to warranties and maintenance. Cars now, however, are more likely to last for many years. There are other options but we have engaged fully with both the tourism industry and the car hire industry to see what can be done.

Deputy Olivia Mitchell: The Minister is right that the car hire model that has been used to date is defunct by now. A subsidy could only be seen in the context of a transition period and that transition might be quicker if there was no subsidy. Would the Minister examine the possibility of allowing cars in from the North and Britain for hire because that would give some increase in capacity while the industry is in transition?

Deputy Mary Hanafin: Having checked, it does not even need a change in legislation; it could be done by regulation. In the event that is an acceptable solution to the problem, we might be able to do it.

Tourism Promotion

45. **Deputy James Bannon** asked the Minister for Tourism; Culture and Sport if her attention has been drawn to any initiatives under development which would capture the tourism potential of the London 2012 Olympics; and if she will make a statement on the matter. [20595/10]

Deputy Mary Hanafin: A high-level coordinating group chaired by the Department is looking at the opportunities that may arise for Ireland across the sports, tourism and cultural sectors from the London 2012 Olympic Games. The group comprises representatives from Fáilte Ireland, Tourism Ireland, the Arts Council, Culture Ireland, the Irish Sports Council, the Olympic Council of Ireland, Paralympic Council of Ireland and the Department of Foreign Affairs.

In terms of the tourism potential of the event, a number of specific initiatives are being undertaken by the tourism agencies to seek to maximise the potential benefits to Irish tourism of having the Olympics in London. These measures include working with the official tour operators responsible for co-ordinating the travel arrangements for athletes participating in the games to ensure that Ireland is included as a destination for pre and post-Olympics packages; arranging pre and post-Olympics familiarisation visits for key media contacts who are attending the London Olympics — these visits will showcase the sports facilities and cultural product on offer throughout Ireland; and targeting tourists from London who may wish to get away from the city when the games are in progress, by offering good value offers and packages linked to other events in Ireland and presenting Ireland as a place to escape to and relax.

Since there will be reduced accommodation and carrier capacity available for visitors who wish to travel to London when the Olympics are on, Tourism Ireland will also be working with British inbound tour operators to offer alternatives which would fill any gaps in their normal programmes, thereby diverting business to Ireland.

Fáilte Ireland supported University College Dublin in its recent launch as a potential Olympic Training camp venue and it is supporting the European Triathlon Championships this year in Athlone, which it is hoped will draw attention to Ireland and attract top names in the athletics world to participate and perhaps consider basing their pre-Olympic training here.

These are some of the practical areas of work that are under way. The high-level co-ordination group will continue to meet on an ongoing basis over the next two years. The tourism agencies are also working with Enterprise Ireland, IDA Ireland and Bord Bia, as well as their counterparts in the Northern Ireland Tourist Board, VisitLondon and VisitBritain, to identify other opportunities to maximise the tourism potential of the London Olympics for Ireland.

Deputy Olivia Mitchell: Are there any figures to show how much tourism will increase during the Olympic Games? Are there any bookings?

The Olympic Games will be the biggest tourism event of 2012 and they are being held an hour from Ireland. There is huge potential for us. In Britain, they are working on the post-game legacy, introducing the country to the emerging markets in particular. For us, the potential is as great but we have this visa problem that I have been raising for the last three years. It is getting more difficult to get a visa, not easier. We have made it so complex and expensive that we will not get these visitors. The British have succeeded in doubling the number of visitors over four years. Interestingly, every year the average spend of visitors from China grows by 10%. That is not a market we can afford to ignore. If, however, a Chinese person wants to get a visa, he cannot apply on-line or in writing; the application must be brought to one of two locations in all of China. Does this make it look like we really want people from China to visit Ireland? We must do something about this because it is becoming a joke. If we do not capitalise on 2012, we may never have an opportunity like this again.

Deputy Mary Hanafin: It is not true to say the Olympic Games are the only thing happening in 2012. In Ireland, there will be the tall ships race in Dublin, the Volvo ocean race in Galway, the world youth sailing championships in Dún Laoghaire, the centenary of the Titanic, the Eucharistic Congress and the general election.

Deputy Olivia Mitchell: I doubt that will bring in tourists somehow. It might result in an outflow of people.

Deputy Mary Hanafin: I was present at the UCD bid to secure the use of its facilities by sportsmen who will be at the Olympics. The same has been done in the University of Limerick and the National Aquatic Centre hopes to get some of the synchronised swimming teams. Potential exists in this area but we do not have specific numbers yet. Dr. Ronnie Delaney and Pat Hickey of the OCI have been very supportive of this work.

I would not scoff at the number of Londoners who might want to get out of London and we will make it attractive for them to come here. We will launch itineraries for the press on the themes of sports, cultural difference and the “go where Ireland takes you” theme.

Deputy Mitchell is right about the visas in China. It was a great coup when Ireland was designated as a tourism destination from China. I was part of the trade mission in China when that happened. I have written to the Minister for Justice, Equality and Law Reform about the visa issue. There should be a common visa between Britain and the Republic of Ireland to make it easy. This is a long-term policy but there is a burgeoning middle class in China who will be travelling a lot more and we must make it as easy as possible for them.

Deputy Mary Upton: How often does the high-level group meet and how many meetings has it held? The Minister used the word “hopeful” but we are only two years from the Olympic Games and we need commitments, particularly from athletes if they are to come here to train. We should be certain what facilities are available, who will come and how many will come.

That is the first time I have heard a general election referred to as a potential tourism attraction.

Deputy Bernard J. Durkan: It could be a blood sport all right.

Deputy Mary Hanafin: I was talking about the general election in terms of major events that will happen in 2012. The reality is that the big countries will not come to train in Ireland, they will go directly to the larger cities in England. We hope to get some of the smaller countries and their ambassadors were all present in UCD, while UL and the National Aquatic Centre have been marketed to attract them.

The group meets regularly in the Department. We should not underestimate, however, the work Enterprise Ireland is doing separately on the industry side because the Indecon report that was drawn up recognised the business area was of even greater potential than the tourism area.

Deputy Olivia Mitchell: I have heard reports that it is equally difficult to get a business visa. The Minister stated that recognising the British visa is not likely to happen any time soon. However, I suggest this is the obvious and quick solution. Does the Minister realise that we already recognise the British visa in that if one is turned down for a British visa, one is automatically turned down by Ireland? The corollary of that should be that we accept it if it is granted by Britain.

Deputy Mary Upton: If we are looking, as we should, at the potential of the Asian market, we should also consider our language skills with regard to promoting that market and encourage people to come in.

We need to free up money from the banks to encourage SMEs in the tourism sector and put them in a position to be able to provide the services we need to get the tourists in.

Deputy Mary Hanafin: I was not for one moment suggesting that the visa was a long-term issue. I stated that having the visa will ensure long-term growth of the tourism industry as I see great potential there. I accept what Deputies stated on language skills. One of the exciting initiatives of recent years has been the development of the Confucius Centre in UCD, where students can take Mandarin along with other academic subjects, and there is huge potential there.

Tourism has been included in the credit review group for SMEs refused credit by the banks. Anybody involved in the tourism industry can refer to the credit review group with the hope of freeing up money. I accept that it is critical to the future of these small businesses which are the backbone of the tourism industry.

Arts Funding

46. **Deputy Joanna Tuffy** asked the Minister for Tourism; Culture and Sport the major capital programmes that are expected to progress in 2010 in the area of the arts and culture; and if she will make a statement on the matter. [20696/10]

Deputy Mary Hanafin: Departmental funding for major capital cultural projects is primarily from the cultural development subhead that has an allocation of €16 million in 2010.

This level of funding will allow for continued progress for the arts and culture capital enhancement support scheme, ACCESS, that commenced in 2001. Under the ACCESS scheme, grants totalling more than €85 million have been awarded for the development of 120 arts and cultural projects throughout the country to develop the arts and culture infrastructure. Integrated arts centres, theatres, museums and galleries as well as arts studios and other creative and performance spaces have been provided with funding. The ACCESS programme has been widely acknowledged as a significant intervention in the provision of quality cultural spaces throughout the regions. In 2010, ACCESS projects nearing completion include the Niland Model Arts Centre in Sligo, the Belltable in Limerick, Solas cinema in Galway and the Wexford Arts Centre.

In addition to the ACCESS scheme funding is occasionally provided for other capital projects. These allocations generally arise outside of the timeframe for which applications could be accepted under the ACCESS scheme, and are assessed on an individual case-by-case basis. Among the projects that have received funding are the Gate Theatre, the Abbey Theatre and the Wexford Theatre Royal, which is the Opera House. The Comhaltas Ceoltóirí Éireann capital development programme is also among the significant projects that were funded by the Department.

In addition, the Department, together with the Office of Public Works, is working on dealing with major structural issues at the historic wings of the National Gallery and I am hopeful that work can commence in 2010. Furthermore, an offsite storage facility for the National Museum of Ireland in Swords, County Dublin, is undergoing fit-out works with an estimated completion date of June 2010. The works are required to meet the needs of the museum to operate the facility as a collection resource centre and the Department is contributing €1 million towards the costs of the works. Furthermore, work has now been completed on the refurbishment of the Natural History Museum and it reopened late last month to record visitor numbers.

The procurement stage of the redevelopment of the National Concert Hall is also progressing. In accordance with the Government decision, the project was tendered on a design, build, finance and maintain PPP project basis. Two participating consortia submitted tenders on 25 September 2009 and these tenders are being assessed by the National Development Finance Agency under the PPP guidelines set out by the Department of Finance. Once these evaluations have been finalised, a more definite timeline for the project can be established.

Deputy Mary Upton: I welcome that a number of capital projects are going ahead. I understand some of the projects are new, as opposed to refurbishments and commitments already in place. Are new staffing requirements implied in any of the projects?

Deputy Mary Hanafin: Earlier, I indicated that another 22 projects were due to draw down grant aid, so they are ongoing all the time. Quite a number of new projects are also included in what I indicated. This concerns funding under the capital programme so any staffing would have to be paid for under grants through the Arts Council and that would come up for consideration as part of its Estimate every year.

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 Leo Varadkar — the plans of the HSE to establish a methadone clinic in the Coolmine Industrial Estate, Dublin 15; (2) Deputy John O'Mahony — the need to address the relations between the Irish Sports Council and the governing bodies of sport; (3) Deputy Bernard Allen — the transfer of orthopaedic services and surgery from St. Mary's Orthopaedic Hospital, Gurranabraher, Cork, to the South Infirmity Hospital which effectively rules out the possibility of St. Mary's Orthopaedic Hospital as a location for the proposed regional rehabilitation centre which has been promised for many years by this Government; (4) Deputy Joe McHugh — the nature of the Department of Agriculture, Fisheries and Food REPS scheme and specifically delayed REPS payments to farmers whose compliance with certain requirements does not meet the Department's criteria; (5) Deputy Paul Connaughton — the matter of having Teagasc recouped staff in the three private agriculture colleges at Mountbellew, County Galway, Pallaskenry, County Limerick and Gurteen, County Tipperary, to be integrated into Teagasc, which would provide a more equitable staffing arrangement than currently exists between the State-run agriculture colleges and the private colleges, which in turn would help to keep the private colleges open given the record number of students now enrolling at all three; (6) Deputy James Bannon — the need for the Minister for Education and Skills to provide a new community college for Kilbeggan, County Westmeath, or to facilitate the operation of a public private partnership for this project; (7) Deputy Seán Sherlock — the need to ensure the viability of the rowing club facility in line with the management of fish stocks on the Munster Blackwater in Fermoy, County Cork; (8) Deputy Trevor Sargent — the construction of a new school for St. Joseph's Secondary School, Rush, County Dublin; (9) Deputy Joe Costello — the need for the Taoiseach to ensure that Justice for the Forgotten is adequately funded so that it can continue its work on behalf of the victims of the Troubles; (10) Deputy Frank Feighan — turf cutting on bogland; (11) Deputy Dan Neville — an increase in the first three quarters of 2009 of 26% over 2008 on the levels of suicide; (12) Deputy Deirdre Clune — the proposed job losses at Pfizer, Ireland; (13) Deputy Mary Upton — the need to ensure that there is clarification on the provision of home help services for the Ballyfermot-Inchicore area;

[An Leas-Cheann Comhairle.]

and (14) Deputy Kieran O'Donnell — to ask the Minister for Enterprise Trade and Innovation what plans he has for funding the recommendations of the mid-west jobs task force.

The matters raised by Deputies Deirdre Clune, Leo Varadkar, Frank Feighan and Trevor Sargent have been selected for discussion.

Euro Area Loan Facility Bill 2010: Second Stage (Resumed)

Question again proposed: “That the Bill be now read a Second Time.”

Minister of State at the Departments of An Taoiseach and Foreign Affairs (Deputy Dick Roche): The point I was making when the debate adjourned concerned whether the eurozone is essential for Ireland. There are not many Members who would question it, but it is a reality that safeguarding the financial stability of the eurozone is particularly important to the country for a number of reasons. Businesses need financial stability to trade. We are an open economy and we depend on trade to live. Citizens need financial stability to spend and to invest with confidence. The State needs financial stability to borrow the funds necessary for public service funding.

I was particularly surprised by Deputy Reilly's contribution prior to the adjournment of the debate. He asked whether Ireland's contribution to the fund would be safeguarded and whether there was a danger that we would effectively end up subsidising the loan to Greece. He must know that is not true and that even posing those questions is alarmist. Based on the euro area contribution of €80 million, Ireland's share which is based on the ECB paid capital will be less than 1.64% of the overall fund. This means Ireland's contribution will be less than €1.5 billion, which is the figure mentioned in the Bill; the actual figure will probably be in the order of €1.3 billion.

The loans for Greece will carry an interest rate of approximately 5%. The NTMA will source the funds that Ireland is due to provide. Deputy Reilly also asked about this, and if the NTMA has to borrow the money it will do so at a significantly lower rate than the 5% stipulated. The agreement between the eurozone states provides that the funding costs of the member state participating in the financial support package will be fully covered and this is a significant point. The safeguard underpins the entire process; it provides that if any euro member state encounters higher funding costs than those charged to Greece, the additional costs will be recouped.

The Bill before us is important but it is not complex. It provides for the country's participation in the loan arrangement for Greece, permits payments to be made from the Central Fund in respect of Ireland's share of the funding, and puts a limit of €1.5 billion on our contribution. It also establishes the various accounting arrangements that will apply. The Bill is part of set of measures that go much further than merely bailing out Greece.

In addition to the Greek package, the finance and economic Ministers have decided to establish a comprehensive range of measures, including the establishment of the European financial stabilisation mechanism, and we should all welcome this. The mechanism will allow an initial €60 billion from the overall EU budget to be mobilised very rapidly if it is required. Again, this is a prudent move because we know there are significant forces willing to attack and undermine the euro which will pick off one economy after another if we do not show solidarity. Complementing this, the euro area will also make up an additional €440 billion in loan guarantees through a special purposes vehicle.

As the recent crisis developed, it became increasingly obvious that the euro area must take fundamental measures to protect the euro. These are in every citizen's interest. On 12 May we saw for the first time the type of measures the Commission considered necessary. The enhanced

co-ordination recommended by the Commission was designed to assist member states to be better prepared for any future crisis. The speculative attack on the Greek economy has reverberations for the economies of all member states, in particular Ireland because smaller member states are always vulnerable to attack. For that reason, every member of the eurozone has a shared interest in increasing the co-ordination throughout the zone.

In its examination of the pressures which have emerged, the Commission has come up with a very fine paper and I ask people who are scared of it to read it in detail. It is a very fine piece of work and makes the points that we have made in various domestic debates in this House and suggests that member states did not use the good times to pay down public debt fast enough — there are very few people who would disagree with that. We happen to be one of the countries which did, thankfully, pay down national debt because had we not done so——

Deputy Bernard J. Durkan: The Government is no greater than they were.

Deputy Dick Roche: ——we would be in serious “you know what” at the moment. Every credit——

Deputy James Reilly: Is the Minister saying we are not?

Deputy Bernard J. Durkan: Everything was right up to that.

Deputy Dick Roche: The second point was that easy credit led to unproductive investment and excessive consumption, something with which nobody in the House would disagree. The third point was that public debt exploded throughout the 1980s, but in particular in Greece in the period after 2008. It was a feature across the eurozone. That was due in part to the worldwide crisis.

Deputy Jim O’Keeffe: Everybody else was doing it. Is that the excuse?

Deputy Dick Roche: It is an issue which has to be addressed. I listened to contributions from the other side of the House, with respect, and people talked, in particular on this side of the House, about putting off the evil day when we dealt our expenditure issues. An illustrious person came from the broadcasting world into this House but exited after a fairly short period who disagreed with Deputy Bruton’s common sense points on this issue.

Deputy Bernard J. Durkan: We know the Minister of State is well disposed but there is no need to show it.

Deputy Dick Roche: The fourth point was that the euro area lost competitiveness; about that there is no doubt. The entire euro area has lost competitiveness and if one loses competitiveness, one loses jobs. This is one of the issues——

Deputy James Reilly: Who was warning about that for seven years? Deputy Richard Bruton.

Deputy Dick Roche: This is one of the issues which we have to address. As I said earlier, I did not interrupt the Deputy although I fundamentally disagreed with quite a number of his points.

Deputy James Reilly: The Minister of State has interrupted many people in this House in his career.

An Leas-Cheann Comhairle: Deputy, please. I ask the Minister of State to yield. Everybody is allowed to speak and make a point. It is a very important debate. We do not shout each other down. Allow the Minister of State to address the House.

Deputy Dick Roche: I will address my comments entirely to the Leas-Cheann Comhairle. I take my fair share of the blame in this. The final point in the Commission paper, which is a fine paper and well worth reading, is that in order to keep long-term interests rates and boost growth and jobs, the euro needs to consolidate. That is a view which many people have expressed over the period since the euro came into operation.

On foot of these findings the Commission makes modest suggestions. The first is that every effort should be made to reach the 3% deficit and the 60% debt set out in the Maastricht criteria. They have been in place since the early 1990s and it is unforgivable that there has not been more focus on them across the entire European Union. Second, it argues that greater emphasis should be placed on the correction and avoidance of microeconomic imbalances in the euro area. That would involve recommendations on, *inter alia*, competition policy, wage setting behaviour and private sector credit growth. Those are issues where, if we are all honest with ourselves, there has been slippage over the years.

The third point, which seems to have cause most allergy in this House, is the European semester. It will start in 2011 in order that budgetary and structural policies are peer reviewed at an early stage of the year, probably in April or May. They will be discussed in the euro group after implementation and not before, which is currently the case. This could mean that the recommendation of the revision of budgetary plans will be made. There is a lot of difference between that and suggesting that one is surrendering sovereignty in some way. The final point is something on which we can all agree, namely, that a crisis resolution method for the euro area is needed on a standing basis. It would involve strict conditionality for assistance provided by way of above-average interest rates, which makes sense.

The Commission's document is the beginning and not the end. It is a discussion document, not a final document and it has been and will be discussed. There is no doubt in the order of things it will be changed when the euro group, ECOFIN Ministers and Heads of State meet.

I was stunned by the reaction from Fine Gael last week because it was so much part and parcel——

Deputy Bernard J. Durkan: The Minister of State should not be stunned because it does not sit well on him.

Deputy Dick Roche: ——of putting in place various policies. One of the things which was achieved during that coalition was the 1996 European Council which was agreed in Dublin. Its criteria, which have been largely ignored, were set down. There has been an attempt in the House today to suggest that somehow there has been an attempt by the media and ourselves to rewrite what was said here last week. What was said here last week is a matter of fact. If one says it, it is made. I cannot understand Deputy Kenny's response to the Commission proposals. What he said——

Deputy Bernard J. Durkan: Maybe he was concerned.

Deputy Dick Roche: ——was well picked up by Sinn Féin.

Deputy Bernard J. Durkan: He is concerned about the performance of the Government to date.

Deputy Dick Roche: What he said was well picked up by the media and Sinn Féin at the time, neither of whom needed any prompting from us. His reaction to this was disappointing, to point it mildly. He did not show leadership. He sought to misinterpret the Commission proposals in order to embarrass the Government. However, the only people he will embarrass if he keeps this up are those in his party which has a good tradition, in terms of European involvement.

Deputy Bernard J. Durkan: We thank the Minister of State for his health warning.

Deputy Dick Roche: His intervention once again represents a degree of cluelessness which ill becomes the leader of a party.

Deputy Bernard J. Durkan: We will agree to that. The Minister of State should look around him.

Deputy Dick Roche: Just how out of touch——

Acting Chairman (Deputy Noel O'Flynn): Deputy, the Minister of State, without interruption please.

Deputy Dick Roche: ——Deputy Kenny has become is glaringly obvious when he attempts to abuse situations, as he did on this occasion. Opposing or making critical comments about the suggestion that the Maastricht criteria should be applied is nonsense. The reaction is odder still when one considers Ireland's role in establishing the criteria. Ireland signed up for the Maastricht treaty and the main political parties on both sides of the House, to their credit, campaigned for that treaty in a referendum. Fine Gael was part of that consensus so why there should be a question from the leadership when a consensus has been agreed is beyond me. Deputy Kenny's current position——

Deputy Bernard J. Durkan: That is because there was no consultation with this House, which the Minister of State well knows.

Acting Chairman: Deputy Durkan, you will have seven minutes to speak. I ask you to have respect for the dignity and decorum of the House.

Deputy Bernard J. Durkan: Seven minutes is very short for a debate of this importance.

Acting Chairman: The Minister of State, without interruption.

Deputy Dick Roche: Deputy Kenny's current position, as of last week, could not be further from the position his party accepted in the past, in particular when the euro was established. Let us remind ourselves that the criteria were finalised in December 1996 during an Irish Presidency. John Bruton played a major role in setting out those criteria and there was international recognition of the role played by Deputy Ruairí Quinn ——

Deputy Bernard J. Durkan: That was then, when the country was being well run and there was transparency and accountability.

Deputy Dick Roche: Deputy, with all due respect, if you come in here and act like an ass, that is exactly the label you will gain.

Deputy Bernard J. Durkan: Acting Chairman——

Deputy Dick Roche: Deputy, with due respect——

Deputy Bernard J. Durkan: On a point of order, if the Minister of State can rise no higher than to call a Member of the Opposition an ass, could I ask him to withdraw it before he goes any further?

Deputy Dick Roche: With respect, I have no intention of withdrawing what I said.

Deputy Bernard J. Durkan: Can I ask the Minister of State to withdraw——

Deputy Dick Roche: We are engaged in the usual nonsense here.

Acting Chairman: Minister of State, please.

Deputy Dick Roche: With respect, I have tolerated interference.

Acting Chairman: You must respect the Chair.

Deputy Dick Roche: I am respecting the Chair.

Acting Chairman: No, you must stop when I tell you to stop. I am only doing this job and there is a procedure.

Deputy Dick Roche: Provided I have the time to finish.

Acting Chairman: There are Standing Orders. I do not think any Member of the House should be called what you called him and I ask you to withdraw that.

Deputy Dick Roche: Chair, read the record. I did not call the Deputy an ass. I said if a Deputy comes in here and acts like an ass, that is the appellation which will be attached.

Deputy Bernard J. Durkan: On a point of order——

Acting Chairman: Sit down, Deputy.

Deputy Michael Noonan: The Minister of State is a jackass.

Deputy Arthur Morgan: Is that worse than an ass?

Deputy Dick Roche: That is okay. There are equal insults. I respect the Chair. I did not call the Deputy an ass. I have been called a jackass and a worse ass, or whatever the appellation was. We should all calm down a little. If the Deputy allows me to finish my script he will have time to question each and every point I have made. I will listen to him respectfully.

The criteria——

Deputy Bernard J. Durkan: Lest the Minister of State presumes for a moment that he can buffoon his way through what he has just said, I have no intention of letting him go through his speech without him withdrawing an accusation that a member of the Opposition was an ass.

He might have his own private thoughts.

Acting Chairman: Let me handle it. All types of asses, as the Minister of State describes them, are unparliamentary. I ask him to withdraw the remark.

Deputy Dick Roche: I withdraw the remark.

Acting Chairman: I thank the Minister of State.

(Interruptions).

Acting Chairman: I will let the Minister of State finish. I ask Members opposite, in particular, not to be unparliamentary, to be respectful to each other and to be respectful to the speaker and allow him to finish. We will then hear their contributions.

Deputy Bernard J. Durkan: Has the Minister of State withdrawn the remark?

Acting Chairman: He has done so.

Deputy Bernard J. Durkan: I thank the Acting Chairman for upholding the high standards that used to apply in the House and I hope will apply hereafter.

Deputy Dick Roche: As I was saying before I was interrupted, Deputy Kenny's position as of last week could not be further from the position his party rightly and properly adopted in the past. I cannot understand why he has departed from that high standard. The suggestion which has been made by party spin doctors opposite for the past 48 hours that somehow or other the commentary by Sinn Féin, which was very accurate, in *The Irish Times* and by columnists about Deputy Kenny's contribution is well based. There was no need for anybody in this House to raise questions about his standards.

As I said, the criteria were finalised in December 1996 during the Irish Presidency and John Bruton played a proud role in that, as did Deputy Quinn. On more than one occasion, I have commented on the positive role played by both men. I cannot understand why the leader of the Opposition departed from that.

That Council also reached agreement on the exchange rate mechanism, ERM2, as Deputy Noonan will recall, that it would underpin the euro and on the decision of Finance Ministers on details of the Stability and Growth Pact. All of that was put in place while the main party opposite was part of Government. There was consensus in this House on all of that. That Council issued a statement in the name of the then President of the Council, John Bruton, about the excellent report to the ECOFIN. That is all a matter of record so why it was deemed necessary to depart from that now eludes me.

One must ask why the current leader of Fine Gael finds the idea of complying with the criteria repellant. For the life of me, I cannot understand why he said what he did last week. Is he trying to rewrite history? After all, his own achievements as the longest serving Member of this House are modest. However, the achievements of the Members I mentioned are significant. Is he, as observed in last Saturday's *The Irish Times* attempting to turn a European Commission proposal, which is just a proposal in its infancy, on budget co-ordination across the European Union into a scare about the erosion of Irish sovereignty because, if he is, he is playing the wrong game?

Deputy Kenny in a mad scramble to score points against the Government — again, this comes from *The Irish Times* — jettisoned principles his own party long espoused. Is he simply clueless, reckless and willing to go whichever way the wind takes him? I do not know the answer to that and perhaps when Deputies opposite speak, they will tell us the answer.

Deputy Bernard J. Durkan: That is not an isolated incident.

Deputy Dick Roche: That is true. It is not an isolated incident. Members of this House were very quick to notice what Deputy Kenny said. I draw the attention of the House to what Deputy Ó Caoláin said. He said he echoed the Fine Gael concerns and he politely told the House that he had forecast just a development when he was campaigning for a "No" vote in

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two referenda on the Lisbon treaty, that is, when he was campaigning on the opposite side to Deputy Kenny.

Acting Chairman: I will allow the Minister of State an extra minute and a half because of all the difficulties.

Deputy Dick Roche: I will take all of that. I thank the Acting Chairman.

Outside the House, the leader of the Socialist Party, Joe Higgins, hit the nail on the head when he said in *The Irish Times* that either Deputy Kenny did not know what he was talking about during the Lisbon treaty referendum when he asked the people to vote “Yes” or he is deceiving them now. I would plump for the latter explanation because he was right about the Lisbon treaty.

We had another example of that willingness by the leading Opposition party in a contribution made by Deputy Mitchell in which she made the point that somehow or other Ireland was paying more than its fair share into the Greek package. That is not the case. The proportions which I gave were established at a time when Fine Gael and the Labour Party had some involvement in Government. Regrettably, this is not the first occasion on which Fine Gael has dropped its proud European stance to play the populist card. Doing so for short term gain, if that is the motive, is a very dangerous game. We all know how dangerous it is because it undermines public confidence in our membership of the European Union and that is regretted.

Deputy Bernard J. Durkan: So has bad budgetary policy for the past ten years.

Deputy Dick Roche: We have all worked so hard——

Deputy James Reilly: Where is the Government’s jobs strategy?

Deputy Dick Roche: ——in that regard.

Acting Chairman: Will the Minister of State conclude?

Deputy Dick Roche: We all know Ireland needs Europe and the last thing we need to see is further instability in the eurozone and we all have a responsibility to work to ensure that does not happen. The measures put forward by the European Commission are sensible, necessary and timely but do not undermine any member state’s sovereignty. They certainly cannot undermine our position on taxation which has treaty status because of the work of the members of successive Governments. The treaties are not perfect but they are final. As always happens and as Members know, in particular those with the experience of Deputy Noonan, the proposals made, especially in a consultation paper by the European Commissions, will be discussed, elevated and changed.

There was a great debate over the weekend in which I happen to share an interest and on which I would have some common ground with Fine Gael on the need to talk about budgetary reform in this country. We should not entangle that issue with issues relating to the Commission’s proposals which are sensible and timely.

Acting Chairman: I have allowed the Minister of State almost three minutes of extra time because of the difficulties experienced. I understand Deputy Jim O’Keeffe is sharing time with Deputies Durkan and Noonan. Is that correct?

Deputy Jim O’Keeffe: That is correct.

Acting Chairman: Of course, I will give them the entire 20 minute slot.

Deputy Jim O’Keeffe: I expected a constructive speech from the Minister of State with responsibility for European affairs but was hugely disappointed by the absolute lack of any constructive comment. However, I will let that be because what is important is that the core message from the Irish Parliament is that it supports financial stability in the eurozone and that Ireland is willing to play its part in full in ensuring this will happen. Anything that distracts or detracts from that core message is damaging to this country, Europe and the eurozone. That is the main reason I criticise the speech of the Minister of State with responsibility for European affairs. Even from the point of view of self-interest, it is in our interest that we have financial stability because this will impact on the premia we will, unfortunately, have to pay in years to come and the billions of euro we will have to borrow.

Why are we in this situation? It is necessary to understand that clearly when speaking about a Bill of this nature. The recent economic crisis has no precedent in our generation and it has severely challenged the functioning of the EMU exposing fundamental weaknesses in the EU economy. The European Commission’s recent proposals have rightly pointed out that surveillance procedures have not been comprehensive enough. As the Commission states in its proposal document, in some member states revenues were temporarily boosted by tax rich activity driven by unsustainable booms in housing, construction and financial services. Is it not very obvious about whom it was talking? Right in the firing line is this country which, unfortunately, has been under the control of a Fianna Fáil-led Governments for the past 12 years. We have already had an admission from members of Fianna Fáil of the awful mistakes made which contributed largely to the problems we face. However, we are still waiting for the *mea culpa*. There has been no apology.

I wish to comment on some criticism from across the floor about Fine Gael. It is our job as Opposition Members to tease out the details of proposals emanating from Europe given the deep impact they will have on us. We need to think about this bailout in the context of our financial system and its role in the economy. I am aware of the criticisms that have been expressed about bailing out banks and countries. The good performance of a financial system basically requires efficiency and stability. We have a clear duty as EU member states to ensure the eurozone is both stable and efficient.

We need to react quickly to stabilise financial markets. Stability requires us to maintain the function of the financial system not for the benefit of financial institutions, but so that it can facilitate the economy. We must also put in place mechanisms to prevent financial problems from becoming systemic or threatening the stability of the economic and financial systems. We need to reduce the uncertainty which currently looms over Europe’s sovereign debt if we are to ensure the longevity of the eurozone. We have a responsibility to defend the euro as a credible currency.

The initial reaction of the markets to the rescue package was positive, just as they reacted positively when Ireland decided the glory days were over and that it was time to start governing itself properly. The continuing decline of the euro suggests, however, that the initial positivity has waned. I welcome a weak euro from a tourism and export point of view. It will also help us to deal with the loss in competitiveness we have suffered in recent years. However, we must also consider the impact on our imports and other costs because of the potential for inflationary pressures. A weaker euro that results from fiscal uncertainties is not a wonderful place to be. We must be prepared to communicate to the market our willingness to stand behind whatever measures are necessary to stabilise the euro.

[Deputy Jim O’Keeffe.]

We are inherently interdependent and we share risks with other member states. This is clear from the premiums we pay for debt. Recent events demonstrate that the bond vigilantes pushed up yields on Greek, Portuguese and Spanish bonds. We recently completed a successful issue of a ten year bond at 4.7% but that compares unfavourably to 4.4% in March. We are affected by what is happening in other countries. It is in our interest, therefore, to ensure that the bailout measures are successful.

This brings me to the issue of fiscal and budgetary rules. The Commission’s approach is that prevention is more effective than correction. It is clear that member states failed to build up adequate buffers during the good times. Fine Gael has been raising this issue for the past ten years but nobody listened. Given that our proposals are echoed by the Commission, of course we support the proposed new measures. The Commission will introduce at European level the measures we sought domestically.

In all the years I have been in this House, I have never seen a proper debate on budget measures because of the restrictions imposed by one day debates and midnight votes. We never have an opportunity to debate the underlying state of our public finances or the question of proper borrowing and saving targets.

It is clear there was no regulation of any consequence in Ireland and the European regulations did not work. It may be in our interest to seek even stronger regulations than those being proposed by the Commission simply because of the systemic importance of our banks. I am wholly in favour of stability and the measures required to achieve it.

Deputy Michael Noonan: The Greek crisis has exposed a flaw in the euro system. The problem concerns what is to be done when the economic fundamentals of a eurozone state become so weak that they signal imminent insolvency. What happens when a state can no longer borrow at affordable interest rates or, indeed, at all? What is the result when an economy becomes so uncompetitive that the very strength of the euro militates against its recovery? What can be done by other eurozone states to develop a solution when the treaties forbid state bailouts?

This Bill and the parallel legislation being introduced in other Parliaments of the eurozone provide a temporary, albeit welcome, answer. The measures being introduced will enable Greece to continue to operate without borrowing in the markets for the next two years. However, if the eurozone is to survive and prosper, the flaw which has been exposed must be given a credible and permanent fix.

The device of providing loans through member states circumvents the no-bailout clause in the European treaties. Even on a loan basis, these payments to Greece are a credible substitute for the direct interstate monetary transfers that take place in more integrated currency unions. Two years ago, California was the Greece of the United States. Why would it have been total nonsense to suggest that California could no longer remain part of the dollar zone? The reason is simply because the United States is an integrated political, economic and fiscal union which allows transfers to take place between states. Automatic stabilisers allow transfers to be made and the currency problems we face to not arise because of fiscal union.

Collectively, Europe is still the world’s greatest economic power. In trade terms it remains a giant but its ambition to be a major global power that rivals the United States and China and a euro that acts as a leading world reserve currency is now a distant dream.

The flaw in the euro machine must, however, be fixed and the lack of fiscal integration must be addressed. The proposals for strict implementation of the Stability and Growth Pact with oversight by Brussels of budgetary targets represent attempts at a fiscal solution but they create their own difficulties. A more credible long-term fiscal solution is necessary. Europe also needs

its own equivalent of the IMF. While I cannot see how this could be achieved without amending the treaties, the resourceful eurocrats who developed the Bill before us may find a legal means to circumvent these difficulties.

The speculation that Germany or France may withdraw from the euro is not credible. If a new super euro was created by the original six members of the Union, minus Italy, the result would be devaluations by all other member states. The hard won competitive advantages enjoyed by the Benelux countries, France and, especially, Germany, would be lost.

The idea that Greece would drop out of the eurozone has also been canvassed. This has superficial attractions because Greece would enjoy a competitive devaluation and could default on its debt without consequences for the euro. However, the attractions of this course of action are more apparent than real.

The true fear of Europe is that contagion will spread from Greece to Portugal, Spain, Ireland and Italy, with stark consequences. There is nothing attractive in sovereign default, especially when German banks are liable for one third of Greek debt and French banks are liable for 40%. German and Austrian banks are also lending heavily to eastern Europe and if the contagion spreads and expands to include sovereign defaults, God only knows where we will end up. We have seen from the United States that when problems start in a bank it is hard to know how they will develop because there are always unforeseen consequences.

Europe needs a growth strategy. What is called the Stability and Growth Pact has given us neither stability nor growth. Now that stability is to be achieved through fiscal retrenchment under the guidance of Brussels, it is time to address the jobs issue. One cannot cut one's way out of a recession but one can grow out of it.

We must find a way forward. The Government has made a good attempt at fiscal correction. It has also brought in a new architecture for the banking system. Whether we agree or disagree with that, it is now in play and I hope it works.

However, the Government has utterly failed in addressing the recession. The recession is not a subset of the fiscal or the banking problem; it is an issue in its own right and it requires its own solutions. The Government's latest attempt is to talk up the economy, aware that there are savings in every bank account in the country and that if people could be encouraged to spend there might be a domestic boost in demand which would help us out of recession. However, it is not possible in the current circumstances to talk our way out of recession. The Government must implement a series of supply-side measures — because we cannot afford demand-side measures of a major stimulus nature — to get us out of recession, encourage growth and create jobs.

Deputy Bernard J. Durkan: I promise not to interrupt myself in the course of my contribution. We are facing what is probably the greatest single test of the European Union and its institutions since their inception. The eurozone territories are assailed on all sides by greedy and well directed speculators who have only one objective, namely, to prise one country — it does not matter which — out of the monetary union. Once a single country is taken out of the eurozone, the entire system disintegrates. The suggestion that there could be a two-speed Europe in such a scenario and that we could continue as before is not feasible. There would be utter turmoil within the European markets and economies if that were to happen.

The current recession is very deep and has broad implications. It can be compared to the recession of the late 1920s and 1930s when it took the then President of the United States many years, having tried several formulae, to begin to turn the ship around. Eventually, by virtue of a succession of events, some of which were beyond his control, he succeeded in so doing. It is extremely important that we all support the aid package for Greece and the broader

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stabilisation package being introduced by the European Union in order to ensure there is confidence, hope and economic recovery. We are not out of the woods in this regard by a long way.

The Minister of State at the Department of Foreign Affairs, Deputy Roche, used much of his speech to criticise the Opposition and Fine Gael in particular. However, he failed to acknowledge some important points. It is not at all unusual in the current circumstances that the European institutions would require some type of evidence to show that the Stability and Growth Pact guidelines are being observed. They have not been observed for a long time by many countries, small and large. It is reasonable to expect that the Union would seek assurance that whatever package is proposed for our economic salvation is placed on a sound footing. That sound footing can only be assured if the European Union knows what measures are being taken within member states in terms of economic policy to achieve our common objectives.

The next issue we must consider is the composition of the proposed stabilisation fund, a combined European Union and IMF initiative. This mechanism is to be welcomed, my only concern being that the IMF has not always lived up to expectations in the past. That body could, in recent years, have achieved more in certain areas relative to its stated intentions. The eurozone countries, on the other hand, have a great responsibility to themselves and to the wider European Community. If this proposal fails, we will have a serious problem.

The chief criticism from the Minister of State, Deputy Roche, was that the leader of Fine Gael and others in the Opposition had suggested that the European Union institutions were not honouring what was committed to in previous European treaties. It is not unusual or unreasonable, given the juncture we have reached, that the Opposition parties would seek some information as to the proposals the Government intends to put to the European institutions, before it makes those submissions. Some of the submissions made in the past did not stand up.

Deputy Darragh O'Brien: Does Deputy Durkan now agree there is no problem——

Acting Chairman: Deputy Durkan should be allowed to speak without interruption.

Deputy Bernard J. Durkan: I encourage interruptions. I have been listening to Deputy O'Brien in recent days and he would be well——

Acting Chairman: Deputy Durkan has one and a half minutes remaining — he should be careful not to waste it.

Deputy Bernard J. Durkan: I will not waste the time remaining. I ask the Acting Chairman not to interrupt me because that makes it even worse for me. In a debate as important as this, it is a sad reflection on our democracy that we have only six or seven minutes to make our contribution in the national Parliament.

I challenge any comer on the other side of the House to deny that whatever submissions were made in the past by the Government, they were questioned by the European institutions. That is why they have come back with this proposal. They have questioned Government submissions over the past six months and over the past six years. They have pointed out repeatedly that the Government did not live up to the Stability and Growth Pact guidelines and had no intention of so doing. If Members opposite want to point the finger at the Opposition benches in regard to the current crisis, I remind them that the Government has been continuously in power for the last 13 years, and for the past 25 years with the interruption of a mere two and

a half years. That two and a half year period was the only time in the past 25 years that all of the guidelines laid down by the European institutions were observed by Government. That Administration could leave office with pride on that basis.

Acting Chairman: I wish to clarify that the Chair does not interrupt; the Chair intervenes. I ask Deputy Durkan to bear that in mind for the future.

Deputy Bernard J. Durkan: I thank the Acting Chairman for his intervention on my behalf in the course of my contribution.

Deputy Beverley Flynn: I propose to share time with Deputies Darragh O'Brien and Chris Andrews.

Acting Chairman: That is agreed.

Deputy Beverley Flynn: I welcome the opportunity to contribute to the debate on this Bill. I begin by acknowledging the Damascus-like conversion my colleague on the other side of the Chamber has apparently undergone on behalf of his party. We welcome his support for the Bill and his comments on the examination of our budgets by a peer review group. Both Deputy Durkan, who is Chairman of the Oireachtas Committee on European Affairs, and his party's spokesperson on European affairs were remarkably silent in recent days when their finance spokesperson made the crazy and outrageous suggestions that we would lose our sovereignty in respect of fiscal policy as a result of these proposals and that our low corporation tax rate might be at risk. I welcome the Deputy's contribution as a signal that he did not agree with those statements.

It is disappointing that this Bill is necessary but it is important that we play our part in bringing about the stability of the euro currency and the euro economy. We will help to protect Greece by operating these repayable loans which will be channelled through the European Commission in conjunction with the IMF. It is to be welcomed that the loans are being given on a conditionality basis. It is important that those conditions are monitored carefully, as laid out in the Bill and as per the agreement between the member states. It is important that Ireland moves, like our fellow member states, to provide confidence within the eurozone. Instability in this regard has implications for the greater economy and for Ireland in particular. We have a vested interest in moving to support Greece at this particular time. It is important that as a community, European Union member states show solidarity with each other. Deputy Noonan referred to contagion. We are all concerned about any such prospect or risk in other eurozone member states.

The loan facility has come about because Greece was not in a position to borrow on international bond markets at sustainable rates. It proved necessary to agree a package which would allow Greece to avoid going to the market for its funding requirement for some time. The package amounts to €110 billion over a three year period, €80 billion of which is provided by the euro area, with the remainder provided by the International Monetary Fund. As noted in the Bill, Ireland's share of the package will be €1.3 billion, although I note the relevant section makes provision for a share of €1.5 billion. Possible short-term fluctuations will, however, be reconciled at a later stage. Ireland's share of €1.3 billion is arrived at as a result of our paid up capital at the European Central Bank.

It is understandable that people on the street will ask how we can afford to fork out €1.3 billion to Greece when we are borrowing €20 billion per annum to run the country. The overriding purpose of the loan facility is to support Greece and safeguard the financial stability of the euro area, including Ireland. Members of the public as well as the major political parties, all of

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which support the measure, realise there is no alternative to the loan facility provided for in the Bill. It is important to recognise that Greece will repay the funding provided when times improve. In addition, member states' funding costs are being met without an imposition on the taxpayer.

In providing this loan facility to Greece, a number of important agreements have been entered into. These include the loan facility agreement, which sets out the details of the loan, an inter-creditor agreement and a memorandum of economic and financial policy. The memorandum is important because it outlines the economic and financial policies the Greek Government must implement by 2013 to strengthen market confidence in the country's fiscal and financial position. The Greek Government must implement a number of ambitious measures by 2013 to ensure the country does not default on its bonds in future.

A further key agreement entered into as part of the loan facility is the memorandum of understanding on specific economic policy conditionality, which specifies the detailed economic policy measures that will serve as benchmarks for assessing policy performance in the context of quarterly reviews. I welcome the provision to hold quarterly reviews as it will prevent a future crisis by enabling us to determine whether Greece is playing its part in line with the various agreements. Other member states will, therefore, have early signals if the country is failing to do so.

The measures Greece must implement include public sector wage reductions, a cut in pension outlay and increases in excise taxes and VAT. The overall adjustment package amounts to €13 billion or 13% of GDP between now and 2014. There is no doubt that these ambitious targets will inflict a significant amount of pain. Ireland has successfully introduced adjustment measures to stabilise the position in this country. If we are to play our part by taking difficult decisions here, it is important that other countries, particularly those being given a substantial helping hand, take similar measures.

The position in Ireland differs greatly from that of Greece. Our economic position is much stronger than that of Greece, which has serious underlying competitiveness problems and high debt levels. Furthermore, until now the market did not believe Greece could deliver the necessary austerity measures. Ireland has demonstrated, in its budgetary process over the past 18 months to two years, that it is in a position to deliver such measures. The markets have observed our capacity in this regard and responded accordingly. As a result, we are well on the way to restoring stability to the public finances.

The ESRI and many other economic bodies have indicated that Ireland will enter growth towards the end of this year and achieve a growth rate of 3% in 2011. These are early signs that the country is taking the correct steps. As I indicated, we want assurance from the Greek Government that it is also in a position to take such steps. The quarterly reports to the eurozone group will be of particular importance in this regard. Prior to decisions being taken on the disbursement of the subsequent tranches of the loan to Greece, the European Commission will ascertain whether Greece is fulfilling its obligations under the conditionality part of the agreement.

It is important for Ireland to stand with other countries in Europe at this time. It is good to note so much agreement in the House on this measure. For this reason, I commend the Bill to the House.

Deputy Darragh O'Brien: I am pleased to have an opportunity to speak on the Bill. It was interesting to listen to Deputy Durkan's contribution. As Deputy Flynn noted, he single-handedly brought his party back into the EU fold after the rush of blood to the head his party's finance spokesman, Deputy Bruton, experienced last week when he commented on fiscal sover-

eignty and the threat to corporation tax rates. Deputy Bruton has been silent on the matter since, as has leader, Deputy Kenny.

It is not a coincidence that there appears to be a little trouble in paradise in respect of the Fine Gael Party in so far as its spokesperson on Europe, Deputy Creighton, has clearly stated she does not have any concerns about the corporation tax issue or EU oversight of Irish budgetary policies. I do not know whether it is coincidental that amendments tabled by the Fine Gael Party are in the name of Deputy Kieran O'Donnell rather than Deputy Richard Bruton. Perhaps the latter is steering clear of business on Europe for the time being.

As the Bill demonstrates, if the Government had not taken difficult but necessary decisions in the past couple of years, Ireland could well be in the position in which Greece finds itself and other parliaments across the eurozone would perhaps be discussing a bailout package for Ireland. It is somewhat disappointing that over the past three budgets the two main Opposition parties have seen fit to oppose the every one of the difficult but necessary measures the Government has taken. Instead of taking a constructive approach, as Fine Gael did with regard to the deposit guarantee scheme, the Opposition has been populist and opportunistic.

The Government has stabilised the deficit and unemployment and the cost of borrowing has reduced markedly in the past 18 months.

Deputy Kieran O'Donnell: To have stabilised unemployment is a strange claim to make.

Deputy Aengus Ó Snodaigh: It has been stabilised upwards.

Deputy Darragh O'Brien: Whatever way one looks at the issue, the Government has stabilised the unemployment rate. We are now focusing on returning to growth this year. According to all projections, the country will return to growth in the second half of this year and will achieve a significant growth rate of between 3% and 3.5% next year.

Deputy Kieran O'Donnell: What about the quarter of a million people who have joined the live register?

Acting Chairman: Deputy O'Donnell knows the rules of the House. I addressed this issue with a number of members of the Fine Gael and Fianna Fáil parties earlier. The Deputy must address the Chair and may not address any other Member of the House.

Deputy Darragh O'Brien: No one contests the fact that Ireland will return to modest economic growth levels later this year and more significant growth next year. This will not occur by accident but as a result of Government taxation measures and expenditure cuts worth billions of euro taken to bridge the budget deficit and regain control of the public finances.

The British Government has announced it will reduce by £6.5 billion its budget deficit of £165 billion. When one considers that the Irish Government made cuts of €4 billion last year to address a deficit of €22 billion, one sees the scale of the challenges facing the country. The Government's decisions have been proven correct. Last week, I debated this issue with Deputy Bruton on a radio programme, in the course of which he admitted that a number of the measures taken by the Government in the past 18 months to correct the fiscal position were correct. It is a terrible pity his party did not see fit to support any of these initiatives at the time. The same can be said of the Labour Party, which agreed last year that cuts of €4 billion were necessary but opposed every proposal to achieve them.

I welcome the initiatives taken by the Greek Government to tackle the country's budgetary problems with the assistance of the European Union. The loan facility for Greece is a combined

[Deputy Darragh O'Brien.]

package to which all European Union member states contribute designed to ensure the eurozone remains strong. This brings me to a specific point.

We need to look at the role that credit agencies such as Standard & Poor's and Fitch have played in stoking up some of these crises and talking down countries. It seems that if Standard & Poor's and Fitch say anything negative about a country, then the cost of borrowing increases for that state. The EU needs to grapple with this, because it seems that what these agencies say is gospel. The same situation occurred when an attack on Spain was ready to be set up a few weeks ago. We should consider the bona fides of these agencies as to why and when they come out with these comments. I believe there is a sinister element to this in some instances. It is far too serious to let a few private companies around the world dictate eurozone policy here. This crisis must teach us something in that respect.

The Bill is a clear signal that the EU member states are working together in assisting Greece. We are rightly playing our part in that rescue. The €1.3 billion payment to Greece is a loan and will be repaid to Ireland at a significantly higher rate. We are seeing an end to the recession in Ireland. We are now in a position to be able to create opportunities for the people who have lost their jobs in the last two years. We are supporting over 100,000 people in work at the moment through the various employment subsidy schemes. We need cohesion within Europe, and this Bill provides it. The EU states need to work together for the good of their citizens. I would like to see the two main Opposition parties in this House trying to work in cohesion with the Government and trying to put forward some realistic policies, instead of just uttering platitudes after the event and letting the Government do all the heavy lifting. We are happy to do it because we are capable of doing it.

Deputy Edward O'Keeffe: I thank Deputy Chris Andrews for allowing me to speak in his slot, as I have to go to another meeting. I welcome the Bill and the loan for Greece. This is about the stability of Europe and the monetary stability of the EU. It is important for Ireland that we have a strong Europe. Ireland has benefited enormously from our membership of the European Union.

We are seeing cracks and creaks in the currency. I am worried about its stability, even with this loan. Greece has got a handshake in the form of a substantial amount of money to preserve its economy. Ireland has put its shoulder to the wheel to provide this loan. It will add to our national debt, but it will make a margin of money for us and for our economic prosperity.

Ireland has worries about the European Union. Were it not for the Germans, we would not have a strong Europe. I congratulate Angela Merkel on her defence of the euro and her fight to save it, irrespective of her political decisions and her party's problems in an election in Germany. The French are also part of the system. Irish agriculture is the area that is most at risk.

I was standing at a collection point on Sunday, and I had very good collections for the Fianna Fáil Party. They were substantially up on last year. I must get Deputy Rabbitte to count the money, because I know he is good at the figures. Farmers are telling me that we do not want to return to the days of the green pound. Irish agriculture is the biggest beneficiary from our membership of the EU, and we do not want to return to the days of bargaining if the euro collapses. Irish agriculture and the food industry will be the losers if that happens. The Government has done the right thing and I congratulate the Taoiseach, the Minister for Finance and other Ministers on their involvement in the European monetary process over the last few weeks.

The world economy is in difficulty. One of today's financial newspapers reported that Vodafone suffered substantial losses in its business in India. We hear much about the Indian econ-

omy, but that is also suffering a downturn, as is the general high-tech industry. The building bubble caused the problems in Spain and Ireland. We were over-ambitious in construction and industrial development. Greece is in crisis, but it has been backed up by the 27 EU member states. Spain, Portugal and Ireland are in the same category, but these are much more disciplined countries. Ireland has led the way in putting its economy right. There was a €4 billion adjustment last year in the budget, while we are facing a €3 billion adjustment this year and I hope all the parties, including my own colleagues, accept this. If we do not face that kind of austerity and adjust our economy, then we will not be here in the years ahead and the IMF will take over from us. We would like to run our own business here independently.

We have rescued our banks. We have rescued our economy. We still have 1.8 million people in the workforce, and we should never forget that. I came into this House 28 years ago when there were only 800,000 people in the workforce and employment was at 17% to 18%. We now only have about 13% unemployment, so we are doing quite well in this situation, given the crisis that surrounds us. There is a certain buoyancy out there, and there will be growth in our economy. However, it will be slower than we would like because of our debts.

The Government is to be congratulated on its support for the euro. Its importance to Ireland cannot be dismissed in any way. I appeal to the Opposition parties to fall into line. Deputy Rabbitte is a very committed European, even though he might not agree with much of what I have said. Should anything happen to the euro, the losers will be the people of Ireland and the Irish economy. The euro is so important to us. There is a danger that it is creaking, and if anything happens, we will be the losers.

Deputy Pat Rabbitte: It is always worth listening to Deputy O’Keeffe on financial and economic issues. On the matter of whether there are any green shoots to be spied by observers, the notion that the Fianna Fáil collection in Mitchelstown went up last Sunday is the most tangible evidence I have heard so far of an improvement in the economy.

Deputy Seán Haughey: We are donating it to Greece on this occasion.

Deputy Pat Rabbitte: The truth must be that if there is a revival in the fortunes of Fianna Fáil to the extent that people are prepared to put their hands in their pockets during the current crisis, then there is indeed a recovery on the way.

Deputy Aengus Ó Snodaigh: It is not a recovery of sense.

Deputy Pat Rabbitte: I know that this would fit in with the text that has been sent to all Fianna Fáil Deputies entitled “We have turned the corner”. Let us hope that it is true.

I do not dispute what the Deputy has said. This debate is about stability in the eurozone. There is no arguing with his point that it is in our interest that the euro remains strong and is protected and that there is a requirement for solidarity and responsibility in our position *vis-à-vis* a member state partner in trouble. I also agree with his warning that we should not take anything for granted and that the system is creaking. The eurozone itself could be at risk. It seems a monstrous proposition, but we have seen in recent days that this is not unthinkable.

The purpose of this Bill is to give a dig-out to Greece. I support the Bill. The logic of our position is to support a fellow member state, which can no longer source money on the international bond markets. I have received half a dozen e-mails from constituents querying why we are lending money to Greece when we ourselves are broke. Usually people are satisfied with the answer, not least when it is explained to them that we might be next in the queue ourselves.

In fairness to sceptical questioners, the question does arise about what will happen if Greece does not manage to surmount its financial and economic problems and is unable to repay the

[Deputy Pat Rabbitte.]

loans from other eurozone partners. I do not know what the answer is and I do not know if the Minister knows. If he does, he might enlighten us in his reply. One way or another, it seems this gesture of solidarity is inevitable. The crisis provoked by Greece and exploited by speculator elements in the money markets has threatened the stability of the euro area. In such circumstances member states have little choice but to provide Greece with an alternative and sustainable source of borrowing.

However, it is still a shock to citizens of the European Union to realise that the very sustainability of the currency itself could be threatened and we are not yet out of the woods. We can blame all the speculators we like and we can reasonably deplore the credence irrationally commanded by the ratings agencies, but this crisis has exposed weaknesses that were probably inherent in the monetary union project from the beginning.

It is true that Greece did not play by the rules, but then neither did we. However, it is not just the small countries or the so-called peripheral states that broke the rules. Some of the big countries also broke the rules along the way and were seen to do so with impunity. However, Greece has earned the title as the most egregious offender. Fiddling the books has not just confronted its new government with enormous challenges, but it has plunged the entire euro area into some turmoil.

Economic and monetary union was a political project. Not all economies were at similar stages of development and some were in significant divergence. However, notwithstanding this divergence there were benefits to be gained from joining the euro. Unfortunately, the benefits appear to have concealed the necessity to address the structural divergences. In Ireland's case, our banks were unable to contain themselves. They behaved like the boy in the chocolate factory. They were suddenly able to access barrels of cheap money and shovel it out at a profit to all comers. We know where such reckless lending has brought us. Now it appears we were not alone and, Greece apart, we were only worse. It was inevitable, therefore, that when the crisis came the impact would be so much more severe in some member states than others.

Provided there is reasonable and prudent budgeting policy, the creation of a stabilisation fund was inevitable. However, in the errant states we are stuck with fiscal correction measures that are inflicting severe hardship. We know how bad it is in Ireland and can only imagine how bad it is in Greece where the cuts are reported to be twice as severe as what is happening in Ireland. However, we knew that gross spending was sustainable in the short term only because of temporary revenues from tax-driven property development. This served only to exaggerate the divergence between our economy and the benchmark German economy. The Stability and Growth Pact alone was an insufficient mechanism to make monetary union work and more especially so when it was operated more in the breach than the observance.

Necessity, however, is the mother of invention. Confronted by the threat to attack the euro, the European authorities and political leadership have now come up with solutions that will, I hope, not only tame the turmoil but provide mechanisms to anticipate problems in the future. In particular, I acknowledge the necessity for the stabilisation fund jointly created with the IMF. The shift of emphasis by the ECB is also welcome. I am not sure I yet understand the full import of measures to co-ordinate fiscal strategy. If member states are to be required in the future to send their budgetary homework to Brussels for correction, there will inevitably be resistance.

Imposing German-style discipline on the more profligate member states is not guaranteed to work. Unless it is accompanied by measures to stimulate growth and expand employment, it will not work anyway. For example, our Government's preoccupation has been entirely focused on fiscal correction and the inevitable cuts that must follow while the gap between

revenues and spending remains so large. However, there is a separate recession issue that has attracted little or no attention. In so far as there was a significant policy difference in the British general election, it was between those who thought it possible for that country to grow its way out of a recession and those who thought the country could cut way out of a recession. We can only cut so much but if we do not get growth going again, we will remain playing catch up. In the early 1990s we endured a period of jobless growth. The same is likely to happen again. At European level and at domestic level as well as tackling the structural deficit, we need to see a jobs and growth strategy. So far that is missing here in Ireland and at the top of the European Union.

The debate in the neighbouring jurisdiction is interesting where that philosophical argument during the general election seems to have been resolved in favour of more cuts. That economy is obviously critical to our success here in Ireland. It now appears the economy could be plunged deeper into recession, which will be a problem for us also. Nobody on these benches demurs from the necessity to take this step of solidarity with a partner member state currently in trouble. Why the Greek situation is as serious is primarily a matter for the Greek people and political system. One cannot but have sympathy for the Greek Prime Minister, Mr. George Papandreou, and his Government over what they inherited. In addition to being profligate and reckless, to be dishonest in the presentation of the figures has created a very challenging situation for his Government.

In the process we have seen how, although not a major economy, what has happened in Greece has threatened to destabilise the entire euro project. Coming at the time it did, while the German Government was anticipating significant elections, there was a delay which was exploited. It could have been exploited with dreadful consequences for all of us. For all of these reasons I support the Bill, but plead with the Government to shift its focus now from mere fiscal correction to the entire question of a jobs and growth strategy. It should do what it can to cause that strategy to move to the top of the European agenda.

Aengus Ó Snodaigh: Ba mhaith liom mo bhuíochas a ghabháil leis an Teachta Rabbitte as a chuid ama a roinnt liom ar an cheist rí-thábhachtach seo. Ní aontaím leis an cinneadh atá glactha ag a pháirtí tacú leis an Bille seo. Is mór an trua é dúinn ar an eite chlé go bhfuil an difríocht sin eadrainn sa chás seo. An t-aon toradh a bhéas ar an Bhille seo agus an cinneadh atá á ghlacadh ná go mbeidh lucht oibre na Gréige thíos leis de thairbhe an chinnidh seo sa deireadh thiar. Ní lucht an rachmais a bheidh thíos leis.

As a consequence of the vulture capitalism of recent weeks, and of the past year in particular, the Bill before the House intends, supposedly as a gesture of solidarity, to extend a loan to the Greek people of up to €1.5 billion, or a bond of some kind. We are told that is the intention of the Bill but the opposite is the case. It is not an act of solidarity with the Greek people, but is, once again, an act of solidarity with bond holders from this Government. It is German bond holders in the main who are being bailed out in this case, and not our neighbours and friends, the Greek people, who will benefit. Ultimately, the Greek people will have to foot the bill, which was not caused by the working people or the unemployed of Greece. It was created by an economy built on falsehoods, by tax avoidance on a rampant scale encouraged by the Government, and by tax exemptions which encouraged those in the shipping industry and major companies to benefit while the working people had to pay their share. The situation is similar to that of Ireland. Our Celtic tiger was built on a falsehood, a basket-case economy that was found out in recent times. In the case of Greece it is the same thing. Its economy was built on falsehood and shipping in the same way as ours was built on construction. When it collapsed it did so very heavily.

5 o'clock

[Aengus Ó Snodaigh.]

The other problem with the Greek economy is that there was a cooking of the books, as is acknowledged by everybody. The system was set up to allow for that. Proceeds from the sale of shares traded on the Athens stock exchange had a tax exemption. Income from ships and shipping was tax exempt and dividends received from a Greek company was tax exempt. Capital gains from the sale of a business between family member was tax exempt.

This economy was a relatively poor and struggling one just as Ireland's economy struggled for many years to try to build good standards of education, living and public services. Much was done in Ireland, as in Greece. The problem now is that the ordinary people of both countries have to pay twice for what they thought they had already paid.

I offer an example of where some of the €1.5 billion we are offering and sending, in supposed solidarity with the Greek people, is going and what it will pay for. Not only will it pay for what my colleague, Deputy Morgan, mentioned, namely, the German bond holders but I have a list of some of the Greek military expenditure that has been ramped up in recent weeks. Just when the extent of the Greek economy's problems came to light the people are being forced to spend more money than before on military spending. This country has the highest military spend in the entire EU. In a bizarre twist to the Greek crisis, France and Germany are pressing Greece to buy gunboats, war planes and submarines from them while at the same time they and the ECOFIN Ministers are telling the Greeks to curb public spending. They must, therefore, curb all spending except military spending. Some Greek officials say privately that the Paris and Berlin authorities are using the crisis as leverage to ensure that arms contracts which were negotiated in recent years and, in particular, in recent weeks, are concluded. As a result, the country will not reduce its military spend.

An advisor to Prime Minister, George Papandreou, stated in a report, "Nobody is saying, 'Buy our warships or we won't bail you out', but the clear implication is that they will be more supportive if we do what they want on the armaments front". According to Nick Witney, a former head of the European Defence Agency, the Germans and the French have the Greeks over a barrel now. We must not forget it was this agency that our Government and so-called main Opposition parties persuaded the Irish people to buy into during the Lisbon treaty referendum. It is this company which is encouraging more spend on the armaments industry.

I offer an example of where exactly the money will go. The Greeks are concluding a deal with the French at the moment to buy six Fremm frigates. If Deputies want to know what these frigates cost——

An Ceann Comhairle: The Deputy has one minute.

Deputy Aengus Ó Snodaigh: ——the figure is €2.5 billion. I am sorry. There goes the Irish solidarity gesture in one moment.

Deputy Arthur Morgan: Twice over.

Deputy Aengus Ó Snodaigh: Perhaps 15 Puma search and rescue helicopters at €400 million will do. Or what about the submarine Greece is buying, which is ineffective and out of date? It has a huge cost and will facilitate further skulduggery on the part of multinationals. It is ridiculous that such a purchase is even being contemplated by a Government which must be bailed out.

The only solution to bond holders who gambled, as they did in this country and many others, is to stick it to them and say, "Sorry, hard luck, you are not getting your money. You will get

it when we can afford it". They speculated and gambled and that is the only realistic alternative. If bondholders are bailed out they are encouraged to continue their speculation. That is where the capitalist system has arrived. This type of vulture capitalism has been going after one currency after another. We saw this before the euro was created and we see it again now when speculators try to destroy the euro and economies and ensure they will take whatever penny, pound, euro, or whatever, out of the economies of the European Union.

We have given away our sovereignty in recent treaties and cannot depend on or defend our economy. The vested interests will not allow us to do that. This Government, through this measure and others it is contemplating, now suggests we should give away further sovereignty so that other countries may have control over our budgetary process. They have that already, in many ways, under the Growth and Stability Pact. That is not good enough. If this country is to be sovereign it must stand up to the bondholders and should not facilitate them, in Greece or anywhere else.

Deputy Thomas Byrne: Cé mhéid ama atá fágtha?

An Ceann Comhairle: Deich nóimeid, is dóigh liom. Deputy Byrne, ten minutes and Deputy Chris Andrews, ten minutes.

Deputy Thomas Byrne: Tá áthas orm labhairt ar son an Bhille seo inniu. Measaim gur Bille an-tábhachtach é, a thugann cabhair don Ghréig, ach a chaomhnaíonn agus a chosnaíonn an tír seo.

I take the opportunity to welcome the chairman of Kells town council, Councillor Brian Curran, and the members of Kells Tidy Towns committee who are in Dáil Éireann today. They are celebrating their 50th anniversary, which is worthy of recognition in the Dáil. I also welcome Dunshaughlin Comhairle Ceantarach Fianna Fáil, who are also in the Visitors Gallery. I see Councillor Noel Leonard and am sure Councillor Nick Killian is also there. They deserve a special welcome.

One of the most important documents provided to us by the Oireachtas Research Service — it is also in general circulation — is a letter of intent sent to the presidents of the euro group, the ECB and the European Commission by the Greek authorities, stating what the Greek Government intends to do with this money, how it intends to reduce its deficit and get the country back in order. Some of the points raised by Sinn Féin about Greek expenditure priorities probably have merit. I am not sure of the full facts. I am not aware of the full facts but defence spending, as in this country, was one to be reduced and should be examined by the Greeks. Every taxpayer is entitled to have that letter of intent from the Greek authorities because every taxpayer is contributing to what practically everybody believes is a necessary loan. Everyone is entitled to know what the Greeks are to do about their circumstances because every taxpayer in this country knows what we have had to do to get ourselves in shape. Cuts were made, jobs were lost, taxes have increased and wages have been cut; this has been done in the name of getting our finances in order without any pressure from Europe or the IMF, as in the Greek case. It has come without any pressure from the international bond markets that Sinn Féin wants to stick it to.

This country is a good example and we have more knowledge of what is involved in the process than any other country in Europe. The letter of intent is a useful document and we must hold the Greeks to what they are doing. Another important point which the Minister has raised is that we should make a profit as the rate of interest being charged on the loan should

[Deputy Thomas Byrne.]

be more than what we are being charged on the international markets. That is an important point of reassurance and should always be borne in mind.

While on the topic of countries not being able to borrow efficiently and European countries and the currency in crisis, it should be seen as a significant achievement of the Government and the National Treasury Management Agency that the Government bonds this week were three times over-subscribed. In other words, three times as much money was available than was required. The Government had the courage to say that it needed to borrow to pay social welfare and for public services. It indicated that the country was on the right path and asked for the money. Three times what was required was offered from parties willing to invest in the country and its public services because there is trust in the Government to pay the money back and run the country correctly. That is the message that must be driven home.

Why is everybody around the world indicating confidence in the Government acting correctly when every day the Opposition argues that everything we do is terrible? The Labour Party bleats about left-wing politics and it is interesting that it is a socialist and left-wing government in place in Greece. Many of the parties involved in the cutbacks across Europe are sister parties of Fine Gael and Labour so for them to criticise policies we are undertaking which are reflected in their sister parties is slightly hypocritical.

It is important that we save the euro, which has been a strong bulwark for this country.

An Ceann Comhairle: I apologise for interrupting the Deputy but we are due to conclude Second Stage at 5.30 p.m. The normal procedure is to call the Minister to reply to the debate 15 minutes in advance of such time.

Deputy Thomas Byrne: In that case I will give way to Deputy Chris Andrews.

Deputy Chris Andrews: For how long may I speak?

An Ceann Comhairle: The Deputy may continue speaking until the Minister arrives. We expect him shortly.

Deputy Chris Andrews: I am delighted to get a brief opportunity to contribute to the debate on this Bill, which is part of a process of solidarity. We are part of the European Union and have agreed to help Greece, which is what being in the European Union is about. We have been helped in the past by other countries, with the Germans in particular ongoing supporters and contributors to the Irish economy. When the shoe is on the other foot, we should not be found wanting. It is our time to support another small country and in many ways, Greece is similar to Ireland. We have found significant benefit in the eurozone but we must ensure stability.

As Deputy Byrne mentioned, the money will be returned. More important than the €1.3 billion over three years is the stability returned to the eurozone. That stability is not just notional and it will allow small and medium-sized enterprises to start functioning again. They will get back their confidence and banks will ensure the flow of money is available to such enterprises. The notion of stability is not theoretical but will have a significant impact on the ordinary person going to a bank for a loan, such as a businessperson employing five or six people. Small and medium-sized enterprises employ over 700,000 people in this country and are the backbone of the economy. They need this stability.

By joining other countries in supporting Greece we are getting much back. The stability will return confidence to the Irish consumer, who is still very nervous. Savings deposits are large and we must coax people to spend money again to get it running through the economy and the retail sector in particular. There are signs of improvement and a range of indicators show such improvements. The retail sector is tentatively improving and a current Minister of State, Deputy Seán Connick, advocated the introduction of a scrappage scheme in the motor sector which has made a difference. That industry has stabilised and is on the up. We are moving in the right direction slowly and steadily.

The money from the State will be pooled with other loans from euro area member states and it will be allocated by the European Commission and the ECB. It must be stated that Greece is not just getting a free meal ticket. It must introduce radical reforms which I imagine will be traumatic. It must significantly reduce public expenditure and there will be ongoing appraisal and assessments by the European Commission, which must ensure that Greece meets the criteria set down. Although we are giving much, we are getting much in return, including a stability that is important for the Irish economy.

Minister for Finance (Deputy Brian Lenihan): Much of the debate on this Bill has been constructive and has touched on many of the key economic and budgetary challenges confronting us at both a European and domestic level. The contributions by the various Deputies reflect the broad spectrum of political opinion on how we should address these very fundamental challenges linked to our participation in economic and monetary union. There is, however, a shared appreciation in this House of the nature and gravity of these issues. This collective appreciation has helped to enhance the quality of the debate, especially in regard to some of the analysis of the difficulties currently facing the eurozone. I found much of the debate relating to the difficulties facing the eurozone, which I followed with great interest, illuminating and constructive.

As an active participant in the various European institutions and members of the euro area, we must provide support and demonstrate solidarity with our partners. This is especially the case in these challenging times, as the collective strength of the euro area countries underpins our resolve to undertake the necessary measures to protect the integrity of both the euro area economy and euro currency, as well as our own economy.

I also want to reiterate the point I made in my opening address that the strategy which underpins this Bill is designed to safeguard the fundamental financial stability of the single currency area. This is an essential prerequisite to our own economic recovery and by extension to the protection of the standards of living we all enjoy. I welcome the fact that most of those who spoke from the Opposition benches support this Bill. During yesterday's debate a number of technical queries were raised by Deputies. Most of these can be addressed on Committee Stage but I will deal now with some of the substantive issues that were referred to during the debate.

I will first deal with the basic question of the financial implications of the measure. I explained yesterday that there are strong financial safeguards built into the entire process to ensure the Irish and European taxpayer are not financially disadvantaged by these arrangements. We have the full reassurance of the European Commission that member states' funding costs will be met in full. Adjustment mechanisms are included to ensure a rebalancing in favour of any member state that might incur higher funding costs than those being charged to Greece for the loan facility. Our overall contribution to the euro area loan facility is anticipated to be approximately €1.3 billion, subject to a precautionary upper limit of €1.5 billion. This will take

[Deputy Brian Lenihan.]

the form of loans to be repaid as the Greek economy recovers and will not impact upon our general Government deficit position.

The legislation we have been debating will provide the statutory basis for our contribution to the agreed euro area financial support to Greece. Our assistance in the form of repayable loans will be centrally channelled through the European Commission as part of the agreed euro area package in conjunction with the International Monetary Fund, IMF. This loan facility comes with strong conditions attached and will require the Greek authorities to address their current fiscal and economic problems.

The Greek authorities have agreed to introduce a fiscal austerity programme with the aim of reducing the deficit to below 3% of GDP by 2014. Public expenditure reductions of €30 billion will be implemented over this period and, to reduce its debt-to-GDP ratio, Greece will need to maintain a primary surplus on its budget of at least 5% for the next decade. It will be subject to strict monitoring and continuous assessment by multilateral agencies as part of the conditions for the loans. By any measure, these are strict and demanding conditions and will be subject to ongoing monitoring and assessment.

Looking beyond our immediate difficulties, ECOFIN Ministers have decided to establish a European financial stabilisation mechanism with a total value of up to €500 billion funded by the EU and the euro area member states. This will be supplemented by extra funding from the IMF. The mechanism was devised in the context of the risk of contagion from Greece to other member states. It provides for financial support to member states in response to difficulties caused by exceptional circumstances, such as those being experienced by Greece. This will require separate domestic enabling legislation, giving the House an opportunity to discuss these issues in concrete form. The finalisation of all of the details of the stabilisation measure will occur on Friday at a meeting of the finance Ministers.

Together with this development, EU Finance Ministers have committed to ensuring fiscal sustainability and enhanced economic growth across all member states. Linked to this objective, the European Commission has presented various reform proposals to reinforce economic co-ordination, including ones to ensure that the budgetary policies of member states are consistent with the economic and financial stability of the euro area. These will form the basis for further discussion in conjunction with the task force being chaired by EU President Herman Van Rompuy. I will be attending the first meeting of the group this Friday.

I want to allay the stated fears of some Deputies. These proposals mark the beginning of discussions on these issues. They are designed to assist the member states to be better prepared for any future crises and, as such, should be welcomed. In common with proposals emanating from the European Commission, they are designed to develop ideas and stimulate debate. The proposed enhanced budgetary surveillance is designed to enhance dialogue in the euro group on such issues and is, of course, subject to the treaty provisions. Any proposals arising from this process will need to be agreed by the member states and, in this context, cannot be misconstrued as a loss or diminution of Irish sovereignty.

I profited very much from listening to the contributions of Deputies Bruton and Burton on this subject. I intend to study again their remarks in this context prior to my participation at Friday's meeting. A number of valid points were raised by both Deputies in respect of the general orientation of the eurozone and the question of the precise balance to be struck between the various competing interests in the formulation of monetary and economic policy at European level.

Deputy Bruton will appreciate that I do not want to underwrite the entirety of his contribution. Some views I agreed with, some views I am not permitted to agree with in public and some views I disagreed with, but I found it a stimulating contribution. I do not believe Deputy Burton heard my intervention in respect of Icarus. I was commending her on making a contribution on financial matters without referring to Anglo Irish Bank. In case she feels guilty for not referring to the subject in the course of her contribution, she could construe her reference to Icarus as a reference to Anglo Irish Bank. I would agree with her that that particular entity appeared to sail a little bit too close to the sun.

Friday's meeting is the beginning of a process. The points made by the principal spokespersons for the Opposition parties were correct, in that we must reflect carefully on our position in respect of these matters. It is clear that the existing mechanism did not prevent serious problems from emerging within the euro group. I am referring to the Stability and Growth Pact. Ireland is an interesting test case, as we complied with the pact and only entered into a deviation in the course of 2008. For the first decade of our membership of the eurozone, we were at all times in compliance with the limitations imposed by the Stability and Growth Pact. However, the pact of itself did not guarantee the stability of the eurozone where Ireland was concerned and did not prevent serious problems from emerging in Ireland. This will be my starting point in any position on which I elaborate in Europe. If the existing system was an inadequate system of surveillance in the context of the types of problem that emerged, we clearly need a more sustainable system.

The great difficulty with a more sustainable system relates to the House, which has a primary role under the Constitution in approving the Estimates and devising taxation policy. Nothing we agree with in a European context can dilute this position. It is a question of striking a balance between the need for a more intensive surveillance, one that will examine overall national policy in respect of the balance to be struck between borrowing, taxation and expenditure, and the precise discretion that must remain in this House. I am not referring to just a margin of appreciation, but a real power that must remain in the House and must form the basis of legitimate debate within it on how we order our priorities for expenditure and taxation and our general line of policy in terms of borrowing, subject to a necessary and indispensable European interest on the borrowing side.

These matters will be discussed at the conference, to which I am looking forward. As Deputies can see from my observations on it so far in the House, I am not showing a big hand at this stage. In the case of a smaller member state, it is unwise to anticipate a debate too much, but I will play an active part in those discussions and ensure that our interests are safeguarded and that the general European interest is promoted. As we can see from the Greek experience, a fiscal shock in one country can have severe and serious implications for other countries.

There is a unique feature here. Some Deputies drew contrasts between Greece and Ireland and other countries inside and outside the eurozone. In the Greek case, a crucial distinction was the falsification of raw data. This puts Greece in a unique position as against the other member states. Deputy Burton's point on the structural imbalances within particular European states is apt in terms of the discussion to be held at the conference. While Ireland does not necessarily suffer from structural imbalances in this context, other countries do and the Union will need a policy on the reconciliation of structural problems with the ambitious fiscal targets that seem to form such a part of the current discussion on the euro.

An Ceann Comhairle: I must ask the Minister to conclude.

Deputy Brian Lenihan: I thank the Ceann Comhairle for allowing me some latitude. Any policy proposals arising from this process will need to be agreed by the member states and cannot be misconstrued as a loss of Irish sovereignty. We are examining other initiatives, including the question of the reform of rating agencies and financial markets and the establishment of a European rating agency. We are also examining proposals to ensure the financial sector will pay its share in the event of another financial sector crisis.

As our relations with our eurozone and EU partners have grown ever closer, our prospects as a nation have become more interlinked with those of our partners. This is about the stability of the eurozone. Here in Ireland, we have taken credible steps to address our own economic and budgetary problems. We are implementing our own fiscal consolidation and are sending a clear signal of intent. Through implementing the decisive expenditure control measures contained in the budget, we are demonstrating our resolve to continue along the path of restoring sustainability to the public finances.

As regards certain reported comments of Commissioner Rehn this morning on our general economic strategy, nothing in what he said was of particular application to Ireland. He was discussing member states in general. Ireland has been first out of the traps in implementing a fiscal correction. Clearly, all member states are being reviewed before the June Finance Council. Commissioner Rehn was simply drawing attention to the fact that Ireland is being reviewed in that context. Neither myself nor my Department has been approached about revising the targets this year, for example. The general sustainability of our current strategy will be examined, and rightly so.

Deputy Richard Bruton: Has the arrangement for showing Anglo Irish Bank's contribution in the accounts been resolved with the European Commission?

Deputy Brian Lenihan: The arrangement that was already announced has been resolved. There is no particular issue concerning that. The Commission is not using that as an argument for a revision of the Stability and Growth Pact.

An Ceann Comhairle: We can visit some of these areas on Committee Stage.

Deputy Brian Lenihan: Without trespassing into Question Time, I will conclude by thanking Members of the Fine Gael and Labour parties for their support for the Bill, which is in the national interest and that of the eurozone, also. I look forward to the detailed debate we will be having on Committee Stage.

An Ceann Comhairle: That concludes the Second Stage debate on the Bill. The question is "That the Bill be now read a Second Time." Is that agreed?

Deputy Aengus Ó Snodaigh: No.

An Ceann Comhairle: Tá go maith. I will now put the question: "That the Bill be now Read a Second Time."

Deputy Arthur Morgan: Vótáil.

An Ceann Comhairle: Will the Deputies who are claiming a division please rise?

Deputies Martin Ferris, Arthur Morgan, Caoimhghín Ó Caoláin and Aengus Ó Snodaigh rose.

An Ceann Comhairle: As fewer than ten Members have risen, I declare the question carried. In accordance with Standing Order 70, the names of the Deputies dissenting will be recorded in the Journal of the Proceedings of the Dáil.

Question declared carried.

Euro Area Loan Facility Bill 2010: Committee and Remaining Stages

SECTION 1.

Question proposed: “That section 1 stand part of the Bill.”

Deputy Richard Bruton: I wish to ask the Minister a few questions about the intercreditor agreement, which is the first item in section 1. I note that under the proposed system, a single member state can block the agreement from going ahead. When an analysis of compliance, by Greece in this case, takes place and comes to the Council for decision, that decision will be by unanimity. In practical terms, what is to happen if one member state decides to block the agreement, even though Greece has been compliant, or the others consider it has been compliant, with the terms? It appears as though an enormous sense of crisis could be created in the markets and elsewhere were a single member state to stand out against the consensus on how Greece, which is under particular scrutiny, was behaving. Hopefully this will not happen but I seek clarification on how the Minister envisages the system will work because it appears to require unanimity.

Second, I refer to scenarios whereby one member state does not participate in the loan. Am I to understand that the only circumstances in which a member state will not participate are when there is a legal impediment within that state itself or when such a state opts not to participate because the cost of raising the money was more extensive? Alternatively, can member states opt out in other circumstances? In such an event, will the contribution of a member state become greater?

I also note that on page 14, the agreement states “All Lenders rank equal and *pari passu* amongst themselves”. I am afraid my Latin has failed me but “*pari*” is equal and it sounds like “equal again”. My question is not whether Ireland and Germany rank equal but whether Ireland, Germany and other contributing member states are ranked equal with other investors in Greek bonds. I seek confirmation in this regard but I understand that when the IMF introduces a rescue programme of the sort that has occurred in other countries, it enjoys a preferential status in respect of its lending. My question is whether the contributors to this bilateral loan agreement with Greece will have a preferential standing over and above other holders of Greek debt. I do not mean over and above other member states, which would be unfair. The issue has been raised that effectively, there are a number of different lenders to Greece. In the event of an ultimate renegotiation, write-down or restructuring of Greek debt, how does this block of lending stand when compared with other blocks of lending that have occurred in the past? Does it stand as a preferential creditor related to the others?

The other issue is Greece’s ability to comply. How clear are the tests with which it must comply? To what degree is there a judgment? In any situation of economic evaluation, people do things with best endeavour. Things might happen that were not anticipated and they may fail to meet certain targets that were set. To what extent is this rigid in stating certain numbers must be reached or the country fails, or is there a greater judgment that looks at good faith in trying to deliver if, despite the best efforts, the country failed in one or other area? Is it a black and white situation?

[Deputy Richard Bruton.]

What happens if Greece fails in a quarter, if it simply fails to live up to the criteria? What is plan B, are all bets off, plunging us into a crisis where nothing can be retrieved or is there a yellow card that would allow for time before we reach a situation where the agreements are withdrawn? Understandably, they are trying to design a tight framework to deal with this but, equally, we do not want it to be so tight that small errors cannot be allowed. Even if the Greeks fail to make it, there must be an element of understanding, we cannot immediately let it bring the house of cards down.

If it hinges on fine calls like this, what looks like a well-thought out strategy could fail at a point no one considered. We may create high noon situations for ourselves further down the line that have no proper economic logic. I would like a better understanding of the criteria and who will judge them. Will member states sit around the table and discuss if compliance has been achieved? What is one state is more hawkish than others?

Deputy Brian Lenihan: High midnight rather than high noon has been the norm witnessed in recent months on this subject. It is usually afternoon when we arrive in Brussels and midnight before we resolve the issues.

The first question throws light on the last question. The Deputy asked about the rule of unanimity written into the inter-creditor agreement for each advance to the Hellenic Republic. While unanimity must exist for each advance, it is the Commission, the Central Bank and the IMF that play the crucial role in making the assessment of whether Greece is in compliance with the conditions set. The formal way it would come before Finance Ministers would be on the report of the Commission and the ECB, which both have direct representation at the euro group meetings. I am not sure how the IMF will be accommodated, its report will probably be submitted in writing by the Commission. The Commission and the Central Bank have direct representation at the euro group and will make the assessment. That is the precondition for a finding against Greece, and it sets a limit on the capacity of individual states to take a view on whether an advance should be made.

The Deputy asked what would happen if a particular member state opted out of the funding mechanism, if it would leave Ireland in a position where it had to go beyond what is in the inter-creditor agreement. The answer is “No”, the limitation of the €1.36 billion applies, although that sum would be more readily reached if a member state opted out of the funding mechanism. That remains the ceiling for our contribution.

Deputy Bruton referred to the provision that all lenders will rank equal and *pari passu* among themselves. That of course only relates to the member states that are lending the money, they are in the same position as, for example, depositors and senior debt holders. The more important provision is on page 34 of the Bill, which deals with the more specific question, the priority as against previous obligations. Page 34, paragraph 4(1)(a) states that each loan shall constitute an unsecured, direct, unconditional, unsubordinated and general obligation of the borrower and will rank at least *pari passu* with all other present and future unsecured and unsubordinated loans and obligations of the borrow arising from its present or future relevant indebtedness. All the agreement provides for on the priority of the loan is that it is in the same position as existing or future creditor obligations. It is not given any priority, but equally it is not postponed to a subordinated category.

The agreement is formulated in that way because both the President of the Commission and the European authorities have made it clear there is no question of a restructuring of Greek

debt being contemplated. Hence, the agreement ranks these obligations as ranking equally with those of the other existing and future obligations of Greece.

The Deputy then turned to conditionality and how clear the texts on Greece are. They are specific in terms of the agreed programme for the Greek Government. The monitoring of that is a matter for the European Central Bank and the Commission in association with the IMF.

He asked what would happen if there is a perceived breach of the conditions. In such circumstances, I assume a report would be brought before the euro group by the Commission and the ECB and the breach of the condition would be identified and appropriate action would have to be taken to resolve the difficulty that had arisen. The range of appropriate action under present Community law allows for the possibility of a fine on the relevant member state.

Deputy Joan Burton: Could the Minister expand on his reference to Commissioner Rehn? Commissioner Rehn has created some confusion. I said yesterday that I assume the conditionality for Greece will be monitored by the IMF, which has long experience in such conditionality.

As I stated to the Minister yesterday, when I lived in Tanzania the IMF people, with their gold tipped fountain pens and their lovely leather briefcases, sat by the pools of the swankiest hotels and drew red lines through education for children, particularly girls, and stated it had to go. They did the same to primary health care services.

It is important that the Minister clarifies what he understands to be the thinking of Commissioner Rehn. If he jets in here with a posse of IMF people with gold plated pens, will they tell us that we have to close rural primary schools and all of our rural hospitals? That is what they have done in other countries. Yesterday, I stated that Poul Rasmussen, president of the Party of European Socialists spoke about the austerity programme for Greece being the first time there has been an attempt to waterboard an entire country. The Greek austerity programme is €30 billion of tax increases and cuts over a period of less than four years in a relatively small economy like ours. That is very tough.

The Minister will attend a meeting on Friday. What is the position of the Irish Government when it is at such discussion meetings? I understand that Chancellor Merkel has problems in her country and that the two leading countries of the eurozone — France and Germany —

6 o'clock have particular interests and that their banks are quite heavily exposed to sovereign Greek debt. What will be the position of the Minister on behalf of Ireland on Friday? Aristotle, the most famous Greek philosopher, was the person who spoke about the golden mean. If ever there was a need for a golden mean in economics it is now. Too much deflation too quickly in eurozone countries that have problems will result in a repeat of the Hoover programme during the great depression. However, of course one needs fiscal adjustment and public service reform, which will have to be very robust and painful.

Excessive deflation would destroy the euro and Germany would not be a beneficiary of that. The German economy will benefit when the rest of the European economies grow because with the recovery of the European economies demand will grow. The euro will be strengthened and the major beneficiary of a strengthening of the euro in the long run will be Germany, just as it was a major beneficiary of the process of European union in the long run because it saw an end to the Cold War and the reunification of Germany during the time of Chancellor Kohl. It is necessary to take a long-term as well as a short-term perspective.

I hope the Council of Ministers is not completely in thrall to the markets. There was a time when people felt that various countries in Europe were excessively in thrall to religion. Now, we are in thrall to this god called “the markets”, and we do not seem to have any will to have

[Deputy Joan Burton.]

a critical view of the markets. They are instruments and not gods. As I stated yesterday, it is crazy that the pension funds of European workers are being utilised to short the euro and, in effect, the European model of welfare provision for retirement. We have a tremendous challenge to sort out this huge economic situation without beggar-my-neighbour policies coming from the meeting on Friday.

I do not see how it is possible to waterboard Greece and attempt to knock the stuffing out of the country in terms of the most basic developments in primary health and education, as the structural adjustment programmes did in African countries. Some years later, when there were coups in African countries, the IMF turned around and wondered how it happened. The greatest African example is Robert Mugabe. When he came to power, with the blessing of the IMF he initiated a programme of extensive spending on education and health. In the early 1980s, everybody in Zimbabwe could read. People read newspapers on buses. Some years later, in the middle of the 1980s, the IMF changed its stance and decided to have fiscal retrenchment throughout Africa. Certainly, this was not the only issue that led Robert Mugabe to become the despot he became but it was a critical event on the road.

In the deliberations of the Minister and his fellow Ministers, what chance is there of having a reasonable view of this, and of having sensible policies alongside which seek to make the euro zone recover, as opposed to doing what the Hoover Administration did which made the depression deeper instead of having a Keynesian approach? It is no accident that at present the two economies showing the best signs of recovery are the United States and the United Kingdom, because they have had systematic programmes of stimulus. Both countries have to pay, and the United Kingdom has a serious difficulty, probably to almost the same level as us, with its deficit but nonetheless its job losses, as with those of the United States, have been nothing as severe as ours or as they will be in Greece.

On Friday, the Minister will really have to try to persuade his fellow European Ministers with regard to fiscal rectitude of a type that would kill Greece. If Greece is destroyed by this programme, it will default. Why would it not? This would be a disaster for the eurozone. With regard to the package accompanying this, I appeal to the Minister to try to persuade his fellow Ministers that one cannot kill the economies of the countries in difficulty.

The United Kingdom and other countries which have their own currencies can have a competitive devaluation. We have no control over our monetary policy. The value of the euro is falling and this is of some potential benefit to us. What happened with regard to Greece was too little too late. Now, some European countries will have to bite their lip and state that not only do they expect Greece to have a reform austerity programme but that they also see a programme to allow Greece to grow economically and not destroy it.

Hedge funds and private equity people are gambling on the markets. George Soros, who later rethought many of his policies, made a vast killing on shorting the pound sterling in an earlier age. The meeting of ministers on Friday is entirely about appeasing the markets. This will not work because people have already made money on shorting Greece. Unless there is a serious prospect of recovery in Europe, they will continue to short it.

I wish the Minister will on Friday but he must have not only a menu of fiscal reform but also of recovery in employment and innovation in particular. The Minister needs to explain to Irish people what exactly was Commissioner Rehn speaking about.

Was he talking about the fact that he is proposing to add the €8.3 billion that the Minister gave to Anglo Irish Bank — it is a useless black hole on St. Stephen's Green, although I hear it is moving to the Burlington Road or a more salubrious address where it will be free from

demonstrators and the prying eyes of the public — just before Easter and which will be added to our deficit? He gave €2.6 billion to the other worthless institution, Irish Nationwide.

Is the Minister telling me that one of the implications of what Commissioner Rehn said was that €11 billion will be added to our deficit for 2010? If that is what will happen the markets will definitely look askance at that. On the list of the euro countries produced by the *Financial Times* Greece's deficit for last year is 13.6%, Spain's is 11.2% and Ireland's is 14.3% because of the €4 billion the Minister put into Anglo Irish Bank in 2009.

Deputy Brian Lenihan: The markets understand and know this.

Deputy Joan Burton: The Minister is a bit naive about the markets. I have lots of quotes from him about how well funded our banks were and I will read some of them out for him. Do not be naive about the markets; they glance at the bottom of the screen in regard to Ireland for a short period of time.

Can the Minister explain Commissioner Rehn's remarks as they relate to Ireland? If he is planning more austerity for this year, never mind the adjustments which are required next year on top of what people have already given this year, perhaps his colleague, the Minister, Deputy Ó Cuív, when he threatened old age pensioners with the removal of their contributory pensions, knew something which the Minister has not shared with the rest of us yet.

Deputy Richard Bruton: I listened to the Minister's benign interpretation of what Commissioner Rehn said in his summary but it seems that he was a good deal more specific. He said in the coming weeks he was examining Ireland's specific position and that further retrenchment could be possible this year. If that is what he is considering and he has not notified that to the Department of Finance or the Minister it is a little bit high-handed of the Commission because to be respected it has ensure people such as the Minister have an reasonable understanding of what is coming down the track towards us.

Notwithstanding that, I would like to get a fuller response from the Minister to the question of promissory notes and how they will be handled. I understand that the Government did not expect the money given to Anglo Irish Bank in 2009 to be included in the deficit. It was included and that pushed our deficit to the highest rate in Europe. A similar treatment of promissory notes, which we presume would be €1 billion per year for ten years, would suggest that will add to the deficit. On a fairly straight line interpretation of what the Minister has committed to with the Commission, it would suggest that each year we have to find €1 billion more in cuts than had been anticipated. We need a fairly clear understanding of what it is that the European Union has agreed to in respect of the handling of that.

Deputy Brian Lenihan: I will deal with Deputy Morgan's questions. There are a lot of questions which deserve an answer. I will deal with Deputy Burton and then Deputy Morgan, if that is acceptable to the House.

Deputy Burton raised a number of issues but she started with Commissioner Rehn, which is not a bad place to start. She referred to the *Financial Times*. It is worth reading it today to see what Commissioner Rehn said about his views in regard to the eurozone and the Stability and Growth Pact. He said he did not want to see excessive reductions in expenditure which would damage European economies. That is what he was reported as saying in the *Financial Times* today. He was reported in an Irish newspaper as stating that he was looking at the position of Ireland. As I understand it, he was questioned by Irish journalists after his general conference specifically on the position of Ireland.

A review of every member state is taking place, which will be completed at the June Finance Ministers meeting.

Deputy Joan Burton: He suggested that there would be further cuts this year.

Deputy Brian Lenihan: No, he did not.

Deputy Joan Burton: Did the Department get clarification from him? That is what he is quoted as saying.

Deputy Brian Lenihan: No he did not. The Deputy would want to read the report. He said, “may”. He cannot preclude his options because he is doing a review of every member state which will be concluded and reported on at the meeting in June of the Finance Ministers. It is not a review which is unique to Ireland, rather, it is a review of all of the member states and that is on what he will be reporting in June, as I understand the position. His comments, while reported in an Ireland-specific way, do not specifically relate to Ireland. He would have given the same answer for any member state at the present time because he will not prejudge the completion of his review and I understand that.

It must be emphasised that he also indicated in the course of his comments broad support for what Ireland had done already. The question of the relationship between the additional funding which was required for Anglo Irish Bank and the Stability and Growth Pact was not referred to by him at all in the course of his contribution yesterday. We should stick to the facts of what Commissioner Rehn has to do. I met him soon after his appointment and he expressed satisfaction with the steps we have taken. He agreed with their broad orientation and he said he is reviewing Ireland in the same way he is reviewing every other member state. Naturally, I will have an opportunity to discuss these matters with him in the context of that review.

On the basis of what Ireland has already done and the stabilisation of our revenue receipts, which was evident in the April returns, and our expenditure, I believe we are in a strong position going into this review, although I accept we would be better to examine the picture at the end of June before we make any more definitive assessments about the current year.

I understand the position, as far as Commissioner Rehn is concerned, is that he is not referring specifically to Ireland at all. His answer in regard to Ireland is the same as he would give in regard to any member state, and that is how I interpret what he said. I welcome the fact that he indicated in the *Financial Times* interview — his particular remarks were not reported in our local newspapers — that he would be concerned that excessive expenditure reductions would damage the prospects of a European recovery, something with which I agree.

There is, as Deputy Burton indicated in the course of her contribution, a very fine balance to be struck. It is very easy to talk about Hoover economics. Deputy Burton spent a long time last year talking about President Hoover and deflationary economics. In fact, what the Government did last year was correct and has been vindicated by events. The Deputy’s reference to Hoover was inaccurate. However, that does not mean——

Deputy Joan Burton: No, it was not.

Deputy Brian Lenihan: If we had not taken those steps——

Deputy Joan Burton: The Government’s biggest spend last year was on Anglo Irish Bank.

Deputy Brian Lenihan: Sorry, Deputy. I am allowed to——

An Ceann Comhairle: Deputy, please hear the Minister out.

Deputy Brian Lenihan: The burden of the Deputy's criticisms of the Government last year was that it was Hoover economics and was deflating the economy, when the reality——

Deputy Joan Burton: Some 400,000 people are unemployed.

Deputy Brian Lenihan: ——is that what the Government did last year has stabilised the economy and put it back on the road to recovery, something the Deputy's policies would not have done.

Deputy Joan Burton: You must be joking.

Deputy Brian Lenihan: The policies advocated by the Deputy would have left us in the same position this spring in which Greece found itself. That is the reality.

Deputy Joan Burton: Is the Minister arguing that having more than 400,000 people unemployed is a success?

An Ceann Comhairle: Deputy Burton, resume your seat please.

Deputy Brian Lenihan: I have listened to a lot. The Deputy should at least have the patience to listen to a little bit of my contribution. I agree with her that there is a danger of erring too far on the side of excessive expenditure reductions. We did not so err last year and I do not accept that we erred in that direction. The vindication of our position internationally is very obvious to everyone at this stage.

On the balance of which the Deputy speaks, I agree that it is an important balance and it is an issue which I will raise on Friday at the opening meeting of the conference which will examine how the Stability and Growth Pact can be strengthened. I take the Deputy's point in that regard — it is important and we must have regard to it at Friday's meeting.

It is not simply a matter of fiscal controls. However, it remains the fact that the fiscal mechanism we had, the Stability and Growth Pact, did not address the difficulties this country encountered because it was compliant with the Stability and Growth Pact throughout the period of its euro membership. Under previous Governments, the Stability and Growth Pact was adhered to but despite that, serious structural imbalances emerged in this economy in regard to our competitiveness, our banking position and the volume of our public expenditure. All of these structural difficulties developed notwithstanding the fact the State was in strict compliance with the obligations it faced as a result of eurozone membership. Clearly, the current arrangement is inadequate if it does not contain adequate precautions against that.

There are speculators on the markets and I agree with Deputy Burton there are those who take bets on the markets. However, the markets also give indications. They are not totally arbitrary. They are based on informed assessments of difficulties that have emerged in particular states at a time of acute economic distress. For example, in Greece, the increases in expenditure were way ahead of the rate of inflation in the eurozone. A similar phenomenon took place in Ireland. Unlike in Greece, there was no statistical falsification of these increases in Ireland, so the process was more transparent. However, it is that volume of increase above and beyond the inflation rate in the eurozone that creates resentment in other eurozone countries that some countries are profiting at their expense. That is entirely understandable. That is not a problem invented by markets. That is something markets see and make an assessment about.

In regard to our position on the markets and the concerns Deputy Burton expressed in respect of the funding of Anglo Irish Bank, yesterday we had a highly successful bond auction at a time of acute international difficulty in money markets. That is a tribute to the work of

[Deputy Brian Lenihan.]

the National Treasury Management Agency and the work it has done to explain to the markets the precise nature of the mechanisms being used by the Government to work out the problems of the two institutions to which Deputy Burton referred. Clearly, the markets understand what the Government is doing in that regard and accept it will not impose an undue burden on the State. I am quite prepared to agree it is an unacceptable burden but the markets are saying it is not an undue burden and is something we can sustain.

It is no accident that as a result of the careful briefing by the NTMA to the rating agencies that the markets understand the difficulties we face and how we are addressing them and they are not distracted by the kind of headline figures the Deputy read out because they know they relate to statistical adjustments. I accept it is part of the Exchequer borrowing requirement but that is understood on the markets as well. The markets do not deceive us in regard to this issue and it is no accident that yesterday's bond issue was more than three times over-subscribed. That is a measure of the international confidence that has been built up in this country and we need to sustain that confidence. We can and should have our own domestic arguments about banking but that element of confidence has been built up because the strategy is considered to be credible and that is why the markets buy Irish bonds and why they were not buying Greek bonds.

In regard to the meeting on Friday, as I outlined already, the position of the Government is that it will examine any proposals, in a constructive way, that seek to ensure what has happened in the case of Greece is not repeated and that the system of budgetary surveillance is such as to ensure that is the case.

However, as Deputy Burton rightly said, wider structural issues are of fundamental importance as well. One cannot simply revise the Stability and Growth Pact to ensure there are bare fiscal targets in regard to borrowing that are complied with. Any assessment of the risks associated with borrowing must take into account the structural position in the particular member state. This is an issue of particular importance in these discussions.

As I said earlier when replying to Second Stage, where economies have profound structural problems, clearly that must be factored into any assessment in regard to their borrowing and repayment capacities. In the case of Greece, the conditions agreed do not relate exclusively to meeting financial targets or reducing volumes of expenditure, there is also a series of structural measures involving administrative reform, innovation and competitiveness written into the agreement. That is important to note because as Deputy Burton rightly said, unless Greece is in a position to pay and the Greek economic is in a position where it is a sustainable economy capable of yielding these receipts and capable of making these repayments, then obviously we will be in a far more difficult position in three years' or four years' time than we are now with Greece.

Deputy Burton mentioned the whole subject of recovery in Europe, which is an important one. There was the Lisbon Agenda and it is clear one of the issues that must be addressed in Europe is how we put together a framework that will facilitate recovery. However, such a framework must include elements of liberalisation in regard to the factors of production and their freeing up, their movement and their competitiveness. It is difficult to see how one can have recovery if one does not have those conditions present and clearly that is one aspect that must be examined. Investment in infrastructure and innovation is also of great importance for the future.

I am sure all of these matters will be raised and discussed in the conference which begins on Friday. I will be very pleased to forward the concerns of all sides of the House because I do not believe there is as much between us on those issues as there may be on certain domestic issues.

Deputy Bruton asked a question about the promissory note mechanism. The issue here is with EUROSTAT, the statistics office. It is a classification issue. To date, it has not been raised by the Commission as a Stability and Growth Pact issue. If, in the course of my discussions with Commissioner Rehn leading up to the June meeting, it is raised, I will report to the House on that but to date it has not been raised by the Commission as a Stability and Growth Pact issue. It is a statistical issue which is being handled by EUROSTAT.

Deputy Arthur Morgan: I regret I was missing yesterday for the Minister's Second Stage speech. I was caught at the Select Committee on Enterprise, Trade and Innovation. I had tabled amendments to the Competition (Amendment) Bill 2101, so it was unavoidable. I hope the Minister enjoys the pressures of a very small parliamentary party with a very small number of colleagues in the very near future as it would be a good experience for a while.

The Minister itemised a number of terms and conditions attached to the loan for Deputy Burton. In his conclusion on Second Stage he said the loan facility comes with strong conditions attached and requires the Greek authorities to address their current fiscal and economic deficit. Does that include military spending because he did not mention it when itemising some of the terms, including administrative reform?

I refer to a very reliable report which states that the Greeks are being pressurised by the French to buy six FREMM frigates worth €2.5 billion. I wonder if its military budget comes within the terms and conditions of the loan. Germany is also putting much pressure on the Greeks, including to purchase what is described as a diesel electric submarine which in test trials after so-called refurbishment was listing so the Greeks would not purchase it. There is a whole series of military hardware which the Greeks are being forced to buy from the French and Germans and all sorts of nonsense which were itemised earlier by my colleague, Deputy Ó Snodaigh. Is it reasonable for Greek public services to be cut or for Irish taxpayers to offer loans when France and Germany continue to pressure Greece into this huge military expenditure? Would it not be reasonable for the Minister to intervene when he discusses these matters on Friday with a view to introducing a little common sense before we completely lose the run of ourselves?

Does the Minister agree with his party colleague that the 5% return on this loan represents good value? Should we equate ourselves with the bondholders who Deputy Burton described as predators feasting on whatever soft prey they can find? The prey is Greece at present but it may be Ireland, Spain or Portugal next. Perhaps the Minister will indicate whether profit is a motivating factor.

Is it the Minister's opinion that international bondholders are now free of all market pressure? There appears to be no such thing as failure in the market for them because they will always be bailed out. Where do we stand on that issue?

Acting Chairman (Deputy Charlie O'Connor): My instruction is that I should call Deputy Kieran O'Donnell before allowing the Minister to reply.

Deputy Kieran O'Donnell: Does the Minister wish to reply to Deputy Morgan?

Deputy Brian Lenihan: I gave Deputy Burton a separate reply and I was about to facilitate Deputy Morgan.

Deputy Kieran O'Donnell: I can wait.

Deputy Brian Lenihan: The Deputy is good at answering questions.

Acting Chairman: I will ignore my instructions.

Deputy Brian Lenihan: I thank the Acting Chairman. I understand the ceilings apply across the board for Greece and relate to military as well as civil expenditure. Many EU member states engage in extensive military expenditure. We are fortunate that we do not carry that burden because our military expenditure is very limited. I am not sure whether Deputy Morgan noted that the main parties in the recent elections in the United Kingdom, or at least the main parties at this stage and the Labour Party at all stages, supported the Trident submarine programme. I understand the opposition by the Liberal Democrats to the programme has now been diluted in the context of the agreed programme with the Conservative Party.

Deputy Arthur Morgan: The UK is not Greece just yet.

Deputy Brian Lenihan: It is not but what are a few frigates compared to a Trident submarine?

Deputy Arthur Morgan: It is €2.5 billion.

Deputy Brian Lenihan: I am not in charge of Greek military expenditure——

Deputy Joan Burton: Do not involve us in a war.

Deputy Brian Lenihan: ——but ceilings have to be imposed on military as well as civilian expenditure. Greece has a socialist Government.

Deputy Arthur Morgan: Would one frigate not suffice?

Deputy Brian Lenihan: That is a matter for the Greek Government. Greece has a considerable number of islands but I will not comment on how it should deploy its military forces.

Deputy Arthur Morgan: If it is spending €2.5 billion and we are providing €1.3 billion, the Minister will be aware of the point I am making.

Deputy Brian Lenihan: It is required to reduce expenditure across the board. Perhaps it will have to purchase four rather than five frigates. I do not know the nature of Greece's military requirements.

Deputy Arthur Morgan: I am concerned about the finance element.

Deputy Brian Lenihan: That is a legitimate concern but we have managed to keep our military expenditure low compared to other countries. I am simply pointing out that other EU member states have not been as successful as us, including ones which have a strong socialist presence in government.

Deputy Arthur Morgan: Greece is evidently being pressured by Germany and France to proceed with these purchases. I ask the Minister to use his considerable political weight to ask Germany and France to end this pressure.

Deputy Brian Lenihan: I will point out that just as Germans are concerned about the size and character of Greek pension arrangements, Irish people are concerned about excessive military expenditure. These are matters for the Greek Government, however. We cannot attend an international conference at which we propose to retain for our Parliament the primary role on budgetary matters if we also give lectures to Greece on how it should spend its money, even in the context of a conditionality agreement. It retains some residual power in that regard. If Deputy Morgan is suggesting some sort of link between this loan and the purchase of military equipment, I will certainly examine any evidence he can provide.

Deputy Arthur Morgan: To clarify, I am not suggesting that the Minister should tell Greece how to spend the money. However, I am asking him to intervene with France and Germany so that they ease their pressure on Greece to purchase this military equipment. Evidently, Greece does not want to purchase these frigates and other armaments but it is under pressure from the two big states to do so.

Deputy Brian Lenihan: We do not know the preference of the Greek people in this matter. I am sure Greek naval personnel take a certain view of their requirements because they will crew these ships. Those who demonstrate in Athens may take a different view. I am not in a position to judge between the various opinions being expressed in Greece.

In regard to the return on our loan, it is a commercial arrangement in the sense that Ireland will not be at a loss but it is not an optimal arrangement from our point of view. I would not describe it as simply a good commercial bargain. As Deputy Burton noted yesterday, the facility was introduced in an act of solidarity with other EU member states.

Deputy Morgan referred to a category of international bond holders. As there is freedom of movement for capital and bonds in the European Union, I do not know who he intends to single out with the word “international”. Many of these bonds are used as investments by pension funds but there are other reasons for purchasing bonds, such as secure returns over a period of years.

The Deputy asked whether investors are free from all prospect of default when they invest in financial institutions. It is the case that banks in the eurozone have not been allowed to fail in the current crisis. This means that the system of regulation will have to be stricter than what we have witnessed in recent years. That is the considered judgment of the European Central Bank and of governments. I understand it was a particular boast of the outgoing British Prime Minister that he did not allow financial failure of that scale to occur. He claimed that as one of his specific achievements in his valedictory address. His political view appears to be shared by the larger member states.

While the arrangement with Greece is an act of solidarity because it allows it to make structural changes to its budgetary arrangements, an incidental benefit is that it avoided the collapse of a string of financial institutions. The consensus view within the European Union on the political level seems to be that default on senior debt is not considered a serious political or economic option because of the consequences of it, and that view appears to be endorsed by the European Central Bank. An important point tends to be overlooked when discussing this issue in an Irish context, namely, that in strict law, the position of a bond holder who is a senior debtor is the same as that of a depositor. It is a simple banker-creditor relationship. A bond is simply a deposit that can be transferred to a bearer. A person cannot transfer his or her bank deposit to someone else, and neither I nor the bank can do so on his or her behalf. However, in the case of a bond, the deposit can be transferred; that is the simple character of a bond. In the eye of the law there is no difference between the character of the obligation promised in the bond and the character of the obligation owed to the ordinary depositor. It is possible in bank protection schemes to draw a distinction in advance and to say one will only guarantee——

Deputy Arthur Morgan: Is the Minister saying bonds are risk-free?

Deputy Brian Lenihan: No, they are not risk-free because the sum payable on the bond — or coupon, as the markets call it — is a fixed sum. It is not risk-free in the sense that inflation and monetary changes can devalue the instrument, as has happened throughout history since bonds were invented. There is a risk in the purchase of the item, but it is free of the risk of default if it is senior, as distinct from subordinated, debt. In modern Europe and throughout

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this crisis, such debt is viewed as risk-free. Were we to go down the restructuring road in regard to a sovereign state or an individual bank institution, it would cease to be risk-free because the restructuring would mean that a reduction in the value of the instrument would be provided for.

I am outlining the objective political and banking factors that exist in Europe today and have existed in Europe throughout 2008 and 2009. Both the European Central Bank and the individual member states have set their faces strongly against the idea of a default on senior debt or sovereign default. It is reasonable to ask why. One reason is that the economic consequences of default are generally more catastrophic than the alternative of avoiding the default. For example, defaulting on senior bonds would have a major implication for the value of pensions, thus depriving workers of their pensions or of a substantial element of the return promised, depending on the discount applied. There are other implications in regard to enterprises that give employment which may have raised finance through bonds or obtained bonds in order to finance themselves.

All of these matters have led Governments to the conclusion that the consequences of default are more horrendous than the consequences of avoiding default. There is certainly scope for a great deal of argument on this subject. Not all economists agree with Governments in this regard, and opinions have been expressed by various commentators on the subject. I am simply drawing attention to the views I am hearing expressed strongly both within the European Central Bank and among other member states.

Deputy Kieran O'Donnell: Given the Minister's lengthy responses, I anticipate that we will not get to most of the amendments. Therefore I propose to draw his attention to some specific issues. Section 4 of the Bill provides for an annual report on the loan facility to be given by the Minister to Dáil Éireann. However, Article 10.3 of the inter-creditor agreement, as set out in Schedule 1, provides that: "The Commission shall report to the Lenders on the outstanding claims and liabilities under the Loan Facility Agreement on a quarterly basis." It would be entirely consistent for the Minister to report to the Dáil on a quarterly basis. That report should provide, in addition to aggregate information, specific information relating to the individual loan given to Greece by Ireland, the terms and conditions thereof, the amount outstanding on specific loans, the redemption schedule, the interest rate payable by the borrower, the funding cost to the State and so on.

These proposals are set out in amendments Nos. 3, 4, 6, 7, 9, 11, 13, 15 and 17. I note amendments Nos. 3 and 17 are grouped. It is unlikely we will get to discuss these reasonable amendments in any great depth, but I hope the Minister will take them on board. As I said, the report from the European Commission under Article 10.3 of the inter-creditor agreement is provided on a quarterly basis. It makes sense that the Minister would report to the Dáil within two weeks of receipt of that report rather than merely reporting on a yearly basis.

There does not seem to be any provision in the inter-creditor agreement, as set out in Schedule 1, to provide for a situation where there is not unanimity among member states. Yet there is a requirement for unanimity, under Article 4.2, on each tranche of the loan to be paid to Greece. What will happen if unanimity is not achieved? Article 2.7 of the inter-creditor agreement provides that the parties may "at any time unanimously decide to extend the Availability Period" and to increase the commitments. However, from what I can see, the additional loan facility will come entirely from the KfW in Germany. Will the Minister clarify that?

Acting Chairman: I will now take Deputy Bruton, followed by——

Deputy Joan Burton: If we are moving amendments, I have several to discuss.

Acting Chairman: We are not moving amendments. We are still discussing section 1.

Deputy Joan Burton: Is the Acting Chairman taking some general comments about the amendments?

Acting Chairman: The amendments cannot be moved but I have allowed some general reference to them. I remind Members that it is almost 6.50 p.m. which means there is only ten minutes remaining in this debate.

Deputy Joan Burton: May I comment briefly on my amendments?

Acting Chairman: The Deputy may do so, but I remind her that we are discussing section 1. The Chair does not have any authority to amend procedure. I ask her and other Deputies to be brief so that the Minister has time to respond. I have no choice but to put the question at 7 p.m.

Deputy Joan Burton: My amendments are generally designed to ensure we have more information, on an ongoing basis, in regard to this loan. Like Deputy O'Donnell, I propose that the information be laid before the Dáil on a quarterly basis. I draw the Minister's attention in particular to my amendment No. 2 which provides that the loan would be subject to the freedom of information regime. One of the greatest mistakes made by all the institutions concerned with finance in this State related to lack of freedom of information. I refer to a statement made by the Minister, Deputy Brian Lenihan, on 4 July 2008, before the collapse of the banking system. Speaking to the Public Affairs Ireland conference on the topic, "Government and the Financial Services Sector", shortly after his appointment as Minister for Finance and presumably having been heavily briefed by the Department of Finance, he stated:

There are however real reasons to have strong confidence in our financial services sector and their future.

First, on the back of years of solid economic growth, the assessment of the Central Bank and Financial Services Authority of Ireland, reinforced by the OECD's Economic Survey of Ireland, is that Irish banks are well-capitalised, their mortgage books are diversified and well secured and average loan-to-value ratio in regard to housing lending is low.

Second, the structure of our regulatory system is well up to best practice internationally — this is not just our view, but that of the IMF. Within one organisation, the Central Bank and the autonomous Financial Regulator operate together, complementing each other in oversight of financial stability and monitoring of financial soundness of individual institutions.

As he was hardly a wet day in office, the Minister probably made this statement hand on heart, with total belief and based on what the various groups of advisers told him. I had grave doubts then, as did others, and expressed them on several occasions. If there had been freedom of information in this country, as per the legislation introduced by the Labour Party, which was spicced and dismantled by one of the Minister's predecessors, Mr. Charlie McCreevy, while we may not have totally avoided the calamity, we would have significantly mitigated the crisis.

Can we not have freedom of information, even as a small start? The Labour Party, Fine Gael Party and Sinn Féin can, in any case, obtain the information on this loan from the international markets. It would be a principled start by the Minister to recognise freedom of information as being important in creating a future with some financial stability. Moreover, the Department of Finance, Central Bank and others could no longer tell us that everything is

[Deputy Joan Burton.]

wonderful and the financial fundamentals are sound, the mantra parroted by the Minister following his appointment. I say this to remind the Minister of what he said in early July 2008.

Deputy Brian Lenihan: The Freedom of Information Act with its tried and tested mechanisms applies here. There is no question of issues of commercial sensitivity having been invented by a predecessor of mine as Minister for Finance. The original legislation included that as something which has to be taken into account in examining the documentation which will be generated by this legislation. However, this documentation is capable of being the subject matter of a freedom of information request and any information will be dealt with under the freedom of information legislation, taking account of the various safeguards and balances inserted in that Act. Deputy Burton's party was in government at the time of the legislation's enactment. The amending legislation of 2003 did not affect that issue.

Deputy Joan Burton: It closed it down.

Deputy Brian Lenihan: It does not affect this issue. The application of documentation under this legislation will be considered in the same way as it would have been in 1998.

On the issue of the transactions, which were raised by Deputy O'Donnell, in effect what the Deputy is asking for in respect of each expenditure, annual and cumulative, is that additional information should be provided.

Deputy Kieran O'Donnell: The key feature of the amendment is to require quarterly information.

Deputy Brian Lenihan: Deputy Burton also tabled an amendment seeking quarterly information. Ireland's initial contribution will be made as part of the next loan disbursement during the third quarter of 2010. Deputies Burton and O'Donnell both propose that the annual reports be submitted quarterly. The granting of loan disbursements to Greece would at all stages be subject to its compliance with the conditionality requirements. In the circumstances, I am satisfied that an annual report will provide full and timely information on our contribution. If there were unforeseen developments in relation to the loan facility, I would report sooner and the information would be in the public domain. The multiplication of this requirement above and beyond what is in the agreement is excessive.

Deputy Kieran O'Donnell: With due respect, given that the administrative provisions of the agreement state that the European Commission will report to the Government on a quarterly basis, why should the Government not report to the Dáil at the same interval? It is a simple matter.

Deputy Brian Lenihan: As two Deputies have raised the issue, I will examine the matter in the context of a possible Seanad amendment. I will have to consult other member states on the issue.

Deputy Kieran O'Donnell: It is in the agreement in black and white.

Deputy Brian Lenihan: I will consult other member states.

Deputy Kieran O'Donnell: Is Ireland not a sovereign country? Can we not make our own decisions on these matters?

Deputy Brian Lenihan: When we enter international arrangements there are always implications for the implementing legislation.

Deputy Kieran O'Donnell: Will the Minister consider reporting on a quarterly basis?

Deputy Brian Lenihan: Yes. On the substance of the Commission quarterly report to the lenders, which Deputies Burton and O'Donnell also raised, it would not be prudent for me at this stage to attempt to legislate in detail regarding the information which it would be appropriate to put in the public domain in respect of aspects of the bilateral loans which are provided for in the intercreditor agreements. However, I will request my officials to engage with the Commission and our colleague member states in regard to the appropriateness, confidentiality and possible market sensitivity of certain aspects of the information sought.

The loan agreements are based on quarterly disbursements to Greece. It is not possible to provide an expected schedule of future moneys at this stage. Overall, as I stated, the expenditure over the three year period cannot exceed €1.5 billion under the terms of the Bill. The intention is that as conditions improve Greece will be in a position to return to the markets.

Deputy Richard Bruton: On the issue of Murphy's law, in the event of a breach or problem occurring, have the Commission and European Ministers considered how the process would work through the necessary correction and the time given to get back on track? Has anyone examined a genuine economic assessment of the Greek position to ascertain whether it can meet the conditions while driving the export led recovery that will be necessary to make the loan facility viable and ensure the country's GDP does not shrink, its debt increase and its problems of funding become bigger as time goes on?

Deputy Brian Lenihan: There has been a very intensive engagement between Greece and the European Central Bank and European Commission, respectively, in recent months. Finance Ministers have heard the reports of this intensive engagement, which has surveyed not only the balance sheet issues, if one likes, of the sums involved but also the structural defects in the Greek economy. The conditions laid down for Greece include specific conditions on the country's structural problems. The first and most fundamental structural defect which led to all the difficulties was the compilation of inaccurate statistical information by Greece. That matter is often treated as something false and unfortunate that happened whereas it betokened a far deeper malaise within the Greek administration. Structural reform of the public administration in Greece is essential for the implementation.

Deputy Joan Burton: I understood Goldman Sachs, the Minister's advisers, helped Greece with the figures.

Deputy Brian Lenihan: Who is Goldman Sachs advising exactly?

Deputy Joan Burton: The company pops up as Fianna Fáil advisers. It assisted Greece in its misrepresentations.

Deputy Brian Lenihan: There are many who have been alleged to be in that famous tent but I never heard of Goldman Sachs being there. I understood the company has been chaired for some time by a person who is historically more associated with the principal Opposition party, although I do not decry the party for that in any way since the person in question has done the State some service in recent times.

Acting Chairman: As it is now 7 o'clock, I am required as Chairman to put the following question in accordance with an Order of the House today: "That in respect of each of the sections undisposed of, that the section is hereby agreed to in Committee, Schedules 1 and 2 and the Title are hereby agreed to in Committee, that the Bill is, accordingly, reported to the

[Acting Chairman.]

House without amendment, that Fourth Stage is hereby completed and the Bill is hereby passed.”

Deputies: Votáil.

An Ceann Comhairle: Will the Deputies claiming a division please rise?

Deputies Caoimhghín Ó Caoláin, Aengus Ó Snodaigh, Arthur Morgan and Martin Ferris rose.

An Ceann Comhairle: As fewer than ten Members have risen I declare the question carried. The names of the Deputies dissenting will be recorded in the Journal of the Proceedings of the Dáil.

Question declared carried.

Private Members' Business.

Constitutional Amendment on Children: Motion (Resumed).

The following motion was moved by Deputy Brendan Howlin on Tuesday, 18 May 2010:

That Dáil Éireann:

- welcomes the final report of the Joint Committee on the Constitutional Amendment on Children published on 16 February, 2010;
- commends the members of the committee for the manner in which they discharged their duties and the fact that cross-party consensus was achieved on this issue;
- accepts the need for a constitutional amendment to enshrine and enhance the protection of the rights of children;
- endorses the draft wording for a proposed constitutional amendment, contained in the report of the Committee; and
- calls on the Government to bring forward the necessary constitutional amendment Bill and to set a date in this year for the holding of a referendum.

Debate resumed on amendment No. 1:

To delete all words after “children;” in the third paragraph and substitute the following:

- “— acknowledges the commitment in the renewed programme for Government 2009 to proceed, subject to appropriate Oireachtas approval, with proposals to hold a constitutional referendum to consider children’s rights, based on the work of the Joint Committee on the Constitutional Amendment on Children;
- recognises the progress made by Government in implementing the recommendations contained in the first and second interim reports of the Joint Committee on the Constitutional Amendment on Children;
- commends the Government for prioritising the promotion and protection of the welfare and rights of children; and

- acknowledges the need to undertake a comprehensive examination of the policy implications of draft wording for a proposed constitutional amendment, contained in the report of the Committee.”

—(Minister of State at the Department of Health and Children, Deputy Barry Andrews.)

Deputy James Reilly: I wish to share time with Deputy Neville.

Acting Chairman: Is that agreed? Agreed.

Deputy James Reilly: I thank the Members of the Labour Party for bringing this motion to the House.

Deputy Caoimhghín Ó Caoláin: It is a joint motion with Sinn Féin.

Deputy James Reilly: I am more than happy to acknowledge that.

I, like the other Members of the House, would like to extend my sincere condolences to the family of Daniel McAnaspie who was under the care of the HSE at the time of his tragic and untimely death. I met his sisters outside this House some time ago and raised the issue of his disappearance here. It is particularly sad that this motion is being debated during the week that Daniel's remains have been found and it is desperately disappointing that the House will divide this evening on the simple matter of giving a commitment to hold a constitutional referendum on the rights of children in 2010. Of the 24 children to die in the care of the HSE, Daniel is the first we know to have been murdered. There must be no more. It is the most horrible manifestation of an abject failure of duty of care by the State to a child.

As Deputy Shatter pointed out last night, this motion has the full support of Fine Gael. It is deeply disappointing that it is necessary to table a motion in an attempt to force the Government to set a date for the referendum, especially when one considers the number of debates we have had in this House in the past 12 months on the importance of the care and protection of children, combined with the fact that we are at such an advanced stage on the constitutional amendment.

The final report of the Joint Committee on the Constitutional Amendment on Children was published on the 16 February 2010. It sets out the wording for the amendment which is agreed by all parties. In the last budget the Government allocated €3 million for the holding of the referendum in 2010. Despite the funding allocation and a substantial amount of work, the Government has refused to give a commitment to hold the referendum in 2010. As late as this morning the Taoiseach again refused to confirm a date. Yet again, there is much talk but no action. It is time for the Government to take action so that we, as a society, offer children the very best protection they deserve.

Tomorrow marks the first anniversary of the publication of the Ryan commission report and despite all the rhetoric at that time, the past 12 months have continued to expose a litany of child protection failures — not of yesteryear, but of the services that are being delivered today. Recently, the Fine Gael spokesperson for children, Deputy Shatter, published a suppressed PA Consulting Group report, completed in October 2009, which identifies a litany of chronic and systemic failures in the management and delivery of child protection services. The report shows that the needs of children come secondary to the system and that the creation of the HSE in 2005 has done nothing to improve the delivery of children's care and protection services. There is an echo of that in the care that our adults also get.

The ethos that has evolved in the HSE since its inception is one of a self-serving system and not a patient-centred service or a child protection service. The findings in this report were

[Deputy James Reilly.]

supplemented by the publication last week of the report of the Ombudsman for Children who investigated the implementation of the Children First guidelines. This report identifies 11 findings of unsound administration confirming that successive Fianna Fáil-led governments have simply paid lip service to child protection. Despite a plethora of damning reports, including the Tracey Fay report published by Fine Gael, the Government and the HSE continue to fail to protect vulnerable children.

For too long change and reforms have been promised but not delivered upon. Fine Gael is committed to challenging the *status quo* and believes that we must act now to ensure children at risk are given the protection to which they are entitled. Fine Gael believes that the Government amendment to the motion being debated tonight is a damning indictment of a tired, worn out Government that is not fit for purpose. Given the publication of the report of the Joint Committee on the Constitutional Amendment on Children, which proposes an appropriate and agreed wording to strengthen children's rights, Fine Gael believes that the Government must tonight give a firm commitment to hold a constitutional referendum in 2010.

Deputy Dan Neville: I welcome the opportunity to contribute to the debate. I fully support the Labour motion. As a member of the committee——

Acting Chairman: I am told the Deputy should refer to the Labour and Sinn Féin motion.

Deputy Dan Neville: I apologise to Sinn Féin Members. We would like to have been included ourselves.

The committee spent long hours mainly on Tuesday evenings from 5 p.m. to 7 p.m. and sometimes to 7.30 p.m. debating this issue. It took a considerable amount of work. I commend Deputy Shatter, Senator Alex White, Deputy Howlin and other members of the committee whose——

Deputy Mary O'Rourke: Would it kill the Deputy to say my name?

Deputy James Reilly: Patience is a virtue.

Deputy Dan Neville: Will Deputy O'Rourke give me a chance?

Acting Chairman: Deputy Neville, without interruption.

Deputy Dan Neville: Now that Deputy O'Rourke has intervened I will not mention her.

Deputy Mary O'Rourke: How sweet of the Deputy.

Deputy Dan Neville: It resulted in a consensus between Opposition and Government on a wording of a referendum. We endorsed a motion stating that Ireland needs a constitutional amendment to enshrine and enhance the protection of children's rights. The wording of the referendum was agreed after long and arduous deliberations, many hours of legal debate, much involvement by many legal people and a lot of expense to the State in regard to the work of the commission. The money was well spent if the referendum can be brought through at an early date to ensure the protection of children, as recommended by the committee.

According to Amnesty International, the UN Convention on the Rights of the Child is foremost in regard to many issues around the protection of children. This wording reflects one of our obligations under the UN Convention on the Rights of the Child and recognises the pri-

macy and importance of the family and the role of parents. The proposal ensures the rights of parents are protected, while ensuring that, where children are at risk, a proportionate intervention is permitted and facilitated under our Constitution, as amended under the referendum.

The current system of child protection is not working. At present, 5,600 children are in care. As was brought out in the debate, especially last night, tragically the State institutions have failed some children. In the case of too many, their lives ended prematurely.

I introduced a Private Members' Bill in 2000, the Children's Bill, which became the Children Act 2001. This was very good legislation but, unfortunately, it has been practically ignored in many of its best aspects because resources have not been put in place to ensure the broader protection of children and offer the opportunity to rehabilitate children and have them taken care of in a positive way by replicating, in some ways, the old institutions but in a modern proper way for children who are in difficulties or crisis. Unfortunately, resources have not been put in place to ensure that such children are dealt with as envisaged under the Act.

The fact remains that children's and adolescent psychiatric services account for merely 5% to 10% of spending in mental health services although they serve 22.7% of the total population, the percentage of the population who are children. This underinvestment has resulted in child and adolescent services which are sporadic or non-existent.

Acting Chairman: The next speaker is Deputy Mary O'Rourke and I understand she is sharing her time. There are 30 minutes in the slot.

Deputy Mary O'Rourke: Thirteen?

Acting Chairman: Thirty-three minutes. I apologise for my Dublin accent.

Deputy Mary O'Rourke: I will speak for ten minutes. The next speaker is Deputy Seán Ó Fearghaíl but I do not know how the time is divided after that.

Acting Chairman: Perhaps I can be of assistance. Deputy Ó Fearghaíl will speak for five minutes, Deputies Timmy Dooley, Margaret Conlon and Michael Kennedy all have five minutes and Deputy O'Rourke has ten.

Deputy Mary O'Rourke: I thank the Acting Chairman. I am very happy to speak on this motion. I praise and thank the Labour Party and Sinn Féin for tabling it. In so doing, I pay tribute to Deputy Brendan Howlin, Senator Alex White, Deputy Caoimhghín Ó Caoláin and the Fine Gael members. However, I particularly wish to mention those I named because they laboured long and hard on the committee. I want to give full expression of my confidence in their work and thank them for the dedication and time they spent on the matter. This motion was very well chosen by both parties. None of the Labour Party or Sinn Féin Members I mentioned ever missed a meeting. In the entire two years and three months I missed half a meeting but I believe they did not miss any in all that time while the whole debate was taking place.

I am disappointed that no date has been set for the holding of a referendum. I take hope from many of the points the Minister of State, Deputy Andrews, made last night. He stated that a group of senior officials was working to the Cabinet sub-committee on social inclusion. They were reconvened to guide the interaction and co-ordinate the responses of all Departments. As I understand it, the wording and conclusion we reached went through the Minister of State to each Minister and Department. The senior officials group has met once and will

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meet again at the end of this month. It is important that they do that. We were very well and professionally legally advised on all the works we did in the committee. At the same time, it is the Government of the day that will bring the wording to the people and therefore it is important that such wording be proper and right in every aspect.

I regard the holding of this debate over the past two nights as very much part of the process leading towards the holding of the referendum. There have been money issues. I do not know how far €3.5 million goes in the holding of referenda but I guess it is a statement to have it there, included in a sub-heading.

Rather than dissipate the cordiality that existed among the leading people representing their parties on the constitutional amendment group, among whom I include Deputy Shatter, the Government would be well served to move swiftly to deal with the wording as proposed. We were very intent on what we did. We tried to avoid a conflict with any aspect of the Constitution which would give rise to conflict with the tenet of the family, which, as we know, is regarded very strongly in Ireland. We did not want such to emerge at any time amid the debate we hope will occur when the referendum goes to the people. Prior to that there must be legislation on adoption, either accompanying the referendum wording or brought in beforehand. I hope that also will find favour with the electorate and we can move on.

When I spoke I wanted to offer sympathy to the family of Daniel McAnaspie and state clearly that the holding of a referendum, if successful, does not mean there will not be sad events surrounding children in the future. This referendum will not be a panacea to end all ills. How could it be? It was never meant to be that. What it was meant to be is expressed by the wording at which we finally arrived, namely, that children, as individuals, have rights just as adults have. It is, in the first place, the exposition of their rights followed by the affirmation of those rights. That is hugely important and very much in line with the UN Convention on the Rights of the Child. At the last convention meeting, Ireland was castigated for not having something of this nature in place. I hope the outcome of this will be fruitful but I also hope we at least have a referendum, with the people having the right according to our Constitution, to vote "Yes" or "No" to such a wording. There is all-party support for this wording, which is very rare within these Houses. That consensus, which was carefully built by all participants, will dissipate if action is not taken. I know quite well the way senior civil servants work and I suppose many people here also know it.

Deputy Michael D. Higgins: We do.

Deputy Mary O'Rourke: *Festina lente* could be the maxim to which they operate. It is not the time to hasten slowly; however good the template might be for other occasions, it is not appropriate to this issue. The opposite to this might be *carpe diem*, seize the day, and we should use this as inspiration for our actions.

The Minister of State, Deputy Andrews, was very careful to point out the intervention which has already given rise to some debate by a person who has a massive log on his shoulder. His argument is that the clause will mean the State will move in on every case but that is not so. The action would be proportional on both sides, which is very important. As we go to the hustings we will need to emphasise this more and more.

As the Minister of State is present I indicate again that there is no panacea; there is no Aladdin's cave containing a golden box which when opened will prevent sadness for children in care or with families. It cannot be. Our actions would realise the objectives sought by Ms Justice Catherine McGuinness, now on the Law Reform Commission, since 1993. Deputy

Brendan Howlin when Minister for Health asked her to chair the Kilkenny incest inquiry and one of her most salient conclusions was that there should be a referendum on children's rights. Various other luminaries have put their point of view along the way, always echoing her aims.

Members of the 2006 committee also served on our committee, and it fell to us to scrutinise the 2007 legislation. We saw that the rights of the child were not sufficiently emphasised and brought forward in that Bill, and we proceeded to forensically examine it before putting forward our own ideas. I commend those who proposed the motion. We all know how Private Members' business works and I wish there would be no division on the matter.

Deputy Brendan Howlin: Hear, hear.

Deputy Mary O'Rourke: The Government cannot give a date while it is still examining the matter. I am heartened by soundings taken from Ministers whom I have been harassing on the matter. I understand much thought is going into it. I ask the Government to arrange this year for a referendum on children's rights.

Deputy Brendan Howlin: Hear, hear.

Deputy Mary O'Rourke: Children should be seen and heard, and they should assume their rightful place in society.

Deputy Seán Ó Fearghail: Ba mhaith liom mo bhuíochas a ghabháil leis an Teachta O'Rourke a chuid ama a roinnt liom. I am glad to have the opportunity to contribute to this debate on the proposed constitutional referendum on children's rights, and I compliment the Labour Party for using its Private Members' time for raising a matter that is of the utmost importance. In light of everything that has arisen in recent years regarding the experiences and welfare of children, it behoves us all to keep children's rights and welfare at the centre of the political and public agendas.

Like Deputy O'Rourke, I want also, in the few minutes available to me, to acknowledge the value of the political consensus that was reached within the Joint Committee on the Constitutional Amendment on Children, and to pay tribute to all the committee members for their work. I mention especially the leadership given by Deputy Mary O'Rourke, who chaired the committee in her inimitable fashion, and the major positive contributions made by the party spokespersons Deputies Howlin, Shatter and Ó Caoláin. Senator Alex White was also a major participant in the process.

Only yesterday, the Joint Committee on Health and Children, which I am privileged to chair and which the Acting Chairman and Deputy Kathleen Lynch sit on, decided to undertake the challenge of preparing a report to Government on the need for legislation in the area of assisted human reproduction. It is my fervent hope that we can achieve the same level of political consensus as we attempt to propose a legislative way forward in this other controversial and critical area.

My late grandfather used to say that children should be seen and not heard and given that Bunreacht na hÉireann was written during his era, it is not surprising that it makes few specific references to children. Long before the United Nations had adopted its Convention on the Rights of the Child in New York in November 1989, enlightened legislators around the world had come to realise that the rights and welfare of children are central to the well-being of society itself and had begun to legislate accordingly. Having signed the convention ourselves in 1990, it could understandably be argued that the Irish State has been tardy in making the

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necessary constitutional changes to expand on the general protective provisions contained in Article 40 of Bunreacht na hÉireann.

One should not, however, ignore the fact that the concept of the welfare of children has been enshrined in modern legislation here and major initiatives have been taken by Governments, such as the establishment of the Office of the Ombudsman for Children. Additionally, the legislative and policy framework has been significantly strengthened through the passage of major pieces of legislation such as the Children's Act 2001, the Child Care Amendment Act 2007 and Bills such as the Adoption Bill and the 2009 Child Care Amendment Bill currently working their way through these Houses.

I further acknowledge that the Minister of State with responsibility for Children, Deputy Barry Andrews, has taken seriously the first two reports of the joint committee, dealing with the matters of soft information and vexed issue of strict and absolute liability. With his Government colleagues, he is progressing towards the publication of legislation in each of these important areas.

All of us involved to date in this process are motivated by nothing other than what is in the best interest of children but it is inevitable that there will be those among the public who will not agree with the detail and nature of our recommendations. I fully believe there is nothing in the 2007 Bill, or more especially in the committee's recommendations, that would negatively impact on the status of the family. I welcome the fact that the concept of the family based on marriage is not in any way being challenged in the proposals we are discussing.

In short, I believe the committee in its proposals has got the balance right between what some may see on occasions as the competing interests of the family and the rights and welfare of the child. In referring to the business of legislation and constitutional provision, we must accept there are other realities that impact on children's lives. I refer to, among other things, the changes in Irish society, the sexualisation of children by elements within the music and entertainment industries and to the type of rampant commercialism which targets marketing campaigns at children.

The reality of paedophilia has haunted the land and despite all the revelations and recommendations, the evil that is paedophilia has not and will not cease to exist. We can only really guarantee the welfare of our children by ensuring that we are individually and collectively as a society constantly vigilant and attentive to their genuine needs. It is imperative that the Government holds a referendum on the rights of the child to be decided by the people and that it does so without undue delay so that all political parties in the House can give this important challenge their undiluted attention in a bid to get a positive outcome.

Deputy Timmy Dooley: I welcome the opportunity to contribute on this debate. There is little doubt that the issue is critical to each of us. Every Deputy is committed to ensuring the legislative framework is strengthened to improve the protection and welfare of children. Clearly, an amendment to the Constitution is a critical component of the process and I welcome and recognise the significant efforts of the committee chaired by Deputy O'Rourke and the work of Deputy Ó Fearghaíl and his committee in furthering the process. I also recognise that the work of Deputy O'Rourke's committee took a protracted period, given the complexity of the issues.

There seems to be a consensus on the way forward. I agree with other Deputies that the Government should be given adequate time to ensure that whatever proposal is put before the people is properly thought out and has the capacity to be supported by every Deputy because

removing some of the rancour and politicisation from the debate will be to the benefit of those we seek to protect.

I offer a word of caution to those outside the House who seem to believe that the passage of legislation and the amendment to the Constitution will somehow be the means by which all problems will be solved — far from it because these are complex issues. While our work is to ensure a legislative framework within which to work, the interaction is between human beings. We seek often to place a responsibility on the State in the belief it has the capacity to do better than any group of individuals. This issue will be a matter of interaction between local professionals supported by the legislation. If we believe an amendment to the Constitution will somehow resolve all ills, we are misguided. Being balanced in this regard is necessary.

While there have been many tragic cases, the most recent might be the reason we are discussing this report. Notwithstanding this, we must recognise the many families and children who have been greatly affected over successive decades. Highlighting an individual case as a means of seeking a resolution to the current impasse would be wrong. We need to be realistic about the outcome we seek or expect from a referendum.

While listening to some of earlier contributions, I noted a number of references to Mrs. Justice Catherine McGuinness' 1993 recommendations in which she called for an amendment to the Constitution in respect of children's rights. I do not want to be overly political but certain charges have been made about a delay on the Government's side despite the need to move forward. Every party in the House, excluding Sinn Féin, has had an opportunity to hold such a referendum since 1993.

Acting Chairman: The Deputy has one minute remaining.

Deputy Kathleen Lynch: That is too much.

Deputy Timmy Dooley: Deputies Kenny and Gilmore and others have discussed the matter on the Order of Business, but none of them took the opportunity to hold a referendum. Were it straightforward, an amendment would already have been made, but it has not. It took until 2007 to have a referendum Bill published and a protracted period was required for the committee to agree a resolution. It is not unfair to facilitate the Minister of State and the Government in tabling the proposal required to ensure whatever the House does is on a sure footing and is done in a way that seeks the approval of the people.

Deputy Margaret Conlon: I am delighted to have this opportunity to make a brief contribution on the issue of a children's referendum. I was a member of the committee, albeit a late recruit, and I witnessed from the outset the commitment and dedication of every member from all sides of the Houses. I put on the record my appreciation of the Chair, Deputy O'Rourke, for the way in which she guided the committee. I commend her on her stewardship. The process gave me confidence in the political system. I was heartened by the fact that, despite the complex nature of the subject under discussion, we were in a position to agree on a report and a wording. That agreement will be positive and beneficial when the referendum is put to the people.

I thank the members of the Opposition for this welcome and necessary debate. I agree with Deputy O'Rourke on the need for consultation and the requirement for information to be in the public arena. This debate is a part of that consultative process.

While I, as a Government party Member, want an improvement in child welfare and protection and the referendum to be held without undue delay, the referendum will not cure all our problems. In recent years, we have witnessed many changes in terms of child welfare and

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protection, and rightly so. We have also witnessed and heard dreadful, harrowing stories involving fatal consequences for children. We must do whatever we can to ensure such events are not repeated, but we can only do so much. The constitutional amendment is a key piece of the jigsaw.

I sympathise with the family of the late Daniel McAnaspie. It is a dreadful, harrowing situation for any family to face. In these difficult and dark days, his family should remain foremost in our thoughts.

I would welcome the inclusion in the Constitution of the right of the child to have his or her voice heard in judicial or administrative proceedings affecting him or her and with regard to his or her maturity. The latter provision is relevant and is how it should be. For too long we heard the old saying, “Children should be seen and not heard.” The inclusion of the proposed provisions in the Constitution would be a welcome advancement.

The family has always been and continues to be considerably important to citizens. I am glad our committee made it clear we were not attempting to reduce or dilute family rights in any way, because a child’s best interests are served by being a part of a stable family unit. I have always stated that caring for children is the one job people do without any training. One has a baby, is handed the child, takes him or her home and learns as one goes. For some families, caring for children proves difficult for a variety of reasons, but children should only be removed from their family homes and familiar surroundings as a last resort and after other interventions have failed.

It took us a long time to get to where we are — 62 meetings, eight months of deliberation and the movement of the concluding date several times — but we managed to reach a consensus. As a Government, there is work still to be done. As a committee, we were united in a common purpose I hope will continue during the referendum campaign. It is important that people have the information presented to them in a clear and concise manner to avoid doubt or ambiguity about the implications of this proposal.

It is important we get it right and I would like to believe the referendum will be held without undue delay. I am pleased the Government is treating the issue seriously and that work is ongoing. While there should be no undue delay, a rushed referendum might not achieve the result we desire. It is important that people fully understand the complex issues involved.

Deputy Michael Kennedy: I welcome the opportunity to speak on this important issue and I congratulate the Labour Party for bringing it before the House. I also congratulate Deputy O’Rourke and the other members of the Joint Committee on the Constitutional Amendment on Children, including Deputies Howlin, Shatter and Ó Caoláin, in addition to the Minister of State, Deputy Barry Andrews, and his predecessor, the Minister, Deputy Brendan Smith. The committee held 62 meetings and received more than 175 deputations. I am not a member of that committee but I understand the Minister of State attended many of those meetings, which shows his commitment and that of the Government. We are all at one on this matter. It is great that there has been cross-party agreement on how to move forward. I hope we will continue to have such agreement and, even though we will have a division here tonight, we all recognise that we want that referendum to be held. We all respect the concept of improving and underpinning children’s rights. Whether one is young or old, one can appreciate that.

A number of separate Bills will be needed to deal with the referendum, including the Adoption Bill. Those have to be passed, but by their very nature that will cause some delay. The old maxim has it that rushed legislation is often bad legislation. I do not want people in future to

criticise a decision taken in 2010 when I was a Member. I want to ensure that we will get it right, so it will stand the test of time.

We should acknowledge that three or four Departments are involved in this process, including the Department of Health and Children, the Department of Education and Skills, and the Department of Justice, Equality and Law Reform. It is not necessarily a simple thing to achieve co-ordination. Lest the public say that this is a problem for the Minister of State, Deputy Barry Andrews, it is a bigger issue which involves other Departments. In that context, it should be acknowledged that there may be delays.

I spoke to the Minister of State about this and have also mentioned it to the Taoiseach in passing. I know there is a commitment to have this referendum and get the legislation passed. The report was only given to the Government in March, and the Attorney General is now considering it. He will offer his advice to the Minister of State and other Ministers. Given that the committee took two years and three months to reach a final conclusion, it is unreasonable to suggest that we should be able to hold a referendum overnight, just two months after the report was sent to the Government. Nonetheless, there is a total commitment by the Government to hold a referendum.

Organ donation is an issue close to my heart. The Minister for Health and Children, Deputy Harney, is dealing with various options in that regard. My preferred option is the opt-in organ donation and I understand that would also involve a referendum. Perhaps we could hold both referenda on the same day. The organ donation issue is not as advanced at the issue before us, but we should use the opportunity to get as much passed as possible on one day.

I extend my sympathy to the family of Daniel McAnaspie. It is a horrendous situation and everybody in this House shares that family's grief. We wish it had never happened but, as other speakers have said, we are dealing with human nature. I hope such a situation will not recur.

Deputy Kathleen Lynch: I wish to share time with Deputies Tuffy, Morgan and Ferris.

Acting Chairman: Is that agreed? Agreed.

Deputy Kathleen Lynch: Recent years have exposed many institutional failings in caring adequately for the children of the nation. I express my condolences to the family and friends of Daniel McAnaspie and of all the other children who have died in the care of the State. His untimely death may perhaps serve to focus our minds on the task of protecting children.

Daniel is one of 24 children who have died in the care of the State. That care is delivered by the HSE, as agents of the State. We know that many others have gone missing in what is loosely termed "the care of the State". Daniel was the second child to be murdered while being cared for by the State.

The Ferns, Murphy and Ryan reports detailed the horrific abuse of children, for which the State must take responsibility. There are also countless instances of children being neglected within families that are simply not capable of providing the care required. Only last week, the Ombudsman for Children published a comprehensive report which demonstrated how child protection systems and services are failing our children. It is for these reasons that we urgently need to enshrine children's rights in the Constitution and provide our young with the greatest protection and opportunities in life.

The need for constitutional reform to protect children has been well flagged by organisations concerned with child welfare. Regrettably, as we know from the past, children are often not

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listened to. That is why it is vital to listen to organisations that give children a voice and work tirelessly to ensure that vulnerable ones are cared for. Their efforts are to be commended.

As a nation, we have a duty to ensure that this work is supported in every possible manner. Reforming the Constitution to include children's rights would be a positive step in this direction. The final children's rights report of the Joint Committee on the Constitutional Amendment on Children was published on 16 February 2010. The committee was chaired by Deputy Mary O'Rourke and included among others, Deputies Shatter, Howlin, Ó Caoláin and Senator Alex White. They were dedicated to producing that report.

I listened to the debate yesterday and today. I have repeatedly heard about the awfulness of what has happened to our children. I reckon that 24 is a conservative number because there are probably many more children who have died from lack of State care. Despite that, I have heard it said in this debate that the issue is far too complicated to rush into. When I hear such comments, it means that we really do not care. Care is central to this entire argument. We are not talking about children who are loved within families that protect them. We are talking about vulnerable children who find themselves in circumstances where they cannot care for themselves and where the adults around them are also incapable of caring for them. We are really saying that they are not our priority. They are children of the poor, or orphans, who are abused. They are at odds with society, needing care, protection and help, but we do not care about them. There will be another Daniel and another Tracy who will die in the care of the State. We will come in here, wring our hands and cry crocodile tears, but we do not care because these children are not our priority. These are the children of the poor.

When it comes to care, this constitutional amendment will only be the start because an element of responsibility will flow from it. We should have that responsibility now. For instance, who was responsible for Daniel McAnaspie? Whose name is on the front of his file? Who did not take the type of action that was necessary to ensure that he remained safe? Who did not call to the house asking why he was not in school and, if not, where he was?

If this were to happen in England, our pagan neighbours, the person responsible for this disaster would be identified and held accountable. However, no one is held responsible in Ireland because a person has one social worker today, another tomorrow and a third the day after. No one is held responsible and no one cares. The next time there is a tragedy, the next time a Ferns Report or a Ryan report is published, or the next time there is a case at which all Members wring their hands in horror, they will stand up in this Chamber and say the same things again.

This amendment to the Constitution is not about the majority of children but vulnerable children. It is about children who need Members' help more than anything else. However, its incorporation in the Constitution would oblige this society to do the things that are necessary

8 o'clock to invoke it. The amendment states the State would be responsible for children who were vulnerable or ended up orphaned. Moreover, people who love them would be able to step forward, go to court and demand such protection. I am neither a lawyer nor a constitutional expert, but in my humble opinion this is the single thing the Government does not want to see happen. It does not wish to be obliged to stand up, defend and put in place the resources that would be necessary to ensure the poor did not end up in prison, murdered on the streets, dead as a result of drug addiction or in awful circumstances because they had no choice. That is what this referendum would be about.

Members of the House are united by more than what divides them and I believe, at heart, each Member agrees this should be done because it is the right thing to do. I commend Deputy

Howlin and Sinn Féin on tabling this Private Members' motion. I ask all Members to search their hearts. Next time they should not enter this Chamber, wring their hands, cry crocodile tears or state an awful thing happened when it could have been prevented.

Deputy Joanna Tuffy: I thank the Ceann Comhairle and the Minister of State. Like the Minister of State, I studied history at third level. One reason I love it as a subject is that while not all of it is about progress, much of it is. I refer, in particular, to the progress made through politics. Often, when preparing to speak in a debate in the House, I look up the Official Report of historic debates on the Oireachtas website to find out what was said about an issue in the past. Today I looked up the phrase “children’s rights” and, as far as I could make out, it was not really mentioned until 1965, when the Minister of the day, Brian Lenihan Snr., spoke about children’s rights in the context of the Succession Act. Thereafter, its use became more frequent in the 1970s and 1990s.

In the course of my searches of the website I discovered there had been a debate in this House in which Deputies Howlin and Higgins had participated on 27 February 1992. Moreover, the Minister of State’s father, Mr. David Andrews, was Minister for Foreign Affairs at the time. The debate was on the United Nations Convention on the Rights of the Child. As Deputy Ó Fearghaíl noted, Ireland had signed the convention in September 1990 but not ratified it by February 1992. Consequently, Deputies Howlin, Higgins and others asked the then Minister for an update as to when the Government intended to ratify it. The then Minister, Mr. Andrews, told them that the Government was “fully committed to ratifying the Convention at the earliest possible opportunity”. He also stated, “The views of the Attorney General are being sought with regard to what additional measures, if any, are required to enable the Government to proceed to ratification.” Deputy Higgins then asked him whether he would review the consequences of delaying ratification and in response the Minister of State’s father replied that he certainly would do what Deputy Higgins had requested. A few months later, on 7 October 1992, he informed the Dáil that in the course of his visit to the United Nations at the end of September he had deposited with the UN legal counsel the instrument of ratification by Ireland of the convention and that it would enter into force in Ireland on 28 October 1992. In other words, he had made that progress within a year.

My point is that progress has been made during the years on children’s rights. Moreover, this train of thought runs through our history as a state, dating back to the Proclamation. I often have spoken about the highly progressive move made on universal children’s allowance in 1943. The Labour Party supported its introduction by the then Minister, Seán Lemass. As the Minister of State spoke yesterday, I noticed he picked up on a view expressed by Mr. Justice Adrian Hardiman that the wording of the Proclamation did not refer to children but to people in the nation and that it related specifically to minority groups, rather than the literal understanding of children as one may read it. I do not agree. The point about documents such as the Proclamation is that they are universal and open to interpretation. It is highly likely that when the word “children” was used in the Proclamation in 1916, it was not used lightly. It probably was used to mean everyone as children of the nation and to refer to children specifically. The proposed amendment would introduce the phrase, “the State will cherish the children of the nation equally”. As Deputy Rabbitte pointed out in an article he wrote on the Proclamation a couple of years ago, it is the use of the word “children” that gives the term “equally” all the more power. Consequently, it is quite likely that the word was used by the authors of the Proclamation to mean children literally, as well as a collective description of everyone as children of the nation. As I stated, it is a universal document and people are right to interpret it in the manner they do. I do not agree with Mr. Justice Hardiman in this regard.

[Deputy Joanna Tuffy.]

Obviously, the State has experienced many failures. Members have debated the Ryan and Murphy reports and all the issues that arise therefrom. Members are familiar with the ill-treatment, abuse and neglect of children, about which they read in the newspapers. While people make the point that this often takes place within the family, the State often has a role also through its failure to step in to protect children when it should. When one considers the wording of the Constitution and the reference to children in Article 42, children are brought in as an afterthought. It talks about parents initially and then mentions children. While the Constitution has been interpreted highly positively in respect of the implicit rights of children, certainly the manner in which it is set out is not explicit about children's rights and tends to perceive them not as individuals but as members of their families. In addition, there is a strong train of thought that considers children to be the property of their parents. One talks about parental choice in respect of issues pertaining to children. As for the idea that children should be seen and not heard, I remember people would talk in such a way when I was a child. Obviously, there are many failures within our society in the vindication of children's rights.

As for the rationale for making children's rights explicit in the Constitution, I refer to the conclusions of the joint committee. I commend everyone, including Deputies Howlin, O'Rourke, Ó Caoláin, Shatter, Senator Alex White, the Minister of State and anyone I may have omitted, for the thorough way in which they went about their work which was evident as I read through the report today.

They set out the reasons they see gaps in the Constitution, but there is a value in expressly setting down children's rights. It would inform policy development.

We face many challenges as we try to rebuild the economy and to develop a society that is fair. It is important that we now set out children's rights in the Constitution so they inform our policy making, allowing us to take into consideration the idea that we should treat all of our children equally. That would be a progressive move.

Deputy Arthur Morgan: Yesterday the Tánaiste stated that it was her personal view that the referendum on children's rights was very important and should be a stand-alone referendum, not held on the same day as by-elections. I welcome that statement and I hope it is more than a personal view, that it is shared by her Government colleagues. Let me say to the Government on behalf of Sinn Féin that we will not press for the by-elections to be held on the same day as the referendum. The referendum should have a clear run. All the issues need to be clearly explained and properly debated. There is no good reason why that should not happen this year. I call on the Government to accept the good will of the Opposition parties, the parties with which its members worked closely on the Joint Committee on the Constitutional Amendment on Children, and to proceed to implement the agreed recommendations. Put the agreed wording to the people in a referendum and do it this year.

The Minister of State, Deputy Barry Andrews, said in his speech last night that we were "never closer" to a referendum. How close is closer? How long is a piece of string? We need certainty, not such vague reassurances. I note also that the Minister of State changed his script. The script referred to a referendum which "may follow" but the Minister of State, in his delivery, changed that to "will follow". Does that indicate an unwillingness on the part of the Minister of State's officials to commit in any way to a referendum? The Minister of State should ignore such attitudes and follow the advice of the committee of which he was a key member.

The Bill to hold a referendum on children's rights is long overdue. The fact that there is such a poor approach to children in every statutory body is testament to this. In the area of child

protection in my own constituency of Louth, I am aware of at least one out-of-hours GP co-operative that does not ensure that the locum doctors it employs are vetted by the Garda Síochána. In Dáil questions that my colleague Deputy Caoimhghín Ó Caoláin has submitted, the Minister for Health and Children and the HSE have refused to give a straight answer as to whether it vetted all of its employees that work with or have access to children.

It is this sort of information that is particularly worrying for the people of Louth, considering it was in that county that the health board allowed Dr. Shine to operate freely in Our Lady of Lourdes Hospital in Drogheda while being well aware of the allegations that had been made against him. Such inertia could allow another Dr. Shine-type situation to develop.

When children are placed in residential care facilities after being removed from risky situations, they are subject to further risk. These facilities do not receive independent and thorough inspections. Legislation must be enacted to ensure this happens. When children are in the care of the State, social work provision is patchy or non-existent. We have recently seen a case where a child was left overnight in an Internet café due to a lack of facilities. How crazy is that situation? Children are still sleeping in Garda stations. There are no therapeutic facilities in this State for children with severe difficulties, and the HSE sees fit to export them to facilities overseas rather than providing for them here, where they can be near their families. This is not the story of a State that can claim to respect or uphold the rights of children.

We do not even know the full extent of the problems faced. The Children Acts Advisory Board has noted that HSE data are challenging when trying to make year on year comparisons. Published data are incomplete even though they are not published for between nine and 18 months after the fact.

Very often there are no separate facilities for children with intellectual disabilities, and where there are facilities, they are often inadequate. I am aware of cases in one facility in my constituency for children with intellectual disabilities where adults in the adjoining facility have wandered into the building. This is highly inappropriate. This same facility is in need of massive refurbishment, as well as extra staff.

In the meantime the Government considered it appropriate to make massive cuts in education spending across the board, with special needs assistants being cut, leading to severe effects on schools' efficiency and the ability to deliver for children. I have received huge numbers of representations on this issue, as has every Member, from parents who are distraught at the withdrawal of these essential supports from their children, supports that would be of substantial benefit to them.

The Irish Government signed the UN Convention on the Rights of the Child in 1990 and ratified it in 1992. This ratification committed the State to promote, protect and fulfil the rights of children as outlined in the articles of the convention. A constitutional amendment is one of the ways we need to do that. There is cross-party agreement and support for the proposed amendment wording. The Government has no excuse for putting this on the back-burner. Let the referendum take place and let it be this year. Sinn Féin has cleared the way for doing so by setting aside temporarily the issue of the by-elections. The Government has no excuse for not proceeding immediately.

Deputy Martin Ferris: It is clear from the contributions of the Minister of State, Deputy Barry Andrews, and others on the Government side that the Fianna Fáil-Green Government has no intention of bringing forward legislation to hold a referendum this year that would enshrine stronger rights for children in the Constitution.

[Deputy Martin Ferris.]

The final report of the Joint Committee on the Constitutional Amendment on Children was published in February with its agreed wording for a constitutional amendment. To get agreement across all parties in the Dáil was a major achievement. It is extremely disappointing that the Government has not followed up with the political will to implement the committee's recommendations. Our call is for the referendum to be held in 2010. Does the Government wish to see a year pass from the publication of the report before a referendum Bill is published?

The truth is that this Government has a very sorry record as far as the rights of children are concerned, and I include in that social and economic rights, as well as legal and constitutional rights. The less rights children have the better in the Government's eyes. This attitude is clear when we look at the fact that the Government has not only not upheld children's rights in the past, but actively worked against them. The number of children at risk of living in poverty is steadily on the rise because of the savage budget cuts that have reduced the level of support available to the most vulnerable in Irish society. The most vulnerable people in disadvantaged families are children.

Budgetary decisions have been taken purely on the basis of creating short-term savings which are making life harder for children who already have to deal with the ineptitude of a Government that has misdirected resources towards those who already have more in society, such as builders, developers and bankers.

In 2008, after years of record prosperity in the Irish economy, the figures for child poverty were shameful. According to Barnardo's, 6.3% of children continued to live in consistent poverty, amounting to 65,270 children. This compares with a consistent poverty rate of 1.7% among persons aged 65-74 and 1% among persons aged 75 or over. Consistent poverty means that these children are living in households with incomes below 60% of the national median income and experiencing deprivation based on eight agreed deprivation indicators. This can mean going for a whole day without a substantial meal or being cold because parents are unable to afford home heating.

Children continue to be the age-group most at risk of poverty, with a rate of 18% in 2008. This compares with an at risk poverty rate of 13.5% among people of working age. Children account for 38.7% of all those in consistent poverty, a shameful indictment of this Government and its predecessors. These are figures for 2008. Since then we have had three savage budgets that have cut social welfare, education and health services. We have seen the heartless slashing of the social welfare Christmas bonus on which families living in poverty depend so much.

Under-investment and under-resourcing in education, child protection, social welfare and family supports are a recurring agenda for the Government. We are consistently being told that there is no money, but conveniently there is a substantial amount of money when it comes to bailing out the banks.

Families are forced to turn to the Society of St. Vincent de Paul and Barnardos or to money-lenders when the State fails yet again in its obligations. It should not be left to these already stretched organisations to cater for children purely because the Government would rather see the fat cats remain and children go hungry in prefab classrooms. Recent budgets have been consistently unfair to children. There has been no job creation for the unemployed parents of children in Ireland. Instead, the Government went after young people, those on low incomes and working families who are only barely surviving. Stimulus measures have been misdirected while €54 billion has been dished out to the banks. Of those in receipt of the family income supplement, 11% are public sector employees of the State.

We have been told that we have turned an economic corner. For parents who have to go to the Society of St. Vincent de Paul to put food on the table, this corner is nothing but a figment of the Taoiseach's vivid imagination. Social welfare payments should have been ring-fenced and in some cases they should have been increased. The Government has had more than enough opportunity to do this. Sinn Féin and others presented alternatives but the Government chose not to listen.

In 2005, Senator Dan Boyle stated children are "twice as likely to be poor than adults in present day Irish society" and said that this was a statistic that should take away the self-satisfied glow that permeated Fianna Fáil. The Green Party, now that it is in Government, is singing a different tune. It has joined with Fianna Fáil in displaying its "indifference towards the issue of child poverty", which were Senator Dan Boyle's words and not mine.

The Children's Rights Alliance issued a report card that provided a comprehensive review of how the State performed in its services to children during 2009. The Government was given a D-grade. The failure to eliminate child poverty during the Celtic tiger era is a reflection of its attitude. At this stage, we should not expect any more. If Government Members had any belief in upholding children's rights, they would walk out of the Dáil in shame.

In my constituency I receive regular representations from the families of children, and from those charged with looking after them, concerning the impact of the current austerity measures on child care and educational facilities. These range from the ongoing unacceptable conditions that children in schools such as Scoil Eoin in Tralee and Blennerville national school have to endure, in buildings that are overcrowded, poorly kept and in urgent need of repair.

What kind of state allows children with autism in my county to go undiagnosed for up to a year because of a shortfall of staff? What kind of government allows children with psychiatric problems to go as long as four years before being assessed? Does anyone on the Government benches find it acceptable that children in Kerry with serious mental health problems are put on regular hospital wards because there is nowhere else for them to go?

Access to health care, housing and education are fundamental rights. They are not luxuries to be done away with in hard times. We need to copperfasten children's rights in the Constitution and Sinn Féin will continue to campaign until we achieve this aim. The Minister of State has a choice this evening, to sit there as he has done and pay lip-service to the fat cats and support them and bail out the bankers or for once in his life to stand by the children of the country who are in poverty.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I am pleased to have the opportunity to speak on this important subject at the end of what has been an interesting debate.

A key objective of the Government in putting forward the Twenty-eighth Amendment of the Constitution Bill in 2007 was to provide a clear statement on the rights of children, while continuing the constitutional presumption that the best interests of children are served within a stable family. That objective is still valid and was a cornerstone of the committee's work. The Irish people place a particular value on the family of marriage, and I think we are all agreed that any amendment to the Constitution should not in any way weaken its position.

The Minister of State, Deputy Barry Andrews, referred yesterday to the need to make sure that when the amendment is put to the people they understand that these proposals will not challenge or attack the current position of the family. This is very important, as it is not our intention to take away from the rights of the family by giving rights to children. I support his

[Deputy Michael Finneran.]

view that these proposals, by promoting interventions to support families in difficulties, may result in better outcomes for children.

The committee's adoption proposals which are similar to those in the 2007 Bill aim to allow some children an opportunity to be part of a new family unit. The proposals will particularly benefit children in long-term foster care, who may have spent their whole lives with their foster family with little or no contact with their natural family. Given that their parents are married, the burden of proof of abandonment that is required for them to be adopted is extremely high. For some of these children, where it would be in their best interests, the proposals would provide a second chance of belonging to a family.

These proposals will not lead to huge numbers of children of marriage being adopted, nor will they alter to any great extent the threshold for State intervention in the family. They will not lead to more children being taken into the care of the State. However, they will permit children to be adopted where it is in their best interests and where a period of time has elapsed in alternative care. It will remove the limbo that some of these children find themselves in — feeling part of one family, but legally part of another with which they have little or no link.

There were two earlier reports by the committee, the first on the exchange of soft information with regard to sexual abuse and the second on the age of consent and defences available to defendants. In both cases, rather than amending the Constitution to deal with the issues raised, a legislative solution was decided upon. The Office of the Minister for Children and Youth Affairs, in conjunction with the Department of Justice, Equality and Law Reform, is working on legislation which will provide for the establishment of a national vetting bureau to facilitate the collection and exchange of information, both hard and soft, for vetting purposes. This will be an important step forward in our efforts to prevent abuse of children.

The Department of Justice, Equality and Law Reform is working on legislation to deal with the age of consent and other issues, including reforming the law on incest. Again, this will be an important element in the future protection of children. It must be recognised that these are complex issues. In particular, the need to balance the rights of the various parties is key in developing effective but fair legislation, but it is also challenging to achieve that balance successfully. However, significant progress has been made, reflecting the priority that Government has given to the legislation.

Earlier speakers suggested that it should be possible to announce a referendum immediately, and implied that because agreed wording has been put forward by the committee, the Government should not scrutinise the proposal. It would be reckless of the Government to adopt such an attitude. There are a number of things that need to be done before a referendum can be announced. As the committee recommended, a number of pieces of legislation in the adoption area need to be drafted and published. To ensure that from the beginning of a referendum campaign clear information is available, this legislation needs to be presented before a campaign commences. It is also possible that other legislation may also need to be published in advance of the referendum, and the Attorney General will advise on that. The Government needs to clarify what legislation needs to be drafted, how complex it will be to draft and how long it will take before it can realistically set a date for a referendum.

As many speakers have said, the work of the joint committee in reaching consensus on difficult, complex and sensitive issues was a significant achievement and I congratulate it. The Government places considerable weight on the value of this consensus and has no wish to move away from it. However, the fact that there is cross-party consensus does not mean that the Government can abrogate its responsibilities, which it would do if it did not carefully examine the wording. It is essential that the wording of the referendum proposal be forensically

examined for its implications, including its implications in areas outside child welfare and protection.

The committee's wording extends well beyond the realm of child protection and impacts on the areas of education and health and may potentially impact on immigration policy. In March, the Government referred the proposals to a senior officials group that reports to the Cabinet sub-committee on social inclusion to carry out this work as quickly as possible. The relevant Departments are looking at the wording in that context and will report back shortly on any issues that emerge.

As the Minister of State, Deputy Barry Andrews, said yesterday, the Government must ensure that no unintended consequences arise from the wording. It is the responsibility of Government when putting the referendum to the people to ensure there is no ambiguity or doubt about the wording and that people are clear on the effects of the proposal. It would not be acceptable for any Government to put a proposal for constitutional change to the people without having examined it in detail.

The committee took more than two years to complete its work. It is not unreasonable for the Government to take the time it needs to get this right. These are complex issues, as the committee found. Getting it right is not easy but it is essential. The Government's responsibility is to ensure the referendum, if passed, will have the effect intended and no accidental impact. Any amendment to the Constitution is a major endeavour. In this case, where the issues are so complex, it is essential the Government takes the time to get it right. Until it is clear what, if any, issues need to be addressed, it would be premature to announce a date for a referendum. The Government will announce a date as soon as it is possible to do so, and when this referendum is brought to the people, it will have been properly considered and all the issues dealt with.

Deputy Aengus Ó Snodaigh: Ba mhaith liom mo chuid ama a roinnt leis an Teachta Michael D. Higgins. Ba mhaith liom chomh maith mo bhuíochas a ghabháil leo siúd ar fad a ghlac páirt sa díospóireacht go dtí seo. Ba mhaith liom freisin mo náire a lua i dtaca an méid atá ráite ag Teachtaí an Rialtais go dtí seo, go háirithe an fudge a bhí soiléir ón méid adúirt an tAire Stáit, Deputy Finneran, where he kicked to touch the issue and the need for legislation. Since 2008 and 2009 when the first and second reports of the committee were issued, the need for legislation has been recognised and there is no need at this stage to continue to delay a referendum which is required now. The main issue is the tabling of a motion by Sinn Féin and the Labour Party to try to ensure the Government holds a referendum to vindicate the rights of children. We need a constitutional amendment to ensure the Government, its successors and we as a society take far more seriously our responsibility to protect children. How many reports does the Government want to see before it realises there needs to be a radical overhaul of child protection services in this State?

The report on the tragic life and death of Tracey Fay in State care caused great concern. There were statements in the Dáil on the matter on 4 March. We have now seen the murder of Daniel McAnaspie who was in HSE care. This is not a new concern but has been pointed out repeatedly over many years, with thousands of children who are vulnerable and at risk still being denied access even to initial assessments of their plight. The Ryan report and the report on abuse in the Catholic archdiocese of Dublin exposed the widespread and systematic abuse of children up to the end of the 1980s at the latest. We need to focus on neglect and abuse in more recent times and, above all, to address the systematic failures that allow children to be victimised or neglected today in 2010. Such abuse and neglect may have proved fatal in at least 24 cases, the latest being Daniel McAnaspie.

The State does not even know if the figure of 24 dead children is correct. It could be much higher, given that more than 500 children have gone missing from State care in the past ten

[Deputy Aengus Ó Snodaigh.]

years and this State has no idea where the majority of those children ended up. They could be dead for all this State cares. Until a week ago, the Minister of State, Deputy Barry Andrews, acknowledged that 23 children had died in the care of the State, but the HSE told everyone the figure was only 20. Who is right and who is wrong?

The report issued last week by Emily Logan, the Ombudsman for Children, on the implementation of the Children First child protection guidelines was yet another damning indictment of the pitiful state of the child protection system, with 11 findings of unsound administration made against public bodies and 22 recommendations made to improve the system. Níos mó ná riamh, cruthaíonn an tuairisc úr ón Ombudsman do Pháistí, Emily Logan, chomh luachmhar agus atá a hobair siúd agus an gá cur i gcoinne aon chinneadh chun an oifig sin a chur an treo céanna leis an tÚdarás Chomhionannais.

The Minister of State, Deputy Andrews, yesterday and the Taoiseach again today tried to excuse the lack of a firm Government commitment to holding a referendum. Their excuse was that the report of the joint committee was being examined by 15 Departments and the Attorney General. It is another delay. Deputy Ó Caoláin asked the Taoiseach when those Departments and the Attorney General received the report. He did not receive a clear answer but if they received it in February when it was published, they should have had adequate time to examine it. The time is up for the Government to examine the reports. It knew what was in them and it was part of the consultation and committee. The referendum needs to be held now.

Deputy Michael D. Higgins: I thank all those who contributed to the debate, which was initiated by the Labour Party and Sinn Féin, and pay tribute to all those who contributed to the work of the joint committee which achieved a consensus.

As we finish this debate, I note how difficult it is to establish any rights base in this country for any purpose. One would like to think that it would be a basic aspect of citizenship that there would be a floor of rights which would affect and protect all people. We are very far from that and I interpret the Minister of State's speech, which spoke of consultation, bureaucracy and the Attorney General, as an invitation to engage with an almost intractable force which is against rights. The history of rights in this country is a poor one.

One need only take the transition from the democratic programme of the First Dáil to the 1937 Constitution, and what one sees is the slipping away of any commitment to rights. I noted in the discussions which took place in the committee the hostility to changing Article 41 is based on the fact that children's rights are not accepted in the fullest sense and, rather, are contextualised. It does not surprise me because as a very young Senator I moved one of the earliest attempts to abolish the status of illegitimacy. It was very clear at that stage in the Irish psyche — we were not a republic by any stretch of the imagination — that property and other institutions came first. I reflected long and hard, and I do so again today, on how long it took us in this republic to stop beating children, sending them to adult jails and sending children with mental difficulties to adult psychiatric wards where, in effect, they are incarcerated rather than treated. That is the legacy and urgency, and people want people to respond to these issues and be able to say that, in a place which calls itself a republic, every child will be protected.

Some of the decisions made by post-dictatorship societies are very interesting. I visited Nicaragua with the father of the Minister of State. One of its first actions was to publish a chapter on the rights of the child, *Para los Niños*, which was influenced by Ernesto Cardinal, among others, and received a reward from UNESCO. It recognised the rights of the child as a person. There are immense complexities about whether one is talking about personal rights, individual rights, collective rights or whatever, but it is possible, even for developing countries, to establish constitutional protection for children as children.

I was on the MacBride commission and remember the tears of a senior official of the then Department of Education who told me he could look at the faces of children from troubled families and know from their school attendance records that they would be the people who would go on to prison. Despite this, at that time the then Department of Education did not speak to the then Department of Justice. Thus, there was an incredible grinding bureaucracy. These are the Departments which have reports that said everything was fine in Daingean and these are people who lost the minutes taken by junior civil servants who saw a child being stripped naked and beaten on the landing there. That is the record. It is simply not convincing for anyone to say after two years and eight months, after the Government being represented at every stage and after it being open to every civil servant to know what the proceedings and the arguments were in a committee which, to its credit, achieved consensus that one must start all over again and consult with every Department and the Attorney General with their despicable records in regard to the protection of the child.

I refer to all these sanctimonious statements from all these people who have been elected from all around the country and who have discovered how complex things are. They are not that complex if one wants to do something. There is a consensus available which, I believe, is a very conservative one. I would have gone much further in regard to Article 41 because I do not believe that in the international definition of rights, one has any right to suggest that a child should be locked into a dysfunctional family and that the child's rights are residual to establishing, somehow or another, that one must be beaten before one is free to enjoy one's personal rights. People gave way on many different aspects of this proposal. What we have now is something which will be voted on but it has been said we are not ready. No one suggested that the Government act in some impetuous way.

This is a very serious situation. There was an opportunity for two and a half years, since 2007, to address these issues. Going back to 1992 and 1993, before ratification, one could have anticipated a great deal of these issues. In between, we have had a series of reports which simply show that children have been scandalously treated.

Over the decades the failure to protect children has had horrific consequences. Some of the most vulnerable have found themselves in institutions, frequently followed by prison. One must ask what is the basis of that vulnerability. Why did children not have access to protection? What happened between the democratic programme of the first Dáil and the 1937 Constitution? Mediating blockages were put in between. It was suggested that a child would first have to show he or she was being neglected in the family, that the institution abused the child and so forth. Why not have a child's rights as a person based on personal dignity and on his or her essence as a human being? That was the challenge facing us in the Republic but it was a slided away from.

There was an authoritarian ethos that kept saying it was right to slap children. It was only in 1982 that corporal punished was stopped. That is a stain on the history of this Republic. I am not making just a partisan point. People said times were different but they were not different. It was an abuse by the strong of the weak.

As I speak, the absence of provisions available to lonely children in institutions, to children sitting on kerbs and to children who should be entitled to medical facilities is scandalous. A monster called the HSE is not able to say it can count the number of children for which it has responsibility. That is a scandal in any country not to speak of one which calls itself a republic.

I have spoken to children in my advice centres. They go into prison illiterate and come out not only illiterate but dependent on drugs. All of the time we have reviews, commissions and so forth reporting.

What must be decided? The children of the people who will be consulted in all the Departments are not at risk. If one wants to say every child is a protected child in this Republic, then one will vote for the motion. That is what we should do. We do not need any more time.

Amendment put.

The Dail divided: Tá, 75; Níl, 71.

Tá

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Aylward, Bobby.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Calleary, Dara.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.

Killeen, Tony.
 Kitt, Michael P..
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 Mansergh, Martin.
 Martin, Micheál.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J..
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Allen, Bernard.
 Bannon, James.
 Barrett, Seán.
 Behan, Joe.
 Breen, Pat.
 Broughan, Thomas P..
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J..
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doyle, Andrew.

Durkan, Bernard J..
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D..
 Hogan, Phil.
 Howlin, Brendan.
 Kenny, Enda.
 Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McHugh, Joe.
 McManus, Liz.

Níl—*continued*

Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.

Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheehan, P.J..
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.

Tellers: Tá, Deputies John Curran and John Cregan; Níl, Deputies Emmet Stagg and Aengus Ó Snodaigh

Amendment declared carried

Question put: "That the motion, as amended, be agreed to."

Question put.

The Dáil divided: Tá, 75; Níl, 71.

Tá

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Aylward, Bobby.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Calleary, Dara.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.

Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 Mansergh, Martin.
 Martin, Micheál.
 McEllistram, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.

Tá—continued

Scanlon, Eamon.
Treacy, Noel.
Wallace, Mary.

White, Mary Alexandra.
Woods, Michael.

Níl

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

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

Tellers: Tá, Deputies John Cregan and John Curran; Níl, Deputies Aengus Ó Snodaigh and Emmet Stagg

Question declared carried

Adjournment Debate.

Job Losses

Deputy Deirdre Clune: I am grateful for the opportunity to raise yesterday's disturbing and upsetting announcement of the loss of 785 jobs at Pfizer Ireland. Behind that figure are individuals and their families who are devastated by this announcement. It is a day the employees hoped would never come. A commitment must be given that something will be done to ensure replacement jobs are found in the relevant areas. I am pleased the Minister for Enterprise, Trade and Innovation, Deputy Batt O'Keeffe, is in the Chamber to respond to this matter.

Yesterday's announcement did not come out of the blue for Pfizer employees despite their hope that their jobs would not be affected. I am particularly concerned by the impact on the Cork area of the loss of approximately 300 jobs between the two facilities there. At the Loughbeg drug product plant, 225 jobs will be lost by the end of 2012, only 18 months away. The Loughbeg facility produces the drug LIPITOR which, as has been known for some time, will go off patent next year. I questioned the Minister's predecessor on many occasions about this and about recent changes at Pfizer particularly following its takeover of Wyeth in January 2009. In addition, it has been repeatedly pointed out, including by Pfizer Ireland itself, that it is expensive to do business in this country and that competitiveness continues to be an issue for companies here. The concerns raised by Mr. Paul Duffy, head of manufacturing at Pfizer and president of the American Chamber of Commerce in Ireland, in the presence of the Taoiseach, regarding competitiveness and the cost of doing business here were raised yesterday in the House.

While wage costs have fallen in some sectors, energy costs in Ireland are among the highest in Europe. Local authority charges and waste and water charges also contribute to the high costs of doing business here for companies such as Pfizer. When company boards meet in New York to review their worldwide operations they find that Ireland is an expensive country in which to operate. We are competing against countries such as Singapore, India and other locations in which Pfizer has operations.

The other Cork plant mentioned yesterday is a biotechnology facility employing 75 people which opened in 2009 following investment of €195 million. The jobs affected involve high level research on behalf of Pfizer's global manufacturing operations. The facility was hailed as an important investment at the time and a signal of the company's commitment to Ireland. I believe Pfizer remains committed to Ireland as it continues to employ 5,000 people here.

I ask the Minister to address the future of pharmaceuticals on this island. The pharmaceutical sector is experiencing difficulties worldwide getting products to market and many products are due to come off patent. What will this mean for Ireland?

The IDA recently launched its Horizon 2020 strategy. Deputies have received only a Powerpoint presentation on the strategy and do not have much information on where precisely the anticipated 62,000 new jobs will be generated. The strategy refers to regional economic development, emerging growth markets, greenfield investments, research, development and innovation. The IDA estimates that Ireland will benefit from 640 investments. What will be the nature of these investments? Will they replace the jobs being lost in Cork?

Pfizer is confident it will be able to sell the plants it will vacate in Cork and Dún Laoghaire. I ask the Minister to give a commitment that the IDA will work with the company to ensure potential buyers are identified and alternative jobs are found for the areas in which jobs will be lost. Given the concerns about the future of the pharmaceutical industry on this island, I ask the Minister to provide some reassurance.

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I thank Deputy Clune for raising this pertinent matter of concern to all of us on the Adjournment. I reiterate my deep regret at the job losses announced on Tuesday in Pfizer Global Manufacturing.

Pfizer's plan to cut its worldwide workforce by 6,000 in 14 sites over the next four years is aimed at integrating the Pfizer and Wyeth manufacturing and supply organisations, which have significant over-capacity following the Pfizer takeover of Wyeth late last year. I have asked the State agencies to do everything possible to provide training and re-employment services to the

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275 workers losing their jobs in Newbridge, County Kildare, and to work with Pfizer to save the other 510 jobs at risk due to the planned future sale or closure of plants in Cork and Dublin.

Although the company plans to cut its global headcount by 6,000, Pfizer remains a major multinational employer in Ireland, with more than 4,200 workers in seven locations involved in the manufacture of high-end life science products for world markets. The loss of 275 jobs in Newbridge is not immediate. Between the end of this year and 2011, 135 jobs will be lost, with the remainder to be lost in 2013. Likewise, any impact on jobs at the facilities in Loughbeg and Shanbally in Cork, and in Dún Laoghaire in County Dublin, would occur in 2012 to 2014.

The IDA is confident that a buyer will be found for at least some of these facilities and the agency will work closely with Pfizer to achieve this end. In the recent past, the IDA and Pfizer have been successful with the sale of Pfizer's animal health plant in Sligo and its Loughbeg API plant, preserving jobs at both locations.

Pfizer is planning further capital investments and new positions in its biotechnology operations in Ireland. The Government will do all it can to support the company's growth plans. Although the 275 job losses in Newbridge are devastating for the workers in question, their families and communities, it should be acknowledged that the company is retaining a workforce of 770 in the plant.

I assure the Deputy that my priority is to ensure that the business environment is supportive of Irish enterprise and export growth and that we continue to attract high value foreign investment. By selling on international markets, we will create jobs and prosperity at home.

State supported indigenous companies currently employ 133,000 people. Enterprise Ireland's objective is to create a further 40,000 new jobs over the next five years. State supported foreign companies currently employ 124,000 people. The IDA's objective is to create a further 62,000 new jobs over the next five years. The IDA and Enterprise Ireland targets for job creation could lead to an additional 70,000 jobs elsewhere in the economy.

Our thoughts are with the workers affected by yesterday's announcement. I am acutely aware of the distress the job losses are causing to employees and their families. I assure everyone that the State agencies will give every support they can to Pfizer employees.

Drug Treatment Programme

Deputy Leo Varadkar: The issue I raise is a proposal by the Health Service Executive to establish a methadone clinic in Coolmine industrial estate in Blanchardstown, Dublin 15. No one is opposed to the provision of a methadone clinic or the idea that users of methadone should be facilitated in their own communities. Methadone treatment services are currently provided by Connolly Hospital, which is close to the Coolmine industrial estate. This arrangement will cease in the near future and the clinic will move to the industrial estate where it will be housed next door to a workshop staffed by people with an intellectual disability and operated under the auspices of the Daughters of Charity. Needless to say, the parents of those employed in the workshop are concerned about the impact this new arrangement will have on their adult children given that they have intellectual disabilities.

It appears the HSE is seeking to pit the vulnerable against the vulnerable in choosing the location in question for a methadone clinic. The executive did not engage in any consultation with public representatives, which is unusual, or other parties involved in the industrial estate, including the Daughters of Charity and Tofa, which operates the workshop in question. Plan-

ning permission to dispense methadone from the facility has not been granted, although it is required, and the HSE has not yet given any indication that it will be sought.

Potential alternative locations for a methadone facility are available in the vicinity of the Blanchardstown centre and Connolly Hospital. The centre should not be located next door to a workshop for people with intellectual disabilities. I ask the Minister to convey the united wish of the community and all parties who have been represented at the public meetings on this issue that there be a proper consultation with their potential neighbours, and that alternative locations be considered within the Dublin 15 area.

Deputy Batt O’Keeffe: I am taking this adjournment debate on behalf of the Minister for Health and Children.

The management and delivery of health and personal social services, including methadone services, are the responsibility of the Health Service Executive under the Health Act 2004. I thank the Deputy for raising this matter, as it provides me with an opportunity to outline the actions being taken by the HSE to expand the availability and access to drug treatment services within the Blanchardstown area.

Under the interim national drugs strategy for 2009 to 2016, the HSE is implementing part of “Action 34” by providing methadone clinics in targeted areas where waiting lists have emerged. Until now, services in the Blanchardstown area have been fragmented and delivered from several different sites. The new facility in the Coolmine industrial estate will provide a “one-stop shop” for the provision of addiction services to clients in the area. In late 2008, the HSE was advised that the premises was becoming available. As the premises is adjacent to two community drug projects and had planning permission for community services use, it was considered an ideal location for a treatment centre. Community services provide a range of support services, including dispensing.

The HSE replicated its successful delivery of drug treatment centres, such as the Wellmount in Finglas, by engaging with the Blanchardstown local drugs task force as the consultative channel. All key stakeholders such as statutory, community and political representatives are members of the task force. There was unanimous support and approval from the task force for the provision of addiction services at these premises. The new premises will provide a full range of treatment and rehabilitation options. The interventions available will provide assessment, advice and counselling services. It will also include stabilisation, treatment, detoxification and access to rehabilitation and integration services. The services will be delivered through a care planning process by a multi-disciplinary team. It will be staffed from 9 a.m. to 5 p.m. seven days a week. The service will begin on a half-day basis initially and will progress to a full day.

This is a key action in the 2010 HSE national service plan. It is part of a comprehensive harm reduction programme that the HSE is implementing across the country. There are an estimated 14,500 opiate users in Ireland. According to the latest figures available at the end of December 2009, there were 9,047 clients receiving methadone maintenance treatment services. Of these, 5,382 had their methadone dispensed by pharmacists in the community rather than in specialist addiction clinics. The number of GPs providing methadone maintenance treatment at the end of December 2009 was 277, while the number of pharmacies involved was 480. The HSE is planning to expand these services in 2010.

Energy Resources

Deputy Frank Feighan: I raised tonight’s matter on the Adjournment on 1 April. Speaking on the debate, the Minister for the Environment, Heritage and Local Government stated that

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he expected to see the report and the recommendations of the group set up to look at the cessation of turf cutting on 32 raised bogs in the coming days. He stated that he would then conclude his considerations on the matter as quickly as possible, with a view to making his proposals available to the Government without delay.

I took those words at face value, and I was very surprised to find out within hours in the national newspapers that there was to be a complete ban on turf cutting. This is not the spirit in which we want to resolve a vexed issue in rural Ireland. We must work with all the stakeholders to get a reasonable outcome.

The country is in a state of emergency, and turf cutting is an economic issue, a national issue and a European issue. The Minister should now extend the turf cutting derogations in view of the difficult times in which we live. The proposals mainly affect rural families who have the opportunity to provide their own fuel. They could essentially be denied the right to cut turf to heat up their homes. Why should people have to pay a carbon tax and then be denied the right to carry on a centuries old tradition? The areas of conservation were determined many years ago.

For almost two years, the turf cutters and many politicians have asked the Department of Environment, Heritage and Local Government to produce the maps that determine these areas. Department officials refused, or else did not have these maps. The Minister claimed that the maps have been made available to the Oireachtas environment committee, but this came as a surprise because the Department did not have the maps for 18 months. The maps currently being used were not used in 1997 when these areas were drawn up. Some counties cross one another in the maps, so I believe these maps are flawed. The turf cutters want to enter into dialogue with the Department and they want to be sure that everything is open and transparent.

This issue has been ongoing for many years. There are people who want to carry on the tradition of cutting turf. Turf is what heats their homes. It is their oil well. Up to 98% of the country's bogs are harvested by Bord na Móna, but there seems to be no restrictions on this company, whereas ordinary people cutting turf to heat their homes find that the jackboot of the Government is coming down very firmly on them.

I have been at many meetings and I have seen the anger on the ground. We are talking about people who understand the environment and our land. They have come up with scientific information that flies in the face of the so-called information we get from the Department.

We want all the stakeholders — the Department officials, the turf cutters' association and the contractors — to sit come up with a solution. It can be done. I have called for dialogue on numerous occasions. These people are aggrieved that their views have not been taken on board. A committee was set up that did not include any members of the turf cutters' association. It was an interdepartmental group. The turf cutters feel they are being excluded.

I want the right to cut turf to continue. There is a great opportunity to have a dialogue with the turf cutters association. I would be glad to facilitate such a discussion, as would most Members across the House. The Minister is making a mistake if he thinks that people from the Department can go out and stop people from cutting their turf. There is anger that can be contained by working with the people. We want to care for the environment and we will do so, but we want to ensure that we can cut turf. This is the time to sit down for talks to get a proper resolution once and for all.

Deputy Batt O'Keeffe: It should be clearly understood that there is no issue regarding turf cutting on the majority of Irish bogs. A small number of raised bogs, which comprise approxi-

mately 4% of bogland within the State where turf cutting is feasible, has been designated for conservation purposes. For 32 of these sites, the ten-year derogation allowing a continuation of turf cutting for domestic purposes has now elapsed. No further cutting can take place on these sites without the express consent of the Minister for the Environment, Heritage and Local Government.

The Minister is fully aware of the difficulties this may present to those who have, up to this year, been cutting turf on these 32 raised bog sites. For this reason he established an interdepartmental working group on the cessation of turf cutting in designated raised bogs to explore these very issues. The working group was established last year. It included representatives of the Departments of the Environment, Heritage and Local Government, Finance, Agriculture, Fisheries and Food, Community Rural and Gaeltacht Affairs and Communications, Energy and Natural Resources, the Office of Public Works, the Office of the Attorney General and the Office of the Chief State Solicitor.

The terms of reference of the group, which are available on the website of the National Parks and Wildlife Service, required it to consider the arrangements that would be necessary, including financial arrangements, to achieve the introduction of further restrictions to domestic turf cutting in raised bog special areas of conservation and natural heritage areas. It invited submissions from all interested parties and met numerous associations representing both turf cutting interests and conservationists. Each representative group had an opportunity to put their case to the group and seek whatever clarifications they required.

The Minister is now considering the findings and recommendations which the group has made in its report regarding the required restrictions on further turf cutting in this limited number of sites. Following consultation with his colleagues and a Government decision, any new arrangements will be initiated without delay, and will include direct notification of owners and users of the bogs affected.

There are 130 special areas of conservation and natural heritage areas designated for the protection of raised bog, which is a rare and priority habitat under the habitats directive. Ireland is obliged by law to protect these bogs.

While only a relatively small number of bogs and turf cutters are potentially affected by the necessary cessation of turf cutting, the Government is conscious of the needs of the people who rely on their turf for domestic heating.

Schools Building Projects

Deputy Trevor Sargent: Ar dtús báire, ba mhaith liom mo bhuíochas a ghabháil le oifig an Chinn Comhairle agus leis an Cathaoirleach as cead a thabhairt dom an cheist thábhachtach áitiúil seo a ardú. I welcome the former Minister for Education and Science and congratulate him on his new posting. St. Joseph's secondary school in Rush, as the Minister will know from his previous portfolio, was built to have a capacity of 450. It now depends on three additional prefabs to a large extent. The width of the corridors is very narrow given that it will have 591 students next September. It has had a growth rate of 35.6% over the past five years. Frank Murray from the Department of Education and Skills certainly knows all about this. The whole-school evaluation that was completed in recent months makes it clear that not only is it the only second level school in Rush, County Dublin, but also that the school student numbers have grown significantly in recent years and the school now caters for more than 500 students from the environs of Rush and beyond. There is a large cohort of students with English as an additional language attending the school. The school is designated in the local area plan to

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grow to 1,000 students. Things are moving on quickly and it comes back to when we can get the technical assessment and a commitment to build the new school.

The Department's evaluation states that the school is at maximum capacity at present, has limited room for expansion and three prefabricated buildings have been hired to accommodate classrooms. In addition, the canteen also serves as a PE hall and there are no playing pitches in the immediate environs of the school, which makes facilitation of PE a challenge — that is one word for it. One third of all students commented negatively on the facilities in the school. It is amazing that the school has such good morale and such an excellent whole-school evaluation on the basis of that reality.

I would like that the correspondence I have had over several years might tonight at least come to some conclusion as to where we are going. When I wrote to the Minister, Deputy Batt O'Keeffe's, predecessor in the Department of Education and Science, the Minister, Deputy Hanafin, seeking her assistance in having the technical assessment into St. Joseph's secondary school carried out, I mentioned that she would be aware that the site of the school is inadequate for any expansion to take place. That has been acknowledged by the Department of Education and Skills in the document Area Development Plan for North Dublin by the Commission on School Accommodation. The school has gained temporary additional classroom space by installing Portakabin buildings adjacent to the existing school building. Although these have been in place for a long time now, this is a temporary measure to address the local needs and accommodate students from Rush and also Lusk which does not yet have a secondary school and is depending on Rush to a large extent. Many students from Donabate — even though it has a new school — depend on St. Joseph's.

I mentioned to the Minister's predecessor that a meeting had taken place between the principal, the community department of Fingal County Council director of services Senan Turnbull and the former councillor, my Green Party colleague, Joe Corr. The council is broadly supportive of the relocation of the school and has already suggested a preferred location. However, Mr. Turnbull is limited in what he can do to facilitate negotiations for a land swap owing to the absence of a technical assessment report from the Department of Education and Skills.

I got a reply indicating that my concerns had been noted and that my correspondence had been sent to the developing area section of the Department for attention. I waited and waited. I then had to write to the Minister, Deputy Batt O'Keeffe, when he was appointed to the Department of Education and Science. I congratulated him on his appointment as I congratulate him again on his appointment as Minister for Enterprise, Trade and Innovation. Again, I was asking for that technical assessment for St. Joseph's secondary school back in 2008. I reiterated many of the same points I had indicated to the Minister, Deputy Hanafin. I got a reply stating that inquiries were being made about the matter and that a further letter would issue as soon as possible. I wrote again when I did not hear back. I received a reply that the Minister, Deputy Batt O'Keeffe, would be in further contact with me.

I wish to put on the record that while we are waiting, the school is bursting at the seams. It is not fair on the principal, staff and students to be left even though a site has been earmarked beside St. Maur's GAA complex. There is the Kenure local area plan. Fingal County Council is good at co-operating with the Department on shared community facilities for community gain and is willing to play ball again if the Department will do likewise.

Deputy Batt O'Keeffe: I am responding to this matter on behalf of my colleague, the Minister for Education and Skills, Deputy Mary Coughlan. I thank the Deputy for raising this matter

as it provides me with the opportunity to outline to the Dáil the Government's strategy for capital investment in education projects and also to outline the current position in relation to St Joseph's secondary school, Rush, County Dublin.

Modernising facilities in our existing building stock, as well as responding to emerging needs in areas of rapid population growth, is a significant challenge. The Government has shown a consistent determination to improve the condition of school buildings and ensure the appropriate facilities are in place to enable the implementation of a broad and balanced curriculum. The allocation of funding for school buildings in 2010 is a little under €579 million. This represents a significant investment in the schools building and modernisation programme. This level of funding, at a time of great pressure on public finances, is a sign of the Government's commitment to investing in school infrastructure and it will permit the continuation of the Department's programme of sustained investment in primary and post primary schools.

All applications for capital funding are assessed in the planning and building unit of the Department. The assessment process determines the extent and type of need presenting based on the demographics of an area, proposed housing developments, condition of buildings, site capacity etc. leading to an appropriate accommodation solution. As part of this process, a project is assigned a band rating under published prioritisation criteria for large scale building projects. These criteria were devised following consultation with the education partners. Projects are selected for inclusion in the school building and modernisation programme on the basis of priority of need. This is reflected in the band rating assigned to a project. In other words, a proposed building project moves through the system commensurate with the band rating assigned to it.

A whole-school evaluation of management, leadership and learning was undertaken between 22 and 24 February this year in St Joseph's secondary school, Rush. Following this, the WSE report issued to the board of management of the school on 29 April and the Department is currently awaiting the school's response to the report. The WSE report will not be finalised until the school's response is received. Therefore I am not in a position to make any further comment on the report or its contents.

A project for an extension and refurbishment for St Joseph's secondary school is currently at an early stage of architectural planning. The project has been assigned a priority band rating of 2.4 under the published prioritisation criteria for large scale building projects. The brief for the project at St Joseph's is for the provision of an extension of additional mainstream classrooms and facilities and a PE hall of 608 metres squared. The brief also provides for an extensive refurbishment of the existing school buildings. St Joseph's was also granted funding of over €250,000 under the summer works scheme in 2007 for the provision of tarmac and fire alarms. The school was also approved for the rental of three mainstream classrooms in 2007.

The Department has no record of an application from the school for a new school building on a greenfield site. If the school wishes to propose such a development the Department will give it due consideration on receipt of any such proposal. The progression of all large scale building projects, including this project, from initial design stage through to construction is dependent on the prioritisation of competing demands on the funding available under the Department's capital budget. In the absence of any other proposal or application from the school, the project to provide an extension and refurbishment for St Joseph's secondary school will continue to be considered in the context of the Department's multi-annual school building and modernisation programme for 2011 and subsequent years. However, in light of current competing demands on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

[Deputy Batt O’Keeffe.]

Again, I thank the Deputy for giving me the opportunity to outline to the Dáil the current position regarding the school building project for St Joseph’s secondary school, Rush, County Dublin.

The Dáil adjourned at 9.45 until 10.30 a.m. on Thursday, 20 May 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 5, inclusive, answered orally.

Questions Nos. 6 to 35, inclusive, resubmitted.

Questions Nos. 36 to 46, inclusive, answered orally.

Tourism Industry

47. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the extent to which she has met, had discussions with, or received submissions from the stakeholders in the tourism sector with particular reference to addressing the issues affecting the industry in the present economic downturn; the initiatives she has taken or proposes to take to address the matters arising; her plans to implement any positive or supportive initiatives in time for the oncoming tourism season; and if she will make a statement on the matter. [20688/10]

48. **Deputy Jim O’Keeffe** asked the Minister for Tourism, Culture and Sport her views on whether the development of our tourism potential and the restoration of visitor numbers to the levels achieved in the recent past can contribute substantially to our economic recovery; and her proposals regarding same. [20450/10]

182. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport her plans, if any, to assist the hotel and catering industries in the current economic downturn; and if she will make a statement on the matter. [21052/10]

186. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport if she has met with representatives of the tourism and catering sectors in the context of the need to stimulate that sector of the economy; if she intends to favourably respond to submissions she has received regarding same; and if she will make a statement on the matter. [21056/10]

187. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the specific action she has taken, if any, or proposes to take, to stimulate the hotel and catering sectors, thereby contributing to a revival of the tourist economy; and if she will make a statement on the matter. [21057/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Questions Nos. 47, 48, 182, 186 and 187 together.

Since my appointment as Minister for Tourism, Culture and Sport, I have met the Chairs and Chief Executives of the tourism agencies — Fáilte Ireland, Tourism Ireland and Shannon Development. I have also met a broad selection of the main representative bodies in the tourism sector as well as a wide range of individuals at various official functions and events which I have attended since taking over the portfolio. I am, of course, always interested in hearing the views and opinions of the industry.

Tourism is a key driver of social and economic development at national and regional level. It plays a central role in creating a positive image of Ireland. I am determined to ensure that the important contribution of the tourism industry is widely recognised and that the tourism agenda is accommodated in all relevant policies and programmes.

2010 was always going to be a challenging year for tourism. The Government and its agencies are working extremely hard to tackle these challenges and maximise business for the Irish tourism industry.

The Tourism Renewal Group's Framework for Action forms the broad strategic basis on which Government is responding to the current difficulties.

Tourism is a key element of the Government's wider strategy for economic renewal and this is reflected in the 2010 Budget. The overall tourism services budget was increased by 3% from the 2009 outturn to over €153 million. Tourism has also been included in cross-cutting measures to support enterprises and jobs, including the Employment Subsidy Scheme and the Credit Review System. Additional specific measures, such as changes in alcohol excise duties and VAT and the innovative rail travel initiative for senior citizens will also help the sector.

To assist the tourism sector, an extensive range of marketing, product development, festival and sporting events, training and business supports are being put in place by the Tourism State Agencies under the Tourism Services budget of the Department.

In marketing the island of Ireland overseas, Tourism Ireland is focusing on major markets that are likely to deliver immediate returns including Great Britain, Germany and the US. Tourism Ireland is engaged in a huge tactical marketing programme, communicating strong reasons to visit together with clear, price-led messages focusing on the great value to be found here. Earlier this month, I launched a €20 million summer overseas marketing drive designed to win visitors for the peak season. It has been developed in partnership with hundreds of tourism businesses (including hotels, B&Bs, self-catering, national cultural institutions, golf courses, independent visitor attractions and air and sea carriers) who have backed the campaign with a superb range of value-for-money offers.

On the domestic front, Fáilte Ireland has launched a brand new promotional campaign to encourage holidaying at home this year, with a budget of €4 million. Investment in business, sporting and cultural events is also being increased. Fáilte Ireland and Tourism Ireland are boosting promotion of business tourism in the build up to the opening, in September, of the new national conference centre in Dublin. This state-of-the-art facility, along with the new Aviva stadium, the O2 and Grand Canal Theatre venues and indeed developments at Thomond Park, will further enhance Ireland's capacity to attract international events.

Fáilte Ireland is also working closely with businesses all over Ireland to increase their customer base, better manage costs, improve overall performance and marketing and sustain employment levels. In 2010, Fáilte Ireland will be investing over €11 million in the form of direct supports and advice for tourism enterprises.

I believe that the Government is identifying the right programmes and measures to support the continued development of tourism. We are working with the industry and the tourism agencies in order to position the tourism sector for recovery and growth as part of the Government's wider strategy for economic renewal.

Sports Capital Programme

49. **Deputy Michael D. Higgins** asked the Minister for Tourism, Culture and Sport when the review of the Sports Capital Programme will be published; if her attention has been drawn to a recent programme (details supplied) which illustrates the way in which certain areas received more funding than others; and if she will make a statement on the matter. [20680/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The Sports Capital Programme allocates funding to sporting and to voluntary and community organisations at local, regional and national level throughout the country. The programme is advertised in the national print media.

All applications received under the programme are assessed on an individual basis by the Department in accordance with a detailed set of assessment criteria as specified in the guidelines, terms and conditions that accompany the application form for the programme.

These criteria include the likelihood to increase participation and performance in sport, priority of proposed facility vis a vis existing facilities, disadvantaged status, level of own funding available etc.

Every effort is made to achieve a balanced geographical spread of funds throughout the country, while also affording priority to projects in areas of social and economic disadvantage, and facilitating investment in facilities of regional and national strategic importance. In this regard, the assessment process also takes into account factors such as the number and quality of the applications received, the amount of funding being sought by each applicant as well as the most recent Census of Population figures.

The level of funding for any county is based on the quality, number and size of the applications, and the Sports Capital Programme has been of benefit to clubs and sports organisations in every county.

A total of €725m has been allocated in sports capital funding since 1998 to 7,400 sports facility projects.

While no decision has been made on the timing of the next round of the Programme, €48 million has been provided in my Department's Vote in the 2010 Estimates to cover costs being incurred by the Department this year as a result of sports capital grants which were awarded in earlier years.

Work on the National Sports Facilities Strategy 2010-2015, which will provide an improved policy platform for any future rounds of the Programme, is at an advanced stage of preparation in my Department. I expect to receive the draft Strategy shortly. Any future rounds will also be informed by the national audit of local sports facilities that is currently underway.

Departmental Agencies

50. **Deputy Bernard Allen** asked the Minister for Tourism, Culture and Sport if she has been requested to engage in an examination of the agencies falling within the remit of her Department in the context of public service transformation; and if she will make a statement on the matter. [20593/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I am fully committed to reform of the public service, including in relation to the Agencies operating under the aegis of my Department, so as to ensure value for money for the public, particularly in current difficult and challenging economic circumstances.

Since becoming Minister for Tourism, Culture and Sport in March 2010, I have not been specifically requested to engage in an examination of the agencies falling within the remit of my Department in the context of public service transformation. My Department has already engaged with the Transforming Public Services Project in respect of policy on the establishment, functions, corporate governance and performance management of State agencies. In addition, my Department extensively engaged with the Special Group on Public Service Numbers and Expenditure Programmes in the preparation of its report and the proposals contained therein.

As the Deputy is aware, steps are already being taken towards the rationalisation of some of the agencies under the aegis of my Department and the functioning of all of those agencies, in terms of efficiency and effectiveness in the delivery of services, will be one of the elements which will be kept under review in the context of public service transformation and the upcoming Budgetary process.

EU Meetings

51. **Deputy Joe Costello** asked the Minister for Tourism, Culture and Sport if she attended the first informal meeting of EU tourism meetings on 15 April 2010 in Madrid; her views on the issues promoted at this conference; if she will expand on her position on the Union's role in Irish tourism; and if she will make a statement on the matter. [20689/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Due to prior diary commitments, I was unable to attend the informal meeting referred to by the Deputy. I was however represented at senior official level by an Assistant Secretary from my Department. Given the informal status of the meeting, I understand that the majority of delegations were represented at official rather than political level.

The informal meeting approved the “Madrid Declaration”, making a series of recommendations to the European Commission to implement a European tourism policy in the light of the coming into force of the Treaty of Lisbon, which formally provides for tourism to be an EU competence. The Declaration itself emphasises, inter alia, the important role that tourism can contribute to the strategy “Europe 2020 — a European strategy for smart sustainable and inclusive growth”, the importance of enhancing the competitiveness of the tourism sector and the need to reflect tourism interests when considering other Community policies in areas such as transport, environment and rural development. The full text of the Madrid Declaration is available on the European Commission's website.

The meeting also discussed the proposed “Communication on the renewed EU Tourism Policy Framework” which the Commission is due to present to the EU Council later this year. Ireland has supported the efforts of the Commission in this regard and my Department will continue to actively be involved in the finalisation of the proposed Communication.

In terms of the Union's future role in tourism, as the Deputy will be aware, the Lisbon Treaty identifies tourism as a new area of EU competence enabling it to complement the actions of Member States with the aim of improving the competitiveness of the sector in Europe. Accordingly, it is likely there will be more “complementary and coordinating” activities in the tourism field in the next few years. In parallel with the drafting of the Commission

Communication, the Commission is currently preparing a Multi-Annual Programme for Tourism in the period 2011-2013 which will allow for a more structured and coordinated approach to tourism at European level. Ireland has been supportive of these efforts to date and I look forward to seeing continued progress in this regard.

Finally, for the Deputy's information, I took part in an ad hoc video-conference to which Commission Vice-President Tajani invited EU Tourism Ministers on 28th April. I participated in the exchange of views, from a European perspective, on the effects of the volcanic ash disruption on the tourism sector, including travel agents and tour operators.

Sports Capital Programme

52. **Deputy Jim O'Keeffe** asked the Minister for Tourism, Culture and Sport the backlog of payments now due in respect of grants awarded for sports and recreation facilities with a breakdown for the years during which such grants and awards were made; and the reason there is now no new Sports Capital Programme. [20451/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Under the Sports Capital Programme, which is administered by my Department, and part funded from the proceeds of the National Lottery, funding is allocated to sporting and community organisations at local, regional and national level throughout the country.

The information that the Deputy requested in relation to the level of outstanding commitments for each year is set out in the table below (this represents the position as at the start of 2010):

Year	Outstanding
	€
2009	2,400,000
2008	29,303,698
2007	32,966,878
2006	20,988,147
2005	12,350,819
2004	10,941,536
2003	4,095,103
2002	2,823,983
2001	1,248,745
2000	143,651
1999	146
Total	117,262,706

Given the current budgetary situation and the high level of outstanding commitments it was considered prudent to pause prior to announcing the next round of the Programme and no date has been set for the next round of the Programme.

Departmental Bodies

53. **Deputy Joan Burton** asked the Minister for Tourism, Culture and Sport if a cost benefit analysis, comparative study or public consultation has been or will be carried out regarding the proposed merger of the National Archives, National Library and the Irish Manuscripts Commission; the efficiency measures that are expected to be gained by the merger; the amount

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of money expected to be saved by this efficiency measure; and if she will make a statement on the matter. [20690/10]

174. **Deputy Mary Upton** asked the Minister for Tourism, Culture and Sport if new legislation is required regarding the proposed merger of the National Archives, National Library and the Irish Manuscripts Commission; when she expects to bring this legislation before the Houses of the Oireachtas; and if she will make a statement on the matter. [20857/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Questions Nos. 53 and 174 together.

The rationale for the amalgamation of the National Archives with the Irish Manuscripts Commission and the National Library stems from the need to arrange the resources available to the national cultural institutions in the most cost effective structure possible. The continuing need to reduce public expenditure means that we cannot remain fixated with traditional or historic structures of publically funded organisations.

All three institutions deal with two-dimensional paper items of national cultural and or historical significance. In addition to the usual administrative services the two main institutions (the National Archives and National Library as the IMC has only one staff member) also share similar professional and technical activities such as conservation, collections management, digitisation, education and outreach and so on.

It makes clear good sense to bring together the three institutions that have so much in common in order that their resources can be utilised to the best extent possible.

Any rationalization, realignment and merger of the ‘non-core’, or ‘back-office’ and shared functions that can take place within complimentary national cultural institutions should diminish requirements for additional staff into the future, with consequent savings for the Exchequer. The amalgamations proposal arises from a desire to provide the best management structure for these institutions and is not primarily financially driven.

In the case of the merger of the National Archives and the Irish Manuscripts Commission with the National Library of Ireland, legislation is required. This will take the form of substantial amendments to the National Archives Act, 1986 and the National Cultural Institutions Act, 1997, and the Heritage Fund Act, 2000. The Memorandum and Articles of Association of the Irish Manuscripts Commission, and its position as a Company Limited by Guarantee will be extinguished while the functions of the Commission will be transferred into the new body, *mutatis mutandis*. It is intended to bring the legislation before the House some time in the coming 12 months.

Broadcasting Services.

54. **Deputy Liz McManus** asked the Minister for Tourism, Culture and Sport her views on the free to air proposals to allow the televising of the Heineken Cup matches and the RBS Six nations championships; the discussions she has had with the Department of Communications on this matter; and if she will make a statement on the matter. [20701/10]

57. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport if she has conducted any studies, discussion or analysis on the effects on sport and the funding of sport in the State of the proposal (details supplied) to add Heineken Cup rugby, the Cheltenham Festival and certain All-Ireland GAA matches to the list of events that are of major national

importance and therefore free-to-air; and if she will make a statement on the matter. [20685/10]

59. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport if she has met with any rugby organisations, clubs or groups to discuss the potential effects of making the Heineken Cup free-to-air; and if she will make a statement on the matter. [20686/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Questions Nos. 54, 57 and 59 together.

I recently met with representatives of the Irish Rugby Football Union who briefed me on the organisation's opposition to the proposals by the Minister for Communications, Energy and Natural Resources to make a number of additions to the current list of designated events of major importance to society, thus making them free-to-air for Irish television viewers. The IRFU considers that any form of change to the existing designated list would have a very significant impact on revenues to the organisation which would hugely impact on its grass roots programmes and would lead to an exodus of professional players to other jurisdictions. The IRFU advised me that the proposals would undermine the economic model on which the funding of Irish rugby is based.

I have also met with representatives of the GAA to discuss the proposals as they relate to Gaelic Games while the proposals do not have the same impact on the GAA as they do on rugby.

Under legislation, the Minister for Communications, Energy and Natural Resources is required to consult with me before bringing forward any changes to the designated list. I have already had informal discussions with the Minister about his proposals. He has now written to me seeking my views and I intend to fully engage with the Minister on this issue while consulting further with the relevant national governing bodies.

I believe that there is a need to maintain a balance between the rights of the public to have free to air access to sports events and the rights of sporting bodies to fund and thereby sustain and develop their sport.

Women's Participation in Sport

55. **Deputy Kathleen Lynch** asked the Minister for Tourism, Culture and Sport her views on the relatively low number of women participating in sport; her plans to increase this level of participation; and if she will make a statement on the matter. [20700/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The Deputy will be aware that the Irish Sports Council, which is funded by my Department, has a statutory role in the promotion, development and coordination of sport which includes responsibility for increasing participation in sport by all, including women and girls.

The ISC was established on a statutory basis on 1st July, 1999, and the functions of the Council are outlined in Section 6 of the Irish Sports Council Act 1999.

Section 6(1)(a) provides that one of the functions of the Council shall be “to encourage the promotion, development and coordination of competitive sport and the achievement of excellence in competitive sport.”

Section 6.1(b) provides that the ISC has responsibility for developing “strategies for increasing participation in recreational sport and to coordinate their implementation by all bodies

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(including public authorities and publicly funded bodies) involved in promoting recreational sport and providing recreational facilities”.

I am pleased to say that increasing participation in sport by women and girls is a fundamental element of the Council's work, the Women in Sport initiative being one of the ISC's primary programmes. In 2005, the Women in Sport initiative was established to address the clear gender gap in sports participation with only 34% of women participating regularly compared to 52% of men. €10 million was invested under this programme from 2005 to 2009 and a further €1.5 million will be invested in governing bodies and sports partnerships in 2010.

I am assured by the Council of the ISC's ongoing commitment in that regard and I can also assure the House of my own personal commitment to redress this imbalance.

Sports Funding

56. **Deputy Róisín Shortall** asked the Minister for Tourism, Culture and Sport her plans to support at European Union level the European Olympic Committee's proposal for a future sports funding programme; and if she will make a statement on the matter. [20691/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Now that there is a specific EU competence for sport under the Lisbon Treaty, the cooperation and coordination between Member States will be formalised, and the Commission has indicated its intention to adopt a new Communication setting out its suggested plans and priorities for European Union action to promote European sporting issues, as well as a possible proposal for a spending programme in the field of sports.

The Commission has commenced an on-line consultation process on the EU's strategic choices for the implementation of the new EU competence in the field of sport. The European Olympic Committees have prepared its 'Proposal for a future EU Sport Funding Programme' which has been circulated to each of the 27 EU Member States for consideration when defining EU political priorities. I met recently with the President of the Olympic Council of Ireland who is also the President of the National Olympic Committee of Europe and he outlined to me the elements of the proposal.

EU sports policy was discussed for the first time in a formal Council of the European Union setting at a meeting of the Education, Youth and Culture Council on 10th May 2010.

Delegations welcomed the creation of EU competence for coordinating sports policies and underlined that EU action needed to have clear added value by comparison with national plans, respecting the subsidiarity principle and the specific nature of sport. The following areas for possible EU action were suggested:

- Social and educational functions of sport, e.g. social inclusion through sport and health-enhancing physical activity, dual careers for athletes;
- Sport structures, in particular those based on voluntary activity;
- Fairness and openness in sport, including the fight against racism, discrimination and violence;
- Physical and moral integrity of sportsmen and sportswomen, especially the fight against doping and the protection of minors;
- Dialogue and close cooperation with the sports movement.

It was agreed that a possible EU financial programme supporting sports activities for the years 2012 to 2013 ought to have a limited number of priorities.

In Ireland, our most popular sports are amateur based and rely heavily on public support and volunteerism. They also play a vital role in improving the health and well-being of our citizens and in instilling a sense of place and belonging among those who play and those who follow. National policy serves to promote these aspects of sport and the new EU competence has the potential to add significant value to this work.

Under the new EU sports competence, there has been a great deal of expectation about a possible multi-annual sports programme — in terms of scale and scope. I believe that the European Commission should learn from the successes and failures of other programmes in fields such as culture and education. As Sports Minister, I would like to maximise the resources available for sport on the one hand but I also recognise the need to be realistic. From an Irish point of view, I would urge a citizen-based, sports for all focus where the impact of the expenditure will be felt at a grassroots level.

Question No. 57 answered with Question No. 54.

Sport and Recreational Development

58. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport her proposals, if any, to utilise sport and culture as a means to stimulate the economy for the future with particular reference to the way in which this can be done at local level linking into sporting and cultural organisations and the voluntary sectors; and if she will make a statement on the matter. [20687/10]

184. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the degree to which she has developed plans, proposals or preferred options to utilise sporting and cultural activities to positively reflect the national image with a view to assisting in economic recovery; the degree to which she has identified specific issues in this regard; and if she will make a statement on the matter. [21054/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Parliamentary Questions Nos. 58 and 184 together.

One of my Department's high-level goals — as set out in its current Statement of Strategy — is to promote close co-operation between the arts and culture, sport and tourism sectors in order to enhance their shared contribution to the social and economic well being of the country. Significant progress has been made in achieving this goal, as set out in the Department's Annual Reports, copies of which are available in the Dáil Library and on the Department's corporate website. I can assure the Deputy that the further development and strengthening of the synergies between the areas under the remit of my Department will be a key element of the new Strategy Statement for my Department due for completion later this year

In order to further progress this objective I will encourage closer co-operation between Departmental agencies in promoting the image of Ireland abroad. I will seek to exploit further the tourism development opportunities associated with hosting major sporting events in Ireland and further develop and exploit the tourism potential of our cultural heritage.

In turn, this will involve, inter alia, initiating greater co-operation between the Irish Sports Council and the National Governing Bodies of Sport and the tourism agencies in planning and marketing major sporting events. It will also involve developing closer co-operation between

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the cultural and related institutions and tourism agencies in promoting and developing special cultural and commemorative events, as well as enhancing access to cultural collections and institutions.

Question No. 59 answered with Question No. 54.

Arts Funding

60. **Deputy David Stanton** asked the Minister for Tourism, Culture and Sport her policy regarding the development of drama activities across the country, in particular, of supports for local drama groups; and if she will make a statement on the matter. [20674/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The Government's policy is to promote and strengthen the arts in all its forms, including drama, to increase access to and participation in the arts, and to make the arts an integral and valued part of our national life. More specific commitments are set out in the Renewed Programme for Government. My policy on the arts is to promote and strengthen the arts in all its forms, including drama, increase access to and participation in the arts, and make the arts an integral and valued part of our national life.

Responsibility for the promotion of the arts at all levels throughout the country, including drama, is primarily devolved to the Arts Council. The Arts Council is the principal agency through which State funding is channelled to the arts. Under the Arts Act, 2003, the general functions of the Council include the following:

- to promote knowledge, appreciation and practice of the arts;
- to stimulate public interest in the arts;
- to assist in improving standards in the arts.

The Arts Council is a statutorily independent body, funded by my Department and independent in its day-to-day operations, including in relation to its funding decisions. Funding for the Arts Council has helped to transform and increase access to the arts and allowed the Arts Council to support artists and arts organisations nationwide. The Government's commitment to the arts is evidenced by its continued support of the work of the Arts Council.

Abbey Theatre

61. **Deputy Michael D. Higgins** asked the Minister for Tourism, Culture and Sport the progress made on the redevelopment of the Abbey Theatre; the position regarding the detailed assessment of the feasibility of the General Post Office as the location of the Abbey Theatre; when she expects to publish this assessment; and if she will make a statement on the matter. [20698/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The Office of Public Works, my Department and the Abbey Theatre, with relevant external technical input, has commenced an assessment of the GPO complex to ascertain if it is a feasible location for the redeveloped national theatre. The Department of Communications, Energy and Natural Resources and An Post are also engaged in this process.

The development of a new national theatre project is a complex undertaking. There are a myriad of technical, procedural and legal factors to address in making progress and ensuring

that the best solution will be put in place. Following a thorough assessment of all the issues, a report will be brought to Government in due course.

Telecommunications Services

62. **Deputy Willie Penrose** asked the Minister for Tourism, Culture and Sport the meetings she has had with other Departments to ensure that tourism businesses, particularly those in rural areas, have access to broadband facilities; and if she will make a statement on the matter. [20694/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Since my appointment last March as Minister for Tourism, Culture and Sport I have not had the opportunity to personally meet with other Departments to specifically discuss access to broadband facilities. The matter has however, been raised on a number of occasions at official level since the publication of the Tourism Renewal Group's report in September 2009.

Government policy relating to the electronic communications market in Ireland is set out in "Next Generation Broadband — Gateway to a Knowledge Ireland", which was published by the Minister for Communications, Energy and Natural Resources in June 2009. The Government has undertaken a number of initiatives to bring broadband to those parts of the country where operators have been unable to offer services on a commercial basis and the roll out of the National Broadband Scheme is progressing.

I can assure the Deputy that the Department of Tourism, Culture and Sport is fully conscious of the importance of broadband connectivity to tourism businesses and will continue to highlight this to the Department of Communications, Energy and Natural Resources.

Tourism Promotion

63. **Deputy Seymour Crawford** asked the Minister for Tourism, Culture and Sport the meetings she has had or plans to have with the Minister for Enterprise, Trade and Investment from the Northern Ireland Assembly in relation to tourism; and if she will make a statement on the matter. [20430/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): As the Deputy will be aware, tourism was specifically identified in the Good Friday Agreement as a one of the key areas for North/South cooperation, and consequently it is one of the sectors on which the North/South Ministerial Council meets in Sectoral format. The Council meets in this format in order to make decisions on common policies and approaches in the area of tourism. It also takes decisions on policies and actions to be implemented by Tourism Ireland Limited, a publicly owned limited company established to promote the island of Ireland overseas as a tourist destination. There are also a number of other areas where there is ongoing cooperation between tourism agencies and Government Departments north and south.

In terms of recent meetings between the respective Ministers with responsibility for tourism, there have been a total of nine North/South Ministerial Council meetings in Tourism Sectoral format. The most recent one took place on the 16th December last when my predecessor, Mr Martin Cullen, T.D. met with the Minister for Enterprise, Trade and Investment in Northern Ireland, Ms Arlene Foster MLA, in Clogher, County Tyrone. Amongst the items discussed at this meeting was the challenging environment for tourism globally, Tourism Ireland's Business Plan for 2010 and a new marketing action plan which is designed to ensure that visitor numbers from Great Britain to the island of Ireland return to growth in the short term. The next

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North/South Ministerial Council meeting in Tourism Sectoral format is scheduled for the 16th June next. I look forward to meeting my counterpart, Minister Foster, at this meeting and to discussing areas of ongoing cooperation that can deliver continued benefits to the tourism industry on the island of Ireland.

National Concert Hall

64. **Deputy Ruairí Quinn** asked the Minister for Tourism, Culture and Sport the estimated cost of the refurbishment of the National Concert Hall; the amount expended to date; if she will give a commitment that the project still has her support and that the requisite level of funding will be available; and if she will make a statement on the matter. [20697/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I would like to confirm my Departments support for the redevelopment of the National Concert Hall. The procurement stage of the redevelopment of the National Concert Hall is currently being progressed by the National Development Finance Agency. In accordance with the Government Decision, the project was tendered, on a design, build, finance and maintain PPP project basis. Two participating consortia submitted tenders on 25 September 2009 and these tenders are currently being assessed by the NDFA under the PPP Guidelines set out by the Department of Finance. Once these evaluations have been finalised a more definite timeline for the project can be established. As this is a PPP process costs are determined at the time of contract conclusion.

An evaluation of the economic benefits of the redevelopment of the National Concert Hall was carried out in 2006 and my Department and the Department of Finance were satisfied with the outcome of this evaluation. I have no doubt that the redevelopment of the National Concert Hall would make a very substantial contribution to the arts and will provide considerable benefits to the economy.

Departmental Staff

65. **Deputy Seán Sherlock** asked the Minister for Tourism, Culture and Sport if responsibility for the horse and greyhound fund has been officially transferred from her Department to the Department of Agriculture, Fisheries and Food; the number of staff in her Department who were assigned to the fund; if these staff are to be transferred with the scheme to ensure there is no loss of institutional memory; and if she will make a statement on the matter. [20692/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Responsibility for the horse and greyhound industries was transferred from the Department to the Department of Agriculture, Fisheries and Food by the making of a transfer of departmental administration and ministerial functions order which came into effect on 1 May. The function has been transferred back to the section in the Department of Agriculture from which it had transferred in 2002, thus minimising any potential loss of corporate memory. The staffing arrangements supporting the function are similar in both Departments in that no individual officer is assigned sole responsibility for the function but that it is included in the responsibilities of a number of officers of various grades.

Arts Funding

66. **Deputy Brian O'Shea** asked the Minister for Tourism, Culture and Sport the amount of funding granted by her Department to an organisation (details supplied) in each of the past five years; and if she will make a statement on the matter. [20693/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The following table sets out the grants paid by my Department on each project under the Comhaltas Ceoltóirí Éireann Capital Development Programme in each of the last five years.

	County		Paid in 2006	Paid in 2007	Paid in 2008	Paid in 2009
			€	€	€	€
Cois na hAbhna, Ennis	Clare	86,701	509,167	1,140,440	162,588	
St Senan's, Kilrush	Clare	34,248	156,673	578,951	46,332	
Ennistymon	Clare					18,494
Brú na Sí, Youghal	Cork		28,772			
Clasac, Clontarf	Dublin		1,922,382	4,385,238	2,951,559	
Cultúrlann, Monkstown	Dublin	265,631			2,031	
Ceolann, Lixnaw	Kerry				8,600	
Dundalk Gaol	Louth	65,737	195,111	406,239	691,255	
Coleman Centre, Gurteen	Sligo	45,089	304,940	588,800	274,325	
Morrison Cottage	Sligo		75,000		65,000	7,500
Brú Ború, Cashel	Tipperary	2,595			289,224	80,193
Dún Uladh, Omagh	Tyrone		99,155		253,849	
Dun na Sí, Moate	Westmeath		8,800			
Total		500,001	3,300,000	7,099,668	4,744,763	106,187

Sports Sponsorship

67. **Deputy Jan O'Sullivan** asked the Minister for Tourism, Culture and Sport her views on sports sponsorship by the alcohol industry; and if she will make a statement on the matter.
[20699/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Unprecedented levels of Government funding for sport over the last number of years reflect the huge social and economic benefits of sport. As result of investments by the Department in sporting facilities in the last 10 years through the Sports Capital Programme and the Local Authority Swimming Pool Programme, people now have more opportunities to play and compete in a vast array of sports more than ever before. There is now an enhanced range of top class sports facilities throughout the country at national, regional and local level.

In the current economic conditions it is crucial that we continue to recognise the importance of investment in sport for the social and economic development of the country. Given the wide benefits associated with participation in sporting activities continued targeted investment to maximise the benefits that arise in the areas of health and well-being, social and cultural development, education, personal development, tourism and the economy is vital.

Sponsorship has allowed sporting bodies to invest in developing their games throughout the country and any constraints placed on sporting organisations in the current economic climate could have very serious implications for their operations and sports participation in general. Sporting bodies and the alcohol industry bear a responsibility to ensure that such sponsorships are developed and managed in a prudent and caring manner to protect the well being of young people.

My colleague, the Minister for Health & Children established a Working Group chaired by the Chief Medical Officer to deliver on the commitment in the Programme for Government to

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“Discuss the question of the sponsorship of sporting events by the alcohol industry with a view to phasing it out”. My Department was represented on this Group. The Group’s report has been completed and will be submitted to the Minister for Health & Children shortly. I understand that it is the Minister’s intention to publish this report, which will be an important input to the ongoing discussion on alcohol sponsorship.

Departmental Statistics

68. **Deputy Thomas P. Broughan** asked the Taoiseach the number of vehicle kilometres that were travelled by private car in 2009; and if he will make a statement on the matter. [21003/10]

Minister of State at the Department of Taoiseach and Defence (Deputy John Curran): The information requested for 2009 is not yet available. Vehicle Kilometres travelled by private car in 2009 will be available on publication of the Central Statistics Office’s Transport Omnibus for 2009, which is expected for November 2010. Information from 2000 to 2008 is given in table 1 below.

Table 1: Vehicle Kilometres Travelled by National Fleet and Vehicle Type, 2000-2008

Year	Private Cars (million kms)	Other Vehicles (million kms)	All Vehicles (million kms)
2000	23,532	7,350	30,882
2001	24,664	8,055	32,719
2002	25,142	8,702	33,844
2003	26,037	9,451	35,488
2004	26,913	10,216	37,129
2005	27,972	10,920	38,892
2006	29,015	11,900	40,915
2007	30,349	12,704	43,053
2008	31,173	12,617	43,790

Job Creation

69. **Deputy Brian Hayes** asked the Taoiseach the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20915/10]

The Taoiseach: The Report of the Innovation Taskforce was launched on 11 March of this year and offered recommendations to the Government to help fulfil its’ goal to develop Ireland as a ‘Global Innovation Hub’.

The Report estimated that the implementation of its’ recommendations, supported by a favourable economic context, has the potential to create 117,000 to 215,000 high-tech jobs between 2010 and 2020. These figures were based on experiences in other economies which have created the type of development to which Ireland aspires. The figures exclude additional jobs created through the multiplier effect.

In order to consider and implement the Taskforce’s recommendations, the Government has set up a High Level Implementation Group chaired by the Minister for Enterprise, Trade and Innovation, Batt O’Keeffe T.D.

Work Permits

70. **Deputy Joanna Tuffy** asked the Minister for Enterprise, Trade and Innovation his plans to reform the work permit system to give employment permit holders the right to change employers in their job category; and if he will make a statement on the matter. [20766/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): Since 2004, Irish labour market policy has been to ensure that general labour and skills needs are met from within Ireland's workforce and that of our European Union partners. For certain specific strategic skills and labour shortages it is Government policy to issue employment permits for the employment of non-EEA nationals for specific vacancies and in response to employer demand. The various schemes that give effect to such policies were introduced following enactment of the Employment Permits Act, 2006. The new schemes constituted a major overhaul of previous arrangements.

A particular focus in developing these schemes was on increasing the rights and protections afforded to migrant workers and the means to ensure redress in the event of exploitative practices. The Act's provisions gave immigrants greater freedom, autonomy and control over their own employment choices by enabling workers for the first time to apply and re-apply for their own permit and allowing workers to change their employer after a period of a year and move to another employment in order to take advantage of better conditions or career options. Last year, my Department issued almost 1,500 employment permits in respect of employees changing to new employers.

A properly controlled employment permit system requires that permits be issued to a specific employee for a specific job with a specific employer. To do otherwise would not only risk abuse of the employment permit system but would make it much more difficult to ensure that employers observed the employment rights of employees.

The Employment Permits Act 2006 provides for regular review of Ireland's economic migration policies and my Department keeps these policies under review on an on-going basis.

Redundancy Payments

71. **Deputy Charles Flanagan** asked the Minister for Enterprise, Trade and Innovation when a person (details supplied) in County Offaly will expect to receive a redundancy payment; and if he will make a statement on the matter. [20788/10]

Minister of State at the Department of Enterprise, Trade and Innovation (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 lump sum claim for the individual concerned on 15 September 2009.

In instances such as this, where the employer does not formally wind the company up but goes into informal insolvency and is unable to pay the statutory redundancy entitlements, the Department seeks from the employer evidence of inability to pay the entitlements to the employees. This involves requesting a statement from the company's Accountant or Solicitor attesting to the inadequacy of assets to make the redundancy payments and, the latest set of financial accounts for the company. The employer is also asked to admit liability for the 40% liability attaching to the company arising from the redundancy payments. If this information is

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provided to the Department, the employees are paid their redundancy entitlement from the Social Insurance Fund. Upon payment, the Department pursues the company for the 40% share that the company would ordinarily have been expected to pay to the employees. In the present instance, some but not all of the necessary documentation has been provided and my Department is in contact with the employer's accountant in relation to an outstanding issue. If this is resolved to satisfaction, it should be possible to authorise the claim for payment shortly.

If the necessary supporting documentation required from the employer is not provided to my Department, the employee will be advised by my Department to take a case to the Employment Appeals Tribunal (EAT) against the employer to seek a determination establishing the employee's right and entitlement to redundancy. Once such a determination is available, the Department is then in a position to make the payment to the employee concerned. Should the outstanding documentation be provided by the employer during the period while the case is pending a hearing before the EAT, this would allow the claim to be processed by my Department in the usual way.

Departmental Staff

72. **Deputy Richard Bruton** asked the Minister for Enterprise, Trade and Innovation the number of people primarily employed to process entitlement payments (details supplied) in schemes or agencies under his remit; and if he will make a statement on the matter. [20825/10]

73. **Deputy Richard Bruton** asked the Minister for Enterprise, Trade and Innovation the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20835/10]

74. **Deputy Richard Bruton** asked the Minister for Enterprise, Trade and Innovation the number of persons employed in the issuing of licences (details supplied) in agencies or schemes under his remit. [20849/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I propose to take Questions Nos. 72 to 74, inclusive, together.

Entitlement Payments

Agency/Section	
Redundancy Payments Section of Department of Enterprise, Trade and Innovation	The total number of staff assigned to processing redundancy payments is 55.63 (full time equivalents (FTE)).

Carrying out of Inspections

Section/Office	
National Employment Rights Authority (NERA)	NERA is responsible for ensuring compliance with employment rights legislation. It currently has 69 inspectors.

Issuing of Licences

Section/Office	
Licensing Unit, Department of Enterprise, Trade and Innovation	The number of staff engaged in issuing import licences and export licences is 1 and 3.3 (FTE) respectively.

Carrying out of Inspections

Agency/Statutory Office	
National Consumer Agency (NCA)	The NCA undertakes inspections in the context of its work across a range of consumer legislation.
Office of the Director of Corporate Enforcement (ODCE)	The ODCE investigates instances of suspected offences under the Companies Acts and this work would include inspections where appropriate.
Irish Auditing and Accounting Supervisory Authority (IAASA)	IAASA's regulatory/supervisory role would include periodic supervisory visits to the nine prescribed accountancy bodies.

The assignment of staff to particular functions is a day to day matter for the agencies and offices concerned for which I have no function. None of the other bodies referred to by the Deputy in Question No. 73 carries out inspections.

Redundancy Payments

75. **Deputy Tom Hayes** asked the Minister for Enterprise, Trade and Innovation when redundancy payment will be awarded in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [20891/10]

Minister of State at the Department of Enterprise, Trade and Innovation (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 redundancy lump sum claim from the employee concerned on 27 January, 2010.

In this instance, the employee took a case directly to the Employment Appeals Tribunal and was successful in obtaining a determination to redundancy entitlement and, on this basis, has now applied to my Department for payment of that entitlement. The Department must discharge its obligation to protect, to the greatest possible extent, payments made from the Social Insurance Fund (SIF) and minimise the impact on that Fund. In this regard, and to give the employer an opportunity to meet his obligation to make the redundancy payments to the employees as required in the first instance, my Department wrote to the employer in end-April 2010 requesting payment of the redundancy entitlements. The letter outlines that if the employer is not in a position to pay the redundancy entitlements, documentary evidence of this (as outlined) should be submitted as well as acknowledgement of the debt owing to the SIF. At the time of writing to the employer, my Department wrote also to the employees affected requesting completion of a form verifying that payment of redundancy entitlements has not been made by the employer following the EAT determination.

[Deputy Dara Calleary.]

My Department will review and follow up on this case after a reasonable period of time of 3 to 4 weeks has elapsed following the issue of the letters to the employer and the employees with a view to securing payment of the redundancy entitlements for the employees at the earliest possible date.

I should point out that the impact on business of the severe economic circumstances currently pertaining has resulted in an unprecedented increase in the level of Redundancy Payment claims lodged with my Department. This has impacted significantly on the capacity to maintain the customer service targets that previously obtained. The scale of the challenge on the Redundancy side is evident from the statistics that show incoming redundancy claims in 2009 amounted to 77,001 which represents a threefold increase over the level of claims lodged in 2007 and earlier years. In 2007, 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 in the Department in 2009 to alleviate the pressures on the Payments area include: almost doubling the number of staff through reassignment to a current level of 52 full time equivalents; prioritisation of the Department's overtime budget towards staff in the both Section to tackle the backlog outside normal hours; establishment of a special call handling facility in NERA to deal with the huge volume of telephone calls from people and businesses concerned about their payments; 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 which those employers owe to the Revenue Commissioners.

The backlog and waiting times remain at unacceptable levels. However, improvements are evident. I should point out that my Department has, in 2009, processed 50,664 claims, up 70% on 2008. During the period 1 January 2010 to 30 April, 2010, 23,593 claims were received and 27,592 were processed. In the year to date, inroads have been made on the backlog of claims on hand, which reduced from 41,168 at the end of January to 36,333 at the end of April 2010.

Job Creation

76. **Deputy Brian Hayes** asked the Minister for Enterprise, Trade and Innovation the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20908/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): My Department's publication "*Jobs and Growth 2010*" indicates that the enterprise agencies' (IDA Ireland and Enterprise Ireland) objectives are to create more than 100,000 new jobs over the next five years. Through the multiplier effect, this will lead to the creation of a further 70,000 jobs elsewhere in the economy. The figures include 62,000 direct new jobs and 43,000 other jobs as indicated in IDA Ireland's "*Horizon 2020*" strategy. "*Jobs and Growth 2010*" also states that the public capital investment programmes for 2010 are expected to support approximately 70,000 jobs in the economy. Non-exchequer capital investment for 2010 will be €3.4bn, supporting a further 30,000 jobs approximately.

The Report of the High Level Action Group on Green Enterprise, published in November 2009, identified the potential to create approximately 80,000 new jobs in Ireland over the coming years.

Employment Rights

77. **Deputy Mary Upton** asked the Minister for Enterprise, Trade and Innovation further to Parliamentary Question No. 101 of 12 May 2010, if he will provide figures for inspection rate and levels of non-compliance with the Hotels Employment Regulation Order on a county basis; and if he will make a statement on the matter. [20996/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): NERA, for reasons of efficiency and cost, organises its main functions on a regional basis as opposed to a county basis. These five regions are Carlow (HQ), Dublin, Sligo, Shannon, and Cork. Statistics are, accordingly, not readily identifiable in county terms. The Table below shows the regional breakdown and the counties that constitute each regional division. Hotels in the traditional County Borough of Dublin and the Borough of Dun Laoghaire and the County Borough of Cork are not subject to a Hotels Employment Regulations Order but are subject to the terms of the National Minimum Wage Act.

Inspections completed in 2009 under the Hotels Employment Regulation Order

NERA Regional Office	Counties Included	Number of Hotels Inspected under ERO	Number of Hotels in Breach
Carlow	Carlow, Kilkenny, Kildare, Laois, Offaly, Westmeath, Wexford, Wicklow	50	43 (86%)
Cork.	Cork ¹ , Kerry, Tipperary South, Waterford	19	11 (58%)
Dublin	Cavan, Dublin ² , Louth, Meath, Monaghan	18	12 (67%)
Shannon	Clare, Galway, Limerick, Tipperary North	22	14 (64%)
Sligo	Donegal, Leitrim, Longford, Mayo, Roscommon, Sligo.	22	16 (73%)
	Total	131	96 (73%)

¹The County Borough of Cork is part of the region but not subject to the ERO.

²The traditional County Borough area of Dublin and the Borough of Dun Laoghaire are part of the region but not subject to the ERO.

With regard to breaches, I should point out that in general many of the breaches detected by NERA are minor in nature. In this context, I have requested that NERA commit to providing further information with regard to the precise nature of these offences. This will also be reported on more fully in Annual Reports from 2011 onwards. Both NERA and the employer representative groups in the hospitality sector have invested considerable time in recent months in organising information meetings around the country and in opening and maintaining regular lines of communication between each other to address this issue in a partnership style approach.

Job Creation

78. **Deputy Finian McGrath** asked the Minister for Enterprise, Trade and Innovation if he will support a matter (details supplied). [21067/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I can confirm that invitations to attend the workshops have been issued to the party concerned.

Freedom of Information

79. **Deputy Fergus O'Dowd** asked the Minister for Finance further Parliamentary Question No.118 of 12 May 2010, the timeframe for the extension of the Freedom of Information Act; the reason he has not acted before now on this matter; and if he will make a statement on the matter. [20772/10]

Minister for Finance (Deputy Brian Lenihan): As outlined in my response to parliamentary question No. 118 of 12 May, my officials are currently working on an extension to the FOI Act and have been for some time. There are a number of other bodies besides those mentioned in the Deputy's earlier question that fall to be considered for FOI coverage as part of this extension to the Act. In general an extension process usually involves a significant number of bodies to ensure the optimum use of legislative time and the resources required to prepare the bodies concerned for operating the FOI Act. In light of this I am not in a position to give a precise date as to when these bodies will come in under the Act — however, it is intended that once the legislative process is finished that the preparation process for the bodies concerned will be completed as quickly as possible.

National Asset Management Agency

80. **Deputy Mary Upton** asked the Minister for Finance further to Parliamentary Question No. 119 of 12 May 2010, the number of hotels which have been transferred into the National Assets Management Agency to date; the expected number of hotels which are to be transferred; and if he will make a statement on the matter. [20792/10]

Minister for Finance (Deputy Brian Lenihan): As I outlined in my response last week to Parliamentary Question 119 of 12 May 2010 property, including hotels, does not transfer directly to NAMA. I assume, therefore, that the Deputy is asking about the number of hotels covered by the €0.77bn tranche 1 consideration estimate referred to in my answer. The transfer of the first tranche was completed on 10 May and the actual consideration paid was less than the initial estimate. NAMA acquired loans whose security included 17 Hotels with a current market property value of €310.6m in Tranche 1. This was equivalent to 4.17% of the acquired portfolio. 13 of these hotels are based in Ireland with 4 outside of Ireland.

I am further informed by NAMA that the actual number of loans which list hotels as security that may eventually transfer to NAMA will only be known when the due diligence on all the loans is completed and the loans are transferred to NAMA. Such transfers will take place throughout 2010.

Bank Debt

81. **Deputy James Reilly** asked the Minister for Finance the amount that each of the Irish banks owe to foreign financial institutions and bondholders on 31 December 2009 and on the most recently available date; the breakdown of the financial institutions to whom this money is owed by country on 31 December 2009 and on the most recently available date; and if he will make a statement on the matter. [20798/10]

Minister for Finance (Deputy Brian Lenihan): I assume that the Deputy's reference to Irish banks comprises the retail clearing banks and the non-clearing domestic banks. The Retail Clearing banks are AIB, Bank of Ireland, National Irish Bank and Ulster Bank and some of their subsidiaries. The Non-Clearing domestic banks include; ACC Bank plc, Anglo Irish Bank, EBS Building Society, Irish Life & Permanent plc, Irish Nationwide Building Society, KBC

Bank Ireland plc and Postbank. The amounts that these banks owe to foreign credit institutions and bondholders are as follows.

December 2009

	Non-Irish Euro Residents	RoW Residents	Total
	€m	€m	€m
Deposits from Credit Institutions and other MFIs	87,842	213,289	301,131
Debt Securities Issued	13,915	50,248	64,163

March 2010

	Non-Irish Euro Residents	RoW Residents	Total
	€m	€m	€m
Deposits from Credit Institutions and other MFIs	87,119	208,245	295,364
Debt Securities Issued	16,813	52,184	68,997

I do not have a detailed breakdown by institution.

National Debt

82. **Deputy James Reilly** asked the Minister for Finance the Government debt on 31 December 2009 and on the most recently available date; the breakdown of the financial institutions to whom this money is owed by country on 31 December 2009 and on the most recently available date; and if he will make a statement on the matter. [20799/10]

Minister for Finance (Deputy Brian Lenihan): The National Debt at end-2009 stood at €75.2 billion and at end-April 2010 stood at just over €82 billion. The National Debt is a presentation of the indebtedness of the Exchequer and as such it is this amount which must be serviced from the Central Fund. It is calculated net of liquid assets and excludes certain liabilities recognised in the General Government Debt. The General Government Debt is the standard measurement of gross indebtedness used for comparative purposes within the EU. It includes the debt of the Exchequer, the extra-budgetary funds, the non-commercial state-sponsored bodies, as well as the debt of local authorities. The General Government Debt at end-2009 is estimated to be €104.7 billion, or 64% of GDP.

In relation to the National Debt the National Treasury Management Agency (NTMA) have advised that Irish Government Bonds are bought and actively traded in the secondary markets by a broad range of investors, both domestic and international, but mainly financial institutions including fund managers, banks, Central Banks and insurance companies. Due to the nature of the international bond markets, it is not possible to classify bond-holdings to the level of individual financial institution. In addition, any such information would be considered commercially sensitive. However, the NTMA has advised that it is estimated that around 85 per cent of Ireland's bonds are currently held by international investors.

In addition, the NTMA borrows in the short-term markets, mainly in order to manage liquidity risks and to assist in the timing of borrowings. The NTMA advises its short-term programmes have been highly successful and have seen strong demand from international banks and corporate treasuries. The NTMA also borrows from individual retail investors through its State Savings products. There is approximately €10 billion outstanding under these schemes.

Household Debt

83. **Deputy James Reilly** asked the Minister for Finance the household debt on 31 December 2009 and on the most recently available data; and if he will make a statement on the matter. [20800/10]

84. **Deputy James Reilly** asked the Minister for Finance the household debt in September 2004 and May 2008; and if he will make a statement on the matter. [20801/10]

Minister for Finance (Deputy Brian Lenihan): I propose to answer Questions Nos. 83 and 84 together.

Household debt levels are, in the first instance, a matter for the Central Bank and Financial Services Authority of Ireland.

Figures received from the Central Bank and Financial Services Authority put the level of household debt at €168.3 billion at end March 2010 which is the latest figure available. The figures for December 2009, May 2008 and September 2004 are outlined as follows.

	€ billion
December 2009	171.2
May 2008	174.6
September 2004	90.2

Source: Central Bank and Financial Services Authority of Ireland.

Bank Debt

85. **Deputy James Reilly** asked the Minister for Finance the amount that each of the Irish banks owe to foreign financial institutions and bondholders on September 2004 and May 2008; and if he will make a statement on the matter. [20802/10]

Minister for Finance (Deputy Brian Lenihan): I assume that the Deputy's reference to Irish banks comprises the retail clearing banks and the non-clearing domestic banks.

The Retail Clearing banks are AIB, Bank of Ireland, National Irish Bank and Ulster Bank and some of their subsidiaries.

The Non-Clearing domestic banks include; ACC Bank plc, Anglo Irish Bank, EBS Building Society, Irish Life & Permanent plc, Irish Nationwide Building Society, KBC Bank Ireland plc and Postbank.

The amounts that these banks owe to foreign credit institutions and bondholders are as follows.

September 2004

	Non-Irish Euro Residents	RoW Residents	Total
	€m	€m	€m
Deposits from Credit Institutions and other MFIs	36,446	80,173	116,619
Debt Securities Issued	4,359	46,320	50,679

May 2008

	Non-Irish Euro Residents	RoW Residents	Total
	€m	€m	€m
Deposits from Credit Institutions and other MFIs	72,152	207,998	280,150
Debt Securities Issued	23,844	107,091	130,935

I do not have a detailed breakdown by institution.

Bank Deposit Ratios

86. **Deputy James Reilly** asked the Minister for Finance the deposit ratio of each of the Irish banks on September 2004, May 2008, and on the most recently available data; and if he will make a statement on the matter. [20803/10]

Minister for Finance (Deputy Brian Lenihan): I assume that the Deputy's reference to Irish banks comprises the retail clearing banks and the non-clearing domestic banks.

The Retail Clearing banks are AIB, Bank of Ireland, National Irish Bank and Ulster Bank and some of their subsidiaries.

The Non-Clearing domestic banks include; ACC Bank plc, Anglo Irish Bank, EBS Building Society, Irish Life & Permanent plc, Irish Nationwide Building Society, KBC Bank Ireland plc and Postbank.

The Central Bank produces statistics, shown on tables C4 and C5 of the monthly report, which shows loans to and deposits taken from customers, excluding Government and credit institutions. These figures are set out as follows:

Retail Clearing Banks

	September 2004	May 2008	March 2010
	€m	€m	€m
Deposits from other residents	73,449	127,578	131,878
Loans to other residents	98,305	228,157	242,636
Ratio	134%	179%	184%

Non-Clearing Domestic Banks

	September 2004	May 2008	March 2010
	€m	€m	€m
Deposits from other residents	63,090	99,310	72,914
Loans to other residents	108,937	253,852	205,714
Ratio	173%	256%	282%

I do not have detailed information per institution.

Tax Yield

87. **Deputy James Reilly** asked the Minister for Finance if he will provide a breakdown on

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the way €4 billion was saved in this year's budget; and if he will make a statement on the matter. [20804/10]

Minister for Finance (Deputy Brian Lenihan): Budget 2010, presented to the Dáil on 9 December last, set out a multi-annual framework to restore sustainability to the public finances and to reduce the General Government Deficit to below 3% of GDP by end-2014. The Budget delivered an adjustment of €4 billion ($2\frac{1}{2}\%$ of GDP) for 2010 which, given previous adjustments was focused on reductions in expenditure. It included measures to further reduce the public sector pay bill with payroll savings of over €1 billion, to reduce Social Welfare spending with savings of €760 million identified, and various reductions in programme spending in other Government Departments. An adjustment on capital expenditure of €961 million also formed part of the overall savings.

The expenditure adjustments contained in Budget 2010 are broken down by Government Department on page B.8 of the Summary of 2010 Budget Measures. In total the expenditure adjustments amount to just over €4 billion. Further details in relation to these adjustments are contained in pages B.9 to B.15 of the budgetary documentation. The Revised Estimates Volume (REV) published on 18 February last provides a more detailed breakdown of the expenditure allocations for each Department and Vote in 2010.

The taxation adjustments included in Budget 2010 are outlined on pages B.5 to B.7 and in total amount to some €126 million in a full year. The budgetary documentation is available at www.budget.gov.ie.

Departmental Staff

88. **Deputy Richard Bruton** asked the Minister for Finance the number of persons primarily employed to administer EU funds in his Department. [20828/10]

Minister for Finance (Deputy Brian Lenihan): The Department of Finance is responsible for overall policy in relation to Ireland's EU Structural and Cohesion Funds and has primary responsibility for the European Regional Development Fund (ERDF) and the Cohesion Fund. It plays a central role in the development and management of the programmes/projects through which these Funds are drawn down.

Ireland no longer qualifies for Cohesion Funding, due to the economic progress the country has made. For the period 2007- 2013, Ireland has been allocated in total €901m in European Union Structural Funds. Of that amount, €750m is earmarked for the two Regional ERDF co-funded programmes, i.e. the Border, Midlands and Western and the Southern and Eastern Operational Programmes, and the national Human Capital Investment ESF co-funded programme under the Regional Competitive and Employment objective. The balance of €151m is for smaller Territorial Co-operation programmes, including the PEACE and INTERREG programmes.

The number of persons primarily employed to administer EU funds in this Department is broken down as follows.

The North South Programmes Unit is responsible for developing policy and the management of the PEACE and INTERREG programmes. The Unit also co-ordinates the Department of Finance's input into North South issues.

1 Principal Officer (amongst other duties)

1 Assistant Principal Officer

0.5 Higher Executive Officer

1 Staff Officer

The EU Structural Funds Policy Unit is responsible for policy development and the management of the EU Structural Funds.

0.5 Assistant Principal Officer

1 Administrative Officer

1.5 Executive Officer

0.5 Clerical Officer

ERDF Paying/Certifying Authority. The specific responsibilities of the Paying/Certifying Authorities are set in the EU Regulations and include submitting applications for payment to the European Commission.

3 Assistant Principal Officers (2 of whom are dealing with the 2000-2006 Closure Process)

1 Higher Executive Officer

1 Clerical Officer

ERDF Audit Authority. The specific responsibilities of the Audit Authorities are set out in the EU Regulations and include ensuring audits are carried out to verify the effective functioning of the management and control system of the Operational Programmes.

1 Principal Officer

2 Controllers

5 Auditors

1 Executive Officer

Departmental Agencies

89. **Deputy Richard Bruton** asked the Minister for Finance the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20840/10]

Minister for Finance (Deputy Brian Lenihan): The Valuation Office currently employs 67 valuers who, as part of their duties, carry out inspections of commercial and industrial properties.

There are no inspections carried out by the Financial Services Ombudsman (FSO). The role of the FSO is to deal with consumer complaints in relation to financial services as provided for by the Central Bank Act 1942 (as amended).

Departmental Staff

90. **Deputy Richard Bruton** asked the Minister for Finance the number of persons employed in the collection of taxes in the Revenue Commissioners. [20842/10]

Minister for Finance (Deputy Brian Lenihan): The Revenue Commissioners currently employ 6,091 staff across their nine main business programmes. All of the staff assigned to

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these programmes support, in varying degrees, the central and overarching programme of “tax collection”. The number of staff assigned to the Collector General’s Division is 858 and the role of that Division is primarily concerned with regular tax collection, payment processing and debt management which includes enforcement activities.

Tax Code

91. **Deputy Joe Carey** asked the Minister for Finance if he will abolish the €10 travel tax as it continues to cause financial harm to the economies of the mid-west region and the western seaboard in general; and if he will make a statement on the matter. [20893/10]

Minister for Finance (Deputy Brian Lenihan): I have no plans to abolish the air travel tax. The air travel tax was one of a number of Budgetary measures introduced recently that was necessary in the context of an overall response to the fiscal challenges we face. I have stated before that the impact of the tax on passenger numbers is being overstated.

92. **Deputy Seán Sherlock** asked the Minister for Finance the tax obligation in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [20899/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that in this particular case, a pension from the Construction Industry Federation is subject to tax as are some benefits and pensions from the Department of Social Protection. However, in the case of a married couple aged 65 and over an exemption applies. The exemption for a married couple aged 65 and over is €40,000 per annum for 2010.

If the person in question wishes to know what his specific tax liability is likely to be, he should contact the Revenue Commissioners at 1890 222 425.

Job Creation

93. **Deputy Brian Hayes** asked the Minister for Finance the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20910/10]

Minister for Finance (Deputy Brian Lenihan): As the economy contracted, overall employment fell in 2008 and 2009. While the pace is now slowing, my Department has forecast a further fall in employment in 2010 as well.

There is now a broad consensus that economic growth is likely to resume in the second half of this year and continue thereafter. On this basis, we expect net new job creation of about 150,000 jobs between 2010 and 2014.

Tobacco Product Seizures

94. **Deputy Denis Naughten** asked the Minister for Finance the number of cigarette seizures since the introduction of the point of sale display ban; the monetary value of these seized cigarettes since the introduction of the ban; if his attention has been drawn to the fact that the introduction of the point of sales display ban and the deterioration in the economy have led do a thriving black market economy which is damaging legitimate retailers all over the country; the actions or measures he is putting in place with other relevant Departments and agencies

to tackle this illegal activity which is costing the Exchequer an estimated €500 million per annum. [20987/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners who are responsible for the collection of tobacco products tax and tackling the illicit trade in cigarettes and tobacco products that the information requested by the Deputy is as follows.

The point of display ban entered into force on 1st July 2009. Since that date the number and value of cigarettes seized is as shown on the attached table. These figures include one exceptional seizure of 120.3m cigarettes in October 2009.

Period	Number of Seizures	Quantity Seized (pcs)	Estimated Retail Value	Total Duties (Excise & VAT)
			€	€
01/07/2009 to 14/05/2010	7,977	256,084,929	107,875,776	85,852,472

There is no evidence to show that the display ban is having any effect on the market for illegal cigarettes. Prior to the ban, counterfeit and contraband cigarettes were rarely on open display at retail outlets. In fact, a thorough search of suspect premises was, and is, usually required in order to find illegal cigarettes.

The overall approach by the Revenue Commissioners is to tackle the problem of cigarette smuggling, using a combination of detection, seizure and prosecution. Revenue's approach involves an amalgamation of profiling, intelligence gathering, sharing of information with other agencies and Customs Services and also, where appropriate, using detection aids such as x-ray scanning technology to detect contraband.

Multi-agency operations involving Revenue and An Garda Síochána and also other Law Enforcement Agencies are mounted where appropriate. The estimated 120m cigarettes seized in the course of the well-publicised multi-agency Operation Samhna mounted in October 2009 is a good illustration of the successful execution of a multi-agency operation.

Revenue also works closely with the legitimate tobacco industry and the Office of Tobacco Control and uses information provided, in conjunction with other intelligence, to target retail outlets, markets and distribution centres to identify and seize illicit cigarettes that have evaded detection at the point of importation.

As the Deputy may be aware, I introduced provisions in the Finance Act 2010 significantly increasing the maximum fines that the Courts can apply to tobacco offences. If the value of the goods involved is €250,000 or less, the Court will be permitted to impose a fine not exceeding €126,970. If the value of the goods is greater than €250,000, the maximum fine will as at present be three times their value. These changes should ensure that the penalties for the offence of illegal importation of cigarettes will serve as a more effective deterrent to such activity.

Tax Refunds

95. **Deputy Michael Moynihan** asked the Minister for Finance if he will clarify the details regarding the refunding of VAT for unregistered farmers. [20994/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that the Value-Added Tax (Refund of Tax) (No. 25) Order, 1993 (*SI No. 266 of 1993*) provides for refunds of VAT to unregistered farmers who have borne tax in relation to outlay on the construction, extension, alteration or reconstruction of any building or structure which is

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designed for use solely or mainly for the purposes of a farming business, or on the fencing, drainage or reclamation of land.

This Refund Order was made under the powers conferred on the Minister for Finance by section 20(3) of the Value-Added Tax Act, 1972 (as amended). Section 20(4) of that Act imposes a time limit on claims for a refund. The time limit in the original 1972 legislation was set at 10 years. However, this was reduced to 6 years by the Finance Act 1998 and, with effect from 1 November 2003, to 4 years by section 124(b) of the Finance Act 2003.

96. **Deputy Arthur Morgan** asked the Minister for Finance the amount of money that has been repaid to PAYE workers in respect of the tax relief on trade union subscriptions each year since the tax relief was introduced; the amount he estimates that should have been repaid in each of those years in respect of the number of PAYE workers who are trade union members and did not claim the relief in tabular form; and if he will make a statement on the matter. [21017/10]

Minister for Finance (Deputy Brian Lenihan): The provision of a tax credit in respect of trade union subscriptions was introduced in the Finance Act, 2001. Arising from the prior need to identify the qualifying trade union members in the most efficient way possible, the tax relief for trade union subscriptions due in respect of the short tax year ended 31 December 2001 was, with the agreement of the Irish Congress of Trade Unions, carried forward for inclusion with the relief appropriate to the 2002 income tax year.

I am informed by the Revenue Commissioners that the information available as regards the cost to the Exchequer of the tax credit from 2002 to 2007, the latest year for which the necessary detailed information is available, is as follows.

Tax Year	Estimated Cost of Tax Relief
	€ million
2002	11.0
2003	6.5
2004	10.7
2005	11.8
2006	19.2
2007	20.7

I am informed by the Revenue Commissioners that they are not in a position to provide an estimate of the amount of unclaimed tax credits in respect of trade union subscriptions. This is because the Revenue Commissioners can only allow reliefs and credits on the basis of the information that is known to them. Consequently, there is no way to assess under-claimed entitlements to tax credits with any degree of accuracy.

Pension Provisions

97. **Deputy Michael Ring** asked the Minister for Finance if parity can be restored (details supplied); and if he will make a statement on the matter. [21024/10]

Minister for Finance (Deputy Brian Lenihan): I presume the Deputy is asking about the position with regard to ‘pay parity’ whereby the pensions of retired public servants have been linked to the pay of the grade from which they retire.

I announced in Budget 2010 that the Government would be considering using the Consumer Price Index as the basis for post-retirement increases for both existing and future public service pensioners. The CPI linkage would displace the linking of public service pensions to earnings. The Government is conscious of the substantial long-term saving for the Exchequer which would be expected to materialise were this change to proceed and that it demonstrates a significant level of administrative and fiscal reform.

The Draft Public Service Agreement provides that there will be discussions on the method of pension increases for serving staff and current pensioners in the context of discussions on the review of pay in Spring 2011.

The clarification of the Draft Public Service Agreement issued recently by the facilitators separately indicated that, while I announced in Budget 2010 that I am reviewing the arrangements around indexation of Public Service pensions and considering linking Public Service pensions increases to the cost of living, no change in the indexation arrangements for the indexation of Public Service pensions for serving public servants and current public service pensioners will be implemented during the period of the agreement.

EU Directives

98. **Deputy Phil Hogan** asked the Minister for Finance the position regarding Chapter V of the EU Commission proposal on the Alternative Investment Fund Managers Directive, where it states that the AIFM must have its head office in the same Member State as its registered office; the implications of this for Ireland and for the thousands of jobs that depend on US firms with operations here but having their head office registered in the US; if this means that an AIFM with a legal personality in the EU jurisdiction should register with the supervisory authority of the Member State in which the legal personality is established, or, reading the words as they stand, does it imply that the US headquarters of a firm with a presence in Ireland or another EU member state move its US head office to Ireland or the EU member state where it has operations in order to comply with the Directive; the implications of this matter for US firms based here and jobs dependent on those firms; and if he will make a statement on the matter. [21038/10]

Minister for Finance (Deputy Brian Lenihan): As Chapter V of the Commission's proposal deals with the treatment of private equity funds, I assume the Deputy is referring to Chapter VII which sets down the specific rules in relation to third countries.

This proposal has been the subject of much debate over the past 12 months and text has evolved considerably since the Commission's proposal was published on 30 April 2009. At Ecofin yesterday, the EU's Finance Ministers unanimously agreed upon a proposal from the Spanish Presidency which will now form the basis for negotiations with the European Parliament under the co-decision process. The Spanish Presidency agrees that, notwithstanding Ecofin's unanimous agreement, a number of issues, which are problematic for Member States, remain to be resolved in the discussions with the European Parliament.

The treatment of fund managers established outside the EU, so-called "third country managers", was one of the most difficult issues that arose with this dossier and a number of issues arose in relation to this. On the one hand, there was a view that third country managers should be allowed to operate within the EU without restriction. On the other hand, there were concerns that such an approach would not be consistent with the objectives of the Directive and would leave EU fund managers at a competitive disadvantage in relation to non-EU managers.

In view of the range of complex issues associated with this, the Spanish Presidency proposed a draft compromise text whereby these third country managers, would have to comply with

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certain reporting and disclosure requirements before they could operate in a particular Member State, but that they could not avail of the “passport” to operate throughout the EU, without establishing a physical presence in a Member State. The proposal requires that appropriate co-operation agreements should be in place between the relevant Member State and third country. Of course, any entity that wishes to establish its headquarters in the EU would be free to do so, but there would be no obligation on them in this regard. On balance, I believe the proposed approach is the best option available in the circumstances.

Effective and efficient financial market regulation and supervision is central to the safeguarding of consumer interests, ensuring that financial markets and financial institutions operate in an open and transparent manner consistent with their stability and the stability of the financial system as a whole. It is also important that the legislative and policy framework for financial services supports the competitiveness of the sector and maintains in an appropriate way a level playing field among market participants. It is an important priority in formulating legislative proposals at EU level to strike an appropriate balance between these objectives.

The funds industry is a valuable sector of the economy which provides direct employment to approximately 12,500 people with many more indirectly employed. The proposal, like all other measures aimed at improving the internal market, has the potential to impact on the financial services industry in Ireland, but equally it offers opportunities for developing new business practices aligned with the new regulatory regime as it evolves in the period ahead.

Child Care Services

99. **Deputy Eamon Scanlon** asked the Minister for Health and Children the position regarding a payment of child care supplement in respect of a person (details supplied) in County Leitrim; and if she will make a statement on the matter. [20759/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As the Deputy is aware, my Office had responsibility for the Early Childcare Supplement (ECS) which was administered on its behalf by the then Department of Social and Family Affairs. The ECS was replaced from January of this year by the new free Pre-School Year in Early Childhood Care and Education (ECCE) scheme which is also implemented by my Office. The ECCE scheme provides for free pre-school for children in the year before commencing primary school and children are eligible to participate in the scheme where they are aged more than 3 years and 2 months and less than 4 years and 7 months at 1 September of the relevant year.

The ECS was introduced in April 2006 as an additional payment to assist parents with the additional costs of caring for children in their pre-school years. In 2009, the ECS was paid, in arrears, on a monthly basis to parents of qualifying children. Payment of the ECS ceased from the end of 2009 and the final payments were made in December of that year. As continues to be the case for Child Benefit, entitlement to the ECS was deemed to arise in the month following the birth of the child. As the child in question was born in September 2009, the entitlement to the ECS arose in October 2009. As December 2009 was the final month in which the ECS was payable, a second ECS payment in respect of November 2009 was made. I understand that the child continues to be eligible for Child Benefit, the next payment of which is due to be made on 1 June 2010.

Legislative Programme

100. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when she will publish the National Vetting Bureau Bill; and if she will make a statement on the matter. [20816/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Office of the Minister for Children and Youth Affairs, in conjunction with the Department of Justice, Equality and Law Reform, is drafting the Heads for the National Vetting Bureau Bill with a view to submitting Heads of Bill to Government shortly. Consultations have taken place with the Health Service Executive, An Garda Síochána and colleagues in other Departments. My Department has also received a number of public representations on the issue of “soft” information. This area has also been considered by the Joint Committee on the Constitutional Amendment for Children and the findings of the Committee are being considered in the preparation of the legislation.

Child Care Services

101. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if her Department obliges the Health Service Executive to transfer responsibility for separated children from the HSE to her Department when the child turns 18 years. [21021/10]

127. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the specific legal obligations that the Health Service Executive has for transferring separated children who turn 18 years to the Department of Justice, Equality and Law Reform’s Reception and Integration Agency direct provision centres. [21019/10]

128. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if immigration and asylum legislation takes precedence over the Child Care Act 1991 in matters concerning separated children, particularly with regards to the provision of an aftercare service to separated children who have turned 18 years. [21020/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 101, 127 and 128 together.

The HSE seeks to implement an equity of care policy in relation to all service provision to ensure that all children and young people receive the same level of care as that afforded to children who are citizens of this country. Appropriate care services at local and national level are being developed, working in partnership with NGO’s, private agencies and HSE staff.

The immediate and the ongoing needs of separated children seeking asylum relating to accommodation, medical and social needs as well as their application for refugee status are the responsibility of the Health Service Executive (HSE) in accordance with Section 8(5)(a) of the Refugee Act 1996 (as amended) and the Child Care Act, 1991. When an unaccompanied asylum seeker minor in the care of the HSE reaches 18 years of age he or she may be referred by the HSE to the Reception and Integration Agency (RIA) for transfer to adult accommodation and service provision. In circumstances where the HSE deem such a person to be particularly vulnerable, the period in HSE care can be extended beyond 18 years of age at the HSE’s discretion. Furthermore where a young person is in the process of completing an educational course the HSE would liaise with RIA to ensure that educational needs are met. A considerable degree of liaison between the HSE and the RIA takes place before that person reaches 18 and is due to be transferred from the former to the latter.

I am currently 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 have received legal advice which confirms that the obligation contained in Section 45(4) of the Child Care Act 1991 is in substance mandatory. The legal advice is that

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the Act creates a statutory power and the HSE, as recipient of this power, must put itself in a position where it can exercise that power should the need arise. Section 45(4) of the Child Care Act allows me to write to the HSE and instruct it in this or in any other regard. I intend to do this and will in parallel continue to examine legislative options.

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.

Health Services

102. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied). [20762/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Inter-Country Adoptions

103. **Deputy Kathleen Lynch** asked the Minister for Health and Children if her attention has been drawn to the delays being encountered by couples waiting to adopt from the Philippines; if her further attention has been drawn to the fact that it now taking two to three years for Irish couples to receive their referrals from the Philippines; the steps she will take to reduce this delay; and if she will make a statement on the matter. [20767/10]

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.

The Philippines has ratified the Hague Convention on the Protection and Co-operation in Respect of Inter-country Adoption and its domestic adoption law is compatible with Ireland. The issue of waiting times for referrals of children to Irish prospective adoptive parents with a Declaration of Eligibility and Suitability to Adopt is a matter for the authorities in the Philippines having due regard to their inter-country adoption procedures, including the application of the principle of subsidiarity as set out in the Hague Convention.

Health Services

104. **Deputy James Reilly** asked the Minister for Health and Children further to Parliamentary Question No. 151 of 12 May 2010, if she will ensure that a person (details supplied) in County Dublin will be able to obtain an earlier appointment; and if she will make a statement on the matter. [20768/10]

Minister for Health and Children (Deputy Mary Harney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Execu-

tive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Departmental Investigations

105. **Deputy Paul Kehoe** asked the Minister for Health and Children further to Parliamentary Question No. 154 of 3 March 2010, the stage that an investigation (details supplied) is now at; and if she will make a statement on the matter. [20780/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I wish to advise the Deputy that, due to industrial action affecting the Health Service Executive, it is not possible for the Executive to supply the information requested in the Deputy's current or previous question regarding the progress of this investigation. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Health Service Expenditure

106. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if the decision to remove drinking water dispensers from Limerick Regional Hospital reflects the Health Service Executive policy or cost-cutting measures as a result of HSE constraints; if this practice has been carried out in other hospitals; if she approves of such practices; and if she will make a statement on the matter. [20789/10]

Minister for Health and Children (Deputy Mary Harney): I regret that due to industrial action I am not in a position to provide a substantive response to your Parliamentary Question. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Medical Cards

107. **Deputy Joe Behan** asked the Minister for Health and Children the detail of changes in dental benefit available to medical card holders in all categories, particularly in the category of those medical card holders over 70 years of age; the justification for such a policy change; if there are plans to change the eligibility to a medical card for spouses of medical card holders over the age of 70 years; and if she will make a statement on the matter. [20793/10]

122. **Deputy Brian O'Shea** asked the Minister for Health and Children her proposals to make good the shortfall in dental services for all persons on low incomes; and if she will make a statement on the matter. [20924/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 107 and 122 together.

The Government's decision to limit the funding available to the Dental Treatment Services Scheme (DTSS) was made in view of the current position of the public finances and the 60% increase in expenditure in the DTSS over the past five years. The Health Service Executive (HSE) has introduced measures to contain DTSS expenditure at the 2008 level of approximately €63 million. Under the new measures, some treatments which had previously been available in the Scheme, for example, dental cleaning and polishing have been suspended. Other treatments, such as oral examinations and fillings, will continue to be provided but will be limited in number or frequency. More complex, non-routine treatments, such as protracted periodontal treatments, will be available only in the case of clinical emergencies. The HSE will

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monitor the ongoing effect of these changes from a clinical and budgetary perspective. The dental and oral health services currently provided through the HSE Public Dental Service will not be affected by these changes to the DTSS.

Under the Health Act 2008, a single person aged 70 or over will qualify for a medical card if his/her gross income is €700 per week or less. Both members of a couple, where at least one member of the couple is aged 70 or over, will qualify for a medical card if their combined gross income is €1,400 per week or less. The Government is satisfied that these arrangements are equitable and there are no plans to amend the legislation in this regard.

Proposed Legislation

108. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the number of meetings her Minister of State for children has had with the Attorney General's office on the issue of the referendum on children's rights; the outcome of these meetings; and if she will make a statement on the matter. [20814/10]

109. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the number of meetings her Minister of State for children has had with other Departments on the issue of the referendum on children's rights; the Departments he has met; the outcome of these meetings; and if she will make a statement on the matter. [20815/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 108 and 109 together.

The Minister for Children and Youth Affairs presented a copy of the third and final report of the Joint Committee on the Constitutional Amendment on Children to Cabinet in early March.

The Cabinet decided that in view of the complex nature of the issues involved, all Ministers and Government Departments should consider the report and examine the implications of the proposed wording for their areas of responsibility. The Government therefore referred the matter to the Cabinet Committee on Social Inclusion to carry out this work and report back to the Government.

A Senior Officials Group, working under the auspices of the Cabinet Sub-Committee on Social Inclusion, has been reconvened to guide the interaction and coordinate the responses of all Government Departments. The Group comprises senior representatives of all of the key departments whose responsibilities work might be affected by the proposals, as well as the Attorney General's Office. The group has met once and will meet again before the end of the month. I spoke to the first meeting of the group and emphasised the importance of moving ahead quickly. Contact with the Attorney General's Office is also taking place directly with the relevant Departments, including with my Office.

The Government is giving priority attention to this matter but will need some time to consider the various and complex legal issues at the heart of this report, which was the product of two years of deliberation by the JCCAC.

Departmental Agencies

110. **Deputy Richard Bruton** asked the Minister for Health and Children the number of persons primarily employed to process entitlement payments (details supplied) in schemes or agencies under her remit. [20826/10]

Minister for Health and Children (Deputy Mary Harney): The Deputy's query refers to the number of persons primarily employed to process entitlement payments in certain agencies, namely the National Treatment Purchase Fund (NTPF), the Health Research Board (HRB), the Residential Institutions Redress Board and Community Welfare Offices.

The NTPF and the HRB are agencies under the aegis of my Department. I have been informed that neither of these agencies process entitlement payments.

The Residential Institutions Redress Board is an independent body, which was established under the Residential Institutions Redress Act, 2002, by the Minister for Education and Science. I am unable to provide a response in relation to this body as it is not under the aegis of my Department. The Deputy's query should be redirected to the Department of Education and Science.

With regard to the Community Welfare Offices, this would be a service matter for the Health Service Executive. I regret that due to industrial action I am not in a position to provide a substantive response to this aspect of your Parliamentary Question. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

111. **Deputy Richard Bruton** asked the Minister for Health and Children the number of persons employed to carry out inspections (details supplied) in schemes or agencies under her remit. [20831/10]

Minister for Health and Children (Deputy Mary Harney): The information requested by the Deputy in respect of the number of persons employed to carry out inspections in the agencies specified is being compiled and will be forwarded to the Deputy as soon as it is available. The Deputy should note that the Health and Safety Authority falls under the aegis of the Minister for Enterprise, Trade and Innovation.

Departmental Staff

112. **Deputy Richard Bruton** asked the Minister for Health and Children the number of persons primarily employed in the collection of medical charges. [20843/10]

Minister for Health and Children (Deputy Mary Harney): I regret that due to industrial action I am not in a position to provide a substantive response to your Parliamentary Question. If this matter remains of continuing concern to you, however, I would invite you to raise it with the HSE in due course.

Departmental Agencies

113. **Deputy Richard Bruton** asked the Minister for Health and Children the number of persons primarily employed in the issuing of licences (details supplied) in agencies or schemes under her remit. [20847/10]

Minister for Health and Children (Deputy Mary Harney): The information requested by the Deputy in respect of the number of persons primarily employed in the issuing of licences in the agencies specified and in the schemes under the remit of my Department is being compiled and will be forwarded to the Deputy as soon as it is available.

Hospital Services

114. **Deputy Pat Rabbitte** asked the Minister for Health and Children if she is satisfied that

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the standards recommended in the Safe Neurosurgery in Ireland 2006 report have been achieved; and if she will make a statement on the matter. [20892/10]

Minister for Health and Children (Deputy Mary Harney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

115. **Deputy Bernard Allen** asked the Minister for Health and Children her views on the situation whereby two private breast clinics have been set up in Cork in competition with the centre of excellence set up as a result of the closure of the clinic at the South Infirmary and the clinic in Tralee, County Kerry; her further views on the way these private clinics have been set up at Cork University Hospital, close to the centre of excellence; and if this indicates that the Centre of Excellence cannot meet the demand on its services. [20894/10]

Minister for Health and Children (Deputy Mary Harney): The goals of the National Cancer Control Programme (NCCP) are better cancer prevention, detection, treatment and survival through a national service based on evidence and best practice. This involves significant realignment of cancer services to move from a fragmented system of care to one which is consistent with international best practice in cancer control.

In line with the recommendations of the 2006 Cancer Control Strategy, eight hospitals have been designated by the Health Service Executive (HSE) as cancer centres. These eight hospitals, within which cancer diagnosis and surgery is to be located, will operate within four managed cancer control networks. This process was completed in 2009 for breast cancer diagnostic and surgical services, all of which are now located in the eight centres.

As regards the breast service at Cork University Hospital and the Deputy's suggestion that it cannot meet demand, on the contrary I am very pleased to advise that, to date in 2010, the service is fully compliant with waiting time targets as laid down in the Health Information Quality Authority's (HIQA) *National Quality Assurance Standards for Symptomatic Breast Disease Services*.

The development of private medical services is principally a matter for the private sector although I recognise the need for regulation of the establishment and operation of acute hospitals, public and private, in Ireland. Accordingly legislative proposals are being developed by my Department on the licensing of health care facilities, including cancer facilities, based on explicit standards to be set by HIQA. The Deputy may wish to note that my Department's Chief Medical Officer wrote late last year to private health insurers and the independent hospital sector reminding them of the importance of complying with the HIQA *Standards for Symptomatic Breast Disease Services*. The Deputy may also wish to note that consultants employed in public hospitals are entitled, depending on the type of contract they hold, to engage in private practice.

Health Services.

116. **Deputy Joe Carey** asked the Minister for Health and Children if she will report on the operation of the Speech and Language Therapy Services in County Clare; the numbers of therapists; the number of persons who are presently on the waiting list; the length of time that a new client will have to wait before receiving therapy; the typical service delivered to clients; and if she will make a statement on the matter. [20896/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Medical Cards.

117. **Deputy Pádraic McCormack** asked the Minister for Health and Children her plans to restore the funding and eligibility for orthotics equipment and other disability aids for persons with a medical card; if her attention has been drawn to the long-term damage that can be caused particularly in the case of young children who need several orthotic replacements during the year due to their continued growth; and if she will make a statement on the matter. [20897/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy is aware persons with full eligibility (Category 1, i.e. medical card holders) are entitled to a full range of health services, the provision of which are the responsibility of the Health Service Executive. I regret that due to industrial action affecting the Health Service Executive, it is not possible for the Executive to supply the information requested. However, officials in my Department have raised the issue of the provision of disability aids and appliances for persons with a medical card in the HSE West region with the Health Service Executive. I will ask the HSE to inform the Deputy of the current position.

Health Services.

118. **Deputy Catherine Byrne** asked the Minister for Health and Children her plans to introduce changes to the home help service; if home help hours are to be reduced; if reviews of home help service are to be conducted in 2010; and if she will make a statement on the matter. [20901/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): The fundamental policy of the Government is to support older people to live in dignity and independence in their own homes and communities for as long as possible. This is realised through a range of community services such as Home-Help, Home Care Packages, Meals-on-Wheels, and Day/Respite care. Without these supports, many older people would spend longer in acute hospitals, or would be admitted to residential care earlier than might be necessary.

The HSE has responsibility for the delivery of the Home-Help service, in line with the HSE National Service Plan 2010. This Plan, approved in March last, commits the Executive to provide 11.98 million Home-Help hours nationally this year to over 54,000 people. The target for 2010 for Home-Help hours is unchanged over the 2009 figure.

Arising from an independent Evaluation of Home Care Packages, published by the Department in December last, the HSE recently established a Task Group to progress this year various improvements in home care provision generally. These include National Standardised Guidelines for the delivery of Home Care Packages, the Allocation of Home-Help hours, and an agreed framework for the national Procurement of Home Care services. The various Guidelines now being prepared are intended to allow the HSE adopt a more standardised approach nationally to the provision of home care services. The draft Guidelines will have to be considered by senior management in the HSE, and will be submitted to the Department for consideration. These Guidelines have not yet been submitted to the Department.

119. **Deputy Catherine Byrne** asked the Minister for Health and Children the position regarding a home help service (details supplied) in Dublin 8; if this service is due to be privatised; if cuts are to be made to home help hours and to home helps' wages; and if she will make a statement on the matter. [20902/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I regret that due to industrial action I am not in a position to provide a substantive response to your Parliamentary Question. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Job Creation.

120. **Deputy Brian Hayes** asked the Minister for Health and Children the number of jobs her Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by her Department between 2010 and 2020; and if she will make a statement on the matter. [20912/10]

Minister for Health and Children (Deputy Mary Harney): The Government has made clear that a critical part of its strategy to restore the public finances is to achieve sustainability in the cost of delivering public services relative to State revenues. To help achieve this goal, it will be necessary to restructure and reorganise the public service and to reduce public service numbers over the coming years. This requires that the moratorium on recruitment and promotion in the health service will continue to apply until the numbers have fallen to the level set out in the Employment Control Framework for the health sector. The Framework for 2010-2012 gives effect to the Government decision on employment policy in the public sector and provides that there will be a net reduction in employment to 2012. This includes a target reduction in numbers in 2010 to achieve the overall reduction of 6,000 from March 2009 to the end 2012 and consequential pay roll savings. Based on numbers reductions already achieved in 2009, the net target reduction to end 2012 is 4,560 WTE (or 1,520 per annum).

The implementation of some health policy documents and reports may have staffing implications. However, these would need to be considered in the context of both the annual Estimates process and currently Government policy on employment in the health sector, including the moratorium on recruitment and promotion and the target reduction to end 2012 as required in the Employment Control Framework.

The Employment Control Framework for 2010 — 2012 provides for an additional 265 posts for the implementation of the Ryan Report on Child Abuse. There are also a number of grades exempted from the moratorium to maintain key front line services and to support the development of policies in relation to disability, mental health, cancer, and child care.

Health Services.

121. **Deputy Joe Carey** asked the Minister for Health and Children when a person (details supplied) in County Clare will receive speech therapy sessions from the Health Service Executive; and if she will make a statement on the matter. [20919/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Question No. 122 answered with Question No. 107.

Health Information and Quality Authority

123. **Deputy Pat Rabbitte** asked the Minister for Health and Children if the Health Information and Quality Authority is permitted to commission an independent external inquiry into the national referral centre for neurosurgery; and if she will make a statement on the matter. [20959/10]

Minister for Health and Children (Deputy Mary Harney): Sections 8 and 9 of the Health Act 2007, under which the Health Information and Quality Authority was established, make provision for investigations by the Authority. Under Section 9 the Authority may undertake an investigation as to the safety, quality and standards of the services provided by or on behalf of the Health Service Executive.

Medical Cards

124. **Deputy Pat Breen** asked the Minister for Health and Children 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. [20988/10]

Minister for Health and Children (Deputy Mary Harney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

National Drugs Strategy

125. **Deputy Joe Costello** asked the Minister for Health and Children if she has plans to ban drug kits which contain materials and give advice on growing magic mushrooms; and if she will make a statement on the matter. [21015/10]

Minister for Health and Children (Deputy Mary Harney): Fungi containing psilocin (commonly known as magic mushrooms) are controlled drugs for the purpose of the Misuse of Drugs Act. It is an offence to print or publish any document which advocates or encourages the use of a controlled drug. An offence would be committed if a document containing advice on growing magic mushrooms was published.

Hospital Accommodation

126. **Deputy Joe Costello** asked the Minister for Health and Children the bed capacity of each of the hospitals in Ireland; the number of delayed discharges in each hospital; the reason for the majority of delayed discharges; if there are plans to provide more hospital space or step down accommodation; and if she will make a statement on the matter. [21018/10]

Minister for Health and Children (Deputy Mary Harney): The average number of acute hospital beds available in public hospitals for 2007 is set out in the attached tabular statement. Acute bed numbers in public hospitals are counted as an average of beds available over each year, given that the number of beds available in each hospital can vary over any year for operational reasons. 2007 is the latest year in respect of which validated data has been compiled by the HSE. The data includes both in-patient beds and day places.

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The process of validating comparable data for 2008 has not been finalised by the HSE, due to industrial action. It is therefore not possible for the information to be furnished at this time.

Hospital In-Patient Statistics

Available Beds including Day Places from January 2007 to December 2007 for each Public Acute Hospital

Hospital	Total Beds
Adelaide & Meath Hospital inc. NCH	611
Coombe Women & Infants University Hospital	211
Longford/Westmeath Regional Hospital — Mullingar	208
Midland Regional Hospital — Portlaoise	150
Midland Regional Hospital — Tullamore	247
Naas General Hospital	236
Our Lady's Children's Hospital — Crumlin	248
<i>DUBLIN MIDLANDS HOSPITAL GROUP</i>	<i>1,911</i>
Beaumont Hospital	744
Cappagh Orthopaedic	107
Connolly Hospital — Blanchardstown	258
Mater Misericordiae Hospital	589
Rotunda Hospital	176
St Joseph's	47
Temple Street Children's Hospital	127
<i>DUBLIN NORTH HOSPITAL GROUP</i>	<i>2,049</i>
National Maternity Hospital	165
Royal Victoria Eye & Ear	65
St Columcille's Hospital	139
St James Hospital	960
St Luke's Hospital — Dublin	179
St Michael's Hospital — Dun Laoghaire	112
St Vincent's Hospital Elm Park	532
<i>DUBLIN SOUTH HOSPITAL GROUP</i>	<i>2,152</i>
Ennis General Hospital	94
Nenagh General Hospital	81
Regional Hospital — Dooradoyle — Limerick	522
Regional Maternity Hospital — Limerick	99
Regional Orthopaedic Hospital — Limerick	77
St Johns Hospital — Limerick	91
<i>MID-WESTERN HOSPITAL GROUP</i>	<i>964</i>
Cavan General Hospital	252
Louth County Hospital	142
Monaghan General Hospital	88
Our Lady of Lourdes — Drogheda	335
Our Lady's Hospital — Navan	153
<i>NORTH EASTERN HOSPITAL GROUP</i>	<i>970</i>

Hospital	Total Beds
Orthopaedic Hospital — Kilcreene	51
South Tipperary General Hospital	250
St Luke's Hospital — Kilkenny	305
Waterford Regional Hospital	545
Wexford General Hospital	258
<i>SOUTH EASTERN HOSPITAL GROUP</i>	<i>1,409</i>
Bantry General Hospital	80
Cork University Hospital	616
Cork University Maternity Hospital	174
Kerry General	355
Mallow General Hospital	81
Mercy Hospital — Cork	291
South Infirmary — Victoria Hospital	239
St Mary's Hospital — Gurranebraher	116
<i>SOUTHERN HOSPITAL GROUP</i>	<i>1,952</i>
Letterkenny General Hospital	401
Mayo General Hospital	290
Merlin Park University Hospital	207
Portiuncula Hospital — Ballinasloe	200
Roscommon County Hospital	134
Sligo General Hospital	349
University Hospital Galway	680
<i>WESTERN HOSPITAL GROUP</i>	<i>2,261</i>
<i>NATIONAL TOTAL</i>	<i>13,668</i>

Source: HSE.

Please note that the figures above are subject to rounding.

There have been a number of capital developments in recent years which have involved the provision of new acute beds in the acute hospital system. In some instances these have replaced existing facilities which were no longer appropriate for modern purposes. Consultation on the Health Service Executive's draft Capital Plan which sets out the Executive's capital investment proposals over the period 2010-2014 is ongoing between my Department, the HSE and the Department of Finance. Details of the developments included in the plan will be published by the HSE following its approval.

The HSE has taken a series of steps across the health system to shift the balance of care from acute hospitals to community based alternatives and to improve the way in which hospitals operate. These steps include the development of more enhanced community based services, Primary Care Teams, Community Intervention Teams, Rapid Access Clinics, Home Helps Home Care Packages as well as shortening lengths of stay and increasing day activity in Acute Hospitals.

I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the detailed information on delayed discharges.

Question Nos. 127 and 128 answered with Question No. 101.

Hospital Staff

129. **Deputy John O'Mahony** asked the Minister for Health and Children when she will lift the recruitment embargo on nursing staff; and if she will make a statement on the matter. [21037/10]

Minister for Health and Children (Deputy Mary Harney): The Government has made clear that a critical part of its strategy to restore the public finances is to achieve sustainability in the cost of delivering public services relative to State revenues. To help achieve this goal, it will be necessary to restructure and reorganise the public service and to reduce public service numbers over the coming years. This requires that the moratorium on recruitment and promotion in the health service will continue to apply until the numbers have fallen to the level set out in the Employment Control Framework for the health sector. The Framework for 2010-2012 gives effect to the Government decision on employment policy in the public sector and provides that there will be a net reduction in employment to 2012. This includes a target reduction in numbers in 2010 to achieve the overall reduction of 6,000 from March 2009 to the end 2012 and consequential pay roll savings. Based on numbers reductions already achieved in 2009, the net target reduction to end 2012 is 4,560 WTE (or 1,520 per annum). While there is provision in the HSE's Employment Control Framework for some exemptions and exceptions these are limited because of the need to achieve the required payroll savings.

Health Services

130. **Deputy Seán Sherlock** asked the Minister for Health and Children if she will expedite an appointment for an MRI scan in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [21041/10]

Minister for Health and Children (Deputy Mary Harney): I regret that due to industrial action I am not in a position to provide a substantive response to your Parliamentary Question. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved.

131. **Deputy Jack Wall** asked the Minister for Health and Children when a child (details supplied) in County Kildare will receive an appointment for treatment; and if she will make a statement on the matter. [21064/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I wish to advise the Deputy that due to industrial action affecting the Health Service Executive it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, however, I would invite you to raise it with me again in due course.

Medical Aids and Appliances

132. **Deputy Paul Connaughton** asked the Minister for Health and Children if her attention has been drawn to the fact that a person (details supplied) in County Galway has been refused the supply of orthopaedic shoes and has also been refused the cost of having their ordinary shoes restyled to suit his particular handicap; if her further attention has been drawn to the

fact that this person has a medical card and is recovering from an operation; and if she will make a statement on the matter. [21078/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I regret that due to industrial action affecting the Health Service Executive, it is not possible for the Executive to supply the information requested. If this matter remains of continuing concern to you, I would invite you to raise it with me again in due course. However, I would also recommend that you inform the individual mentioned that it is open to them to contact their local health office directly.

Rail Network

133. **Deputy Finian McGrath** asked the Minister for Transport if he will support a matter (details supplied). [20760/10]

Minister for Transport (Deputy Noel Dempsey): The first phase of the Western Rail Corridor was opened on 29th March. The next step will be for Iarnród Éireann to undertake a detailed evaluation of Phases 2 and 3 with a view to arriving at precise costs to undertake the works.

The current funding environment is very difficult and it will not be possible to progress all the projects in Transport 21 in accordance with the ambitious timescale envisioned at its launch.

Despite this, I am seeking to progress planning of the Western Rail Corridor Phases 2 and 3, to ensure that Iarnród Éireann would be in a position to move speedily to construction at the earliest possible date. In relation to the final section of the line, it is currently being preserved under the Clár Programme and Iarnród Éireann will look again at its reopening when Phases 2 and 3 are completed.

Road Network

134. **Deputy Fergus O'Dowd** asked the Minister for Transport the position regarding the proposed new bridge at Narrow Water, County Louth; and if he will make a statement on the matter. [20797/10]

Minister for Transport (Deputy Noel Dempsey): The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities own resources supplemented by State road grants paid by my Department. The initial selection and prioritisation of works to be funded is also a matter for the local authority.

Louth County Council submitted an economic appraisal including a Cost Benefit Analysis Report and a Multi-Criteria Report to my Department in 2009 for this project. The Department subsequently asked Louth County Council to consider a number of issues relating to the appraisal and a response is awaited.

As part of its 2010 overall grant allocation, Louth County Council has been allocated a total of €0.4 million to progress this project through the design stage.

Departmental Agencies

135. **Deputy Richard Bruton** asked the Minister for Transport the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20838/10]

Minister for Transport (Deputy Noel Dempsey): There are 47 persons employed within my Department to carry out inspections, including 29 surveyors in the Maritime Safety Directorate,

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6 inspectors in the Air Accident Investigation Unit and 12 Inspectors in the Aviation Division. The allocation of staffing to functions within agencies under my remit is a matter for the agencies concerned.

136. **Deputy Richard Bruton** asked the Minister for Transport the number of persons employed in the issuing of licences (details supplied) in agencies or schemes under his remit. [20852/10]

Minister for Transport (Deputy Noel Dempsey): There are 22 persons employed within my Department in the issuing of licences, including 16 involved in Road Transport Operator licences, 5 involved in this function within the Vehicle Registration Unit and 1 involved in the issue of Ships Radio licences. The Merchandise Licence is no longer issued. The other licences referred to are the responsibility of their agencies and the allocation of staffing to their issue is a matter for the agencies concerned.

Job Creation

137. **Deputy Brian Hayes** asked the Minister for Transport the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20916/10]

Minister for Transport (Deputy Noel Dempsey): The Department has not commissioned or compiled any reports, documents or papers on the number of jobs to be created between 2010 and 2020.

However estimates indicate that capital investment projects in Roads and Public Transport generate approximately 10 direct jobs for every €1 million investment. On that basis this year capital investment programme supports 20,000 plus jobs.

Indirect job effects are more difficult to estimate but it is estimated, in Luas and Metro construction that for each €1 million invested maintains and supports three added jobs.

It has been estimated that the Metro North project because of its nature will create about 6000 jobs during construction and lead to the creation of 37,000 jobs in North Dublin.

Transport projects by their nature do have potential to create employment and significant employment has been created through the unprecedented investment in transport infrastructure in recent years. However, the principal aim of investment in transport is to create a transport network that improves the productive capacity of the economy and supports enterprise and industry.

A recent submission by the Construction Industry Council prepared by DKM and Goodbody's reiterated the importance of the economic return on investment for Transport Infrastructure Projects.

Departmental Expenditure.

138. **Deputy Thomas P. Broughan** asked the Minister for Transport the percentage of the transport budget that was allocated to public transport in the years 1996 to 2010; and if he will make a statement on the matter. [20997/10]

Minister for Transport (Deputy Noel Dempsey): The information sought by the Deputy in relation to my Department's budgetary expenditure allocations and outturns, as broken down

under the Vote Subheads, are outlined in the Revised Estimates Volumes as published by the Department of Finance. These are available on that Department's website.

My Department did not take over responsibility for the full transport budget until 2008 when funding for regional and local roads was transferred from the Department of the Environment, Heritage and Local Government.

The following table sets out the relevant figures in relation to the public transport capital investment programme during the period 2008-2010 expressed as a percentage of the overall capital allocation to my Department:

Year	Transport Vote (Capital)	Public Transport Investment Programme Allocation (Capital)	% Capital Vote
	€000	€000	
2008	3,106,400	986,000	32%
2009	2,398,044	628,044	26%
2010	2,081,397	614,988	30%

In addition, the following table shows the amount allocated each year to CIE in respect of Exchequer subvention funding since 1996.

Year	Iarnród Éireann	Bus Éireann	Bus Átha Cliath	Total
	€000	€000	€000	€000
1996	117,336	4,317	4,635	126,288
1997	117,451	6,984	8,888	133,322
1998	117,457	7,111	11,294	135,862
1999	119,292	7,377	16,816	143,485
2000	133,236	15,757	41,189	190,183
2001	146,020	23,808	52,377	222,205
2002	155,483	21,766	56,063	233,312
2003	168,257	22,856	53,867	244,980
2004	171,421	23,998	61,810	257,229
2005	179,991	25,199	64,900	270,090
2006	188,716	26,459	69,845	285,020
2007	189,910	36,595	80,078	306,583
2008	181,152	41,846	85,629	308,627
2009	170,624	49,365	83,199	303,188
2010*	155,430	44,969	75,790	276,189

*2010 = Estimated Subvention Allocation.

139. **Deputy Thomas P. Broughan** asked the Minister for Transport the percentage of the transport budget that was allocated for road building projects and the National Roads Authority between 1996 and 2010; and if he will make a statement on the matter. [20998/10]

Minister for Transport (Deputy Noel Dempsey): The information sought by the Deputy in relation to my Department's budgetary expenditure allocations and outturns, as broken down under the Vote Subheads, are outlined in the Revised Estimates Volumes as published by the Department of Finance. These are available on that Department's website. My Department did not take over responsibility for the full transport budget until 2008. In relation to roads, the

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Department of Environment, Heritage & Local Government was responsible for the funding of national roads up until 2002, and for regional and local roads until 2008. The following table details the capital allocations for both national and regional & local roads during the period 2008-2010 expressed as a percentage of the overall capital allocation to my Department:

Year	Transport Vote (Capital)	National Roads Allocation (Capital)	Regional & Local Roads Allocation (Capital)	Total Roads Allocation (Capital)	% Capital Vote
	€000	€000	€000	€000	
2008	3,106,400	1,597,000	481,814	2,078,814	67%
2009	2,398,044	1,401,900	321,500	1,723,400	72%
2010	2,081,397	1,114,000	300,000	1,414,000	68%

Public Transport

140. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of passenger trips made by public transport per day, week, month and year in 2008 and 2009; and if he will make a statement on the matter. [20999/10]

141. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of vehicle kilometre, miles, that were driven in 2009 by public transport; the number of same in private vehicles; and if he will make a statement on the matter. [21000/10]

Minister for Transport (Deputy Noel Dempsey): I propose to answer Questions Nos. 140 and 141 together.

Transport statistics for 2008 were published by the CSO in November 2009. Both the vehicle kilometres driven by CIÉ public transport fleet for 2009, and the vehicle kilometres driven by private vehicles for 2009, will be available on publication of the Central Statistics Office Transport Omnibus, which is expected for November 2010.

National Vehicle Fleet.

142. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of cars that are in the national vehicle fleet; and if he will make a statement on the matter. [21001/10]

Minister for Transport (Deputy Noel Dempsey): The total number of passenger cars under current licence (taxed) at 31st December 2009 was 1,902,429. The tabular statement below provides a breakdown of the national fleet (2,467,660) by motor taxation class.

Number of Mechanically Propelled Vehicles by Taxation Class at 31st December 2009.

Taxation Class	Number
Private Cars	1,902,429
Goods Vehicles	343,940
Agricultural Tractors	66,360
Motorcycles	39,552
Small Public Service Vehicles	28,284
Exempt Vehicles	26,954
Vintage Vehicles	22,891
Motor Caravans	10,294

Taxation Class	Number
Large Public Service Vehicles	8,556
Mobile Machines	6,000
Excavators, Trench Diggers etc.	4,858
Small Dumpers & Forklift Truck	2,891
General Haulage Tractors	1,143
Schoolbuses	938
Hearses	824
Youth/Community Buses	846
Island Vehicles	834
Off Road Dumpers	66
Total	2,467,660

143. **Deputy Thomas P. Broughan** asked the Minister for Transport the breakdown of diesel, petrol, electric and other vehicles in the national fleet; and if he will make a statement on the matter. [21002/10]

Minister for Transport (Deputy Noel Dempsey): The tabular statement below provides the breakdown requested by the Deputy.

Number of Vehicles by Taxation Class and Type of Fuel at 31st December 2009.

Taxation Class	Petrol	Diesel	Petrol & Electric	Petrol & Ethanol	Other	Total
Private Cars	1,469,704	424,478	4,057	4,093	97	1,902,429
Goods Vehicles	1,210	342,691			39	343,940
Agricultural Tractors	130	66,206			24	66,360
Motorcycles	39,472	19		2	59	39,552
Small Public Service Vehicles	12,161	16,067	51	4	1	28,284
Exempt Vehicles	12,174	14,630	78	65	7	26,954
Vintage Vehicles	12,923	9,918	1	9	40	22,891
Motor Caravans	559	9,730			5	10,294
Large Public Service Vehicles	27	8,527			2	8,556
Mobile Machines	24	5,972			4	6,000
Excavators, Trench Diggers etc.	3	4,852			3	4,858
Small Dumpers & Forklift Truck	9	2,841			41	2,891
General Haulage Tractors	270	871			2	1,143
Schoolbuses	4	934				938
Hearses	694	130				824
Youth/Community Buses	7	839				846
Island Vehicles	221	613				834
Off Road Dumpers		66				66
Total	1,549,592	909,384	4,187	4,173	324	2,467,660

144. **Deputy Thomas P. Broughan** asked the Minister for Transport the breakdown of private, commercial and taxi vehicles in the national fleet; and if he will make a statement on the matter. [21004/10]

Minister for Transport (Deputy Noel Dempsey): The issue of taxi licences, under Section 34 of the Taxi Regulation Act, 2003, is a matter for the Commission for Taxi Regulation. I am informed that the total number of active small public service vehicle (SPSV) licences as of April 2010 was:

Taxi — 20,941;

Hackney — 4,298;

Limousine — 1,244.

National Bus Fleet.

145. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of private buses that are in the national bus fleet; and if he will make a statement on the matter. [21005/10]

Minister for Transport (Deputy Noel Dempsey): As of 17 May 2010, the number of private passenger transport operators that hold a Road Passenger Transport Operator's Licence from my Department is 1,949. The number of vehicles authorised on those licences is 6,919.

146. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of private bus operators that are licensed; and if he will make a statement on the matter. [21006/10]

Minister for Transport (Deputy Noel Dempsey): There are currently 217 private bus operators who hold a total of 662 passenger licences.

National Cycle Fleet

147. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of trips by bike that were made per day, week and month in 2009 and to date in 2010; and if he will make a statement on the matter. [21009/10]

148. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will estimate the number of bikes that are in the national cycle fleet; and if he will make a statement on the matter. [21010/10]

Minister of State at the Department of Transport (Deputy Ciarán Cuffe): I propose to take Questions No. 147 and No.148 together.

As far as I am aware there is no reliable estimate of the number of bicycles in Ireland. My department has commissioned a pilot National Transport Survey, through the Central Statistics Office, which should, when completed, provide a reliable measure of cycling use for transport purposes.

Transport Network

149. **Deputy Thomas P. Broughan** asked the Minister for Transport if he has an estimate of the value of transport networks to the economy; and if he will make a statement on the matter. [21011/10]

Minister for Transport (Deputy Noel Dempsey): While the transport network is central to all economic activity in the State, I am not aware of any exercise which has sought to quantify its overall value to the economy.

However the NRA estimate, that the monies invested in roads to date are, and will continue into the future, to pay economic dividends of multiples of their costs. On average, road investment over the last decade is giving a return of about three times the cost of the infrastructure contributing more than €30 billion in direct transport user benefits. These transport benefits are reflected in lower transport costs and access to wider labour markets, raising productivity and reducing costs to industry. This has helped to make Ireland a more cost-efficient place to do business than would otherwise have been the case.

A recent submission by the Construction Industry Council prepared by DKM and Goodbody's reiterated the importance of the economic return on investment for Transport Infrastructure Projects.

Transport 21

150. **Deputy Thomas P. Broughan** asked the Minister for Transport if he will report on Transport 21; the amount that has been spent to date on T21; the projects in T21 that have been fully completed the cost of each completed project; the T21 projects still outstanding; their targeted completion date and estimated cost; and if he will make a statement on the matter. [21012/10]

Minister for Transport (Deputy Noel Dempsey): In the first 4 years of Transport 21 Exchequer funding amounted to a total of almost €9 billion.

	€ billion
Expenditure in 2006	1.937
Expenditure in 2007	2.357
Expenditure in 2008	2.504
Expenditure in 2009	2.124

In addition to this, €2 billion of private investment in tolled national roads has been secured.

The Department's capital allocation for 2010 is €2,081 million. Very substantial progress has been made on Transport 21 to date:

- The five major inter-urban motorways and the M50 upgrade will be completed this year. The total spend on national roads between 2006 and 2009 was €7.75 billion, including over €1.4 billion of PPP funding.
- The Irish Rail fleet has been renewed, at a total cost to date of €517 million.
- The Midleton rail line (total cost of €75 million) and the first phase of the Western Rail Corridor (total cost of €106.5 million) have opened and the first phase of the Navan rail line will open later this year.
- The Kildare railway line has been upgraded at a cost of €400 million and a number of new Dublin suburban rail stations have opened.
- The Luas Docklands extension, which cost €90 million, opened last December and extensions to Cherrywood and City West are well advanced.
- Over 500 buses have been purchased for Dublin Bus and Bus Éireann, with investment totalling €133 million.

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A full list of all completed projects and details of those in planning is available on the Transport 21 website www.transport21.ie.

It is the long-standing policy of my Department that to protect the interest of the taxpayer, the cost of individual projects will only be released when (i) all procurement processes related to the project have been completed and contracts awarded and (ii) when it is not otherwise contrary to the State's commercial interest to release the information.

The Transport 21 investment framework runs until 2015. It is now likely that not all of the projects originally identified in Transport 21 will be completed by 2015. However no projects have been cancelled and Transport 21 continues to provide the strategic framework for capital spending on transport infrastructure into the future.

Because of changed economic circumstances, transport investment priorities have been reviewed and these priorities are reflected in the Renewed Programme for Government. Future national roads priorities are:

- the progression of the Atlantic Road Corridor, and
- the improvement of key strategic routes. The public transport priority is increased long term capacity particularly through — the construction of Metro North
- the construction of DART Underground and the implementation of the associated electrification, signalling and rolling stock investments

It is also a priority to continue planning on other projects to enable their earliest possible delivery when the economic situation improves.

Garda Vetting Services

151. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform if he will liaise with the Health Service Executive and then Garda Síochána regarding the backlog of Garda clearances being processed; if his attention has been drawn to general practitioners who have been accepted by the HSE at interviews are waiting in excess of six months for their Garda clearance to be approved, therefore causing loss of pension contributions, assistance with paying indemnity insurance, and so on; if his further attention has been drawn to the fact that UK clearance is processed within ten days; and if he will make a statement on the matter. [20777/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Garda Central Vetting Unit (GCVU) provides employment vetting for a large number of organisations in Ireland registered with the Gardaí for this purpose and which employ persons in a full-time, part-time, voluntary or training capacity to positions where they would have substantial, unsupervised access to children and/or vulnerable adults. This would, of course, include many healthcare professionals.

The GCVU has managed a substantial increase over recent years in the numbers of vetting applications it receives — 187,864 in 2007; 218,404 in 2008 and 246,194 in 2009.

The processing time for vetting applications fluctuates during the year due to seasonal demands when the volume of applications received from certain sectors can increase, for training placements for example. Additional time may be required to process an individual vetting application in cases where clarification is required as to the details provided or where other enquiries need to be made, for example, when the person in question has lived and worked

abroad. There will always be a reasonably significant time period required to process a vetting application. However, the Gardaí make every effort to reduce this to the minimum possible consistent with carrying out the necessary checks. I am informed by the Garda Authorities that the average processing time for valid vetting applications received at the GCVU may vary from four to five weeks in periods of lower demand to up to about 12 weeks at times when demand is particularly high.

The allocation of Garda resources, including personnel, is a matter for the Garda Commissioner. There is currently a total of 83 personnel assigned to the vetting unit, including six Gardaí and 77 Garda civilian personnel. Five additional personnel are being recruited on a temporary basis for 3 months, these personnel will commence work during June. Taken in the aggregate, these figures, represent a very significant increase in the level of personnel assigned to the unit, which stood at only 13 before the current process of development in Garda vetting began in 2005.

Garda Operations

152. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support a matter (details supplied). [20763/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the location referred to is in the Clontarf Garda Sub-District. Local management is aware of anti-social behaviour in the area. A member of the local Community Policing Unit is allocated specifically to the area and regularly meets local residents.

The area is subject to regular patrols by uniform and plain clothes personnel, Including the Community Policing Unit, the Garda Mountain Bike Unit and the local Detective and Drugs Units, supplemented as required by the Divisional Crime Task Force and Traffic Corps personnel.

Local Garda management closely monitors and keeps under review patrols and other operational strategies in place, in conjunction with crime trends and policing needs of the communities in the area, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Current policing strategies are predicated on the prevention of crime, public order offences and anti-social behaviour, and community policing is a central feature and core value of policing policy.

Garda Investigations

153. **Deputy Paul Kehoe** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 154 of 3 March 2010, the stage that an investigation (details supplied) is now at; and if he will make a statement on the matter. [20781/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Proceedings connected with the matter referred to by the Deputy are currently before the courts. It would therefore be inappropriate for me to make any comment at this time.

Citizenship Applications

154. **Deputy Ulick Burke** asked the Minister for Justice, Equality and Law Reform the reason for the delay in processing an application in respect of a person (details supplied) in County Galway who applied for citizenship in 2007 and whose application has not yet been approved; and if he will make a statement on the matter. [20813/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in October 2007.

All valid applications are dealt with in chronological order as this is deemed to be the fairest to all applicants. The average processing time from application to decision is now at 26 months. More complicated cases can at times take more than the current average, while an element of straight forward cases can be dealt with in less than that timescale. Officials in the Citizenship Division inform me that processing of the application is at an advanced and the file will be submitted to me for a decision in the near future.

The length of time taken to process each application should not be classified as a delay, as the length of time taken for any application to be decided is purely a function of the time taken to carry out necessary checks. There is a limit to the reduction in the processing time that can be achieved as applications for naturalisation must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is only given to persons who genuinely satisfy the necessary qualifying criteria.

Proposed Legislation

155. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the date on which he will publish the Criminal Justice (Sexual Offences) Bill; and if he will make a statement on the matter. [20817/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Bill referred to by the Deputy will address recommendations in the Second Interim Report of the Joint Committee on the Constitutional Amendment on Children, including recommendations relating to age of consent and defences available to defendants. It will also reform the laws on incest.

My colleague, Barry Andrews, Minister for Children, will be bringing a draft General Scheme to Government in the near future with a view to seeking approval for drafting of the necessary legislation.

Courts Service

156. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform his plans to amend reporting in the family law courts; and if he will make a statement on the matter. [20818/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The relaxation of the *in camera* rule in family law proceedings has facilitated the flow of information on the operation of the law in the family law courts. The Civil Liability and Courts Act 2004 allows for the preparation and publication of reports of family law proceedings by a barrister or solicitor or a person specified in regulations while continuing to respect the confidential nature of family law cases. The Civil Liability and Courts Act 2004 (Section 40(3)) Regulations 2005 (S. I. No. 337 of 2005) allow certain classes of persons — namely family mediators, researchers nominated by specified academic institutions and persons engaged by the Courts Service — to attend family court sittings, subject to Ministerial approval, in order to draw up and publish reports on general trends and information relating to family law cases.

The 2004 Act enabled the Courts Service to establish the Family Law Reporting Project in 2006. Following the publication in 2007 of the Report of the Family Law Reporting Project by Dr Carol Coulter, the Courts Service Board established a Special Committee to consider the

recommendations made. The Committee published its report to the Courts Service Board in 2009. The Committee concluded that reasonable reporting arrangements for decisions and judgments in family law cases already exist.

Refugee Status

157. **Deputy Joanna Tuffy** asked the Minister for Justice, Equality and Law Reform the position regarding an application for refugee status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [20820/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 3 October 2006. In accordance with Section 9 of the Refugee Act 1996 (as amended), the person concerned was entitled to remain in the State until his application for asylum was decided. His asylum application was refused following consideration of his case by the Office of the Refugee Applications Commissioner.

Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 26 March 2008, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006). Representations have been received on behalf of the person concerned. The position in the State of the person concerned will now 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.

Departmental Agencies

158. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20830/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Information on the number of staff employed in carrying out inspections in the agencies or bodies referred to by the Deputy is provided below.

Equality Tribunal: 11.

Office of the Inspector of Prisons: 1.

Office of the Data Protection Commissioner: 1.

Garda Síochána Inspectorate: 9.

An Garda Síochána is obliged to carry out a wide range of inspections in a number of different areas and it would be impractical to try to quantify those involved in this work.

There are no staff involved in inspection work in the Garda Síochána Complaints Board, Probation Service, Forensic Science Laboratory, Mental Health Review Board, Irish Human

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Rights Commission, Office of the Refugee Applications Commissioner and Criminal Injuries Compensation Tribunal.

The Office of the Ombudsman/Information Commissioner does not come within the remit of my Department. The secretariat functions of the Censorship of Publications Board and the related Appeals Board functions are now merged with the Irish Film Classification Office.

Finally, I would mention that there are a few areas or agencies of my Department not referred to by the Deputy that have staff involved in inspection work. The number of such staff and the areas concerned are as follows:

Private Security Authority: 4.

Government Inspectors of Explosives: 3.

Irish Film Classification Office: 1.

Reception and Integration Agency: 10.

159. **Deputy Richard Bruton** asked the Minister for Justice, Equality and Law Reform the number of persons employed in the issuing of licences (details supplied) in agencies or schemes under his remit. [20851/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that the information he requires in respect of the number of persons employed in the issuing of licenses within the areas specified is as follows:

Private Security Authority (PSA)

The PSA has 14 staff employed in the issuing of licences to the private security industry.

Fireworks Import Licence

2 staff in my Department are directly involved in the issuing of importation licences to professional fireworks operators in respect of pyrotechnics/fireworks (although it should be noted that this only constitutes part of their overall workload).

Licence to Change Name

Under Section 9 of the Aliens Act 1935, a person who is a non-Irish citizen and wishes to assume a name other than that by which he/she was ordinarily known prior to reaching the age of majority is required to obtain a change of name licence from my Department.Λ In order for this name change to take legal effect a deed poll would also need to be executed after the licence is issued.

There are a relatively small number of applications per annum and the staff resources to administer the scheme amounts to approximately 10% of 1 staff member's time.

Liquor Licence

Applications for initial licences for new venues where alcohol is to be consumed are processed in the Circuit Court while applications for renewals and special exemptions are processed in the District Court. In most cases staff work on licensing matters as part of their normal work. There are 2 staff who work full-time on licensing matters in the District Court in Dublin.

In addition to the above, an Garda Síochána also has a role in the issuing of licences and permits under the Licensing Acts 1833 to 2008 and the Private Security Services Act 2004. Given the broad nature of the assignment of such duties across the Garda Síochána, and the varying circumstances in which they take place, it is not possible to comprehensively or concisely quantify the particular number of members of the force consistently involved in either the specific areas in which the Deputy is interested, or in other licensing duties conferred on the organisation.

Job Creation

160. **Deputy Brian Hayes** asked the Minister for Justice, Equality and Law Reform the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20913/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): As the Deputy will be aware, my Department does not have a significant role in employment creation in the wider economic context so the question of commissioning the material referred to by him does not arise.

Prison Accommodation

161. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will provide an update on conditions at Mountjoy Prison, Dublin; his plans for 2010 in order to resolve overcrowding. [20923/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Deputy will be aware that Mountjoy Prison is a Victorian prison which is now 160 years old. Redeveloping the existing 20 acre site is neither financially viable nor practical from an operational perspective and this is why I have set out in the clearest possible terms this Government's continued commitment to replacing the Mountjoy Prison complex with modern prison accommodation at Thornton Hall.

The Inspector of Prisons, in his 2008 Annual Report, acknowledged that overcrowding in prisons is an international problem, not just unique to Ireland. Since 1997 in excess of 1,720 new prison spaces have come on stream in the prison system. These include the new prisons in Castlerea, the Midlands, Cloverhill, the Dóchas Centre and new accommodation in Limerick, Portlaoise and Castlerea prisons and at the open centres in Shelton Abbey and Loughan House.

Current projects will see a further 200 prison spaces provided in the short term by means of a new block in Wheatfield. In addition, we hope to proceed in late 2010 with a new accommodation block in the Portlaoise/Midlands prisons complex which will provide 300 prison spaces in the medium term.

While Mountjoy Prison predominantly comprises single cell accommodation, multiple cell occupancy does exist, particularly in the base area of the prison and some other areas. The then Governor of the prison recently re-issued an order concerning the use of holding cells, the shower room and other areas of the Base area of the prison instructing staff that under no circumstances should these locations be used for the purpose of overnight accommodation. Instead prisoners should be placed in the normal cellular accommodation on the landings, which as I have already stated, are predominantly single cell accommodation at present.

The primary role of the Prison Service is the provision of safe and secure custody for prisoners. The need, therefore, for prisoners who request protection to be accommodated in separ-

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ate areas from other identified persons from whom they may be at risk is of primary importance. Efforts are made on a continuous basis to transfer protection prisoners out of Mountjoy Prison to other locations where they would not require such a restricted regime, e.g. protection landings in Wheatfield or the Midlands Prisons or to another prison where they would not require protection.

As the Deputy is aware the Government has re-affirmed its commitment to developing a new prison campus at Thornton Hall, County Dublin and also approved the launch of a new tendering process for the construction of a more affordable and better value prison campus at Thornton. The aim is to provide good quality, regime focussed prison accommodation with appropriate support and rehabilitative facilities for prisoners to prepare them for re-integration back into society.

As previously stated, the new prison facility will provide accommodation for 1,400 cells with operational flexibility to accommodate up to 2,200 in a range of security settings and facilities. The Irish Prison Service is satisfied that the scope and scale of the project is appropriate given the current level of committals. The development of the new prison at Thornton Hall, County Dublin is proceeding on a phased basis. Phase one comprises essential enabling works required for the prison development. These works include the construction of the dedicated access road, perimeter security wall and various off-site services. Phase two of the project comprises the various prisoner accommodation blocks, workshops, education facilities and administration buildings.

Tenders for the design and construction of the access road to serve the prison development were issued in March this year. The competition is still in progress and it is anticipated that contract award will take place in June with construction work commencing on site in July. It is intended that tender documents for various off-site works will be issued later this month with construction work expected to commence in September this year.

The tender documentation for the design and construction of the perimeter wall of the prison is currently at an advanced stage of preparation. It is intended to invite tenders for this phase of the project by the end of September with the construction work commencing immediately following the completion of the access road in January 2011. The construction of the perimeter wall is estimated to take about 12 months to complete.

In relation to the main prison development, the National Development Finance Agency acting on behalf of the Irish Prison Service, has initiated an EU wide tender competition for the appointment of multi-disciplinary technical advisors for the project. The technical advisors will develop the output specification and other tender documents which will be the subject of a tender competition later this year. It is anticipated that the prison will be operational within 3 years from the commencement of the construction of the main prison campus.

The detailed design of the new prison has not yet been finalised. When designing a new prison, the Irish Prison Service must take into consideration a whole range of factors. These include the need to provide sufficient accommodation to meet current and future committals from the courts, the need to provide safe, secure custody for offenders and, the provision of appropriate rehabilitation services in order to prepare offenders for re-integration back in to society on completion of their sentence. The new prison at Thornton Hall will be a campus style development with a range of prisoner accommodation units and security settings within the perimeter wall. I am confident that this is the best option to meet the needs of the Irish Prison Service and to deliver the type of prisoner rehabilitation programmes that are not currently possible at Mountjoy due to the lack of basic infrastructure and the historical nature of the buildings which date back to 1850.

Garda Recruitment

162. **Deputy Frank Feighan** asked the Minister for Justice, Equality and Law Reform the names and ages of the interviewing panel set up for interviewing applicants for promotions from Garda Superintendents to Chief Superintendents, Garda Inspectors to Superintendents, Chief Superintendents to Assistant Commissioners; and if he will make a statement on the matter. [20955/10]

163. **Deputy Frank Feighan** asked the Minister for Justice, Equality and Law Reform the occupation of the interview panel set up for interviewing for promotions from Superintendent to Chief Superintendent; and if he will make a statement on the matter. [20956/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 162 and 163 together.

Section 122(3) of the Garda Síochána Act 2005 provides for the establishment of Garda promotion boards comprising three members, one of whom shall be a member of An Garda Síochána appointed by the Commissioner, and two of whom (including the chairperson of the board) shall be appointed by the Minister from a panel established for that purpose.

Regulation 9(3) of the Garda Síochána Promotion Regulations 2006, provides for the establishment of a panel of persons whom the Government consider suitably qualified for membership of promotion boards. In appointing members to this panel, the Government shall consider the names of suitably qualified persons who have been nominated for that purpose by the Public Appointments Service.

It would not be the practice to disclose personal information in relation to members of promotion boards.

Black Market Activities

164. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform if he will agree that the deterioration of the economy has led to an upsurge in criminal activity, particularly in counterfeit DVDs, clothes and cigarettes, all of which are aiding and abetting a thriving black market economy while damaging legitimate retailers nationwide; the steps he and the Garda will take to counteract this illegal activity, the proceeds of which end up in the hands of criminal gangs and dissident terrorist groups; and if he will make a statement on the matter. [20986/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am of course, aware of the damage caused to the economy by the kind of activities referred to by the Deputy.

In September, 2008 I launched the Interdepartmental Report on DVD piracy. In line with the recommendations contained in that report, Garda officers have been appointed in each operational region to coordinate anti-piracy operations. Appropriate liaison structures have been established and enforcement contact groups are now in place in each region. In addition, a Detective Inspector in the National Bureau of Criminal Investigation has been assigned responsibility for coordinating the matter at national level.

The problem with cigarettes relates primarily to smuggling. While this is a matter primarily for the Revenue Commissioners, the Gardaí participate in joint operations where their support is required. This in turn has led to the seizure of a substantial amount of smuggled cigarettes.

The Gardaí will, of course, continue to cooperate with all the relevant authorities to counteract the problem referred to by the Deputy.

Asylum Applications

165. **Deputy Mary Upton** asked the Minister for Justice, Equality and Law Reform the position regarding an application for leave to remain in respect of a person (details supplied) in County Dublin; when a decision will be made on the application; and if he will make a statement on the matter. [21013/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 26 August 2008. In accordance with Section 9 of the Refugee Act 1996 (as amended), the person concerned was entitled to remain in the State until her application for asylum was decided. Her asylum application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal.

Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 10 February 2010, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006).

The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the 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.

Complaints Procedure

166. **Deputy Arthur Morgan** asked the Minister for Justice, Equality and Law Reform if there is a complaints procedure in place in his Department for persons who feel aggrieved; if he will outline any such procedure and the way it functions; and if he will make a statement on the matter. [21014/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that my Department's Customer Charter 2009 — 2011, which is on its website, www.justice.ie, outlines the Department's complaints procedure.

Child Care Services

167. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if immigration and asylum legislation takes precedence over the Child Care Act 1991 in matters concerning separated children, particularly with regards to the provision of an after-care service to separated children who have turned 18 years. [21022/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The legislation referred to by the Deputy deals with a number of distinct areas of law. While in practice there will be particular circumstances when the legislation referred to will act in a complementary fashion, including those outlined by the Deputy, they remain distinct areas of law. Therefore it is not a question of precedence as to laws but rather a consideration in each individual case of all the relevant factors and applicable legislation.

Visa Applications

168. **Deputy James Reilly** asked the Minister for Justice, Equality and Law Reform the reason a holiday visa application was refused in respect of persons (details supplied) ; if he will ensure this decision is reversed; and if he will make a statement on the matter. [21039/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The visa applications referred to by the Deputy were received in the Visa Office, Dublin on 14 April 2010. Following consideration by a visa officer, both applications were refused on 7 May 2010.

Application reference 3662662 was refused for the following reasons:

F: — Finances: — no evidence of finances shown;

ID: — Insufficient documentation submitted in support of the application: — No letters of undertaking;

R: — No clear link to reference has been shown.

Application reference 3583162 was refused for the following reasons:

F: — Finances: — no evidence of finances shown;

ID: — Insufficient documentation submitted in support of the application: — no letters of undertaking submitted with application;

P: — Passport expires within six months of end of visit;

R: — No clear link to reference has been shown.

It is open to the persons concerned to appeal the decisions of the visa officer within two months of the date of refusal, in this case before the 14 June 2010. Comprehensive information with regard to all aspects of the visa application process and the documents required is available on the website of the Irish Naturalisation and Immigration Service (www.inis.gov.ie).

Asylum Applications

169. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support the case of a person (details supplied). [21045/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned applied for asylum on 6 May 2005. In accordance with Section 9 of the Refugee Act 1996 (as amended), the person concerned was entitled to remain in the State until his application for asylum was decided. His asylum application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal.

Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by

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letter dated 16 March 2006, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified, by letter dated 20 February 2008, of his entitlement to apply for Subsidiary Protection in the State in accordance with the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006).

The person concerned submitted an application for Subsidiary Protection in the State in accordance with these Regulations and this application is under consideration at present. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the 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.

Prison Accommodation

170. **Deputy James Reilly** asked the Minister for Justice, Equality and Law Reform his plans to tackle overcrowding, unhygienic conditions and infestations of insects at Mountjoy Prison, Dublin; and if he will make a statement on the matter. [21061/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Deputy is aware Mountjoy Prison is a Victorian prison which is now 160 years old. Redeveloping the existing 20 acre site is neither financially viable nor practical from an operational perspective and this is why I have set out in the clearest possible terms this Government's continued commitment to replacing the Mountjoy Prison complex with modern prison accommodation at Thornton Hall. While I accept that conditions in Mountjoy Prison are not ideal I do not accept that conditions are inhumane. In-cell sanitation is already in place in sections of the "B" Base, throughout the Medical Unit and in the Separation Unit of the prison. The question of a major refurbishment of the complex to include in-cell sanitation in all cells has been examined on a number of occasions but found not to be feasible due to the potential exorbitant costs of such a project involving buildings which are already 160 years old.

While Mountjoy Prison predominantly comprises single cell accommodation multiple cell occupancy does exist, particularly in the base area of the prison and some other areas. I am advised by the Director General of the Irish Prison Service that they have comprehensive pest control procedures in place throughout the prison estate. These are carried out under contract by reputable firms specialising in the field. In the case of the Mountjoy Prison Complex, the contract is held by Canore Limited and it is the view of the Irish Prison Service that the procedures in place are adequate. The current contract commenced on 1 October 2009.

The Inspector of Prisons, in his 2008 Annual Report, acknowledged that overcrowding in prisons is an international problem, not just unique to Ireland. As I have stated to the House on many occasions since 1997 in excess of 1,720 new prison spaces have come on stream in the prison system. These include the new prisons in Castlerea, the Midlands, Cloverhill, the Dóchas Centre and new accommodation in Limerick, Portlaoise and Castlerea prisons and at the open centres in Shelton Abbey and Loughan House. It must be acknowledged that the Irish Prison Service has been engaged in an extensive programme of investment in prisons infrastructure

which has involved both the modernisation of the existing estate and the provision of extra prison spaces.

Current projects will see a further 200 prison spaces provided in the short term by means of a new block in Wheatfield. In addition, we hope to proceed in late 2010 with a new accommodation block in the Portlaoise/Midlands prisons complex which will provide 300 prison spaces in the medium term.

The new prison campus at Thornton Hall, County Dublin will provide 1,400 cells with operational flexibility to accommodate up to 2,200 in a range of security settings. The development is now proceeding on a phased basis with phase one comprising essential enabling works required for the development including the construction of the dedicated access road, perimeter wall and off-site services. Tenders for the construction of the access road were published in March of this year and tenders for the construction of the perimeter wall will be published in September.

Phase 2 will include the development of the main prison campus. The detailed appraisal is underway in accordance with Department of Finance Capital Expenditure Guidelines and the new business case is at an advanced stage of preparation. It is anticipated that the prison will be operational within 3 years from the commencement of the construction of the main prison campus.

Job Creation

171. **Deputy Brian Hayes** asked the Minister for Foreign Affairs the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20911/10]

Minister for Foreign Affairs (Deputy Micheál Martin): While the advancement of Ireland's economic interests is a strong priority for the Department of Foreign Affairs, in particular through the efforts of our Embassies to promote trade, tourism and investment and our efforts to develop the Global Irish Network, I have not commissioned or published any policy papers specifically on employment creation as this is not an issue which comes within the remit of the Department.

Rockall Island

172. **Deputy Arthur Morgan** asked the Minister for Foreign Affairs if the State has any sovereign claim to Rockall; and if he will make a statement on the matter. [21066/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Rockall is a small uninhabitable rock, 25 x 30 metres wide, located approximately 160 nautical miles west of the Scottish islands of St. Kilda and 230 nautical miles to the north-west of Donegal. It marks a point at which the Rockall Bank, part of the very large Hatton-Rockall area of continental shelf extending under the north-east Atlantic Ocean, protrudes 21 metres above sea level. During the 1960s and 1970s the issue of Rockall was a source of legal and political controversy in both Ireland and the United Kingdom. The United Kingdom claims sovereignty over Rockall and has sought to formally annex it under the Island of Rockall Act 1972.

While Ireland has not recognised British sovereignty over Rockall, it has never sought to claim sovereignty for itself. The consistent position of successive Irish Governments has been that Rockall and similar rocks and skerries have no significance for establishing legal claims to mineral rights in the adjacent seabed and to fishing rights in the surrounding seas.

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During the course of the Third United Nations Conference on the Law of the Sea, which took place from 1973 to 1982, Ireland worked hard to achieve agreement on this principle. The UN Convention on the Law of the Sea, which was adopted at the conclusion of the Conference on 10 December 1982, provides at Article 121, paragraph 3 that: “Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf.” Rockall falls into precisely this category.

In 1988, Ireland and the UK reached agreement on the delimitation of areas of the continental shelf between the two countries, stretching out up to 500 nautical miles from their respective coastlines. This included the division of the Hatton-Rockall area of continental shelf on which Rockall is situated, although under the terms of the Law of the Sea Convention the location of Rockall was irrelevant to the determination of the boundary. According to that determination, Rockall is situated to the north of the boundary agreed with the UK in 1988 and lies outside the zone claimed by Ireland.

As with any claim to continental shelf lying beyond 200 nautical miles from shore, the UN Convention requires that Ireland and the UK submit their claims for examination to the UN Commission on the Limits of the Continental Shelf. However, the claims to the Hatton-Rockall shelf agreed between Ireland and the UK are not accepted by Iceland or the Faroe Islands, which make their own claims. The four sides have met regularly since 2001 in an effort to resolve the overlapping claims issue but to date have been unable to reach agreement. In view of the 10-year deadline for the making of submissions to the UN Commission — which for Ireland expired last May — Ireland lodged its national claim for this area in March 2009. While the Commission’s rules of procedure prevent consideration of the submission without the consent of all the states concerned, its lodgement at this time stops the clock on the deadline and preserves Ireland’s legal position. In the meantime, the four sides intend to keep the matter under regular review and we will continue to work for the creation of conditions that will permit consideration of the submission by the Commission as soon as possible.

The State’s continental shelf has already been successfully extended beyond 200 nautical miles in the area to the west of the Porcupine Bank. Together with France, Spain and the UK, we have also successfully extended it in the area of the Celtic Sea and Bay of Biscay.

Video Games Sector

173. **Deputy Mary Upton** asked the Minister for Tourism, Culture and Sport if she will support the extension of the remit of the Irish Film Board to include the video game industry; if she would support the extension of the section 481 film tax reliefs to the video game sector; and if she will make a statement on the matter. [20856/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Primary responsibility for the support and promotion of film-making in Ireland in respect of both the indigenous sector and inward productions is a matter for the Irish Film Board (IFB). The Irish Film Board is funded by my Department but it is independent of the Department in its operations.

My Department’s primary operational role in supporting the film sector relates to the administration of elements of Section 481 of the Taxes Consolidation Act, 1997 that provides tax relief for investments in qualifying films. A qualifying film is a film for which the Revenue Commissioners have issued a certificate under Section 481. The types of film eligible for certification are feature film, television drama, creative documentary and animation. These types are eligible whether computer generated or otherwise, but as the Deputy is aware computer games are currently excluded.

An Audiovisual Content Production Industry Strategy Framework Group was established by my Department last year which will assist in providing a clear vision for the future of the industry and response to market changes. The whole area of development of the Irish audiovisual industry (including the video games sector) is being examined as an important part of the work programme of the Group.

Question No. 174 answered with Question No. 53.

Job Creation

175. **Deputy Brian Hayes** asked the Minister for Tourism, Culture and Sport the number of jobs her Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by her Department between 2010 and 2020; and if she will make a statement on the matter. [20917/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): It is widely recognised that one of the contributions made by the sectors under the aegis of my Department to the Irish economy, in particular the Tourism and Culture sectors, is in the area of job creation, with the CSO showing employment in the accommodation and food sectors alone accounting for 119,500 jobs in 2009. The Report of the Tourism Renewal Group, which was published in October 2009, highlights the fact that tourism has a strong role to play as a source of employment, providing opportunities across a range of ages, skills levels, backgrounds, gender and family status — and in urban and rural, central and peripheral locations all over the country. The Report also pointed out that, drawing on an alternative approach for the measurement of tourism employment, an estimate of all jobs in the tourism and hospitality industry, based on a Fáilte Ireland survey of businesses, indicates total employment in the sector at approximately 200,000.

The objectives set for the sectors do not include employment targets per se. The Framework for Action proposed by the Tourism Renewal Group is designed to ensure that the Irish tourism industry survives as a strong and internationally competitive source of earnings, exports and employment and to provide the platform for future recovery and growth. There is no certainty as to when external conditions will provide the conditions for growth — but the global economy will return to growth and global tourism with it.

In the case of the Arts, Culture and Creative sectors, the objective is to continue to grow the sector at a rate well above the European average. The new enterprise model for the Irish economy — set out in the Government's "Building Ireland's Smart Economy — a framework for Sustainable Economic Renewal" — recognises the vital importance of the cultural and creative industries. These sectors, which also contribute hugely to the Irish Cultural Tourism product offering, will be key growth areas over the next decade, which Ireland must exploit for economic and employment opportunities.

Swimming Pool Projects

176. **Deputy Ulick Burke** asked the Minister for Tourism, Culture and Sport the position regarding the provision of a swimming pool at Loughrea, County Galway in cooperation with Galway County Council, the local swimming pool committee and a private developer; and if she will make a statement on the matter. [20985/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): On 25 May 2009 my Department informed Galway County Council that a grant capped at €1.7m had been allocated

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under the Department's Local Authority Swimming Pool Programme towards the construction of a pool at Loughrea.

I understand that Galway County Council has had further discussions with the Developer in preparation for the commencement of the project. I also understand that the Developer has retained assistance for the completion of the tendering process and has undertaken preliminary work in this regard. While matters between the Developer and Galway County Council have been progressed to an advanced stage the final agreement has not been concluded. The Department and Galway County Council are also in discussion regarding legal matters in relation to the project.

Departmental Funding

177. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport her plans to assist sporting or recreational groups now experiencing financial operational difficulties in situations where her Department has previously offered capital grant aid or other assistance; and if she will make a statement on the matter. [21046/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Under the Sports Capital Programme, which is administered by my Department, and part funded from the proceeds of the National Lottery, funding is allocated to sporting and community organisations for the capital costs of providing sports facilities and the purchase of non-personal sports equipment at local, regional and national level throughout the country.

My Department does not provide funding for ongoing operational costs.

National Lottery Funding

178. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the full extent of funding available for disbursement through her Department from the proceeds of the National Lottery in 2010 throughout County Kildare; and if she will make a statement on the matter. [21047/10]

179. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the full extent of funding available for disbursement through her Department from the proceeds of the National Lottery in 2010; and if she will make a statement on the matter. [21048/10]

180. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the full extent of funding available through her Department for capital grant aid towards the provision of major or minor sporting and recreational facilities, indoor and outdoor, passive and active in County Kildare in 2010; the number of applications received for such funding; and if she will make a statement on the matter. [21049/10]

181. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the full extent of funding available through her Department for capital grant aid towards the provision of major and or minor sporting and recreational facilities, indoor and outdoor, passive and active throughout the country in 2010 the number of applications received for such funding; and if she will make a statement on the matter. [21050/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Questions Nos. 178 to 181, inclusive, together.

As the Deputy will be aware, the allocation of the proceeds of the National Lottery is a matter for the Minister for Finance.

The elements of my Department's Vote which are part-funded by proceeds of the National Lottery are as follows:

- Subhead C.1 — Grants for sporting bodies and for the provision of sports and recreational facilities under the Sports Capital Programme;
- Subhead C.3 — Grant-in-Aid provided to the Irish Sports Council in respect of general assistance to sports organisations and expenditure in relation to sports activities; and
- Subhead D.7 — Grant-in-Aid allocation provided to the Arts Council.

Details of the Budget allocations for these subheads for 2010, are outlined in the table below.

	Sports Capital Programme	Irish Sports Council	Arts Council	Total
2010	€48,000,000	€49,572,000	€69,150,000	€166,722,000

It is not possible to accurately estimate the proportion of each of these sub-heads that will be spent in County Kildare.

In addition €7.5m has been made available in the estimate to cover the payment of grants for the provision and renovation of local authority swimming pools. Retention payments with a total value €761,842 are expected to be made towards Local Authority swimming pools in Athy and Naas in 2010.

No decision has been made on the timing of the next rounds of the Sports Capital Programme or the Local Authority Swimming Pool Programme.

Question No. 182 answered with Question No. 47.

Arts Plan

183. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the extent to which she intends to utilise the arts to generate a national culture and image to assist in economic recovery at both local and national level; and if she will make a statement on the matter. [21053/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I refer the Deputy to my reply to Question 72 of 31 March 2010 in respect of the matter raised here.

Question No. 184 answered with Question No. 58.

Tourism Industry

185. **Deputy Bernard J. Durkan** asked the Minister for Tourism, Culture and Sport the extent, if any, to which she proposes to take steps to address the negative impact of the carbon tax on the tourism sector with particular reference to transport and heating costs; and if she will make a statement on the matter. [21055/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Fiscal policy and taxation, including the impact of specific taxes on particular sectors of the economy, are matters for my colleague the Minister for Finance, Mr Brian Lenihan TD, in the first instance. In line with the Programme for Government commitment, my colleague Mr Brian Lenihan, TD, Minister for Finance, announced in Budget 2010 that a carbon tax at a rate equivalent to €15 per tonne would be introduced on fossil fuels. This carbon tax came into effect on 10 December 2009 in

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respect of petrol and auto-diesel and, since 1 May 2010, also applies to home heating oils and gas.

Since the carbon tax applies directly to the amount of fuel a consumer uses, the more energy efficient a business is, the less impact the carbon tax will have on fuel costs of that business. In this regard, there are several supports available to help Irish businesses (including those in the tourism sector) make more efficient and sustainable use of resources, thus benefitting the business itself, the local economy and the environment. Such supports include guidance available from and programmes administered by the Sustainable Energy Authority of Ireland (SEAI) and by the Environmental Protection Agency (EPA), for which my colleagues the Ministers for Communications, Energy and Natural Resources and for the Environment, Heritage and Local Government are responsible, respectively. Furthermore, there is also a scheme of accelerated capital allowances for energy efficient equipment, a tax incentive aimed at encouraging companies across all sectors to invest in energy saving technology (as approved and listed by the Minister for Communications, Energy and Natural Resources), which was extended in Budget 2010 to include catering and hospitality equipment.

The promotion of good environmental practice within the tourism industry, including the provision of advice on increasing energy efficiency and on the use of sustainable technology, is a matter for Fáilte Ireland, the National Tourism Development Authority. I am advised that information on available supports (including general advice, mentoring and auditing, training and formal accreditation) is available on the Business Supports — Environmental Guidelines section of the Fáilte Ireland website and directly from Fáilte Ireland's Environment Unit, which can also provide further advice and support. I am further advised that Fáilte Ireland's Environment Unit has prepared an information sheet outlining the cost implications of this tax and directing businesses to the many supports available to help monitor and reduce energy usage, and thereby reduce the impact of the carbon tax.

I understand that the carbon tax may cause some pressures for certain businesses. In the context of the overall cost base, for most firms, these should be minimal. Furthermore, it is expected that the move to price carbon will encourage innovation by incentivising companies to bring low carbon products and services to the market. I am confident that the Irish tourism industry will demonstrate its capacity for innovation and efficiency in this regard, as it has consistently done over many years, with the supports I have outlined from the relevant agencies in the energy, environmental and tourism areas.

Questions Nos. 186 and 187 answered with Question No. 47.

Anti-Poverty Strategy

188. **Deputy Aengus Ó Snodaigh** asked the Minister for Community, Rural and Gaeltacht Affairs the approach he plans to take to the setting of poverty reductions targets, their form and level under the new EU 2020 strategy when the issue is discussed at the June European Council meeting. [20784/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): The European Council at its meeting in March 2010 agreed on the inclusion of five headline targets in *Europe 2020: A strategy for smart, sustainable and inclusive growth*. The targets constitute shared objectives guiding the action of the Member States and the Union on the key areas where action is needed: knowledge and innovation, a more sustainable economy, high employment and social inclusion.

The target to promote social inclusion is framed in terms of poverty reduction targets. Its purpose is to measure progress in reducing poverty and in ensuring that the benefits of growth and jobs are shared. The Commission proposed a target of reducing poverty in Europe by 25 per cent or 20 million people using the at-risk-of-poverty indicator. The European Council decided that further work is needed on appropriate indicators and will revert to the issue at its June 2010 meeting.

The Irish Government supports the decision to include a poverty target in the European strategy for 2020. Ireland favours the formulation of an appropriate target based on a poverty indicator, which reflects the multi-dimensional nature of poverty. The overall EU poverty reduction target will be translated into national targets to take account of the differing starting points of member states. Since 1997, the Irish Government has adopted poverty targets as part of its national policy against poverty and for social inclusion. The Irish target is based on a composite poverty measure called ‘consistent poverty’. The measure identifies the percentage of the population which is both below 60 per cent of median income (known as ‘at-risk-of-poverty’) and experiencing material deprivation (the enforced lack of two or more basic necessities).

The Government target in the *National Action Plan for Social Inclusion 2007-2016* is to further reduce consistent poverty to between 2-4 per cent by 2012 and to eliminate it by 2016. The latest results from the EU Survey on Income and Living Conditions (EU-SILC), released in November 2009, which applied to 2008, indicated at that stage that the reductions in poverty were on track to achieve both the 2012 and 2016 targets. It showed that the rate of consistent poverty in the population in 2008 was 4.2 per cent, down from 5.1 per cent in 2007 and 6.5 per cent in 2006.

The EU Social Protection Committee (SPC), through an expert sub-group, is examining the appropriate indicators for an EU poverty target. Officials of the Social Inclusion Division of my Department and officials of other relevant Departments are actively participating in these deliberations. A number of options are under consideration. These were discussed at the SPC meeting on 17/18 May and, following those deliberations, a recommendation is to be framed for consideration at the ESPHCA Council of Ministers meeting on 7/8 June. It is anticipated that the proposal for an appropriate poverty target will be decided at the European Council meeting later in June.

Departmental Staff

189. **Deputy Richard Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the number of persons primarily employed to process entitlement payments (details supplied) in schemes or agencies under his remit; and if he will make a statement on the matter. [20822/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): I wish to advise the Deputy that the term ‘entitlement payments’, when used in the context of the benefit schemes that my Department provides, implies guaranteed access to benefits conferred by rights or by statute, where the costs must be met by the Exchequer.

The position is that my Department operates no schemes that confer entitlements in the areas to which the Deputy refers in his Question. Those areas do, however, process a range of payments other than entitlement payments and 5.2 Departmental staff (full-time equivalents) are engaged in such work.

Departmental Agencies

190. **Deputy Richard Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20834/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): I can advise the Deputy that five district inspectors and one internal control person are involved in carrying out inspections on behalf of my Department in the context of the service referred to by the Deputy. In addition, two regional inspectors carry out supervisory inspections and, if required, can also undertake routine inspections.

No staff in the other area to which the Deputy refers in his Question are involved in undertaking inspections, as my Department has no such statutory functions in relation to that particular sector.

Job Creation

191. **Deputy Brian Hayes** asked the Minister for Community, Rural and Gaeltacht Affairs the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20905/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): As the Deputy is aware, my Department administers and delivers a wide range of programmes and measures, including programmes focussed on supporting people into education, training and employment, details of which are available on my Department's website at www.pobail.ie.

In relation to the Deputy's specific query regarding job creation targets included in published policy papers, reports and documents commissioned by or compiled by my Department, I refer the Deputy to the document *Ireland CAP Rural Development Programme 2007-2013*, which estimates that 12,500 new jobs will be created across the rural economy over the lifetime of that programme. This figure is also reflected in the *Renewed Programme for Government 2009* and *Building Ireland's Smart Economy 2009*.

For the sake of completeness, I would like to draw the attention of the Deputy to other programmes/measures operated by my Department which have significant employment creation/maintenance aspects, including:

- the Community Services Programme, which provides jobs for vulnerable members of the community, as well as services to enhance community life and local economies, with a total of 2,700 persons currently employed under the programme;
- the Rural Social Scheme (RSS), which provides additional income to over 2,600 low and medium income farmers and fisherpersons, as well as benefiting communities and helping to generate economic renewal at local level;
- the Local and Community Development Programme, which specifically supports individuals into employment and self-employment through education, training, work experience and job placement in both urban and rural areas, with some 45,000 adults supported in 2009;
- funding to Údarás na Gaeltachta to support economic development, growth and job creation in the Gaeltacht, with the creation of 500 new jobs targeted for 2010, as well as supporting 7,400 full-time equivalent jobs already in place; and

- funding to the Western Development Commission, which provides risk capital for small and medium-sized enterprises, community enterprises and strategic projects in the western region, with 87 enterprises employing 1,300 staff supported to date.

I should also add that my Department believes that rural recreation and associated measures over the coming period will offer significant opportunities for attracting more visitors to Ireland's regions and thus for further job creation.

Social Insurance

192. **Deputy Enda Kenny** asked the Minister for Social Protection when it is intended to implement the PRSI holiday exemption in respect of the €36 million set aside in Budget 2010; and if he will make a statement on the matter. [20779/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Full details of the Employer Job (PRSI) Incentive Scheme, including the application procedure, will be announced shortly. It will be administered by the Department of Social Protection.

The scheme will run for the calendar year 2010 only. However, any qualifying employment created in 2010 will be eligible for the scheme, which will be structured so that employment created prior to the launch can participate for 12 months forward from the time of launch and employment created later in the year will participate for 12 months to the corresponding date in 2011.

Social Welfare Appeals

193. **Deputy Willie O'Dea** asked the Minister for Social Protection when the case of a person (details supplied) will be decided. [20785/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am advised by the Social Welfare Appeals Office that, in accordance with statutory requirements, the Department was asked for the documentation in the case and the Deciding Officer's comments on the grounds of the appeal. In that context, an examination by another Medical Assessor will be carried out. The person concerned will be notified when arrangements for the examination have been completed.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

194. **Deputy Willie O'Dea** asked the Minister for Social Protection when an application for domiciliary care allowance will issue in respect of a person (details supplied) in County Limerick. [20805/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing in the case. The person concerned will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Departmental Staff

195. **Deputy Richard Bruton** asked the Minister for Social Protection the number of persons

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primarily employed to process entitlement payments (details supplied) in schemes or agencies under his remit; and if he will make a statement on the matter. [20823/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): There are almost 2,800 posts that are primarily occupied in processing claims made under the various schemes administered by the Department. The main scheme areas are Unemployment Schemes, Illness Schemes, Pensions Schemes and Family Support Schemes.

In addition, the Department's Inspectorate, comprising over 400 posts, carry out means assessment, where required, for the various schemes as part of their overall remit. A further 900 posts are directly engaged in other aspects of claim processing, such as managing PRSI records, while another 700 posts provide support services in areas such as policy, finance, IT, HR and other corporate functions.

The Family Support Agency is no longer under the aegis of the Department as responsibility for the Agency has transferred to the Department of Community, Equality and Gaeltacht Affairs. With regard to the Money Advice and Budgeting Service, the position is that the Department funds the Service through the Citizens Information Board. However, while the Service provides advice and assistance on managing debt problems, it does not pay debts, provide financial assistance to clients or process payments.

196. **Deputy Richard Bruton** asked the Minister for Social Protection the number of persons primarily employed in the collection of overpayments. [20844/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Central Overpayments and Debt Management (CODM) Unit of the Department is the section that monitors the current debt recovery policies and practices of the Department with a view to improving the level of debt recovered. It is also the central reporting area for all the Department's overpayments. There is 7 staff within the CODM Unit.

In addition each of the Department's primary scheme areas and each local office have a debt management function. The number of staff specifically involved in the collection of debt will depend on the claimload and the level of overpayments in each of these areas.

Job Creation

197. **Deputy Brian Hayes** asked the Minister for Social Protection the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20914/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): While primary responsibility for job creation rests with the Department of Enterprise, Trade and Innovation, my Department has a role in supporting people from welfare to work.

The Department operates a range of activation programmes and second chance education opportunities which assist unemployed people, and other social welfare recipients to improve their employability and personal and family situations. My Department will also, under the new role it has been given, including responsibility for the employment services of FÁS and schemes such as the Community Employment and Rural Social Schemes, be much more directly involved in providing new opportunities to those who do not get full time employment.

In addition, my Department, together with the Department of Enterprise, Trade and Innovation, the Department of Education and Skills and FÁS supports the unemployed under a number of new measures. These include the Work Placement programme, the Short Time

Work Training programme, the Back to College Initiative and the redundant apprentice programme.

Social Welfare Appeals

198. **Deputy Willie O'Dea** asked the Minister for Social Protection when an application for carer's allowance in respect of a person (details supplied) in County Limerick will be decided on; and if he will make a statement on the matter. [20992/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that, following receipt of the relevant Departmental papers including comments on the grounds of appeal, the appeal from the person concerned will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister of Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

199. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [21058/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Spouses who operate in a commercial partnership may be retrospectively brought into the social insurance system, subject to meeting certain criteria.

Having considered all the available information in this case (details supplied), including the Social Welfare Investigator's report, the Deciding Officer decided that a commercial partnership did not exist — i.e. the person was not in a commercial partnership with her husband in the running of the family farm and that, therefore, her employment was not insurable. The Deciding Officer also decided that any income that the person derived from the leasing of land owned in her own name is subject to PRSI at the Class S rate, up to 2002 (when the person reached 66 years of age) provided that the income equals or is in excess of £2,500 (€3,174) per annum. An appeal was submitted and an oral hearing was heard on 24 March 2010. The Appeals Officer upheld the Deciding Officer's decision.

To date, evidence of rental income declared to Revenue has not been provided for contributions to be awarded. Entitlement to State Pension Contributory cannot therefore be assessed at this time.

Departmental Agencies

200. **Deputy Richard Bruton** asked the Minister for Defence the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20832/10]

Minister for Defence (Deputy Tony Killeen): I can confirm that there are no people employed in the Civil Defence Board or in Conciliation and Arbitration Branch to carry out inspections.

Defence Forces Strength

201. **Deputy Brian Hayes** asked the Minister for Defence the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20906/10]

Minister for Defence (Deputy Tony Killeen): I am not aware the Department has not claimed that new jobs will be created on the basis set out by the Deputy. The White Paper on Defence (2000) set out a strength of 10,500 personnel for the Permanent Defence Force.

Within the available resources, the Department of Defence is committed to maintaining the strength of the Defence Forces at a level of 10,000 all ranks, for which Government approval was secured in the context of Budget 2010. This reflects the reductions in personnel recommended in the Report of the Special Group on Public Service Numbers and Expenditure Programmes.

The strength of the Permanent Defence Force as at 31 March, 2010 was 9,877, comprising 8,051 Army, 800 Air Corps and 1,026 Naval Service personnel. As the numbers in the Permanent Defence Force have dropped below 10,000, recruitment will be conducted in 2010 in order to bring the numbers back to this level.

Defence Forces Property

202. **Deputy Jack Wall** asked the Minister for Defence if matters relating to housing and housing evictions have been resolved; if the sale of the houses in an estate (details supplied) have been resolved; if the estate is now ready to be handed over to the local authority; and if he will make a statement on the matter. [21077/10]

Minister for Defence (Deputy Tony Killeen): As indicated in my reply to Parliamentary Question No. 173 of 21st April, 2010 there are 41 properties overheld at the Curragh, 38 within the confines of the camp and 3 outside the camp in the estate to which the Deputy refers. These houses have not yet been sold for a variety of reasons the predominant one being that the occupier is not willing to purchase at an acceptable price. The Department is developing its position in relation to all occupied properties at the Curragh with a view to ensure that the issue of overholding is addressed. In order to have the estate taken in charge some remedial work needs to be undertaken to arrive at a standard whereby the local authority is willing to take it in charge.

Local Authority Staff

203. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No 307 of 11 May 2010, if he has given consent for fixing an education standard of a civil engineering degree level 8 national framework of qualifications to water services operations management roles in any local authority; the local authorities in which consent was given; and if he will make a statement on the matter. [20773/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): While there are no declared engineering qualifications with the specific title of Civil Engineering to Water Services Operations Management, there are national qualifications for Engineering posts for Sanitary Services.

In 2005, following consultation with all key stakeholders, four National Qualifications for Engineering posts of Senior Executive Engineer, Senior Engineer, Executive Engineer and Assistant Engineer were declared. The Qualifications require applicants to hold a degree in Engineering at level 8 on the National Framework of Qualifications, have not less than four years satisfactory experience in Civil Engineering work, and be capable of dealing efficiently with the range of engineering work undertaken by a local authority.

Water and Sewerage Schemes

204. **Deputy Michael Kennedy** asked the Minister for the Environment, Heritage and Local

Government if he will sanction the funding required for replacement of the sewer pipes along Channel Road and Sandy Road, Rush, County Dublin; and if he will make a statement on the matter. [20787/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department has sought additional information from Fingal County Council in relation to its recent proposal to carry out this work as an addition to the Portrane/Donabate/Rush/Lusk Wastewater Treatment Plant contract. A decision on the proposal will be expedited on receipt of the information requested.

Departmental Staff

205. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20836/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Professional and Technical staff are employed in my Department to provide technical and scientific analysis and advice, and, where appropriate, to undertake inspections. In this context, the number of people who may be involved in inspections in the areas for which information is sought in the question is as follows:

	Number
Environment Inspectorate	6
Water Inspectorate	13
Planning Inspectorate	6
Housing and Building Standards Inspectorate	33

Within the Environmental Protection Agency, approximately 100 people are employed to carry out a range of inspections.

206. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the number of persons employed in the collection of overpayments. [20845/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): There is no one working solely on the collection of overpayments within my Department. Should they arise, overpayments are pursued by the relevant Section of the Department and the recovered amounts are processed by the Accounts Section. In the case of any salary overpayments, recovery arrangements are put in place through the payroll on foot of instructions from Personnel.

207. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the number of persons employed in the issuing of licences (details supplied) in agencies or schemes under his remit. [20850/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The issuing of dog licences and exhumation licences are matters for individual local authorities. Deer hunting licences are issued by the licensing section of my Department's National Parks and Wildlife Service (NPWS). The licensing section, which has approximately 9 full-time equivalent members of staff, deals with all licences issued under the Wildlife Acts. Regional Management staff of the NPWS are also consulted in the assessment of deer licence applications but this constitutes a small proportion of their work.

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Waste licences (including landfill), Integration Pollution Prevention Control licences, waste water discharge licences, licences for the contained use and deliberate release of Genetically Modified Organisms, and Volatile Organic Compound licences are issued by the Environmental Protection Agency, where approximately 50 staff are employed in the issuing of licences.

The National Property Services Regulatory Authority, horse licences, and dangerous substances licences are matters for my colleagues the Minister for Justice, Equality and Law Reform, the Minister for Agriculture, Fisheries and Food and the Minister for Enterprise, Trade and Innovation respectively.

Job Creation.

208. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20909/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Works funded under my Department's capital programmes, amounting to some €1.5 billion in 2010, are generally labour intensive. Such works include construction in respect of housing and water services; regeneration/remedial works; energy efficiency retrofitting; provision of extensions and improvements; built heritage conservation; and improvements to national parks. These programmes support the creation and maintenance of employment both during the carrying out of the relevant capital works and, in many cases, over the longer-term as well. The potential to assist job creation/maintenance is taken into account in the development of policies, the management of programmes and the preparation of related documents.

Proposed Legislation

209. **Deputy Liz McManus** asked the Minister for the Environment, Heritage and Local Government the position regarding legislation that will cover noise pollution; the way he intends to tackle noise pollution in neighbourhoods; if his attention has been drawn to the fact that this is a significant issue for many neighbourhoods; the status of the neighbourhood noise Bill; and if he will make a statement on the matter. [20920/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Government is committed to introducing comprehensive legislation on noise pollution. As part of the preparatory process, extensive public consultation was undertaken during which over 200 submissions were received from the public and key stakeholders. After due consideration of these submissions, the General Scheme of a Noise Nuisance Bill was prepared and approved by the Government in May 2009 and is scheduled for publication later this year.

Currently, a person experiencing noise nuisance may contact their local authority to ascertain if it will initiate proceedings on grounds of noise nuisance under the Environmental Protection Agency Act, 1992. It is also open to any person, or group of persons, to seek an order in the District Court to have noise giving reasonable cause for annoyance abated under section 108 of the Act. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet A Guide to the Noise Regulations, outlining the legal avenues available to persons experiencing noise nuisance, is available on my Department's website www.environ.ie.

Register of Electors

210. **Deputy Seán Power** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the difficulties being experienced by residents of nursing homes in having their names included on the register of electors; if he will consider making alterations that would allow persons other than doctors to verify their eligibility; and if he will make a statement on the matter. [20922/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): In law, the preparation of the Register of Electors is a matter for each local registration authority — the city and county councils. It is their duty to ensure, as far as possible and with the cooperation of the public, the accuracy and comprehensiveness of the Register.

Section 17 of the Electoral Act 1992 requires a registration authority to prepare a special voters list comprising electors with a physical illness or disability living in hospitals, nursing homes or similar institutions who are unable to go in person to vote at their polling place. Rule 19(c) of the Second Schedule to the Electoral Act 1992 requires, in the case of a first application to be included in the special voters list, a certificate from a medical practitioner certifying the nature and extent of the illness or disability to be submitted by the applicant. However, Rule 19 also provides that in the case of subsequent applications the applicant must furnish a medical certificate only when required to do so by the registration authority.

My attention has not been drawn to any particular difficulties with these provisions and I have no plans to alter the existing arrangements regarding the application process for inclusion on the special voters list.

Urban Renewal Schemes

211. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government the steps that have been taken towards progressing the Regeneration Projects in Dublin North Inner City, O'Devaney Gardens, Dominick Street, Séan McDermott Street and Croke Villas; and if he will make a statement on the matter. [20993/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I refer to the reply to Questions Nos. 55 and 29 of 22nd April, 2010, which sets out the current position on these projects.

Legislative Programme

212. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government the Acts or Bills that have been initiated by him since coming to office; the Acts or Bills were initiated in the Dáil Éireann and those in the Seanad Éireann; the time given to each stage of the passage of the legislation through the Houses of the Oireachtas; and if he will make a statement on the matter. [21063/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department provides a detailed list of the legislative activity (primary and secondary) undertaken during the previous year in each of its Annual Reports. These Reports are published on my Department's website (www.environ.ie). The Acts or Bills initiated by me since coming to office, the House in which they were initiated and the time given to each stage is set out in the following table.

Title of Bill or Act	Date Initiated or Published	House Initiated in	Second Stage	Committee Stage	Report Stage	Final Stage	Second Stage (2nd House)	Committee Stage	Report Stage	Final Stage	Date Enacted
Wildlife (Amendment) Bill 2010	20 April 2010	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Dog Breeding Establishments Bill 2009	18 December 2009	Seanad	26 Jan, 3 Feb 2010	10, 25 Feb., 3, 9 Mar 2010.	No date yet for Report Stage	n/a	n/a	n/a	n/a	n/a	n/a
Planning and Development (Amendment) Bill 2009	3 June 2009	Seanad	3 days -7, 28 Oct, 4 Nov 2009	2 days -19, 25 Nov 2009	1 day -1 Dec 2009	n/a	6 days -2 Dec 2009, 20, 28 Jan, 3 Feb, 2, 25 March 2010	Not yet at Committee Stage	n/a	n/a	n/a
Residential Tenancies (Amendment) Act (2009)	27 January 2009	Dáil	Bill completed all stages in the Dáil on 27 January 2009 (Duration 1 Hour), all stages in the Seanad on the 28 January (Duration 1 Hour) and was enacted 28 January 2009.								
Electoral (Amendment) Act 2009	27 June 2008	Dáil	4 days – 24, 25 Sept. 7, 8 Oct. 2008	1 day –11 Nov. 2008	1 day – 18 Dec. 2008	1 day – 18 Dec. 2008	2 days – 29 Jan, 4 Feb 2009.	2 days – 12, 18 Feb. 2009.	1 day – 18 Feb. 2009	1 day – 18 Feb. 2009	24 Feb. 2009
Electoral Amendment (No. 2) Act 2009	2 March 2009	Dáil	1 day – 11 Mar. 2009	1 day –12 Mar. 2009	1 day – 12 Mar. 2009	1 day – 12 Mar. 2009	1 day – 24 Mar. 2009	1 day –25 Mar. 2009	1 day – 25 Mar. 2009	1 day – 25 Mar. 2009	25 Mar. 2009
Housing (Miscellaneous Provisions Act 2009	25 July 2008	Seanad	2 days – 1 and 8 Oct 2008	2 days – 19 Nov and 3 Dec 2008	1 day – 10 Dec 2008	1 days – 10 Dec 2008	5 days – 5, 26 and 31 Mar and 1 and 30 Apr 2008	2 days – 9 and 10 June 2009	1 day – 25 June 2009	1 day – 25 June 2009.	15 July 2009
Local Government (Charges) Act 2009	22 June 2009	Seanad	1 day – 1 July 2009	1 day – 1 July 2009	1 day 2 July 2009	1 day 2 July 2009	1 days 9 July 2009	1 day – 9 July 2009	1 day – 9 July 2009	1 day – 9 July 2009Return to Seanad 15 July 2009 (1 day)	21 July 2009
Motor Vehicle (Duties and Licences) Act 2008	31 Jan 2008	Dáil	1 day – 20 Feb 2008	1 day – 5 Mar. 2008 Financial resolution 4 Mar. 2008	1 day – 11 Mar. 2008	1 day 11 Mar 2008	1 day – 19 Mar 2008	1 day – 20 Mar 2008	1 day – 20 Mar 2008	1 day – 20 Mar 2008	26 Mar. 2008
Local Government Services (Corporate Bodies) (Confirmation of Orders) Act 2008	28 Feb 2008	Seanad	1 day – 28 Feb. 2008	1 day – 11 Mar 2008	1 day – 11 Mar 2008	1 day – 11 Mar 2008	1 day – 10 April 2008	1day –1 May 2008	1 day – 14 May 2008	0	20 May 2008
Motor Vehicle (Duties and Licences) (No. 2) Act 2008	31 Jan 2008	Dáil	1 day – 27 Nov. 2008	1 day – 9 Dec. 2008	1 day – 16 Dec. 2008	1 day – 16 Dec. 2008	1 day – 17 Dec 2008	1 day – 17 Dec 2008	1 day – 17 Dec 2008	1 day – 17 Dec. 2008	22 Dec. 2008
Local Government (Roads Functions) Act 2007	2 Nov. 2007	Dáil	2 days – 13, 14 Nov. 2007	1 day – 14 Nov. 2007	1 day – 14 Nov. 2007	1 day – 14 Nov. 2007	1 day – 15 Nov. 2007	1 day –20 Nov. 2007	1 day – 20 Nov. 2007	1 day – 20 Nov. 2007	26 Nov. 2007

¹Because the text of the Bill approved by the Seanad was subsequently changed in the Dáil, the Bill had to return to the Seanad for a second Report and Final Stage. This took place on 1 July 2009 (1 day).

Unfinished Housing Estates

213. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if he has advised local authorities regarding the taking in charge of unfinished estates when the developer is unable to meet his obligations; the number of such estates and the number in respect of which a bond is in place; if funds have been set aside for the purpose of assisting local authorities to meet the health and safety requirements of residents in partially occupied but otherwise abandoned estates; and if he will make a statement on the matter. [21065/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Department is progressing a range of actions, with the co-operation of local authorities and other key stakeholders, to address the issue of unfinished or unoccupied estates. These actions include an accurate quantification, classification and mapping of the various types of unfinished or unoccupied estates on a county by county basis to understand the scale and distribution of the problem. I anticipate that, following a pilot exercise with one local authority, a comprehensive national inventory should be completed in the middle of the year.

The Department is also preparing a best practice policy manual which aims to identify the necessary responses to ensure satisfactory outcomes in tackling difficulties on specific sites in a coordinated and pro-active manner. The responses will require a range of interventions across a number of disciplines — there are issues of public safety, the provision of bonds and securities, environmental protection, building control and estate management.

Developers and owners of sites are required to ensure that their sites are left in a safe and secure condition. Local authorities are prioritising action to ensure that these obligations are discharged and that sites within their areas are properly secured from public access and, where necessary, are made structurally sound. In this regard, existing legislation such as the Derelict Sites Act 1990 and Litter Acts 1997 — 2003, along with planning legislation, can be used to ensure developers and the owners of sites engage with local authorities in addressing specific difficulties. We will also keep the need for further legislative reforms to assist local authorities on this issue under review.

Environmental Policy

214. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Heritage and Local Government the reason he is spending a projected €1,062,425 on mink eradication when a National Parks and Wildlife Service commissioned report states that escapes from fur farms would invalidate any attempts to eradicate feral populations; and if he will instead accelerate the closure of fur farms. [21068/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Mink found in the wild in Ireland are descended from animals that escaped from fur farms. They have been breeding in the wild since the 1950s and are now found throughout the country. A report published by my Department in 2009 estimated that a national eradication programme for mink would cost in excess of €1 million, based on a potential population of between 20,500 and 33,500 individuals.

It is not my intention to undertake a national mink eradication programme. Resources are concentrated on protecting the nesting sites of rare and threatened bird species including red-throated divers, corncrakes, waders and terns from a range of predators including mink. Experience has shown that targeted control of predators at specific times can have a significant benefit to the breeding success of these species. This year some €60,000 will be spent on this work.

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As wild mink are not protected under the Wildlife Acts 1976 and 2000 they can also be trapped freely by landowners and their agents. The renewed Programme for Government includes a commitment to phase out fur farms over a three year period and this commitment will be addressed by the Minister for Agriculture, Fisheries and Food.

Departmental Agencies

215. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20837/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): There are no persons employed to carry out inspections in the Electricity and Gas Regulation Division, Communications Policy Division or the Postal Division in my Department. The management of persons employed to carry out inspections by the Commission for Energy Regulation, the Commission for Communications Regulation and An Post are day to day operational matters for them. As my Department does not hold the relevant details, I will request that the agencies involved reply directly to the Deputy with the information sought.

216. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources the number of persons primarily employed in the issuing of licences (details supplied) in agencies or schemes under his remit. [20848/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): My Department does not hold the relevant details. I will request that the bodies involved reply directly to the Deputy with the information sought. The deployment and management of persons in issuing licences by the Commission for Energy Regulation, and in the issuing of licences by the bodies mentioned by the Deputy, are day to day operational matters for the bodies concerned.

Prospecting Licences, in respect of minerals exploration, and State Mining Leases/Licences, are processed by the Exploration and Mining Division of my Department. The 10 full time and one part time staff of this Division also deal with relevant policy, legislation and regulatory issues, as well as the promotion of Ireland as a target for minerals exploration.

The Mining Board is a body established under the Minerals Development Acts 1940 to 1999, to adjudicate on various matters prescribed under those Acts. The board has no responsibility for issuing licences.

Telecommunications Services

217. **Deputy Mattie McGrath** asked the Minister for Communications, Energy and Natural Resources when broadband is expected to be rolled out in areas (details supplied) of South Tipperary and West Waterford; and if he will make a statement on the matter. [20895/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Prior to the commencement of the National Broadband Scheme (NBS) a detailed mapping exercise was carried out to help determine those areas that would be included in the scheme and those which, by virtue of being already substantially served by existing broadband suppliers, were to be excluded.

EU State aid and competition rules govern how states can intervene in areas where there are existing service providers operating. Accordingly, the NBS is prohibited from providing a

service in served areas where to do so would give rise to an unacceptable level of market distortion.

That mapping exercise found a number of broadband suppliers were already active in the areas referred to in the Deputy's Question and consequently the localities were excluded from the Scheme. Details of broadband services available in each county can be found on ComReg's website at www.callcosts.ie.

It continues to be a priority of the Government that there will be broadband coverage across the entire country. However, despite Government and private investment in broadband, I am aware that there continues to be a small percentage of premises throughout the country 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 Programme (EERP) funding for rural broadband initiatives. My Department is currently considering the design and implementation of a scheme which would use this funding to address the issue of basic broadband availability to un-served rural premises outside of the NBS areas. This work will include the identification of premises not capable of receiving broadband. It is hoped to commence this scheme in late 2010 and have it completed by 2012. As the scheme is only at the design stage, there is no application process at this juncture. Information in relation to acceptance of applications and the process of qualification under the scheme will be made available in due course when the scheme is launched.

Job Creation

218. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources the number of jobs his Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20904/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I launched the publication "Technology Actions to Support the Smart Economy" in Government Buildings on 21 July 2009. This is a strategy aiming to position Ireland at the forefront of the digital and clean technology revolution; creating the investment and jobs of the future.

With six new and innovative plans for Government action and infrastructure development, the report identifies the potential to create up to 30,000 jobs as a baseline target for achievement over the next 5-10 years. This includes direct and indirect jobs related to the following range of actions:

- The Exemplar Smart Communications Network;
- Efficient Data Centres and Cloud Computing;
- International Content Services Centre (ICSC) ;
- Smart Electricity Networks;
- WorkFlow;
- Smart Bay.

Alternative Energy Projects

219. **Deputy James Reilly** asked the Minister for Communications, Energy and Natural

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Resources the date the renewable energy feedin tariff price for co-firing in the peat power stations will be announced; and if he will make a statement on the matter. [21062/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Government has set the targets for the contribution from renewable energy sources to electricity at 40% by 2020. The 40% electricity target is consistent with the new EU target addressed to Ireland in the Renewable Energy Directive 2009/28/EC, which requires Ireland to increase the contribution from renewable sources to 16% of all energy consumed (encompassing electricity, transport and heating) by 2020.

Reflecting the need to support the development of biomass, I announced in February 2008 a Renewable Energy Feed In Tariff (REFIT) for biomass of 12 cent per kilowatt hour.

Under the auspices of the Renewable Energy Development Group, which is chaired by my Department, the Bio-energy Working Group is currently finalising a Bio-energy Road Map to 2020 which will underpin the contribution of bio-energy, including biomass to Ireland's Renewable Energy target for 2020. The Working Group is reviewing the current REFIT for the various categories of biomass, having regard to the particular challenges for the sector and I expect that work to be finalised within the next few weeks.

Departmental Staff

220. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food the progress made to date on the move by his Department of staff at Dockgate Office Galway, Tuam and Loughrea to the relocation site at Mellows College Complex, Athenry, County Galway; when the staff will move to the new location; the expenditure to date in fitting out and upgrading of the new facility; the expected cost of the move; and if he will make a statement on the matter. [20809/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department is completing the current phase of the reorganisation of its network of local offices. When this phase has been completed, arrangements for the final phase, to include Galway, will be finalised.

In the meantime my Department has asked the Office of Public Works to report on the cost of refurbishing the offices in Mellows College, Athenry. When this report is to hand the position in regard to the relocation will be finalised.

In relation to the Department's accommodation in Dockgate the Office of Public Works deal with rental arrangements for my Department.

221. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food the number of staff employed at the Dockage Street offices of his Department and associated staff; the number of staff that have agreed to transfer from the Galway Office to Athenry, County Galway; the number of staff that have refused to relocate or retire; and if he will make a statement on the matter. [20810/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are 52.5 full time equivalent staff in my Department's office in Galway. My Department has not yet sought expressions of interest from staff who may be interested in relocating there.

Aquaculture Licences

222. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food his role in

the issuing of aquaculture licences; the names and number of applications for renewal and or new aquaculture licences to grow oysters in the State; the reason that there is a four year waiting time for these licences to be processed; and if he will make a statement on the matter. [20811/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department has responsibility for the licensing of aquaculture in the State in accordance with the provisions of national and EU law. Pursuant to the Fisheries (Amendment) Act 1997, the primary legal framework for the aquaculture industry in the State, any decision made on an application for an aquaculture licence can be appealed to the independent Aquaculture Licences Appeals Board.

In considering an application for an aquaculture licence, including an application to renew an aquaculture licence, my Department must consider:

- the potential impacts on safety and navigation,
- the ecological impacts on wild fisheries, natural habitats, flora and fauna,
- the suitability of the waters,
- the other beneficial uses of the place or waters,
- the likely effects on the economy of the area, and
- the statutory status under European legal frameworks of the area under application.

This process involves consultation with a range of scientific and technical advisers as well as various statutory consultees. Applications are also subject to public consultation whereby any interested person or body may make submissions or observations on any licence application.

It has not been possible in the time available to provide the information sought by the Deputy in respect of the names and number of applications for renewal and/or new aquaculture licences for the specific purpose of growing oysters. The data is currently being compiled and will be forwarded to the Deputy as soon as possible.

The backlog in the processing of new and renewal licence applications largely arises because the majority of areas for which the licences are sought are designated Special Areas of Conservation under the EU Habitats Directive and/or Special Protection Areas under the EU Birds Directive (Natura 2000 sites).

In the case of aquaculture sites located within Natura 2000 areas my Department, in conjunction with the Marine Institute and the National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government is engaged in a comprehensive programme to gather the necessary baseline data appropriate to the conservation objectives of these areas. This process is ongoing. The comprehensive data collection programme together with the setting of appropriate conservation objectives will enable all new and renewal applications to be appropriately assessed for the purpose of ensuring compliance with the EU Birds and Habitats Directives.

My Department continues to make every effort to expedite the determination of all outstanding cases having regard to the complexities of each case and the need to comply fully with all national and EU legislation.

Departmental Agencies

223. **Deputy Richard Bruton** asked the Minister for Agriculture, Fisheries and Food the

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number of person employed to process entitlements payments (details supplied) in schemes or agencies under his remit. [20821/10]

224. **Deputy Richard Bruton** asked the Minister for Agriculture, Fisheries and Food the number of persons employed to carry out inspections (details supplied) in schemes or agencies under his remit. [20829/10]

226. **Deputy Richard Bruton** asked the Minister for Agriculture, Fisheries and Food the number of persons primarily employed in the issuing of licences (details supplied) in agencies or schemes under his remit. [20846/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 223, 224 and 226 together.

A total of 221 officials are employed to process applications under the Single Payment Scheme, Single Payment entitlements, CAP Rural Development Scheme, the Bio Energy Scheme, Disadvantaged Areas Scheme, Upland Sheep Payment, Sugar Diversification Fund, Sugar Restructuring Fund, Protein Aid, Grassland Sheep Scheme, Dairy Efficiency Programme, Dairy Hardship Fund, Burren Farming for Conservation Scheme, the once off Aid for Damaged Fodder and Aid for Frost Damaged Crops Schemes and the maintenance of the Land Parcel Identification System.

In general the number of persons involved in the issuing of licences is determined by the type and complexity of the application submitted by the applicant. In many cases staff are not primarily involved in the issuing of licences as a sole activity. As a result this reply is based on full time equivalent staff that are necessary to issue the licences over a twelve month period. Other than those issued by State Bodies, the number of officials involved in issuing licences is 66.

There are 273.2 Veterinary Inspectors, 194 Agricultural Inspectors, 488 Technical Agricultural Officer and 36 Forestry Inspectors employed by my Department. The numbers quoted are full time equivalents. These inspectors are involved in a range of activities including the inspections referred to by the Deputy.

The operational work of State Bodies is a matter for the Bodies themselves.

Departmental Staff.

225. **Deputy Richard Bruton** asked the Minister for Agriculture, Fisheries and Food the number of persons primarily employed in export refunds. [20841/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are 26 staff (whole time equivalents) working in the Export Refunds area of my Department at the present time — a quarter of the number engaged in this area ten years ago. The plan is for further substantial reductions over the next few months as remaining work is cleared and export-refund related activity continues to decline.

Question No. 226 answered with Question No. 223.

Job Creation

227. **Deputy Brian Hayes** asked the Minister for Agriculture, Fisheries and Food the number of jobs his Department claimed will be created as part of published policy papers, reports and

documents commissioned by or compiled by his Department between 2010 and 2020; and if he will make a statement on the matter. [20903/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are no claims that jobs will be created in policy papers, reports or documents commissioned by or compiled by my Department over the last five years.

However, in March 2009, I announced awards of grant aid under the Beef and Sheepmeat Investment Fund indicating that the proposed investments were expected to increase net sales by €408 million, exports by €433 million and employment by 840.

Installation Aid Scheme.

228. **Deputy Michael Ahern** asked the Minister for Agriculture, Fisheries and Food the position regarding an application for installation aid in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [20918/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department has no record of having received an application under the Young Farmers' Installation Scheme from the person concerned. As the Deputy will be aware, the Scheme was suspended for new applications on 14 October 2008.

Grant Payments.

229. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason farmers are being refused grant aid under the cow welfare scheme for no other reason than they weaned more than ten animals at the one time; if his attention has been drawn to the fact that this has caused problems for many farmers who genuinely did not understand the scheme; if he has satisfied himself that there should be a full 100% penalty for a genuine misreading of the regulations; and if he will make a statement on the matter. [21060/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Terms and Conditions of the Suckler Welfare Scheme (section 8.5.2) clearly states that for herds of more than 10 suckler cows a gradual weaning procedure must be followed. It is open to the farmers to wean at pasture or indoors but the calves must be weaned in at least 2 separate groups with each group being removed at a minimum interval of 5 days. A copy of the Terms and Conditions is issued with the application form to each farmer, and in signing the application form the applicants agreed to be bound by the Terms and Conditions of the Scheme.

Extensive research has been undertaken by Teagasc over a number of years into weaning practices and it has been found that weaning in separate groups reduces the stress on the calves at weaning time thus reducing the risk of weight loss and illness and thereby improving the welfare and quality of the weanlings. All stakeholders in the beef sector have agreed that the Scheme has proven to be very successful since its inception and it is important, that the requirements covering the weaning of calves, which is a fundamental part of the Scheme, be retained.

School Transport

230. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Education and Skills the number of buses that are in the school bus fleet; and if she will make a statement on the matter. [21007/10]

231. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Education and Skills the percentage of private and public buses in the school fleet; and if she will make a statement on the matter. [21008/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): I propose to take Questions Nos. 230 and 231 together.

Bus Éireann which operates the school transport scheme has informed my Department that a wide range of vehicle types are used to provide services under the Department of Education School Transport Scheme to meet the particular needs of the eligible children being carried. These include wheelchair accessible minibuses, standard minibuses, taxis, medium sized buses and large capacity buses.

There are currently just under 4,000 dedicated vehicles allocated each school day for this purpose, consisting of 632 taxis and 3,299 buses. In addition, tickets are issued for use by eligible schoolchildren under the School Transport Scheme on public and privately operated public scheduled services where these are available.

Of the 3,299 buses used to provide services under the School Transport Scheme, 82% are provided by private operators under contract to Bus Éireann, while the balance are Bus Éireann buses dedicated to the provision of school transport services.

Schools Building Projects

232. **Deputy Michael Kennedy** asked the Tánaiste and Minister for Education and Skills if her attention has been drawn to the fact that more than €250,000 has been spent on renting prefabs over the past ten years for a school (details supplied) in County Dublin; when this school will receive the permanent buildings that it requires; and if she will make a statement on the matter. [20761/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers applied to the Department for capital funding for an extension project in 2000. The delivery of this project will involve the replacement of the prefabs currently on site. The application was assessed in accordance with published prioritisation criteria for large scale 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, is now available on the Department's website at 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 the Department's website.

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 of the project at this time.

Departmental Expenditure.

233. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills if she will, on behalf of all primary and secondary schools in the State, negotiate a competitive pricing arrangement with electricity and gas suppliers in order that schools can avail of cheaper bills for their energy needs; if her attention has been drawn to the fact that several other sectors in the public service have adopted this tactic with success; and if she will make a statement on the matter. [20769/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department has organised discussions with school management representatives recently with a view to a more collaborative approach to the procurement of goods and services within the school and VEC sectors. This meeting included representatives from the National Procurement Service (NPS) who explained the potential for the Unit to help schools achieve savings.

My officials will be working closely with officials from the NPS to identify areas within the education sector where a more collaborative approach between schools can leverage significant savings.

It is intended that the initial focus will be on the procurement of energy supplies.

Higher Education Grants

234. **Deputy Thomas Byrne** asked the Tánaiste and Minister for Education and Skills the position regarding an appeal of a decision on a higher education grant in respect of a person (details supplied) in County Meath. [20770/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): A reply has issued from my Department to the correspondence referred to by the Deputy.

School Management

235. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills if she will confirm that bishops of the Roman Catholic Church, in their capacity as patrons of schools, manage the Irish education system while simultaneously acting as officials of another sovereign state, namely the Vatican; her views on this state of affairs; and if she will make a statement on the matter. [20776/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): It is a long-standing feature of our education system that patronage of Catholic schools in a diocese rests ex officio with the person who is Bishop of that diocese at any particular point in time. Accordingly, it is the case that such patrons have other roles in the context of their church functions. The governance structure of our schools is such that, in accordance with the Education Act 1998, the patron of a school does not have a direct role in the day to day management of the school which is a matter for the Board of Management.

The Act provides, inter alia, that it is the duty of the Board to manage the school on behalf of the patron, for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school. In addition, under the Act, each Board of Management, in carrying out its functions, is required to do so in accordance with the policies determined by the Minister.

236. **Deputy Finian McGrath** asked the Tánaiste and Minister for Education and Skills if she will provide an update on the private talks between his Department and church authorities on the future management of schools. [20795/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department had discussions on this matter with senior representatives of the Catholic Church. The Catholic School Patrons and my Department agreed that it was essential to engage in planning for change. In order to advance the matter, my Department agreed that it would examine a number of initial locations to see what scope or options might exist for change of patronage in these cases. The particular focus was on identifying a sample number of areas of relatively stable demographics where the establishment of new schools was unlikely to emerge in the foresee-

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able future and where the provision is exclusively Catholic or where there is very limited diversity of provision at present. The aim is that these areas can then be used to trial the modalities by which the number of Catholic places and schools will be reduced and released for others.

In this context, officials in my Department are currently carrying out an assessment of 10 sample locations where changes to patronage may be warranted, given changed demographic profiles in recent decades. The aim is to complete the assessment in the coming weeks with a view to providing the list to the Catholic authorities for consideration and making the list available publicly.

Educational Policy

237. **Deputy Finian McGrath** asked the Tánaiste and Minister for Education and Skills if she will include the examples of good practice in Finland's education service in our future planning. [20796/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department, in its policy formulation process, has regard to international good practice and to policy responses which have proved effective in other jurisdictions, where they are considered to be appropriate and valid. More generally, Ireland is also involved in a range of EU, OECD and other multilateral processes which facilitate structured discussion, exchange and information-sharing between international stakeholders responsible for education policy and planning.

Within the European Union, formal and informal meetings of the Education Council of Ministers permit Ministers to set priorities for co-operation and information sharing by Member States. Processes such as peer-learning activities, conferences and joint reports facilitate practical and focused exchanges in pursuit of these priorities. Ireland is also an active participant in a range of OECD education programmes, such as the Centre for Educational Research and Innovation (CERI) and the International Indicators of Education Systems (INES), which provide a structured forum to conduct rigorous research-based forward planning on emerging educational issues, benchmarking the performance of national education systems in comparison to those of other member states and assessing and monitoring the effectiveness of various policy responses.

Schools Building Projects

238. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the position regarding the required new building for a school (details supplied) in County Dublin particularly in relation to the lack of space in the existing temporary prefabs; the progress made over the past 18 months in terms of land acquisition at an adjacent site; when further decisions will be made; and if she will make a statement on the matter. [20806/10]

241. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the position regarding permanent accommodation for a school (details supplied) in County Dublin; and if she will make a statement on the matter. [20819/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to answer Questions Nos. 238 and 241 together.

The provision of a new building for the school to which the Deputies refers necessitates the acquisition of a site. I am pleased to inform the Deputies that County Dublin VEC has agreed to make a site available to my Department for this purpose. The Department is awaiting legal

documents in relation to this from the VEC. Once the site is acquired, consideration can be given to the inclusion of a building project for the school in the School Building and Modernisation Programme. However, in light of the current level of demand on the Department's capital budget, it is not possible to give an indicative timeframe as to when a building project for this school might progress.

School Enrolment

239. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the number of pupils currently attending a school (details supplied) in County Dublin; the number and percentage that attended the national school in the area at primary level; the number and percentage that reside within the Adamstown Strategic Development Zone; and if she will make a statement on the matter. [20807/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The number of pupils enrolled in individual schools is provided in the annual census of primary schools. The census for the current school year (2009/2010) is being finalised at present and a full list of schools and their enrolments will be on my Department's website in September. My Department does not collect information on the residential area of primary school pupils.

FÁS Training Programmes

240. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills her response to a request from a local authority (details supplied) seeking an easing of restrictions which are preventing the introduction of work-placement and training programmes within the administrative area of south Dublin, the correspondence on foot of a council motion on 8 March 2010 was initially sent to the Department of Finance, but was later referred to her Department; and if she will make a statement on the matter. [20808/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Placements under the Work Placement Programme are possible in the wider public service, subject to the agreement of the relevant parent Government Department. The placement of individuals under this scheme is not covered by the moratorium on recruitment in the public service. However, it is a condition of the Programme that any such placements should not displace an existing member of staff or be used to fill a vacant post. Subject to the above, FÁS would welcome quality Work Placement Programme opportunities from the South Dublin administrative area.

Question No. 241 answered with Question No. 238.

Departmental Agencies

242. **Deputy Richard Bruton** asked the Tánaiste and Minister for Education and Skills the number of persons primarily employed to process entitlement payments (details supplied) in schemes or agencies under her remit. [20824/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta has an overall staff of 3 persons. The role of the body is to provide advice, research, support services and the provision of texts and resources relating to the teaching of Irish generally, and the teaching through Irish in Irish medium schools. Its primary functions do not involve the processing of entitlement payments, other than meeting the normal costs of meetings, commissioning of texts, consultancy, printing etc.

[Deputy Mary Coughlan.]

Staff in the Irish Research Council for Science, Engineering and Technology, which currently has a staff compliment of 5, approve scholarships mainly for post graduate students which are issued via the higher education institution, as appropriate.

The Education Finance Board which was established in February 2006 under the provision of the Commission to Inquire into Child Abuse (Amendment) Act 2005 to administer funding provided by 18 religious congregations to facilitate former residents, and their relatives, to facilitate them in accessing education programmes. Eligible claimants can access the fund to support themselves in both formal and non-formal educational and personal development activities. Staff in the Education Finance Board process these grant applications. They process payments and draw down funds from the National Management Treasury Agency. The EFB currently has a staff compliment of 4.

243. **Deputy Richard Bruton** asked the Tánaiste and Minister for Education and Skills the number of persons employed to carry out inspections (details supplied) in schemes or agencies under her remit. [20833/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Advisory Council for English Language Schools which has been subsumed into the National Qualifications Authority of Ireland had a role in carrying out inspections for English Language Schools and TEFL courses. The ACELS had one senior inspector and 7 part time freelance inspectors.

The State Examinations Commission (SEC) is a statutory body established by Government in March 2003. The role of the SEC is the assessment and certification of the second-level examinations of the Irish state: the Junior Certificate and the Leaving Certificate and of certain trade and professional examinations. The SEC's Examinations and Assessment Division (EAD) perform a key quality assurance role within the examination process. Examination and Assessment Managers, in their capacity as Chief Examiners, have overall responsibility for the quality of the examinations, and for the management of the contract staff involved in the drafting and setting of examination papers, and for those involved in all stages of the examining process. They perform a monitoring role within the system and ensure that the regulations of the SEC for the preparation, conduct, marking and appeal processes of the examinations are complied with fully. The SEC's monitoring processes include desk monitoring, reporting and site inspection visits especially during the oral and practical examinations and during the conduct of the written examinations at examination centres each June. The division comprises 34 staff members.

The Inspectorate of the Department is responsible for the evaluation of primary and post-primary schools and centres for education and for the provision of advice to the educational system and policy makers. The Inspectorate is divided into two sub-divisions. The Regional Subdivision is responsible for the delivery and management of inspection/evaluation services and related advisory activities in schools and centres for education. The Policy Support Subdivision is responsible for contributing to the development of Departmental policy across a range of areas, for supporting inspection/evaluation activity generally, and for operational services for the Inspectorate. Inspectors from the Policy Support Subdivision also contribute to the work of the Regional Subdivision by conducting inspection activity throughout the year. Out of a current staff compliment of 133 Inspectors, 91 are assigned to the Regional Subdivision.

The National Educational Welfare Board was established to ensure that every child attends school regularly, or otherwise receives an education or training. Educational Welfare Officers work in communities throughout the country acting as advocates or supports to parents, guardians and children experiencing difficulty with school attendance or educational welfare. Under

the Education Welfare Act 2000, Educational Welfare Officers have inspection powers in relation to Home Education Materials, School Registers and Employers Registers. The board currently has 72 sanctioned EWO posts.

Job Creation

244. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills the number of jobs her Department claimed will be created as part of published policy papers, reports and documents commissioned by or compiled by her Department between 2010 and 2020; and if she will make a statement on the matter. [20907/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The FAS/ESRI Occupational Forecast Report forecasts employment by occupation out to 2015. The forecast implies that the economic recovery, which is expected to begin towards the end of this year, will generate 250,000 additional jobs between now and 2015. It does not offer any view as to how many jobs will be created by the Government's job creation initiatives. The economic forecasts underlying the projections have been produced in times of great uncertainty and are underpinned by a number of assumptions which concern the speed of the global economic recovery, competitiveness, the restoration of the financial sector, fiscal balance, nominal wage rates and migratory flows.

Education plays an important role in contributing to human capital development to support new jobs in the 'smart economy' as underlined by recent Government strategies — Building Ireland's Smart Economy, Innovation Taskforce report. The Innovation Taskforce Report for which the Department of an Taoiseach is the lead Department notes that the education system "is pivotal in making innovation happen" and contains an estimate that between 117,000 and 215,000 new jobs could be created by 2020 if its full range of recommendations are implemented successfully.

Site Acquisitions

245. **Deputy Ulick Burke** asked the Tánaiste and Minister for Education and Skills the position regarding and the reason for the delay in finalising the acquisition of land from a school (details supplied) in County Galway for the development of a children's play area in view of the fact that the funding grants being made available to the local group by Galway County Council is in danger of being withdrawn due to the delay in carrying out the development works involved; and if she will make a statement on the matter. [20984/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I wish to advise the Deputy that the Department instructed the Chief State Solicitors Office (CSSO) to proceed with a long term lease agreement in relation to the issue in question. In the interim, I understand that the Local Authority have raised a number of pre-lease enquiries which the Department understands have now been clarified. The Department has instructed the CSSO to close on the case as a matter of urgency.

School Staffing.

246. **Deputy John O'Mahony** asked the Tánaiste and Minister for Education and Skills the number of primary school principals in County Mayo that have retired in 2007, 2008, 2009 and to date in 2010 in tabular form; and if she will make a statement on the matter. [21026/10]

247. **Deputy John O'Mahony** asked the Tánaiste and Minister for Education and Skills the number of post-primary school principals in County Mayo that have retired in 2007, 2008, 2009 and to date in 2010 in tabular form; and if she will make a statement on the matter. [21027/10]

248. **Deputy John O'Mahony** asked the Tánaiste and Minister for Education and Skills the number of primary school principals appointed in County Mayo in 2007, 2008, 2009 and to date in 2010 in tabular form; and if she will make a statement on the matter. [21035/10]

249. **Deputy John O'Mahony** asked the Tánaiste and Minister for Education and Skills the number of post-primary school principals appointed in County Mayo in 2007, 2008, 2009 and to date 2010 in tabular form; and if she will make a statement on the matter. [21036/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take Questions Nos. 246 to 249, inclusive, together.

The information requested by the Deputy is being compiled and will be forwarded to him.

Departmental Expenditure.

250. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills the costs involved in changing the name of the Department from Department of Education and Science to the Department of Education and Skills; and if she will make a statement on the matter. [21042/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The costs associated with the change in title of my Department will be funded from my Department's administrative budget allocation. Arrangements are currently underway to effect the change to my Department's website title and associated stationery and these changes will be completed within the next few weeks. My Department is mindful of the need to keep all costs in respect of the change to a minimum. Information in relation to all relevant costs will be compiled and forwarded to the Deputy as soon as it is available.