



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 12 October 2010.

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Tuesday, 12 October 2010.

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

Paidir.

Prayer.

Visit of US Delegation

An Ceann Comhairle: Before proceeding with business, I wish on my own behalf and on behalf of the Members of Dáil Éireann to offer céad míle fáilte, a most sincere welcome, to the New York City Comptroller, Mr. John C. Liu. I hope he and his group find their visit most enjoyable.

Ceisteanna — Questions

Departmental Expenditure

1. **Deputy Enda Kenny** asked the Taoiseach the projected cost of the Government Information Service for 2010; and if he will make a statement on the matter. [29187/10]

2. **Deputy Enda Kenny** asked the Taoiseach the number of staff assigned to the Communications Unit in his Department; the total cost of this unit for the first half of 2010; and if he will make a statement on the matter. [29188/10]

3. **Deputy Enda Kenny** asked the Taoiseach the total projected costs to date in 2010 of the Communications Unit in his Department; and if he will make a statement on the matter. [30226/10]

4. **Deputy Eamon Gilmore** asked the Taoiseach the total cost of the development and maintenance of the www.merrionst.ie website; the intended purpose of the website; and if he will make a statement on the matter. [32322/10]

5. **Deputy Enda Kenny** asked the Taoiseach the projected cost to his Department of the www.merrionstreet.ie website; and if he will make a statement on the matter. [32323/10]

6. **Deputy Enda Kenny** asked the Taoiseach the costs which have accrued to his Department in relation to the creation and development of the merrionstreet.ie website; the projected annual running cost of this project; the number of staff assigned to it; and if he will make a statement on the matter. [34662/10]

The Taoiseach: I propose to take Questions Nos. 1 to 6, inclusive, together.

There are four staff assigned to the communications unit, two executive officers, one staff officer and one clerical officer. The projected cost to date of the unit for 2010 is €181,701, with €84,156 being a direct cost to my Department and the balance being paid by three other Departments from which staff have been seconded to the unit. These costs represent a reduction of 6% on the 2009 cost, 20% on the 2008 cost and 27% on the 2007 cost. This has been achieved through greater efficiency in the operations of the unit and the application of Government policy on reducing staff numbers.

The GIS comprises the Government Information Service, the Government Press Office, the communications unit and the Government website team. The projected cost for the GIS in 2010 is €1,308,100 which represents a reduction of 12% on the 2009 cost. The Government Press Office and the Government Information Service provides, on behalf of myself, my Department and the Government an information service on Government policy to the public through the national and international media and promotes a co-ordinated approach to media matters across Departments. The Government Press Office issues press releases to the media, briefs political correspondents, organises photocalls, information campaigns and ministerial representation on current affairs programmes. It also disseminates information to the domestic and international media on the web and via e-mail. Staff in the Government Press Office are available after hours and at weekends to answer media queries.

The cost of designing and developing the website was €18,150. Implementation, support and independent security testing cost a further €3,116. Computer hardware and software cost €6,284 and audio-video equipment cost €6,785, bringing the total cost to €34,335. The site is being hosted by the Local Government Computer Services Board and the annual hosting cost is expected to be in the region of €4,000. Apart from these costs, the project was developed using existing in-house resources in the Department. Ongoing technical maintenance and support is being provided by staff in my Department's IT unit with support from an external web services company on an "as needs" basis. The team that maintains and updates the site content is also drawn from existing departmental resources, with the exception of two temporary staff — journalism graduates — requiring relevant work experience who were recruited at clerical officer level. There is no net additional cost as these posts have been funded from a reallocation of the overall staff budget, which has fallen by 11% since 2008 and is likely to be further reduced in the 2011 estimates.

It is clear that the manner in which information is transmitted through the Internet is changing. It is important that the Government's ability to provide information via the web reflects this change. The website, www.MerrionStreet.ie was developed following a study of best practice by more than 20 other Governments. It provides citizens with a single on-line location where the activity of Government can be viewed. The latest press releases from all Departments are

available on the site, which over time will become a valuable archive of Government information. Its main purpose is to make the work of Government more accessible to citizens by reporting Government news in a user-friendly manner, using audio-visual tools and Internet capabilities, including YouTube, Flickr, Facebook and Twitter.

Deputy Enda Kenny: I thank the Taoiseach for his reply and would like to raise with him a couple of questions in regard to the final portion of it. I understand that the new website, *www.MerrionStreet.ie*, which went live in July, cost approximately €40,000 to set up and was inspired by the *www.Number-10.gov.uk* website. I also understand that the dedicated website, *www.taoiseach.gov.ie*, which is already in existence could have been redesigned to provide the information contained on the *www.MerrionStreet.ie* website. Were tenders sought in respect of the work carried out on the latter and, if so, how many were received? What analysis was carried out in respect of the need for this website? Would it have been possible to redesign the *www.taoiseach.gov.ie* website to allow it to include the user-friendly, on-line information for citizens to which the Taoiseach referred? The interview the Taoiseach gave to his Government's deputy press secretary on the EU-Asia summit was placed on this website. Was this to avoid the media in general or was it for the purpose of utilising the website? Is it his intention to use this site more regularly in this way?

The Taoiseach: The *www.MerrionStreet.ie* website relates to the totality of Government activity and not simply that relating to the Department of the Taoiseach. The website was specifically developed for this purpose. As stated earlier, we must use all the modern Internet tools that are available in order to ensure that information is provided by the Government in a user-friendly way. I am of the opinion that the cost involved is well justified, particularly in the context of the service that is being provided. A tender was not required in respect of this matter because the work was carried out through the use of in-house resources. That work involved an examination of best practice across a range of 20 other government's websites and not just one.

Deputy Enda Kenny: I had understood that the cost——

The Taoiseach: On the question of information, we meet members of the media directly and I did not realise that one cannot use a Government website to disseminate information. Regardless of whether it is the media or a website, one can use these channels in whatever way one wishes.

Deputy Enda Kenny: To get the message out. The website in question makes provision for web chats with Ministers and the publication of thought-provoking e-mails and letters from members of the public. There are some who use other methods to publicise thought-provoking messages. The website has not yet been used to any great degree for the purpose to which I refer. Is it the Taoiseach's intention to ensure that more of these thought-provoking e-mails will be published and more web chats with Ministers will take place on the website?

At this time last year, the Taoiseach decided to explore the appointing of a single provider of information across all Government Departments as part of a package of cost-cutting measures. However, nothing was done about this. I understand that when a formal tendering process was entered into, the bids received were in excess of the cost relating to the provision of the current service. Will the Taoiseach verify whether this is the case? In other words, will he indicate whether, when he followed through on his intention to appoint a single information provider, the tenders received in excess of the current cost of providing information? I understand that the tender process was carried two years ago. In light of the changed economic circumstances,

[Deputy Enda Kenny.]

it might perhaps be worthwhile seeking new tenders because, as has proven to be the case in other sectors, the bids received might be much better value than those previously submitted.

The Taoiseach: I will have to check with those who deal with the service in order to answer the Deputy's first question. A suggestion was made in this House, on foot of a question which was probably tabled by the Deputy, that we might consider appointing a single information provider. I examined the matter and provided a detailed reply to the relevant question confirming the position in this regard.

Deputy Enda Kenny: The projected cost of the Government Information Service for 2010 is €242,269. This reflects a 6% reduction on the cost in 2009. In light of the fact that there is absolute urgency with regard to reducing costs to a minimum while retaining effective services, is it the Taoiseach's view that this is the bottom line regarding what can be achieved in the context of cutting the costs relating to the Government Information Service? Given the constraints and pressures now being felt, in this no more than any other area there must be a radical examination of what can be done. Is that the bottom line in terms of the GIS?

The Taoiseach: Every area of expenditure is looked at in the context of Estimates and what is available for the following year. As I said, this area has contributed to a reduction of 27% since I came to office.

Deputy Eamon Gilmore: I have been listening to the Taoiseach's replies to Deputy Kenny and I am still not clear why it was necessary to set up a new website, given that the Government already has the *www.gov.ie* and the *www.irisoifigiuil.ie* websites for official purposes. There are also separate departmental websites for each Department and a citizens' information website. What was intended to be provided on this website that could not be made available on existing sites?

I note that there was a visit by a delegation from the Chinese Government recently but the Taoiseach did not do any media interviews following the visit. Instead, he chose to be interviewed by an officer of the Government information services for the *www.merriionstreet.ie* website, with the interview posted on the site. Is it intended to use that website more frequently for interviews where Ministers or the Taoiseach will be interviewed by officers of the Government information services? This would be as opposed to doing direct interviews with the public media.

The Taoiseach: I do interviews with the media all the time on any subject and where any issue can be raised. This medium of the Internet was used to set out the work of the day, what took place at meeting and its relevance to the Irish public. As I understand it, I am not obliged to pick and choose what media I deal with. I deal with them all, including the Internet. There is no more to it than that and if I get the opportunity to use this Internet medium to bring to public attention what it is the Government is doing and what is happening in the course of my job, I do not see a problem with it. One of the great criticisms from the Opposition is a perceived dearth of information and that we need to get more information out there. It seems that when there is more information out there, the Opposition has a problem with that as well.

It would be intended to use that medium in addition to all other media to ensure that people are made aware of particular Government activities etc. The purpose of the new website is that of a service to citizens who wish to get a clearer view of the work of Government. Each Department has a responsibility to communicate its actions and policies and all Departments have websites as part of the process. By and large, the websites of Departments are text-based and the new website is capable of far greater integration of audio-visual material and with its

links to social media sites such as YouTube, Facebook, Flickr and Twitter, it allows for the sharing of information between citizens.

All Departments communicate their press releases to *www.merrionstreet.ie*. It is the job of the site to add an audio-visual dimension to the key information and make it available for distribution on more modern Internet channels. All Government press releases should be visible on the site by means of really simple syndication, RSS, feeds. The site's editorial team is tasked with communicating information on Government policy and action in a format more suited to modern Internet methods. Its role is to report the work of Departments, Ministers and the Taoiseach in a factual manner, which is what it does.

Deputy Eamon Gilmore: The Taoiseach indicated the purpose of the website is to provide more information to citizens. Why would a citizen looking for Government information do a Google search for *www.merrionstreet.ie*? Where did the name come from and what was the idea behind it? If a citizen wants to find out what the Government is doing and does not know which site to visit, I would think that person would look for the Government website and be directed to it. The Taoiseach will appreciate there is a distinction between information and propaganda. This is a propaganda site.

The Taoiseach: What is the Deputy's basis for this claim?

Deputy Eamon Gilmore: I looked at the website.

The Taoiseach: That covers it so.

Deputy Eamon Gilmore: I thought I was on the Fianna Fáil website. There is no difference between what is on that site and what one gets on Government party sites. It has various press releases, interviews and so on. It is not an information site but a form of propaganda, that is to communicate good news from the Government. That is fair enough and I am not objecting to that. However, there were already information sites in place. This site was set up to propagandise for the Government. It would have been more appropriate to leave that to the political parties in government.

The Taoiseach: Deputy Gilmore makes the charge of propaganda but does not give an example. That is an interesting way of making political assertions. The website has been well commented on by media sources, both international and national, as a good source of information. Most websites of this nature are text-based while this one introduces an audio-visual element to make it more user-friendly. No one seems to have a problem with it except Deputy Gilmore.

Deputy Caoimhghín Ó Caoláin: The Taoiseach is a bit surly today. I was smiling when——

The Taoiseach: It has to be propaganda because Deputy Gilmore says so.

Deputy Caoimhghín Ó Caoláin: Deputy Gilmore made mention of *Iris Oifigiúil*——

The Taoiseach: If Deputy Gilmore says it, it must be true then.

Deputy Eamon Gilmore: I had to push the Taoiseach a bit.

Deputy Michael D. Higgins: It is not a neutral website anyway.

Deputy Caoimhghín Ó Caoláin: —and other opportunities the Government has. It needs none of them when it has Independent News and Media working to present it in the best light it can.

The Taoiseach: Deputy Gilmore would know more about propaganda himself. He is harking back to the old days of political instruction down in a little cottage in County Meath over a weekend.

Deputy Eamon Gilmore: Bring them on.

Deputy Caoimhghín Ó Caoláin: To cite an example from *www.MerrionStreet.ie* — can I have the Taoiseach's attention?

The Taoiseach: I apologise. Deputy Gilmore's crowd was more interesting than Deputy Ó Caoláin's. While Deputy Ó Caoláin's just took it all in, Deputy Gilmore's boys had to be trained. The old Stickies' days.

Deputy Caoimhghín Ó Caoláin: That is okay. We will read about it in *The Irish Independent* tomorrow.

The website in question is an effort on the Government's part to contrive some sort of a good news website and to put it in the best light possible. I was interested by an article on the site titled, Health Innovation — Tubridy Cuts Out the Waste. This Tubridy was not the Taoiseach's broadcasting friend but a consultant neurologist at St. Vincent's who claimed he cut waiting lists by 25% by the use of the HealthLink on-line service. While that is fine for the hospital in question, it only gives false hope to many other people because the service in question is not commonly used across the country. The critical story is not that this particular consultant has been able to reduce his waiting times by 25% for initial consultations; the real story is how many have to wait for them elsewhere.

It is questionable whether *www.MerrionStreet.ie* was required at all. While it probably will not take an enormous amount to maintain, I am more concerned about the promise made some time ago to secondary schools that IT equipment would be provided for every classroom. Some 15 months later, nothing has been provided.

An Ceann Comhairle: The Deputy is going off on a tangent.

Deputy Caoimhghín Ó Caoláin: This IT roll-out project is far more important and beneficial to a raft of young people preparing for the severe challenges that will face them when they leave school than the *MerrionStreet.ie* website.

The Taoiseach: On the matter to which the Deputy referred, as I said it is the use of technology for the purposes of dealing with people who have been waiting for services which has eliminated 25% of the cost. It made a lot of difference to the people who got in much quicker as a result. I do not see why—

Deputy Caoimhghín Ó Caoláin: For the lucky ones.

The Taoiseach: If other consultants took up the same practice, maybe they would reduce their fees by 25%. Bringing that to public attention is a good thing but it seems that the premise of the Deputy's questions is that the Government's entitlement to bring it to public attention should in some way—

Deputy Caoimhghín Ó Caoláin: The Government could do it differently. I have brought it to public attention a lot more effectively than *www.MerrionStreet.ie* by mentioning it here in the House——

The Taoiseach: I doubt it, Deputy, unfortunately.

Deputy Caoimhghín Ó Caoláin: ——which, with respect, if the colleagues in the press reported it, would do the business.

The Taoiseach: I apologise, Deputy. I do not think the number of hits on the Deputy's website——

Deputy Caoimhghín Ó Caoláin: That was open to the Taoiseach.

An Ceann Comhairle: Deputy, can we have the Taoiseach without interruption please?

The Taoiseach: I do not think the number of hits on the Deputy's website is quite as high.

An Ceann Comhairle: Deputy, we need to move on.

The Taoiseach: We are talking about hits, I suppose. The issue I am trying to get across is that these are good examples of good practice in the health services which need to be, and are being, brought to the attention of the public by whatever means necessary. I find it amazing that people would regard that sort of information as something in which the public are not interested. They are very interested in it because it will help them or a relative or member of the family to whom it would be germane at some stage.

Deputy Caoimhghín Ó Caoláin: What about secondary school children?

The Taoiseach: If the Deputy tabled a question to the Department of Education and Skills, he would get a full up-to-date response on what the ICT strategy is in terms of providing for public schools.

Deputy Caoimhghín Ó Caoláin: There is no up-to-date information.

Social Partnership

7. **Deputy Enda Kenny** asked the Taoiseach when he will next meet with the Social Partners; and if he will make a statement on the matter. [30220/10]

8. **Deputy Enda Kenny** asked the Taoiseach to report on the recent activities of the National Implementation Body; and if he will make a statement on the matter. [30222/10]

9. **Deputy Eamon Gilmore** asked the Taoiseach when he next plans to meet social partners; and if he will make a statement on the matter. [32314/10]

10. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the discussions he has had, if any, with trade unions, employers' representatives and others in the context of the social partnership process; and if he will make a statement on the matter. [32332/10]

11. **Deputy Enda Kenny** asked the Taoiseach the Irish membership of the EU Economic and Social Committee; the reason a position has been removed from the farming community and allocated to Bird Watch Ireland; and if he will make a statement on the matter. [34962/10]

The Taoiseach: I propose to take Questions Nos. 7 to 11, inclusive, together.

[The Taoiseach.]

I met with representatives of IBEC and ICTU in July, when we discussed the budgetary situation and recent economic developments. In addition, there is ongoing engagement between each of the pillars of social partnership and officials in my Department on a range of issues. Indeed, I addressed the IBEC human resources leadership summit on 30 September. Deputies will also be aware that there is regular contact on issues of concern to the social partners through bilateral contacts and consultation structures across relevant Government Departments. The Government remains open to further appropriate discussions with all five of the social partner pillars under the ten year framework provided under Towards2016 and we believe that continued social dialogue will play an important role in maximising consensus during this period of economic instability.

In particular, the Government will be seeking the views of the social partners as we prepare a national reform programme as part of the EU 2020 process. Preliminary meetings have already taken place at official level to scope out the key areas of concern to each of the pillars and further discussions will take place over the coming months. I look forward to hearing the views of the social partners as that process develops.

Ireland has nine places on the European Economic and Social Committee, EESC, and our nominations are divided equally between the three constituent groups of the EESC, that is, employers, employees and what are known as various interests. The various interests group on the EESC comprises representatives of a wide variety of organisations, including non-governmental organisations, farmers organisations, co-operatives and non-profit associations and environmental organisations. The EESC is mandated to consider environmental issues and environmental sustainability is a key focus of European policy. Other countries have long had environmental organisation representatives among their nominees.

For the first time, Ireland's nominees to the various interests group of the EESC included a representative from the environmental pillar. This change reflects the decision which was taken by Government last year to create a fifth pillar of social partnership to represent environmental concerns and was not in response to representations received. The environmental pillar of social partnership consists of 27 organisations with a diverse range of interests. The environmental pillar selected an employee of BirdWatch Ireland as its nominee on the committee. She is a representative of the 27 organisations in the environmental pillar and environmental interests more generally. The environmental pillar representative will be able to draw on the combined capacity for economic, social and environmental research and analysis of the constituent members of the pillar and its secretariat.

The National Implementation Body, NIB, comprising Government, employer and union representatives, has played two valuable roles over recent years. First, it has exercised national level oversight of the industrial relations scene, assisting parties in actual or threatened disputes of national importance and providing a mechanism for ongoing review of trends in industrial relations in particular sectors. As part of this high-level role, it has also operated as a forum for dialogue between employers and trade unions on the broad status and conduct of industrial relations in the State.

Second, the NIB has sought to promote compliance with the terms of successive national agreements. While the operating context for such a role has changed, it is clear that engagement between Government, employers and trade unions in regard to particular industrial relations disputes can be beneficial to all parties and is in the public interest.

In recognition of that role, the Government agreed to participate with the procedures agreed between ICTU and IBEC under their Protocol for the Orderly Conduct of Industrial Relations and Local Bargaining in the Private Sector. This protocol provides for the continuation of

tripartite engagement to oversee industrial peace and stability, and is to be reviewed by the parties at the end of 2010.

Deputy Enda Kenny: I want to ask the Taoiseach about the recent revelations on the SIPTU national health and local authority levy fund account, which had €2.7 million transferred into it between 2002 and 2009. The latest revelations indicate that perhaps some social partnership funds were used here also. Does the Taoiseach have any information on this? Has he carried out or is he carrying out an investigation into it? I understand the HSE auditors counted 31 foreign trips across the globe. The impact of these revelations has been to cast a very poor reflection on social partnership and travelling to study social partnership in other countries. What is the story?

The Taoiseach: I cannot comment on whether any such funds mentioned by the Deputy were involved. As Deputy Kenny knows, the question is being looked at by the Committee of Public Accounts and when we have that outcome and that from the two relevant Departments and the HSE, when the facts and circumstances are known, there will be an opportunity for everyone to look at the situation based on the facts as established.

Clearly, as I and the Minister for Health and Children have emphasised, any potential waste of public funds is a serious matter. Deputies are aware of the ongoing investigations into these matters and should await a full and proper analysis of the issues and allow the Committee of Public Accounts to consider these issues based on the fullest possible set of facts.

Deputy Enda Kenny: I understand the Comptroller and Auditor General did his report and the Committee of Public Accounts is looking at this. However, there are two fundamental elements which are relevant to the Taoiseach's Department. He should be able to confirm that nobody from the Department of the Taoiseach travelled on any of these social partnership investigation trips and he should certainly be able to ascertain whether any social partnership funds were used.

An Ceann Comhairle: I am not sure questions on this matter are contemplated under this series of questions.

The Taoiseach: If the Deputy puts down a question on it I can answer it with accuracy and certainty.

Deputy Enda Kenny: Fine.

The Croke Park agreement came about following a request from the Government for reforms following cuts in levels of pay. Since the Croke Park agreement was ratified in June no efficiencies or savings have been made. For example, in education on which there was a great deal of discussion, the Public Service Agreement 2010-2014 agreed that by the start of the 2010-11 school year there would be the introduction of an additional hour per week to facilitate teachers to engage in duties determined by school management; an extra hour per week in institutes of technology and universities; ensuring that post-primary teachers are available for three timetabled class periods per week under the supervision and substitution scheme; a review and revision of teaching contracts; a review and revision of the employment terms and conditions of special needs assistants for those employed in the VEC sector; and a review of the academic employment contracts for institutes of technology by 31 August 2010.

This is one area where there was a great deal of discussion and argument and eventually agreement, but the Government has sat on its hands completely. Nothing has happened in respect of implementing the efficiencies contained in the Croke Park agreement. What has been the big blockage to implementing agreements that were hard fought, hard worked out

[Deputy Enda Kenny.]

and negotiated before the agreement was concluded? Why has there been no impetus in the context of a more effective service and implementing the conditions agreed in Croke Park? Why has there been no Government impetus, urgency or initiative about this to show everybody that an agreement like this can take place in the interests of those who work in the public service and those who receive the services those public servants are able to deliver?

The Taoiseach: This is being driven by an implementation body which has arranged to obtain from the various Departments, agencies and offices action plans for the purposes of proceeding to implementation in the coming weeks and months. In the meantime, significant work on the transformation programme is ongoing in all sectors and savings continue to be delivered against a background of falling numbers. I am confident that the implementation of these action plans will deliver the type of changes which are required to secure cost savings, minimise the impacts of current resource constraints on service quality and availability, and improve services through the use of technology and other means. It is true to say also that in the context of Estimates decisions that are being made, and where resources will be allocated, these changes will become clearly required and the implementation body is facilitating that engagement.

Deputy Enda Kenny: The Taoiseach is correct in that he is confident that these changes will bring about greater efficiencies and a more effective service. On the educational block of the Croke Park agreement to which I referred, however, none of those elements have been implemented and the agreement stated clearly that these would take effect from the start of the academic year 2010-11. Being confident is one thing but having the drive to put it through is something else.

In respect of the agreement itself, as the Taoiseach will be aware, my party accepted the pay element of the Croke Park agreement, although with a different view in respect of the provision of infrastructure, for instance, in respect of our NewERA programme. When does the Taoiseach expect that the changes agreed within the Croke Park agreement will start to take place or is this a situation where the Government does not intend to do anything about it?

The Taoiseach: It is important to point out that the education situation, where the ASTI recently accepted the agreement and the TUI rejected it, involves having to deal with that issue. That is one of the reasons some of the aspects on education have been delayed. We will be insisting that the agreements we reach will be implemented but there has been an IR issue in the background which must be dealt with.

With regard to the Croke Park agreement itself, it sets out the short-term, medium-term and longer-term issues that are being dealt with and the structural changes that must be implemented. All of the agreement, as negotiated, has been agreed in good faith and needs to be implemented in good faith.

Deputy Eamon Gilmore: The formal social partnership arrangements were contained in the document Towards 2016 which was subsequently revised and called Towards 2016: Review and Transitional Agreement. Do those two documents still apply? Are those still live and operational and does the Government consider itself to be bound by the terms of those agreements?

In respect of the implementation body set up to oversee the implementation of the measures contained in the Croke Park agreement, there was a reply from the Minister for Finance to Dáil questions on Thursday last in which we were told that the implementation body held three meetings since it was established and that it was concentrating on the implementation of the agreement, including putting in place the structures at sectoral level and seeking from public service management their action plans for the implementation of the provisions of the agree-

ment. What Departments have submitted action plans for the implementation of the provisions of the agreement?

The Taoiseach: With regard to the Deputy's first question, the ten-year agreement framework within which we operate social partnership continues to apply. Like all social partnership agreements, this process takes account of the budgetary situation as it develops. It is on the basis of maintaining and providing for stability and a good public finance position that these arrangements are entered into. Those are what are being implemented.

I do not have the detail of each departmental office but I understand responses have now been received from all sectors — Departments and offices — and will be reviewed by the implementation body in the coming weeks. Therefore, the answer to the Deputy's question appears to be that all the responses are in.

Deputy Eamon Gilmore: Two questions arise from the Taoiseach's reply. When was the last time there was a meeting together of all the social partners or all the main elements of the social partnership arrangement, namely of Government, employer bodies and trade unions in particular?

Second, with regard to the action plans being made by Departments, do I understand correctly that the proposals to which the Taoiseach referred are the action plans for the implementation of the provision of the Croke Park agreement and that those action plans have now been submitted to the implementation body? Will he outline what will now happen to those action plans? Is it the case that they have to be agreed within the context of the implementation body and the procedures that have been set down for dealing with them?

The Taoiseach: I do not have the date the last plenary session of the social partnership process was held. I will have to get that for the Deputy.

Deputy Eamon Gilmore: Was it in the past year?

The Taoiseach: I thought so but I will have to check that. There have been meetings with the various social partners in various guises at different times but not all together. There have been a number of meetings. The last one with the business and employer pillar was on 19 July. The one with the trade union pillar was on 16 July. The one with the farming pillar was on 4 February. I met representatives of the ICMSA on 22 July and I am due to speak at its annual meeting on 29 October. Officials from my Department met representatives of the IFA on 29 July and I am due to meet them on 26 October. I last met the farming pillar as a whole on 27 October 2009. Officials from my Department met the community and voluntary pillar on 23 July — the previous meeting was held on 8 June in regard to the EU 2020 process. I last met representatives of the environmental pillar on 27 October 2009 and, similarly, I last met representatives of the community and voluntary pillar then. Department officials met representatives of the environmental pillar 23 July in regard to the EU 2020 process. The detail deals with one aspect of the Deputy's question.

As I said, the information I have to hand is that action plans have all been submitted. The implementation body will review those over the coming weeks and ascertain what way it can put them into place based on contacts between both sides of industry.

Deputy Eamon Gilmore: If the only meetings that have taken place on social partnership have been effectively bilateral meetings between the Government and individual components of the social partnership arrangement, and there has not been a plenary meeting in recent times — clearly, the Taoiseach cannot remember when there was last a plenary meeting of the social

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partnership process — is it not fair to say that social partnership, certainly as we used to know it, is pretty well over?

The Taoiseach: I do not accept that.

An Leas-Cheann Comhairle: I will also take a final question from Deputy Ó Caoláin.

Deputy Caoimhghín Ó Caoláin: Will the Taoiseach confirm that the Minister for Finance, Deputy Brian Lenihan, told the Irish Congress of Trade Unions on 4 October that the Government intends to comply with the terms of the Croke Park agreement on pay and reform of the public service? Will he confirm the assurances contained in the agreement that pay and pensions would not — I emphasise the words “would not” — be further cut and there would be no compulsory redundancies in the public service in return for flexibility in redeployment terms in the public service? Will he give a clear commitment that nothing in the forthcoming budget will be in breach of the Government’s position on the Croke Park agreement?

On the ESRI recommendations *vis-à-vis* an across-the-board social charge, does the Taoiseach agree that this is a regressive proposal which will favour higher income earners at the expense of lower income earners? Will he state that it will not be contemplated by the Government?

The Taoiseach: Obviously, I cannot discuss the budget with the Deputy. On the Croke Park agreement, those who support the agreement and are anxious to implement it are anxious to work on the basis of the agreement as are those who have supported it and had the benefits that derive from it. That is the position on that matter.

On the Deputy’s question on the issue of a social charge, the Minister indicated in his previous budget that he was preparing proposals on how he could bring about a situation in which the various levies and PRSI could be looked at in an integrated way for the future. Many people on low incomes are excluded from the tax net. This is about providing a sustainable way forward to ensure that the benefits of the commitments and social taxes are provided for in future with the demographics we have.

Priority Questions

Overseas Development Aid

79. **Deputy Pat Breen** asked the Minister for Foreign Affairs his views on the findings of the Second Development Cooperation Forum of the UN Economic and Social Council and their emphasis on promoting policy coherence for development; the steps he will take to address Ireland’s shortcomings in this policy, as noted by the OECD Development Assistance Committee review; and if he will make a statement on the matter. [36174/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I wish Deputy Breen well in his new position and look forward to the traditional cross-party support that has characterised our aid and development programme for many years.

The global economic crisis highlights the importance of ensuring maximum coherence in the international effort to achieve the millennium development goals by 2015. The Government is strongly committed to building a coherent approach to development across all Departments and ensuring that our development policies are supported, and not undermined, by other areas of policy which affect developing countries.

We are working to ensure coherence within the Irish Aid programme, as well as coherence with our programme countries' poverty reduction programmes. Ireland is also playing a strong role internationally in policy discussions to build the effectiveness of aid and coherence across policies affecting the poorest countries and communities in the world.

The United Nations development co-operation forum is an important body, bringing together national and local governments, parliamentarians, multilateral organisations and representatives of civil society and the private sector. The aim is to discuss trends and challenges in development and share experiences and ideas for greater coherence and effectiveness. Ireland has worked closely with the forum, with a particular emphasis on how to build accountability and transparency in development co-operation.

As the Deputy is aware, the second meeting of the forum was held in New York on 29 and 30 June. I strongly welcome the emphasis it placed on the need for coherent development programmes aligned to countries' national development strategies. This is, in essence, the aid effectiveness agenda on which Ireland has taken an international lead and which we implement in our own programme.

The forum also noted the need for greater coherence between United Nations agencies, which has been an important Irish priority in our engagement with the UN system.

I welcome the forum's focus on the issue of policy coherence. I also welcome the emphasis in the outcome document adopted unanimously at the MDG review summit in New York last month on the need for increased efforts to enhance policy coherence for development. Ireland played a strong role in the negotiations leading up to the adoption of the outcome document and our priorities are well reflected in it.

The development assistance committee of the OECD carried out a peer review of Ireland's aid programme in 2009. Its findings were overwhelmingly positive. It found that Irish Aid is a strong, cutting edge development programme with a clear focus on the world's poorest people. It stated that Ireland is a champion in making aid more effective.

The review provided a number of helpful recommendations on the further development of policy coherence for development in Ireland and it welcomed the establishment of the inter-departmental committee on development. As the chair of the committee, I am ensuring that the recommendations are being examined and followed up across Departments.

Deputy Pat Breen: I thank the Minister of State for his reply and best wishes. The issue of policy coherence for development is extremely important and I refer, for example, to the importance of a global cohesive policy in respect of trade, fishing and agriculture. I highlight this issue because both the United Nations and the European Parliament have made it a priority and, as the Minister of State noted, simply giving aid and assistance to Third World countries is not enough in this day and age. Someone recently asked me——

An Leas-Cheann Comhairle: I ask Deputy Breen to come to the question.

Deputy Pat Breen: I will. I was asked what was the reason for aid being given with one hand but taken away with the other. One of the greatest challenges we face is the issue of policy coherence for development as although we are good at protecting our own interests, we sometimes do not protect those of developing countries. I wish to praise the outstanding work carried out by Irish Aid to assist developing countries. My question pertains to the interdepartmental committee that was set up in 1997, which is chaired by the Minister of State and brings together a wealth of people with experience. I understand this committee has only met 11 times since its establishment in 1997. How many times did it meet over the last 12 months? How effective has the committee been thus far?

Deputy Peter Power: While I must get the exact number of meetings over the past 12 months for the Deputy, the committee has been working highly effectively. The idea behind the committee is to ensure, as the Deputy correctly pointed out, that Ireland does not undermine its highly effective aid programme by adopting policies across Departments that would so do, specifically in the area of trade. The World Trade Organisation Doha development round of world trade negotiations constitutes a key example in this regard. I was part of the Irish delegation, with the Tánaiste, who was then was Minister for Enterprise, Trade and Employment, as well as the Minister for Agriculture, Fisheries and Food, which went to Geneva as part of the Irish national team that negotiated Ireland's national position at that round. This is an example of how Ireland can put forward a unified national approach, even though some approaches and policies might be perceived to be opposed to other aspects of national policy. However, the objective is to inform one another of one's overall national objectives and to seek, through this departmental committee, to marry them together and to put forward a cohesive and coherent national approach. I will revert to the Deputy in respect of the actual number of meetings of the committee.

Deputy Pat Breen: I understand, from the responses to a number of parliamentary questions, that this committee has only met twice over the past 12 months even though it originally was meant to meet bimonthly and then monthly. The Minister of State might establish whether this is the case. As chairman of the aforementioned committee, the Minister of State should put this issue at the top of his agenda because it is the way forward for developing countries.

My final supplementary question in this regard is to ask the reason this committee has not reported to the Oireachtas and the Joint Committee on Foreign Affairs? Although the report of the OECD development assistance committee, DAC, recommended that this committee should report to the Oireachtas, this has not been done. Therefore, the Minister of State with responsibility for overseas aid should make this matter a priority because Ireland does not wish to be left behind when compared with other countries. While this is separate from our own aid activity, I refer to the subject of policy coherence for development.

Deputy Peter Power: Far from being left behind on this agenda, Ireland is recognised as being a world leader in this area. Not only did the OECD DAC report to which the Deputy referred state that Ireland is a champion in making aid more effective but within the United Nations system, Ireland is perceived to be a leader in respect of establishing coherence right across UN agencies. Moreover, Ireland is the lead international donor in Tanzania and Vietnam in the delivery of UN projects and this is well recognised throughout the world. I note the committee itself is comprised of very senior officials from the respective Departments and ongoing work takes place in the background and on a monthly and quarterly basis—

An Leas-Cheann Comhairle: We must make progress.

Deputy Pat Breen: Is it the Minister of State's intention for the committee to report to the Oireachtas?

Deputy Peter Power: It does so through me. I chair the committee and then report to the Joint Committee on Foreign Affairs. That is the manner in which the Oireachtas receives reports, as well as through parliamentary questions.

An Leas-Cheann Comhairle: The matter might be pursued by the joint committee.

Middle East Peace Process

80. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs his views on the

breakdown of talks, hosted by the United States of America, between Israeli and Palestinian representatives, due to the increase in the development of illegal settlements; and his further views as to what this might mean for any peace agreement in the region [36173/10]

Minister for Foreign Affairs ((Deputy Micheál Martin): Despite the many difficulties remaining, the direct talks between Israeli and Palestinian leaders that commenced on 2 September present a historic opportunity to at last achieve a just and lasting peace. Compounding the complexity of the issues has been a deep lack of trust between the two sides, with each believing the other is not serious about negotiations. Ireland and the European Union continue to regard Israeli settlement activity in the occupied Palestinian territories as illegal. However, without prejudice to that position, the partial freeze on new settlement construction ordered by Prime Minister Netanyahu in November 2009, limited as it was, was an important element in creating the atmosphere to allow these talks to begin. Ireland, along with our EU partners, with the United States and many others, strongly urged Israel to renew the construction freeze when it expired on 26 September, in order to allow the talks to continue. As I made clear in my speech to the United Nations General Assembly on 27 September, it is deeply regrettable that the Israeli Government has not done so and has allowed construction to resume.

Settlements and borders are only one of the issues which must be resolved in the negotiations. However, continued settlement construction is intended to circumscribe a negotiated peace by creating facts on the ground which any agreement must accept. It also involves the progressive expropriation of Palestinian lands, expulsion of families, and destruction of their homes. These factors would make it extremely difficult for President Abbas to continue in the talks, which have not yet progressed far enough to create stronger confidence in their outcome and he has stated clearly that he cannot do so if construction resumes.

At this moment the United States is working hard with both parties to find a formula that will allow the talks to continue, perhaps in the form of a limited extension of the freeze for a short period. It is not clear yet if these efforts will succeed. The foreign ministers of the Arab League agreed on 8 October to allow a further month for the US efforts to continue before deciding if the talks can proceed.

These talks may be the last opportunity for a long time to achieve a just settlement based on two states living side by side in peace and security. If this effort fails, new generations of leaders in Palestine and the wider Arab world may have no appetite to continue on this road. To avoid this and achieve lasting peace, maximum restraint for the duration of these talks would be a small price.

Deputy Michael D. Higgins: I am grateful for the Minister's reply. Anyone must conclude that far from there being any element of trust or good faith going into these talks, it is singularly absent, as the events that have taken place prove. I might put a number of questions to the Minister. In respect of his statement, which I accept, to the effect that the issues of borders and settlements are two huge areas, I note that one of the parties in government in the Knesset has announced that it will require of the 20% of Palestinians who live in the state of Israel that they take an oath of loyalty to the Jewish state of Israel. This is a fact. Again, with regard to the statement that it is not just that the settlements — I appreciate the Minister's emphasis — are in themselves illegal. There also are the evictions that are taking place in East Jerusalem, something that has heightened in recent times. Moreover, the extension of the settlements across the Jordan Valley has the effect, to put it plainly, effectively of dividing the West Bank into cantons, thereby making matters almost impossible.

There is nothing to sustain the talks in practical terms such as, for example, a permanent secretariat that might take on the issues of settlements, evictions, borders, the future of Jerusa-

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lem and so on. Such an initiative on the ground would function as a conduit to the opinions of the Foreign Ministers of the Arab states, which might ensure continuity past the breakdown of a particular set of talks.

Deputy Micheál Martin: I have no difficulty with much of what the Deputy has said in terms of the events that have happened which, when taken together, undermine the prospects of a peaceful settlement. I share Deputy Higgins's objections to the proposed oath of loyalty which is provocative and counter-productive to the peace process itself. It is wrong. What is clear is that there are forces within Israeli society which do not perhaps want the talks to succeed, just as on the Palestinian side there is Hamas and others externally who likewise do not wish to see a successful outcome.

I made the point when I met in New York with Mr. Ahmed Aboul Gheit, the Egyptian Foreign Minister, and members of the Arab League that we must create space to give the talks a chance. The Quartet, the United States and Mr. Tony Blair, as the Quartet's envoy in the Middle East, have been at pains to point out to us that the Israeli Prime Minister, Mr. Netanyahu, is essentially the only person in government at this point in time who can deliver a deal from the Israeli side. Moreover, it has been communicated to us by all involved that he sincerely wants an agreement, just as it has been communicated to us that the Palestinian President, Mr. Abbas, seeks an agreement. Efforts are continuing in that regard and I am pleased the Arab League has given at least a month to see if something can be worked out informally in order to allow the talks to continue.

I take on board Deputy Higgins's final point in terms of the capacity behind the talks and the need for continuity. What has tended to happen in regard to the Annapolis process is that when an Israeli Prime Minister retires or whatever, the entire process stalls.

Deputy Michael D. Higgins: We are all agreed that we want peace to happen and we support the efforts of the Quartet in this regard. However, if one takes the full list of issues — including prisoners, refugees, the future status of Jerusalem, settlements in the West Bank, borders and so on — they all require a type of permanent structure such as could be delivered through a secretariat. Moreover, the existence of a secretariat would mean that when the political moment is not hopeful, one could deal, through text, with aspects of the problem. Such a structure, as I said, would also be a conduit to the Arab League and to the Foreign Ministers of the region and so on.

There is a difficulty in that some members of the Quartet are not engaged at all. As a consequence one is pushed to a reliance on talks which are suddenly loaded with a political outcome. One wishes the process well and hopes that the Israeli Prime Minister, Mr. Netanyahu, will deliver agreement, but one is still left with all the other issues. The position of the United States as a guarantor on one side of the argument means it is very reluctant to delegate anything to a secretariat that might be in continuous dialogue about the issue. I see nothing tangible from the efforts of Mr. Blair since his arrival in his role.

Deputy Micheál Martin: I travelled to the West Bank two years to meet with the Palestinian team which was in preparation for the Annapolis process.

Deputy Michael D. Higgins: The members of that team were very good.

Deputy Micheál Martin: Yes, they had a great deal of issues worked out. However, I got the sense that all of it was at one remove from the political process that was under way. In essence, these people had not been called upon in terms of the detailed work which has to go into

resolving issues. The Deputy seems to be suggesting a mechanism to pull all of the work that has been done together and which has political approval. That proposal has value.

Overseas Development Aid

81. **Deputy Seán Barrett** asked the Minister for Foreign Affairs the position regarding a Civilian Corps to assist towards achieving part of the Millennium Goals by allowing Ireland to introduce a scheme whereby unemployed persons with specialist skills e.g. engineers, architects, tradesmen and women, medical personnel and teachers, can participate in programmes such as the building of schools, hospitals and other infrastructure and also in the provisions of their skills in the areas of education and health; and if he will make a statement on the matter. [36398/10]

Deputy Peter Power: I congratulate Deputy Barrett on his appointment as foreign affairs spokesperson. I acknowledge the merits of the proposal referred to by the Deputy which aims to harness the skills and experience of Irish people facing a period of unemployment to benefit communities in the developing world. The Government is open to consideration of innovative approaches which would enhance Ireland's national contribution to the achievement of the millennium development goals. We have paid particular attention over the past 18 months to the encouragement of volunteering in the developing world. Through the aid programme, which is administered by Irish Aid in the Department of Foreign Affairs, the Government is funding the work of some 1,300 development workers, volunteers and missionaries in developing countries. Their work is an important and greatly valued aspect of the overall Irish contribution towards the achievement of the millennium development goals by 2015.

Our support for volunteering recognises the unique contribution volunteers can make to development. The Irish Aid volunteering and information centre in Dublin was established in 2008 to promote and facilitate responsible volunteering. Since April of last year the centre has organised four volunteering fairs — three in Dublin and one in Cork — to highlight and promote opportunities to volunteer with the main development and humanitarian agencies and non-governmental organisations. More than 1,000 people have attended the fairs, the most recent of which was held in September. Twenty-seven volunteering organisations participated, recruiting teachers, medical personnel, engineers and other volunteers to work on construction in developing countries.

Irish Aid is working closely with volunteering organisations to identify placements which will promote development in the poorest countries and provide volunteers with an opportunity to make a real contribution in the fight against poverty and hunger. It is important to ensure that all volunteering assignments are suited to an individual's capacity and experience and are of benefit to the community they travel to in the developing world. It is also important to address possible health, safety and security risks and to ensure volunteers and the organisations they work with recognise the complexity of the challenge of working in some of the poorest countries in the world.

The Government has also established a rapid response corps to enable members of the public with specific skills to assist in humanitarian crises, such as the recovery effort following the earthquake in Haiti in January. Members of the corps have specialised skills in areas such as logistics, engineering, and water and sanitation and are available for secondment at short notice to the United Nations and other humanitarian organisations in emergency situations. The Department of Foreign Affairs is working to expand the expertise available to the corps, and a new recruitment round will be held in 2011.

Deputy Seán Barrett: I thank the Minister of State for his reply. I join him in lauding voluntary organisations for the great work they are doing. Is the Minister of State aware that in Australia the new Foreign Minister is putting a Bill through parliament, the Australian Civil Corps Bill, along the lines I am suggesting, whereby one would establish a register not only to work with developing countries but also to provide specialists to deal with natural disasters and so on. The establishment through legislation of a civilian corps would be of great value. There is a great deal of good work being done in this area but much of it is not known. Such an initiative would be evidence that we are thinking outside the box.

Rather than having unemployed engineers and tradespeople sitting at home, they could volunteer through an organised corps to do work abroad as part of our overseas aid programme. What recognition is given in our target of 0.7% of GDP to the value of the work done by skilled people working abroad? Is that taken into account as part of the target?

Deputy Peter Power: I will answer Deputy Barrett's last question first. The answer is, specifically, no. The official development assistance that donor countries provide to developing countries and aid agencies is measured in euro and dollars. That is not to take away from the excellent work carried out in the name of Ireland by highly skilled and specialised people.

We have a corps not unlike the one proposed by the Deputy. It is our rapid response corps, which has been developed in the past 24 months, specifically to respond to emergency and humanitarian disasters. That corps identifies the type of people about whom the Deputy is talking. They are people with high skills and great experience in logistics, engineering, education and health delivery. These are the sorts of skills needed in the immediate aftermath of an emergency or crisis. One does not necessarily need hundreds of people very quickly but one needs highly skilled, effective and experienced people.

I am aware of the Australian model to which the Deputy refers. It also seeks to promote business people to engage in the developing world. Australia's developing world is Asia, which is in closest proximity to them. Ours is sub-Saharan Africa. Our way of promoting Irish people to engage with the sorts of skills about which the Deputy is talking is through voluntary non-governmental organisations. Since 2008, we are funding 3,000 people to get involved in those organisations, which we directly fund.

Deputy Seán Barrett: One of the millennium goals was to improve the standard of education. Therefore one needs teachers and buildings. If one provides assistance in that area alone, never mind the whole area of health which is also included in the millennium goals, one must deal with more than euro and dollars. Surely we have gone beyond the point where it is just about dollars. Can we not provide assistance in the form of individuals, particularly when we have so many qualified people? I am sure a high percentage of qualified people would be only too willing to consider engaging in a properly structured, and not *ad hoc*, programme. That is where legislation similar to that in Australia could come into play. We need a properly structured programme whereby these people could sign up to 12 months or longer. There may be professional people in the public service who might want to seek leave of absence for a period or people in farming might want to volunteer. Targets could be met in this way.

It is not just about money. We should seek to have our contribution measured by way of personal and professional involvement. This should be part and parcel of any target that is set.

Deputy Peter Power: Of course the Deputy is right. It is not just about euro or dollars. The Deputy mentioned education. The greatest progress in the millennium goals has been in the area of education. However, it was not achieved by transplanting teachers from Ireland to developing countries but by building up their inherent education systems and providing training colleges and trainers of teachers as well as the schools themselves.

I do not think a new statutory body is the way to go. We have a structured way, through funding of NGOs, where people are invited to come in and use their skills. We are also funding specialist placement organisations, such as Voluntary Service Overseas, Suas, SERVE and the United Nations Volunteers organisation. These provide opportunities for people with skills to contribute in the way the Deputy is proposing. I welcome the fact that he is thinking outside the box in encouraging as many people as possible to volunteer but I do not think legislation is the way to go.

Human Rights Issues

82. **Deputy Seán Barrett** asked the Minister for Foreign Affairs in view of the recent comments by the Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia regarding the failure of Serbia to produce a person (details supplied), his views on whether the Stabilisation and Association Agreement motion should be passed prior to the confirmation of the delivery of the person to the Tribunal [36399/10]

Deputy Micheál Martin: As the Deputy will be aware, the Stabilisation and Association Agreement with Serbia was signed in April 2008. However, it was decided to defer ratification of the agreement until the Council was satisfied with Serbia's co-operation with the International Criminal Tribunal for the Former Yugoslavia (ICTY). Following a positive assessment by Chief Prosecutor Brammertz regarding Serbia's ongoing co-operation with the tribunal, Ministers decided, by consensus, at the Foreign Affairs Council on 14 June 2010 to submit the agreement to their national parliaments for ratification. At the same time, the Council again underlined that full co-operation with ICTY remains an essential element of the Stabilisation and Association Agreement process.

The Chief Prosecutor also reported to the UN Security Council in June 2010. His report found that Serbia has co-operated satisfactorily with the tribunal in terms of access to documents, archives and witnesses. He particularly welcomed the seizure by Serbia in February 2010 of Ratko Mladic's handwritten war time notebooks. He also encouraged Serbia to increase its operational capacities and adopt a more rigorous and multi-disciplinary approach to the arrest of the remaining two fugitives. The Serbian Government in reply confirmed that the Chief Prosecutor's suggestions and recommendations are being implemented.

Each member state ratifies Stabilisation and Association Agreements according to its own internal procedures. In Ireland's case, this requires the passing of a resolution by Dáil Éireann approving the terms of the agreement. It is proposed to submit a motion to Dáil Éireann in relation to the ratification by Ireland of the Stabilisation and Association Agreement with Serbia in the near future.

The EU's Stabilisation and Association Agreement process provides the framework for co-operation on economic, political and legal matters aimed at bringing the western Balkan countries towards the standards and principles required for EU accession. Co-operation with ICTY is a precondition for those wishing to conclude Stabilisation and Association Agreements with the EU. It is a precondition which the EU has enforced consistently and firmly.

When I met with the Serbian Foreign Minister, Vuk Jeremic, in New York last month he emphasised the importance Serbia attaches to EU integration. During the meeting I asked him about progress on issues relating to ICTY. Minister Jeremic underlined Belgrade's commitment to full co-operation with ICTY, noting that 44 of 46 indictees have been arrested and handed over to the tribunal. He said that Serbia wants to see the remaining two indictees arrested as soon as possible.

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It is important, I believe, that we acknowledge the substantial progress Serbia has made in the ten years since protests led to the end of the Milošević regime. We must continue to assist and encourage Serbia on its path to the EU. At the same time, as with the Stabilisation and Association Agreement process, the EU will insist that Serbia co-operates fully with ICTY in bringing to justice the two indicted war criminals that remain at large. However, as the Deputy will appreciate, we must base our decisions on the official reports by the chief prosecutor, rather than comments reported in the media.

Deputy Seán Barrett: The Minister's information and mine seem to be at variance. On 20 September the chief prosecutor, Serge Brammertz had very harsh things to say about the lack of progress in respect of the arrest of Mr. Mladic and company. Is the Minister aware of the statement of 20 September, which reads, "Political support from the European capitals and from Brussels is of paramount importance in pressing Serbia to arrest Mladic and the only other remaining fugitive, former Croatian-Serb leader Goran Hadzic." He also noted that the tribunal cannot wait indefinitely for Mladic to be arrested as the UN Security Council is pushing the tribunal to complete all its cases and shut its doors. The tribunal is due to close down in three years. He said, "We need arrests now in order to be able to have a trial which represents the magnitude of the crimes committed". Brammertz says Serbian authorities are doing all they can to track down Mladic but he "senses a gap between political pronouncements and the actions he sees on the ground".

I would support the progress being made in Serbia and in many other areas, but this is a point of principle. If we set up an international tribunal to deal with the worst atrocities in the history of Europe since the Second World War and are then seen to walk away from our responsibility of bringing these two monsters to justice, it would be a slight on all of us. A small neutral country like Ireland should show example here.

I ask the Minister not to bring the Stabilisation and Association Agreement motion before the House until I have asked the Joint Committee on European Affairs to have Mr. Brammertz attend the committee and report to it on what he is saying in his reports. This is the last remaining tool to support that international court.

Deputy Micheál Martin: I am willing to discuss this issue in detail with Deputy Barrett at any time.

Deputy Seán Barrett: We invited the Minister before the Joint Committee on Foreign Affairs.

Deputy Micheál Martin: I will attend the committee at any time. I did not interrupt the Deputy.

An Leas-Cheann Comhairle: I understand the Minister is scheduled to appear before the committee next week. The Serbian ambassador is appearing before it today.

Deputy Micheál Martin: We need to take a considered approach and, apart altogether from Mr. Brammertz's assessment, the European process for the western Balkans is the most effective way to embed democracy and the standards to which we aspire. The current Government of Serbia is progressive and pro-European Union. If we set the clock back any further, we would put all that at risk for other countries in the western Balkans as well as Serbia.

Deputy Seán Barrett: I do not accept that.

Deputy Micheál Martin: I make that general political point in the context of my assessment of the importance of moving ahead with the stabilisation and association agreement, which has experienced several setbacks since it was first negotiated in 2005.

I have attended European Council meetings at which Mr. Brammertz made presentations. The last of these was in June, when he made a positive assessment of Serbia's co-operation with the ICTY. He also made a positive assessment at the previous meeting.

Deputy Seán Barrett: This is September.

Deputy Micheál Martin: I am speaking about the Council. The chief prosecutor is, of course, anxious to maintain pressure but equally he has stated that he presents the matter as he sees it and it is for us as Ministers and Governments to make our decisions.

When I met the Serbian Minister for Foreign Affairs, Mr. Jeremić, in New York he pointed out that his Government has already done the heavy lifting in regard to the political difficulties of handing over people. It has handed over three former presidents and 44 of the 46 indictees have been arrested. Last March, the Serbian Parliament in Belgrade issued a declaration condemning the Srebrenica massacre. The wartime notebooks of Mladic were handed to the ICTY in May. In July, the Serbian and Croatian Presidents staged a joint visit to Bosnia for the Srebrenica commemoration. In September, nine former paramilitaries were indicted by the country's war crimes prosecutor for the killing of ethnic Albanians during the Kosovo conflict.

The joint EU-Serbia resolution on Kosovo represented a very important event at the UN General Assembly in September. Concerns initially arose that Serbia would not co-operate with the EU proposal at the UN but considerable pressure was exerted and it ultimately agreed with a resolution brokered by the High Representative, Baroness Catherine Ashton. One has to act in good faith.

An Leas-Cheann Comhairle: I ask Deputy Barrett to put a question.

Deputy Seán Barrett: I remind the Minister it is the obligation of this Parliament to pass motions independently of anybody else. We are entitled to express our deep concerns and have every ground to do so.

An Leas-Cheann Comhairle: The Deputy should ask a question.

Deputy Seán Barrett: Does the Minister accept that elements in Serbia would prefer Mr. Mladic not to appear before any tribunal and, therefore, we must make certain that the Serbian Government gets our support in ensuring everybody is aware of the consequences of not delivering on its commitment?

Deputy Micheál Martin: I do not want to see the forces described by Deputy Barrett, which of course exist in Serbia, rising to the ascendancy. That was the political point I referred to earlier. I have clearly formed a view of the matter and I am entitled to put it on the record, just as the Deputy is entitled to set out his own views. I stated from the outset that I have no difficulty with an extended discussion and I anticipate that the chief prosecutor will be making further presentations. Even the Commissioner for Enlargement and European Neighbourhood Policy, ηtefan Füle, expressed his opinion that the Serbian Government is sincere.

International Agreements

83. **Deputy Seán Barrett** asked the Minister for Foreign Affairs his views on the United Nations refusal to allow the EU the right to speak at a meeting of the General Assembly and

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as a result of this the EU continues to only have observer status despite the fact that they now represent over 500 million people; and if he will make a statement on the matter. [36400/10]

Deputy Micheál Martin: The Lisbon treaty has provided new structures for external representation of the EU, including the appointment of the EU High Representative for Foreign Policy, Baroness Catherine Ashton. The High Representative now carries out the foreign policy representation functions previously carried out by the rotating EU Presidency. The purpose of these changes is to allow the European Union to play a more effective role and have a stronger and more coherent voice in the international arena. Over the past year EU ambassadors in New York have been fully engaged in explaining the changes arising from the Lisbon treaty to non-EU member states and working to ensure that the new external representatives of the EU can fulfil their role adequately at the UN.

Following a lengthy process of consultation, EU member states tabled a draft resolution at the General Assembly last August to provide for a modestly enhanced status to the EU's existing rights as an observer, including allowing the EU High Representative and other EU representatives to speak in a timely manner in formal meetings of the UN General Assembly and Security Council as well as seeking the right of reply and to distribute official documents of the EU.

This request is fully compatible with the EU's status as an observer at the UN General Assembly, a status which is also held by a range of other international organisations. The request requires no change in either normal UN procedures or to the UN charter. The United Nations very much remains an organisation of states and, therefore, there is no question of the EU or any other international organisation having a status at the UN beyond that of an observer.

On 14 September, the General Assembly voted to defer consideration of the draft resolution on the issue of EU representation at the UN. This should be clearly understood as a procedural set back rather than a verdict *per se* on the substance of what the EU is seeking. While this was disappointing for EU member states, it was apparent that certain other UN members wished to have more time to consider the implications of the changes in EU representation. Concerns were also expressed by some UN members that the EU was seeking new prerogatives at the UN, which is not the case.

As I noted in my speech to the UN General Assembly on 27 September, the EU and its 27 member states are firmly committed to effective multilateralism with a strong UN at its core. We look forward to further consultations with UN member states on formalising the changes to the representation of the EU in the UN General Assembly. This is something to which Ireland and its EU partners attach the utmost importance because the proposed modest adjustments will help the EU to make a more effective contribution to the work of the General Assembly and the UN. It is also important the EU learns the appropriate lessons from its inability up to now to secure sufficient support from other UN members for the modest changes it is seeking. A process of internal review is now under way in both New York and Brussels to assess the potential implications of last month's vote for EU standing within the UN. The issue will also be discussed at the Foreign Affairs Council later this month, at which time I and my EU counterparts will be able to benefit from the results of the internal analysis now under way.

Deputy Seán Barrett: In view of the fact that we are a small country with no axe to grind, can we not lead on this issue? Does the Minister agree that reform of the UN is required? Does he agree that the UN Security Council, with its five permanent members, is totally out of date in the current era? Does he accept that the 500 million people of the EU contribute

more than anyone else to the running of the UN? Does he agree that the EU should have a different status to that of the Vatican, the Red Cross and the Arab League? It is time we as a country within the EU sought these changes and I ask him to set out the Government's position regarding reform of the Security Council and the general operation of the UN. Will he take a lead on this issue within the EU? He is smiling but, believe it or not, we could do a lot because we have nothing to lose.

Deputy Micheál Martin: The Deputy asked two separate sets of questions. The original question referred to the UN's refusal to allow the European Union the right to speak at a meeting of the General Assembly under new arrangements. On the wider issue of UN reform, Ireland has already taken a lead. My predecessor, the Minister, Deputy Dermot Ahern, was nominated by the Secretary General of the UN to lead reform by bringing proposals together.

Deputy Seán Barrett: What has happened to that?

Deputy Michael D. Higgins: It is dead in the water.

Deputy Seán Barrett: I have heard nothing about it.

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

Deputy Micheál Martin: I hope the Deputies are not blaming Ireland for that. We believe in broadening representation on the Security Council.

Deputy Michael D. Higgins: The permanent members will never allow it.

Deputy Seán Barrett: It is a closed shop.

An Leas-Cheann Comhairle: Please allow the Minister to reply. We are well over time on Priority Questions.

Deputy Micheál Martin: In regard to current reforms to peacekeeping and peace building, our permanent representative to the UN, Anne Anderson, has been asked by the Secretary General to lead work in these areas. This reflects the high respect in which we are held by the United Nations. We take leadership positions on a number of issues, the most recent of which was our significant diplomatic achievement on the review of the Nuclear Non-Proliferation Treaty. One of our officials chaired the Middle East resolution at the conference on that treaty.

Most people would have said there was no chance of emerging from that process with a consensus leading to a conference in 2012. There is still a lot of work to be done. Ireland was asked to chair the process and it performed admirably in that regard.

The real issue, which we flagged within the European Union, is that the Union did not go about its business in the most optimal way. As the Finnish Foreign Minister says, the Union needs to be mindful of how it is perceived in other parts of the globe.

Deputy Seán Barrett: Does the Minister agree that if there is no reform, there is always a danger that other arrangements will come into place, and that they will have an impact on the overall effectiveness of the United Nations? The United Nations is well worth maintaining provided it is updated and has modern practices. The real danger is that there would be more alignment between the European Union and NATO and such arrangements while ignoring the United Nations. Is the Government prepared to take the lead and renew the request made to the now Minister for Justice and Law Reform, Deputy Dermot Ahern, to lead a reform programme? Will the Minister for Foreign Affairs

4 o'clock

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return to us with an update on what exactly is happening in regard to the committee that the Minister——

An Leas-Cheann Comhairle: The Deputy is expanding the scope of the question.

Deputy Micheál Martin: The Deputy should probably do a bit of homework and acquaint himself with what has happened in the intervening in period and with the progress that has been made.

Deputy Seán Barrett: I do not need to. I am asking the Minister questions.

Deputy Micheál Martin: I mean that sincerely. Much work has been undertaken. We will continue with the leadership role we have adopted in regard to many of the aspects of the work of the United Nations. We will continue to push for reform where it is needed within the United Nations, as we do in respect of all the bilateral meetings we have held.

Other Questions

Middle East Peace Process

84. **Deputy Paul Kehoe** asked the Minister for Foreign Affairs to report at UN level between Israel and Palestine; the EU response to these negotiations; and if he will make a statement on the matter. [36054/10]

Deputy Micheál Martin: The direct talks which began in Washington on 2 September continued in two further sessions, in Egypt and Jerusalem, on 14 September and 15 September. The talks involved Prime Minister Netanyahu and President Abbas, with very restricted teams on both sides. The United States, usually through Senator Mitchell personally, is present at all sessions as a broker, but not a direct participant. The other members of the Quartet — the United Nations, the European Union and Russia — fully support this effort.

It is the intention of the parties that the progress of the talks should be kept as restricted and confidential as possible, and I respect that as an essential measure if they are to succeed. There has been a serious threat to the continuation of the talks due to the resumption of Israeli settlement construction. It is hoped this can be resolved and that the talks will continue, but this is not yet certain. I dealt with this issue in more detail in reply to the priority question on this subject.

The key issues to be settled are borders — including in respect of Jerusalem and settlements — and security, refugees and water. The initial talks are between Israel and President Abbas as leader of both the Palestinian Authority and the PLO. To reach a comprehensive settlement, Syria and Lebanon would also have to become involved in due course. The question of Gaza, currently under separate Hamas control, would have to be taken into account.

It is intended within one year to reach a framework agreement, with full details being elaborated subsequently. This timetable is ambitious but entirely feasible if there is genuine will on both sides. An outline agreement on borders, which would indicate which settlement blocks might remain part of Israel, would go a long way towards defusing the current serious difficulty over settlement construction. This should compel both parties to make every possible effort, and show all possible restraint, for the comparatively short period required. The prize of lasting peace is of vastly greater significance. I again urge the Israeli Government in particular to renew the moratorium on settlement construction.

Deputy Seán Barrett: As I understand it, both the Palestinians and Israelis accept the two-state solution. Am I correct in saying that?

As with our experience in Northern Ireland, it is a question of achieving a basic understanding and sticking to that. Surely there are times when we must keep working towards acceptance of one particular fact. I would be horrified to see the talks collapsing when there is agreement on the basic principle. I am interested to hear whether the Minister believes enough is being made of the fact that the agreement already exists.

Deputy Micheál Martin: The fundamental lesson to be drawn from the Northern Ireland peace process is that hurdles were jumped where there was a will on all sides to reach agreement. As I stated in my earlier reply, there is still a significant lack of trust in terms of one side trusting that the other will go the full road towards a solution.

Deputy Seán Barrett: That trust did not exist initially in Northern Ireland.

Deputy Micheál Martin: There was a far greater degree of trust in the Northern Ireland peace process than might have been known about at the time, certainly behind the scenes.

Achieving an agreement is very difficult and there are many challenges and hurdles. That said, the feedback we are receiving suggests both leaders are putting on the table their genuine personal desire to see an outcome. President Abbas has been weakened significantly over the past two years by a variety of incidents. I will not go through all of them again. He has the support of the Arab League and the Arab states, which support is essential. These states make a call in terms of what is possible for him in respect of his ability to emerge from the talks with an outcome.

I have made the point to anybody I have spoken to that every effort should be made to try to make space for the talks to proceed and to allow people to get into detail. I do not disagree with the Deputy in this regard. It is a matter of the United States trying to broker a formula that would keep the two leaders talking.

Deputy Michael D. Higgins: I made a point on the value of a secretariat in Question No. 80. The Minister has acknowledged it represents a way forward, which I appreciate. His own long list of unfinished business makes the case again for the secretariat. I do not share the Minister's view on the Arab League. The league switches on and off the issue in a fairly intermittent way.

While the talks may be at the point of breakdown in regard to the settlement issue, there were other dimensions, including those the Minister has listed, that could have created some prospect of progress, such as the release of prisoners or addressing the issue on east Jerusalem. Does the Minister agree?

Following on Deputy Barrett's point, there is no agreement on the shape of a contiguous, independent, viable Palestinian state. That is the issue. I repeat that if there is an extension beyond Ma'ale Adumim across the Jordan valley, one will have created such obstacles that there cannot be a contiguous, viable Palestinian state. We have been saying for decades that a two-state solution is the issue but there is no agreement on what is required in terms of an international legal order to establish that. That is where the Arab League could have been more active.

Deputy Micheál Martin: I made a point on the Arab league in the context of supporting President Abbas, not on the wider issues. The Deputy is making the point that the settlements on the ground keep creating new facts on the ground that undermine the principle of having two states. That is the problem and where the issue becomes very difficult. On the Palestinian side, people are saying that, in spite of all the talk of having two states, the reality is different

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on the ground. Matching the rhetoric and articulation of principles with the reality on the ground is the big challenge and difficulty. That is why President Abbas cannot really move too far forward without the settlement issue being at least temporarily put aside.

Deputy Pat Breen: What are the Minister's views on the Israeli offer to renew the building freeze in settlements in return for Palestinian recognition of Israel as the main Jewish state? I know this has been rejected by the Palestinians.

Deputy Micheál Martin: As I stated, I regard the oath of loyalty required of Arabs living in Israel, including Jerusalem, as counter-productive and wrong. It is not helpful in any shape or form.

Human Rights Issues

85. **Deputy Simon Coveney** asked the Minister for Foreign Affairs if he will seek an interim agreement at the next meeting of the EU General Affairs Council in setting up a rapid response corps, consisting of existing battle groups, to deal with global humanitarian crises; and if he will make a statement on the matter. [36024/10]

Deputy Micheál Martin: The question of whether and how military assets and capabilities can best be used in responding to humanitarian emergencies was discussed at the Foreign Affairs Council in June in the context of the Union's response to the Haiti earthquake. EU action in response to humanitarian crises is framed in the context of an overall international approach that brings together the United Nations, the Red Cross movement, humanitarian NGOs and others in support of action by the national authorities of the country concerned. There is general agreement that humanitarian assistance should respect the principles of neutrality, impartiality and independence. Accordingly, humanitarian action should be civilian in character and leadership.

However, it is established UN and EU policy that in certain circumstances humanitarian aid may draw upon military assets, notably for logistical and infrastructure support. This would normally occur where there is no comparable civilian alternative and where only the use of military assets can meet a critical humanitarian need. Operating procedures and co-ordination arrangements for military support to EU disaster response have been put in place within the overall framework of humanitarian operations retaining their civilian nature and character.

There is considerable divergence of views among partners on the use and potential effectiveness of battle groups in a humanitarian context — not least because many of their components are not appropriate for disaster relief. This means that a battle group may not be able to provide the necessary capabilities within the timeframe required, even if it is decided that the use of military units is appropriate in the particular circumstances. I am in favour of further consideration of this question among our partners. Ireland's position on this matter is pragmatic and needs-driven. Once it is clear that there is no comparable civilian alternative available to meet a critical humanitarian need, military assets should be deployed be they elements drawn from a stand-by EU battle group or generated for that specific purpose from the member states, whichever is the more appropriate.

Deputy Seán Barrett: Is the Minister aware of the suggestion made by Brigadier General Stefan Andersson, who commands the Nordic Battlegroup 2011, in which Irish troops will take part next year with Sweden, Norway, Finland and Estonia and will be on standby for rapid deployment in the event of a military crisis, that the EU should consider broadening the range of possible deployments for the battle groups to include natural disasters and humanitarian

crises such as the Haiti earthquake? The Brigadier General went on to state that within the Nordic battle group is a medical company, transport, helicopters, tactical aircraft and well trained soldiers who can support those who need support in such situations. I have spoken to people in the Irish Defence Forces who say they are ready, willing, able and capable of being discharged to assist in humanitarian crises and disasters. To fight whom are we keeping this military force on standby when it could be being used to assist in dealing with disasters such as occurred in Pakistan?

Deputy Micheál Martin: The Deputy will be aware that I quoted the Brigadier General's comments at the last meeting of the Joint Committee of European Affairs. I agree with Deputy Barrett. I also agreed with a number of members at the European Foreign Affairs Council that the battle group should be utilised to assist in disasters such as occurred in Haiti. This would be a good demonstration of the importance and relevance of battle groups and justification for the background work that goes into their formation, training and so on. There is no disagreement on this issue.

Deputy Michael D. Higgins: Does the Minister agree that the title of the group as a battle group has been a disaster?

Deputy Finian McGrath: Hear, hear.

Deputy Michael D. Higgins: Does he agree that all of the evidence coming from Afghanistan and every other place wherein there is a military presence alongside an aid presence, that aid activity which has been militarised has been a little less than disastrous?

Deputy Finian McGrath: Hear, hear.

Deputy Michael D. Higgins: Is it not the case, in terms of the review of Haiti, that any real dangers which occur are as a result of there being the slightest prospect of militarisation and that, therefore, humanitarian response and aid requires, if it is to be effective, to be at arm's length distance and observable and transparent to the receiving population?

Deputy Micheál Martin: My response to the Deputy's first question is, yes the name has been a disaster. On the second question, to use the Afghanistan context is not fair in the context of the question being asked because I can foresee situations where the presence of the military can be advantageous to humanitarian assistance. Indeed, it can be indispensable to the provision of humanitarian aid.

Deputy Michael D. Higgins: Logistics.

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 Mattie McGrath — proposed amendments to the Valuation Act 2001; (2) Deputy Ulick Burke — the urgent need for the Minister for Education and Skills, Deputy Mary Coughlan to indicate when St. Catherine's national school, Aughrim, County Galway will be given the go ahead for the construction of a new school given that the classroom sizes are one third the size of the regular classrooms in other national schools and there is now a very serious health and safety issue arising from over crowding and a lack of other appropriate facilities; (3) Deputy Kieran O'Donnell — the need for the Minister for Health and Children

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to retain the existing levels of service at Croom Orthopaedic Hospital, County Limerick; (4) Deputy Joanna Tuffy — the need for the Minister for Education and Skills to maintain community employment schemes and job initiative schemes in Clondalkin and for the Minister to make a statement on the matter; (5) Deputy Frank Feighan — the need for the Minister for Education and Skills to explore the possibility of providing a third level education college for Carrick-on-Shannon given it is now a regional town; (6) Deputy Martin Ferris — the need to discuss the delays in granting a foreshore licence for the Shannon LNG project in North Kerry; (7) Deputy P. J. Sheehan — the proposed extension for Kinsale Community School; (8) Deputy Joe McHugh — the proposal to upgrade the N14 19km route from Lifford to Letterkenny to Type 2 dual carriageway, the amount of money invested to date by the State in feasibility studies and associated costs for this proposal, to explain why the proposal was removed from the programme for Government and if the Government plans in the short term to upgrade to the road and to outline these plans; (9) Deputy James Bannon — the need for the Minister for Justice and Law Reform to ensure that a person who is severely brain damaged following a car accident and requires urgent treatment will be transferred to the care of the Department of Health and Children; (10) Deputy Thomas P. Broughan — the need for the Minister for Justice and Law Reform to report to Dáil Éireann on whether he is considering changing the law in relation to the illegal occupation of property in particular where clear offers of accommodation have been made to the illegal occupiers and if he is considering any other measures to address the security, environmental and other impacts of an illegal occupation; if the Minister is aware of the illegal occupation of development lands in a location (details supplied) that is causing serious distress to local residents and householders, many of whom are paying large mortgages and if he will make a statement on the matter; (11) Deputy Kathleen Lynch — to discuss the proposed move of the prosthetic clinic from St. Mary's Orthopaedic Hospital, Cork to the MUH, Cork; (12) Deputy Deirdre Clune — the need to address the concerns surrounding the use of State funding provided to a charity, Right of Place, established to support victims of institutional abuse; (13) Deputy Seán Barrett — marriages of convenience; (14) Deputy Michael McGrath — that the Department of Education and Skills confirm the position regarding the appointment of a building contractor and the commencement of construction work on the new school building for Ballygarvan national school, County Cork; (15) Deputy Ciarán Lynch — to ask the Minister to debate the measures being examined by Government to deal with difficulties in relation to defined benefit pensions; the implications of the requirement for stressed pension funds to submit recovery plans to the Irish Pension Board arising from the November deadline and the consideration given by Government to the establishment of a sovereign annuity bond system as proposed by the Society of Actuaries and the Irish Association of Pension Funds; (16) Deputy Denis Naughten — the need for the Minister for Justice and Law Reform to expedite Garda clearance for FÁS CE participants working with elderly health care services; and (17) Deputy Simon Coveney — the viability of and funding available to regional airports.

The matters raised by Deputies P. J. Sheehan, Mattie McGrath, Simon Coveney and Seán Barrett have been selected for discussion.

Deputy Seán Barrett: On a point of order, I submitted a private notice question on the up to date position on passport abuse. I have not yet heard if that question will proceed. This is a matter of grave urgency.

Deputy Enda Kenny: Hear, hear.

Deputy Seán Barrett: The integrity of Irish passports is being brought into disrepute——

Deputy Bernard J. Durkan: Hear, hear.

Deputy Seán Barrett: —as a result of the ongoing failure on our part to guarantee security of a passport. The UK has dealt with this matter by way of other arrangements.

An Ceann Comhairle: The Deputy—

Deputy Seán Barrett: We appear to have learned no lessons from the Dubai affair. Perhaps the Ceann Comhairle will say if there is a justifiable reason for refusal of this private notice question, given the gravity of the situation?

An Ceann Comhairle: The Deputy submitted a parliamentary question on the matter for today.

Deputy Seán Barrett: It is way down on the list.

An Ceann Comhairle: Had the Deputy submitted the question as a priority question it would have been dealt with in that context.

Deputy Seán Barrett: My difficulty was that the time for submission of priority questions had elapsed. I do not know of any other way I can raise this issue.

An Ceann Comhairle: I am not in any way diminishing the importance of the issue.

Deputy Seán Barrett: Will the Ceann Comhairle reconsider the matter for tomorrow, given the circumstances?

Leaders' Questions

Deputy Enda Kenny: The mood of the people ranges from deeply concerned to terrified in terms of the economic situation the country now faces. They recognise that a significant element of this is because of poor Government, bad judgment and obscene wastage of their money. This morning we heard from the European Commission that most of the sacrifices made by the people have now been frittered away in terms of payment for the banks. The Fine Gael Party is not tied to any particular group or sector. Its only interest is in the people and country of Ireland. Obviously, others will be the same.

Yesterday, I received a letter from the leader of the Green Party, a minority party in government, requesting Fine Gael's participation in a forum seeking consensus on the approach to be taken to deal with the economic situation we face. The Fine Gael Party has for more than a year accepted the need for a reduction to 3% in debt ratio by 2014 and has stated that this should be front-loaded. We agree with the production of a four year fiscal plan in this regard. We believe that is constructive. The Labour Party holds the same view in terms of the main targets and objectives in this regard.

The leader of the Green Party has put forward his view that there should be a consensus on the approach to be taken towards the fiscal and economic situation in which we find ourselves. Was the letter sent by the leader of the Green Party issued on behalf of the Government? Does it have the Taoiseach's imprimatur?

The Taoiseach: The letter was circulated by the Minister for the Environment, Heritage and Local Government in his capacity as leader of the Green Party. It is very important, from the point of view of that party and from the point of view of everyone else, to see if there is some way a form of general consensus might be arrived at. As the Deputy stated, there is consensus among the main political parties with regard to reducing the deficit to 3% by 2014. I made the

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point on the Friday before last that we would seek to facilitate the Opposition parties in respect of their spokespersons receiving briefings and analysis from the Department of Finance in due course. It is hoped that this will be provided soon.

I welcome the fact that Fine Gael and the Labour Party seem to agree that there is a need to achieve the 3% deficit target by 2014. That is helpful. An issue then arises with regard to the four-year plan that is being devised. The Government obviously has a responsibility to bring forward such a plan. No one claims to have a monopoly on wisdom and if people wish to suggest constructive approaches that might be taken or if they wish to offer their views, these would be welcomed. The country faces an extremely challenging period but I am of the view that we will come through this if we deal with the matter in a rational, calm and intelligent way.

I have always stated that the Opposition can take on board the briefings and analysis that will be provided and that we could then examine whether people share similar views on the facts as they stand. The detailed policy response to those facts may differ from party to party. However, it is important that we should all at least be given the facts relating to the nature of the fiscal challenge we face. Those are issues that will emerge in due course as the data is evaluated and as decisions and judgments are reached in respect of it. In that context, it would be helpful if the three main parties — I understand Sinn Féin has a different point of view — could confirm that this is their broad position.

Regardless of the situation relating to the banks, there is an issue to be resolved in respect of the gap that exists between what we spend and the amount of money accruing to the Exchequer. It would not be correct to state that the issue relating to the banks is the source of all our problems but it does contribute to those problems in the context of the increased national debt to which it gives rise. The fact remains that there is an issue on the fiscal front which must be resolved. I look forward to people taking an open and constructive approach in respect of that issue.

Deputy Enda Kenny: There have been many days on which and many issues in respect of which the House has been divided. Perhaps it is time for a statement of agreement on an issue that affects every person in this country. I am not going to do down any proposal which might have an impact with regard to dealing with the problems we face in economic and fiscal terms. Those problems have a direct impact, in various ways, on the quality of life of many people.

Deputy Noonan is happy to accept the invitation from the Department of Finance. He will discuss with officials from the Department the advice or information they wish to provide when he meets them tomorrow. When meetings of this type took place in the past — particularly as parties approached the possibility of an election being called at some time in the future — the information provided to the Opposition was not subject to any ministerial direction. Will it be the case that the information to be provided to Deputy Noonan and, I presume, Deputy Burton and others, will not be subject to any such direction from the Minister for Finance and that it will constitute the truth, the whole truth and nothing but the truth?

The Taoiseach quite rightly made the point that when the relevant information is received by the Opposition parties, they will be entitled to assess and analyse it and indicate what might be the shape of the budgets they would put forward based on the facts provided. When he stated that the parties could meet when the information is received and assessed, was the Taoiseach indicating that he supports the concept of engaging in a discussion on the possibility of consensus? I want to be constructive but there would be no point in my participating in the process if the Taoiseach does not do so. I am seeking a straight answer in this regard.

We will act constructively in conjunction with the Government. We will also act constructively in the interests of the people and the country. It was for this reason that I stated that we agree with the 3% deficit target, with the realisation of this by 2014, with the fact that there must be front-loading and with the Government's invitation that we should be briefed by the Department of Finance. We will assess the information that will be made available. Thereafter, I wish to be as constructive as possible in the interests of the people. Is it the Taoiseach's view that the leaders of the parties could participate in a series of discussions regarding the possibility of achieving consensus?

The Taoiseach: Any briefings will be provided by designated officials from the Department of Finance. There is no question of directions or anything else being given in respect of the advice that will be provided. The facts of the matter, as they are emerging, can be conveyed. The Deputy stated that Deputy Noonan will be meeting some officials tomorrow in order to discuss the means by which the relevant information can be provided to him. I understand that others visited the Department earlier in the week. The Department is evaluating the position at present and it is obvious that all its work will not be completed by the time the briefings are to be given. However, such briefings will — perhaps later this week or early next week — be provided to spokespersons on that basis.

I wish to return to the Deputy's point on our involvement, as a Government. I made it clear on Friday last — there is a full transcript available in respect of what I said — that if, arising out of the briefings and analysis that will be provided, any proposals emerge from the Opposition which could be subsequently developed upon by means of a meeting at leadership level, I would have no difficulty in this regard. That goes without saying, as far as I am concerned. We all recognise the areas in respect of which we want to work constructively and we all agree that there is a framework — namely, reducing the deficit to 3% by 2014 — within which we are obliged to operate. The provision of briefings and analysis would ensure that everyone would be armed with the same facts that are available to the Government. When those facts have been provided, people will be in a position to make decisions and choices in respect of how they would resolve the problems that exist. It would then be a matter for those concerned, in the context of a debate or whatever, to put forward their views. All of that to which I refer would be helpful.

I want to work constructively with all of those who are minded to bring forward proposals that would result in the best possible plan being devised. One of the issues which must be considered in this context is the need to reduce the deficit to 3%. The Government has not made any decisions on this matter as yet. However, we must consider how we can reach our target while at the same time optimising the prospect of having a growth strategy for the economy and ensuring that the required adjustment will be achieved in the best possible way. Those are issues which continue to be considered in the context of the data that is being analysed. I do not have a specific view on the matter at present. However, the issues to which I refer are those we are requesting be examined in order that we might arrive at the best possible approach. Such an approach must be consistent with retaining as many existing jobs as possible, creating new jobs and providing growth in the economy. It is obvious that it will also be necessary to address various expenditure and taxation issues in order to make the adjustment required by 2014.

Deputy Eamon Gilmore: I wish to pursue the Taoiseach in respect of a number of the responses he provided to Deputy Kenny. The letter which Deputies Kenny and Ó Caoláin and I received from a Minister in the Taoiseach's Government refers to a three-stage process. One of these is agreement on the 3% target, with which the Labour Party concurred when the Government reached agreement on it with the European Commission. The second takes in the

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briefings being provided for all parties by the Department of Finance. This is something the Labour Party has been seeking since April and I am glad the process has started; Deputy Burton has already had her first briefing in the Department of Finance in these matters and we are happy to engage in that process.

I am a little confused about the third part of the issue. The Minister for the Environment, Heritage and Local Government, Deputy Gormley, has said the purpose of these meetings is to seek a political consensus on the budget and the four-year budgetary plan. Is that the Government's intention? My understanding of going into a process of consensus is that all parties must agree and all parties may exercise a veto. Is that the process the Government is entering? There is a suggestion of meetings with party leaders and finance spokespersons but I want to be clear on the Government's proposal.

Will we have meetings to reach a consensus on the budget and the four-year budgetary plan? We have had some experience on the island with consensus-making processes. Is it the case that nothing is agreed until everything is agreed and nothing is agreed until all the parties agree? Is that the process we are entering?

The Taoiseach: To answer the Deputy directly, the position in that regard is as follows. We made the point that on the basis of the briefings and analysis provided by the Department, if we can agree that this is the pitch upon which we are playing and those facts are the same for everybody, I have no objection to a meeting being held to confirm this is the position and to consider if it is possible for us to have talks beyond that which would meet with an outcome approved by everybody. That is fine at one level. I am also aware of the Deputy's stated public positions on these fronts. There have been policy choices from him even as late as yesterday suggesting that there should be no tax change or alteration to welfare etc. There were a number of issues, and it would be very difficult from my perspective to know how to make an adjustment without having all these matters on the table. However, I will not pre-empt the issue.

I stated last Friday that we must take the matter step by step. The stage we are at is the provision to the Opposition of an agreed process — which is under discussion — for the purpose of having analysis and briefings from designated officials in the Department. The purpose of this is to arm all people with the same facts. On that basis, if a meeting were to be held to confirm that we are all agreed on that position, it would be fine if anything further could derive from it that would garner agreement from everyone.

I am prepared to take the process in a step-by-step way and I am not tying the Deputy into a process about which he may have reservations or tying myself into a process suggesting that we end up in an arrangement where bits of everyone's proposal would be considered. That would not meet the requirements of the issue. As the Deputy knows, the Government has a responsibility to discharge, which is to bring forward a four-year plan, as other Governments in the European Union are being asked to do.

We are trying to discern the areas upon which we can agree and whether these are at the macro-economic or micro-economic level. It is all the better if they are policies to help us reach the outcome we all want. That remains to be seen, as the Deputy's party will need to see and assess the analysis and briefings before giving its view.

Deputy Eamon Gilmore: That is not what the Minister, Deputy Gormley, has proposed. What the Taoiseach has just outlined now is an entirely different process, whereby we would have a meeting to run a ruler over the information with which we have been provided from the Department of Finance and understand that we all have the same information. That is an information-sharing exercise. I will ignore the Taoiseach's temptation to resort to partisanship

but the second part of his reply noted that the Government has a duty to discharge even if we cannot reach agreement.

An Ceann Comhairle: Could we have a question?

Deputy Eamon Gilmore: Yes, it is about consensus. The proposal from the Minister, Deputy Gormley, is that there be a process leading to consensus. The Taoiseach is not confirming that but is saying we will have a meeting to share information, with the Government going off to make its decisions. I have not yet heard the Taoiseach say it is the Government's intention to engage in a process with the Opposition parties which is aimed at reaching a consensus on the budget. That process leading to consensus involves committing to reach agreement with the other parties, with all-party agreement the result. I have not yet heard that from the head of the Government.

The Taoiseach: What the Deputy heard the head of the Government say was that there first would be a meeting to confirm that we share a common analysis because we would be therefore much more likely to have some prospect of a common conclusion.

Deputy Emmet Stagg: That hardly needs agreement.

The Taoiseach: I went on to say in my reply that we could assess what further meetings would be helpful if that is the case. I was not committing the Deputy to the process unless there is a basic common understanding of what is required to resolve the problem. I am not getting involved in any partisan comment but I was referring to the Deputy's interview in the *Evening Herald*, which I presume accurately reflects the Deputy's views. He has not suggested otherwise. There is nothing partisan about it. It would be great if everybody could agree on the four-year framework, including expenditure levels, taxation issues and growth figures.

Deputy Shane McEntee: The people should decide.

The Taoiseach: I was asked a question on whether we were seeking to achieve consensus.

An Ceann Comhairle: Deputy McEntee should refrain from intervening.

The Taoiseach: We are already hearing views different from what the Fine Gael leader spoke about a minute ago.

Deputy Shane McEntee: The people want an election.

Deputy Frank Feighan: The Taoiseach has a different view from the Minister, Deputy Gormley.

The Taoiseach: We should leave this as Leaders' Questions for the moment so there might be some semblance of coherence. If the process I outlined could be achieved, it would be excellent. I am taking this on a step-by-step basis and we are making the analysis and briefings available to Opposition parties. If there is agreement on a common analysis with the same facts, further meetings would be helpful to see if we can come to further agreement and I would of course favour that. I will not pre-empt Deputies' briefings and analysis before they decide on how to act. We are open to a constructive approach from all sides if possible.

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 on Deputies in order in which they submitted notices to my office.

Deputy Martin Ferris: I seek adjournment of the Dáil under Standing Order 32 to discuss the ongoing delays in granting a foreshore licence for the Shannon liquid natural gas terminal project, which will create up to 400 badly needed jobs for the north Kerry and west Limerick area, and the fact that this is continuing despite previous promises to expedite the matter; that such an important project is being held up by bureaucracy and red tape at a time when the region is crying out for job creation and new enterprises; and the urgent need for the Ministers for the Environment, Heritage and Local Government and Communications, Energy and Natural Resources to step in to ensure everything is done to end this unnecessary delay.

Deputy James Bannon: I wish to seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national and local importance, namely the threat to employment levels posed by the failure of the Government to enforce regulations which permit the employment of workers from non-EU countries only when Irish staff are not available, leading to thousands of non-specialist jobs going to imported workers, despite there being approximately 450,000 people on the live register.

An Ceann Comhairle: Having considered the matters raised, I do not consider them to be in order under Standing Order 32.

Order of Business

The Taoiseach: It is proposed to take No. 10, motion re ministerial rota for parliamentary questions; No. 11, motion re referral to select committee of proposed approval by Dáil Éireann of the report by the Minister for Defence regarding service by the Defence Forces with the United Nations in 2009; No. 12, motion re referral to joint committee of proposed approval by Dáil Éireann for a directive of the European Parliament and of the Council on the right to information in criminal proceedings; and No. 1, Criminal Law (Insanity) Bill 2010 [*Seanad*] — Second Stage. It is proposed, notwithstanding anything in Standing Orders, that Nos. 10 to 12, inclusive, shall be decided without debate. Private Members' business shall be No. 75, motion re fuel poverty.

An Ceann Comhairle: There is one proposal to be put to the House. Is the proposal for dealing with Nos. 10 to 12, inclusive, agreed? Agreed.

Deputy Enda Kenny: Arising from the point raised earlier by Deputy Barrett about Irish passports and Russian spies, will the Minister for Foreign Affairs make a statement to the House and take questions on the importance of the integrity of Irish passports?

Will the Minister for Health and Children make a statement in the House about the resignation of the chairman of the board overseeing the planning of a new national children's hospital on the Mater site? This matter of considerable importance must be dealt with. There have to be reasons for this resignation. As Deputy Reilly pointed out, it is important the Minister for Health and Children makes a statement on this matter so that——

An Ceann Comhairle: Deputy, is this relevant to the Order of Business?

Deputy Enda Kenny: ——we can decide what is best to do in the interest of the children of the country.

An Ceann Comhairle: The Taoiseach on promised legislation.

The Taoiseach: It is not a question of promised legislation. Question Time with the Minister for Foreign Affairs has just finished. I presume there was an opportunity to discuss the passports matter then. If not, a special notice question could have been put down.

Deputy Seán Barrett: It was too late to put down a special notice question.

The Taoiseach: Today, perhaps, but not tomorrow.

Deputy Seán Barrett: I tried today but to no avail.

The Taoiseach: The Minister for Health and Children announced the resignation of the outgoing chairman of the board overseeing the new national children's hospital. A new chairman has been appointed. There is nothing more to be said about the matter. It is a question of the project moving on as envisaged.

Deputy Seán Barrett: The problem is the hospital is being built on the wrong site.

Deputy Eamon Gilmore: Today it was announced the children's hospital on the Mater site will be built by 2015. Is it intended to introduce a separate Estimate for the Department of Health and Children to deal with this?

I cannot find any legislation regarding the children's referendum in this session's legislative programme. Has the Government dropped the idea of having a referendum on the protection of children?

The Taoiseach: A Supplementary Estimate will not be required for the national children's hospital. There may be some for the Department but they will not be specific to the hospital.

From previous replies I have given, a senior officials group is working on the wording of the children's referendum and it will be dealt with by the Cabinet committee responsible in due course. The issue has not been dropped.

Deputy Pat Rabbitte: When does the Taoiseach expect the geothermal energy development Bill to be introduced in the House? I know he is in a certain amount of hot water already. There is a pilot project ready to go in the Dublin South-West constituency and it is meant to have tremendous alternative energy possibilities. It needs, however, this framework legislation to be put in place. There are three Ministers working in the Department responsible but they cannot get the Bill sorted.

The Taoiseach: That Bill is due in the first three months of next year.

Deputy Seymour Crawford: When will the legislation for electing a mayor for Dublin be introduced? I understand the office will cost approximately €10 million a year to run.

Meanwhile, the health information Bill, which I asked about last week, is still at No. 32 on the Government's legislative list. It is an important Bill which will give actual facts on the state of the health services. The eligibility for health and personal social services Bill is still at No. 59. Is there any hope these Bills will be brought forward to allow a proper discussion about the health crisis as a matter of urgency? People cannot get into Cavan hospital nor can existing patients there have their issues dealt with.

An Ceann Comhairle: Deputy Crawford, this can be dealt with by a simple parliamentary question. I call the Taoiseach on the promised legislation.

The Taoiseach: The local government Dublin mayor and regional authority Bill will be published shortly. The health information Bill will be published in the second half of next year. No date has been given for the publication of the eligibility for health and personal social services Bill.

Deputy Seymour Crawford: The election of a lord mayor for Dublin is more important than the health issues I raised.

Deputy James Bannon: Does the Taoiseach seriously consider he can afford to drag his heels on the publication of the electoral amendment Bill? In the current circumstances, I believe this legislation is a priority.

The Taoiseach: It never crossed my mind.

Deputy Bernard J. Durkan: It must be the only thing that did not cross the Taoiseach's mind.

Deputy James Bannon: What is the Taoiseach thinking about? Is he not in charge?

An Ceann Comhairle: Now, Deputy Bannon.

Deputy James Bannon: That would be a stupid answer from any prime minister.

An Ceann Comhairle: Deputy Bannon, we must move on. I call Deputy Creighton.

Deputy Lucinda Creighton: When will the landlord and tenant Bill be published? Will the Government consider the issue of upward-only rent reviews and in particular, legacy agreements on existing leases? In the summer, Colm McCarthy, commenting on a report he produced for Retail Excellence Ireland, said recent policy actions by the Government have been unsuccessfully challenged in the courts on the grounds that they infringed constitutional property rights. On that basis, he argued it may be worth reviewing the Government's position on legacy leases——

An Ceann Comhairle: I must discourage Deputy Creighton from a Second Stage contribution. I call the Taoiseach on legislation in this area.

Deputy Lucinda Creighton: ——and examining to see whether it might be feasible to incorporate this matter in the proposed landlord and tenant Bill.

The Taoiseach: The legislation in question is due for publication next year.

Deputy Joe Costello: Is the Taoiseach aware of yesterday's statement by the chief executive officer of the Road Safety Authority that drug-driving could be just as serious as drink-driving?

An Ceann Comhairle: This is not appropriate for the Order of Business.

Deputy Joe Costello: It is appropriate.

An Ceann Comhairle: No. A parliamentary question to the line Minister would be more appropriate.

Deputy Joe Costello: It is appropriate because it is dealing with legislation.

An Ceann Comhairle: The Order of Business is for queries on promised legislation.

Deputy Joe Costello: There are provisions in the Road Traffic Act 2010, passed by the House before the summer, which the Minister must introduce. When will these be activated so that we can address drug-driving which, according to the Road Safety Authority's chief executive officer, is as serious a matter as drink-driving? When will the promised road traffic amendment Bill to make provision for mandatory testing of drivers in certain circumstances be introduced?

The Taoiseach: I understand the mandatory testing issue will be dealt with in this session. There are, as the Deputy said, different times for the implementation of various parts of the previous Bill which have been enacted and provide for impairment tests. I will revert to the Deputy on when they are due to be introduced, if they have not already been introduced.

Deputy Joe Costello: It provides for measures to be taken that would facilitate dealing with drug driving.

The Taoiseach: For impairment tests, yes.

Deputy James Reilly: I would like to raise two issues. First, we heard in the news today there will be more savage cuts at Cavan hospital, depriving people of essential services. This is an inevitable consequence of the closure of surgery at Navan which was not recommended by the Royal College of Surgeons.

An Ceann Comhairle: Deputy, we are on the Order of Business.

Deputy James Reilly: Some 1,800 cases of elective surgery have been cancelled which has caused horrendous problems for the whole system. When will No. 59, the Eligibility for Health and Personal Social Services Bill, be published? Will it have any meaning if people will be deprived of services at the whim of the HSE which is clearly out of control?

The second issue I wish to raise with the Taoiseach is the Licensing of Health Facilities Bill, No. 63, which will provide for a mandatory system of licensing for public and private healthcare facilities. There are currently private facilities in the country which are not subject to any sort of standard and we have had major problems with some of them. In the meantime, we are closing our public accredited facilities.

The Taoiseach: There is no date for either of those Bills. I informed Deputy Crawford about the status of the first Bill.

Deputy Olivia Mitchell: In the programme for Government there was a commitment to introduce a Bill on climate change and we were promised it would be published before the global conference last year on climate change. Now, 12 months later, the Bill has still not appeared. I am sure if the Taoiseach is honest he would agree that most people consider it more important than getting a fifth mayor for Dublin. As far as I can see, such a Bill is still in the twilight zone of list C. Is there any prospect of bringing it forward? When will a Bill be published?

The Taoiseach: A framework for the Bill was published last year before the Copenhagen summit and on the basis of that framework the general scheme of the Bill is currently being drafted. I understand it is currently at a progressed stage and it will come to the Government in due course. Work is also underway on developing a national policy on climate change adaptation with a view to having a framework for that prepared.

Deputy Bernard J. Durkan: In the spirit of consensus that now exists I would like to help out the Government. As has already been mentioned, the Ceann Comhairle allowed the mention of the Lord Mayor Bill. The Green Party has been particularly evident in the past week or so on radio and television but unfortunately it is absent now. Could I help it and perhaps the Taoiseach by suggesting that——

An Ceann Comhairle: Could the Deputy help the Chair? Does he have a query about legislation?

Deputy Bernard J. Durkan: In the context thereof, the Chair will see that he is being helped. Perhaps the Taoiseach might consider introducing the legal costs Bill at an earlier stage than was anticipated, given that some €500 million in legal costs arising from the tribunal is coming down the tracks and that there are other costs, such as the Lord Mayor proposals that will cost the Exchequer a lot of money——

An Ceann Comhairle: The Deputy is ranging all over the place. Is there a specific query?

Deputy Bernard J. Durkan: I am not ranging all over the place; it is about consensus. The Taoiseach mentioned consensus earlier and I want to offer assistance to the Government in a simple and practical way that will be of benefit to the Taoiseach, the Government, the Green Party and even the House. Could the Taoiseach collaborate on that?

The Taoiseach: I understand that legislation will be dealt with next year at the earliest.

Deputy Bernard J. Durkan: Will it be dealt with at all?

The Taoiseach: It will.

Deputy Bernard J. Durkan: There is reassurance in that.

Deputy Leo Varadkar: I would like to ask about the assisted human reproduction Bill. Following a court case some months ago a commitment was given by the Minister for Health and Children, Deputy Harney, that legislation would be introduced to regulate in vitro fertilisation and research on and the destruction of embryos, etc. That commitment was given by the Minister but it does not appear in the Government's legislative programme. Is it still intended to introduce legislation during the term of the Government to deal with that issue?

The Taoiseach: I will have to revert to the Deputy on that matter. I am not aware of the up-to-date position. A top expert in this area, Dr. Hardiman, was on the radio recently talking about the need for an open debate on very complex and difficult issues which arise in regard to this area. On that basis, there is a great deal of complexity and many issues have to be looked at before a commitment can be made to legislation on any particular point of view on the issue. If the experts in the area say that there is a need for us as a society to start to debate the issues——

Deputy Leo Varadkar: The expert report was published.

The Taoiseach: I am aware of that but the fact that a report has been published does not mean we have come to a resolution or crystallised a position in society as to how we go forward.

Deputy Mary Upton: In light of yesterday's High Court judgment on Internet service providers and the downloading of music, is any consideration being given to legislation to make Internet service providers responsible? I ask this question in terms of capturing tax from on-line gambling.

The Taoiseach: I will have to revert the Deputy on that issue as I do not have any information on it.

Deputy Thomas P. Broughan: On the Industrial Development Bill, is the Taoiseach concerned that many work visas are being issued to workers in non-EEA regions? In some companies whole tranches of workers have been brought in from non-European Union countries. Given that there are 500,000 unemployed people — every weekend the Taoiseach, like myself, meets many people who are looking for jobs——

An Ceann Comhairle: A parliamentary question would be appropriate.

Deputy Thomas P. Broughan: —is the Taoiseach sure that the Minister of State, Deputy Calleary, is implementing the regulations in this regard correctly?

The Taoiseach: I have every confidence that the Minister of State is fulfilling his functions.

Deputy Thomas P. Broughan: Is the Taoiseach aware of the problem?

The Taoiseach: I am aware of what has been stated in a recent report, namely, that 5,000 or 6,000 people in the hospitality and other sectors have been issued with visas. As the Deputy knows, there was some indication from a person who commented on the issue on the public airwaves about the fact that unfortunately there are areas of activity in which people are not taking up job opportunities at the moment.

Deputy Thomas P. Broughan: That is not what I heard.

The Taoiseach: There is no point in the Deputy taking what I say out of context. I said I heard a person on the radio making that point. These issues are being examined constantly. We have good labour market policies. Up to 60,000 people are obtaining employment through local employment services for the sort of areas to which I referred. There may be some issue there. I will ask the Minister of State revert to the Deputy.

Deputy Dan Neville: One in four people will suffer from a mental health condition. The concerns about the Mental Health Act 2001 have been discussed in the media and we are informed that a Bill is expected in 2011. Will the Government consider speeding up the publication and implementation of the Bill in view of the concerns surrounding the 2001 Act?

The Taoiseach: I am not sure that would be possible considering the workload which has been set out for the current session. I will ask the relevant Minister to bring that matter to the attention of the relevant Minister and ask him or her to correspond with the Deputy directly.

Deputy Finian McGrath: I wish to ask about the Health Information Bill, the aim of which is to provide a legislative framework for the governance of information in the health sector.

When is the start-up date for the cystic fibrosis unit at St. Vincent's hospital? Does the Taoiseach accept the delays over the summer period were an absolute disgrace for families affected by cystic fibrosis?

An Ceann Comhairle: That question is much more appropriate for the line Minister

Deputy Finian McGrath: What is the attitude problem or the problem with the HSE with regard to the 34 dedicated beds for cystic fibrosis?

An Ceann Comhairle: Deputy, this is ideal material for a parliamentary question. It is not appropriate.

Deputy Finian McGrath: It is relevant. I am looking for information on the health information Bill and the question is with regard to cystic fibrosis patients——

An Ceann Comhairle: A question on promised legislation and not a Second Stage speech. It is a question and answer session.

Deputy Finian McGrath: ——who have to wait despite all the talk, waffle and hot air. Will the Taoiseach get some answers from the HSE on this project?

An Ceann Comhairle: A parliamentary question to the line Minister.

Ministerial Rota for Parliamentary Questions: Motion

Minister of State at the Department of the Taoiseach (Deputy John Curran): I move:

That, notwithstanding anything in the Resolution of the Dáil of 7th July, 2010, setting out the rota in which Questions to members of the Government are to be asked, or in the Resolution of the Dáil of 29th September, 2010, Questions for oral answer, following those next set down to the Minister for Communications, Energy and Natural Resources, shall be set down to Ministers in the following temporary sequence:

Minister for Defence

Minster for Social Protection

Minster for Community, Equality and Gaeltacht Affairs

Minister for Agriculture, Fisheries and Food

whereupon the sequence established by the Resolution of 7th July, 2010, shall continue with Questions to the Tánaiste and Minister for Education and Skills.

Question put and agreed to.

Defence Forces Service with the United Nations: Motion

Deputy John Curran: I move:

That the proposal that Dáil Éireann approves the report by the Minister for Defence regarding service by the Defence Forces with the United Nations in 2009, copies of which were laid before Dáil Éireann on 23rd July, 2010, in accordance with section 13 of the Defence (Amendment) Act 2006, be referred to the Select Committee on Justice, Defence and Women's Rights in accordance with paragraph (1) of the Orders of Reference of that Committee, which, not later than 27th October, 2010, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

European Union Treaties: Motion

Deputy John Curran: I move:

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

Proposal for a Directive of the European Parliament and of the Council on the right to information in criminal proceedings,

a copy of which was laid before Dáil Éireann on 26th August, 2010, be referred to the Joint Committee on Justice, Defence and Women's Rights in accordance with paragraph (2) of the Orders of Reference of that Committee, which, not later than 19th October, 2010, shall

send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Criminal Law (Insanity) Bill 2010 [Seanad]: Second Stage

Minister of State at the Department of Justice and Law Reform (Deputy John Moloney): I move: "That the Bill be now read a Second Time."

I am very pleased to bring the Criminal Law (Insanity) Bill 2010 before the House. The purpose of the Bill is to make limited amendments to the Criminal Law (Insanity) Act 2006. The 2006 Act was a significant milestone in establishing a new statutory regime governing the way the criminal law deals with mentally ill persons who may have committed criminal acts. The Bill before us provides for amendments in relation to two aspects of the 2006 Act. The provisions concerned are section 4 of the Act which deals with the cases of persons who, because of mental disorder, may be considered by a court to be unfit to be tried on criminal charges, and section 13 which provides for review of detention by the Mental Health (Criminal Law) Review Board. The review board was established by the 2006 Act as a new independent body to review the detention of persons detained in accordance with the Act. Section 13 provides that the review board should carry out regular reviews of persons who have been found to be unfit to be tried or not guilty by reason of insanity and are detained by order of a court in a designated centre. The only designated centre at present is the Central Mental Hospital. The review board has the power to discharge persons from detention conditionally or unconditionally in certain circumstances. In this regard, it must hear evidence relating to the mental condition of the person concerned from the consultant psychiatrist responsible for the person's care or treatment. It also must take into account the welfare and safety of that person and the public interest.

The main amendment to the 2006 Act concerns section 13. It arises from the fact that the review board, since its establishment, has been reluctant to order the discharge of patients who might be considered suitable for discharge subject to conditions because it has no statutory power effectively to enforce such conditions. This has resulted in difficulties, not only for the patients concerned, but also for the Central Mental Hospital, whose limited capacity is being used up by the retention of patients who might otherwise be considered for conditional discharge under the Act. The view of the review board is that it should be possible under the Act to provide for enforceable conditions to be applied to conditional discharge to facilitate the effective use of such discharge.

The 2006 Act envisaged a relatively black and white situation where a person either required in-patient treatment or the person was completely cured. The Minister for Justice and Law Reform accepts that there is a category of patient who is suitable to live outside a designated centre but where, at least initially, safety and health considerations require an ability to return that person for in-patient treatment in a designated centre if there is any material breach of the conditional discharge order. Accordingly, this Bill makes provision for supervisory powers to cover cases where a patient is considered safe to discharge, provided he or she complies with certain conditions, and provided that such compliance can be supervised, and if necessary, enforced.

I might also mention the 2008 High Court judgment in the case of *B v . Mental Health (Criminal Law) Review Board and Others*. In that case, proceedings were taken by a person who was denied conditional discharge by the review board because it was of the view that it should discharge the person only if it had the power to impose enforceable conditions. The

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High Court agreed that the 2006 Act did not provide for enforceable conditions but held that the review board acted lawfully in refusing to discharge the patient. The case is currently under appeal to the Supreme Court. A certain urgency attaches to the proposed amendment because of the pending Supreme Court appeal, because a number of persons who might otherwise be considered for conditional discharge are not being so considered and because the Central Mental Hospital must keep them even if they are suitable for conditional discharge and even though it is under pressure for bed space. The opportunity is also being taken to amend section 4 of the 2006 Act which at present allows a court to commit a person who may be unfit to be tried on a criminal charge to the Central Mental Hospital for an initial period of up to 14 days for the purposes of psychiatric examination. On the basis of such an examination, the court can decide that a person who is unfit to be tried should be committed to a designated centre for in-patient or out-patient treatment. The main purpose of the amendment is to ensure the present arrangements are fully compliant with Article 5 of the European Convention on Human Rights, which has been given further effect in our law since 31 December 2003 in accordance with the provisions of the European Convention on Human Rights Act 2003. To guarantee such compliance, it is necessary to provide that a committal for examination can be made by a court only after hearing evidence from a consultant psychiatrist. Some additional improvements are also being made to section 4 which I will explain as I go through the detail of the Bill.

I will now outline the main provisions of the Bill. Sections 1, 2 and 5 are technical drafting sections. Section 3 amends section 3 of the 2006 Act. The amendment will allow the Minister for Health and Children to designate psychiatric centres other than the Central Mental Hospital for the examination of persons referred by the District Court under section 4 of the 2006 Act in cases where a question of an accused person's fitness to be tried arises. The provision is limited to referrals from the District Court so that only persons charged with less serious offences could be examined in such centres. It will allow the Minister for Health and Children to provide for persons charged with minor offences to be examined in community hospitals, which is in keeping with Government policy as set out in *A Vision for Change*. It will also help to prevent unnecessary referrals to the Central Mental Hospital of persons who could be dealt with in other psychiatric centres.

Section 4 amends section 4 of the 2006 Act. As I mentioned earlier, section 4 is concerned with the procedures for dealing with a person who may have a mental disorder and thus be legally unfit to be tried on a criminal charge. In the absence of any prior medical evidence on the issue, a court may commit the person for a period of not more than 14 days to a designated centre for psychiatric examination. This is so the court can decide on foot of that examination whether the mental disorder, if it is present, renders the person unable to understand the nature or course of the proceedings on one or other of the several grounds set out in the Act. This initial referral may be made by the court at present without recourse to medical advice. It is now proposed in section 4 of the Bill, in the light of detailed consideration of obligations under the European Convention on Human Rights in this area, and the advice of the Attorney General, to provide that a court shall consider the evidence of an approved medical officer as to the person's mental condition before it decides to make an order to commit a person for examination at a designated centre. At present, the psychiatric examination has to take place on an in-patient basis. However, in the amendment proposed to be made by section 4 of the Bill, the court will be able to order that the examination should be done on an in-patient or out-patient basis.

In providing for this amendment to section 4, the opportunity is also being taken to provide that the court may take account of the evidence of an approved medical officer to assist in determining the issue of fitness to be tried and to facilitate an adjournment to allow the person to receive appropriate medical treatment. The latter should help to prevent unnecessary referrals to the Central Mental Hospital and give statutory recognition to informal diversion arrangements, which, I understand, operate quite successfully at present at Cloverhill District Court.

Turning to the provisions relating to conditional discharge, the first amendment relevant to this issue occurs in section 6 of the Bill. Section 6 amends section 11 of the 2006 Act to provide that the criteria to which the Mental Health (Criminal Law) Review Board must have regard in reviewing detention will also apply to reviews of the conditions of a person's conditional discharge and to applications for unconditional discharge from persons who have been conditionally discharged. The criteria are the welfare and safety of the person concerned and the public interest. Sections 7 and 8 of the Bill amend the 2006 Act to provide for enforceable conditions to attach to an order by the Mental Health (Criminal Law) Review Board for conditional discharge.

Provision is made for a comprehensive system on the imposition of conditions, arrangements for supervision of the conditionally discharged person, provisions to facilitate variation of conditions, provision for the conditionally discharged person to be considered for unconditional discharge and arrangements for the return of the person to the Central Mental Hospital where there is material breach of the conditional discharge. Most important, of course, provision is also made for the review by the Mental Health (Criminal Law) Review Board of the detention of a person returned to the Central Mental Hospital under these provisions. Section 7 amends section 13 of the 2006 Act to provide that the Mental Health (Criminal Law) Review Board can conditionally discharge patients under the new section 13A. Section 8 inserts three new sections, sections 13A, 13B and 13C, into the 2006 Act.

Section 13A creates a new scheme of conditional discharge. Subsection (1) provides that the Mental Health (Criminal Law) Review Board may make an order for the discharge of a patient subject to conditions, including conditions relating to out-patient treatment or supervision, or both. Subsection (2) provides that the review board may only make a conditional discharge order where the arrangements in relation to the discharge considered necessary by the clinical director of the designated centre have been made. These include arrangements for facilitating compliance by the person with the conditions, the supervision of the person and providing for the person's return under section 13B if he or she fails to abide by the conditions. Subsection (3) provides that the conditions must be communicated in writing to the person. The effect of the order and consequences of non-compliance with the conditions must be explained to the person. Subsection (4) requires the person to comply with the conditional discharge order. Subsection (5) requires a copy of the order to be sent to the Minister for Justice and Law Reform and the clinical director of the designated centre. Subsection (6) provides that the review board may vary or remove one or more of the conditions of the conditional discharge order, or impose further conditions, on application by the person concerned or by the clinical director. Subsection (7) requires notice of an application under subsection (6) to be given to the person concerned and the clinical director — where the application is not being made by the clinical director. Subsection (8) provides that the person concerned may apply to the review board for unconditional discharge after 12 months from the date of conditional discharge. The person may make subsequent applications if necessary, so long as a period of at least 12 months

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elapses between applications. Subsection (9) sets out the procedure for dealing with an application for unconditional discharge.

Section 13B sets out the procedures that apply where a person is in material breach of a conditional discharge order. Subsection (1) provides that a person who is in material breach of a conditional discharge order will be deemed to be unlawfully at large. Subsection (2) provides that a person is in material breach of his or her conditional discharge order where the clinical director of the designated centre, on reasonable grounds, believes, first, that the person is in breach of one or more conditions of his or her conditional discharge and, second, that there is a serious likelihood of the person causing serious harm to himself or herself or others or that the person may be in need of inpatient care or treatment. Subsection (3) requires the clinical director to inform a person believed to be in material breach of a conditional discharge order in writing of that fact and the reasons for such belief. Subsection (4) provides that subsection (3) does not apply where the material breach is such as to give reasonable cause for the clinical director to believe that there is a serious likelihood of the person causing immediate and serious harm to himself or herself or others. Subsection (5) provides that the clinical director may make arrangements to effect the person's return to the designated centre, including requesting assistance from the Garda Síochána. Subsection (6) provides for Garda powers of entry and arrest for the purposes of section 13B. Subsection (7) provides that a returned person must be given reasons in writing for his or her return. The provisions of the Act of 2006 will once more apply to the returned person as they did when the person was originally committed to the designated centre under the Act of 2006 or the relevant provisions of the Defence Act 1954. Subsection (8) provides that the clinical director must inform the review board of the return of the person and the review board must review the detention of the person as soon as may be. Subsection (9) provides a definition of the term "authorised person", which is relevant to the provision made by the new section 13C for externally-provided assisted returns.

Section 13C is a technical provision to ensure that staff of private agencies hired to effect the return of patients to the designated centre can be considered authorised persons for the purpose of section 13B. This provision mirrors an amendment made to the Mental Health Act 2001 to take account of legal difficulties in the operation of return procedures.

Section 9 corrects a drafting error in Schedule 2 to the 2006 Act. Section 10 provides for consequential amendments to the Defence Act 1954. Section 11 provides for the short title of the Act and its commencement.

This is a relatively short Bill. Its provisions are limited and are intended to ensure that the difficulties which I have mentioned can be corrected as quickly as possible. It is not in any way a Bill which represents a full review of the operation of the Criminal Law (Insanity) Act 2006. The Minister for Justice and Law Reform, Deputy Dermot Ahern, is planning to have a comprehensive review of the 2006 Act commence in his Department subsequent to the enactment of this Bill. Wider issues relating to the Act can be examined in the context of that review. However, this Bill needs to be enacted as soon as possible to correct the difficulties that I have mentioned. Accordingly, it is of necessity confined in its amendments to ensure that it can be considered as quickly as possible by the Oireachtas. I very much look forward to hearing the views of all Members of the House.

I commend the Bill to the House.

Deputy Alan Shatter: First, I welcome the fact that this Bill is before the House. Clearly, the 2006 Act contained serious defects and has not worked in the manner anticipated, particularly

with regard to those who have been sent to the Central Mental Hospital in Dublin and whose situation is such that there is view that they are persons appropriate to be released but that they should be subject to conditions, both in the interests of their own safety and welfare and that of the general public. It has proved impossible to use these provisions because the original Act was defective in so far as the Minister of State correctly states it did not contain within it any provisions as to how one addresses a situation where someone was conditionally released and then did not comply with the conditions.

It is also welcome — I understand it is a requirement of our obligation as pursuant to the European Convention on Human Rights — that there is provision included in the Bill to allow the courts, prior to having someone formally assessed as to his or her capacity to stand trial, to hear psychiatric evidence initially as to the person's condition.

There is a number of things I want to say about this Bill which gives us some insight into a number of matters but before I do, I want to say something of some importance. This is a criminal law Bill and while it deals with a discrete area, it is of relevance to the area of criminal law generally. As we are having a debate on a law reforming measure in the area of criminal law which envisages the Garda having to take action in circumstances if difficulties arose after someone was released, I want to say, as Fine Gael justice spokesperson — I believe it is appropriate that I do so — that the Garda Síochána should be congratulated on the active and important role it has played — as it always does — in recent weeks in addressing the worrying re-emergence on our island of a small group of paramilitaries who wish to disrupt life, injure and possibly kill individuals and who have no respect for the wish of the Irish people, North and South, that we live in peace and that the arrangements agreed pursuant to the Good Friday Agreement be respected. The Garda is to be congratulated on arms finds that have taken place in recent days and on its active investigations and the results of those, on which I do not wish to comment for fear such comment could prejudice any prosecutions that might take place.

It is appropriate in this House, as the democratic Parliament of this State, that all of us clearly and unitedly stand behind the Garda in the work it is doing, in co-operation with the PSNI, to tackle the scourge of paramilitarism, which seeks to undermine the huge progress we have made in the past ten years on this island. It needs to be said that no matter who is in government, paramilitary activity will not be tolerated; the Garda will be fully supported in the work it is doing and there will be the fullest co-operation on the part of any Irish Government that is in place, including a government of which my party is part, with the Northern Ireland authorities in bringing violence to an end. It was something we thought had ended. It is a considerable concern and regret that a small group of people are again trying to engage in such activities.

The Bill is an important illustration of something that Ministers who have been in government for 13 and a half years constantly deny and fail to take account of. This Parliament is particularly unusual in the manner in which it has operated since the 2007 election in my experience of being a Member of the Dáil up to 2002. Three and a half years have passed since this Dáil was elected. During my period as a Member of this House from 1981 to 2002, prior to my involuntary exit from it as a consequence of that general election, it was my experience that when Opposition Deputies brought forward Private Members' Bills to address areas of law that Government did not have the time to give priority to or lacked the in-house expertise to address, those Bills were treated with some respect and seriousness.

In my case, a number of such Bills were supported by the Government and adopted and passed in this House, while in the case of others, of which the Government might have been sceptical and voted down, it often adopted and brought before the House a similar Bill within

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12 to 18 months. There has not been a single Private Members' Bill brought before this House since this Dáil was elected that the Government has supported to the extent of allowing it ultimately to pass into law. It has used its majority in this House to stamp out every constructive legislative proposal that has been brought forward and, on occasions, where stamping it out on Second Stage would generate particularly bad publicity, it has not voted it down but sent it into limbo by allowing it pass Second Stage and disappear down a black hole whereby Fianna Fáil controlled committees do not allow it to be processed.

The reason I have raised this point in the context of this Bill, and this point is directly relevant to it, is that the constant excuse that has been made for voting down legislation produced from this side of the House during the past three years is that the font of all wisdom in the drafting of legislation lies within Departments and, more particularly, within the specialised and elevated Office of the Attorney General. Departments and the Attorney General's office are portrayed constantly as the only groups competent to bring legislation before the House. When Private Members' Bills are brought before the House in the justice or other areas, the Government will always hone in on some technical inadequacy in the Bill and make a meal out of it on the basis that the Bill is terribly flawed and could not possibly be allowed pass Second Stage. On occasions, unthinking journalists who do not understand the legislative process report these sorts of comments as if they were on tablets of stone handed down by Moses having climbed down the mountain. Often they forget, as do Ministers, that the legislation they produce on Second Stage is imperfect. It need not always be perfect because we are supposed to go through a legislative process — this is a legislative Assembly — and legislation is amended on Committee Stage or Report Stage by amendments tabled by Government or by amendments tabled by the Opposition that more often the Government rejects but then republishes on Report Stage.

That point is relevant to this Bill because this legislation is only before us because the 2006 Act was defective. It was an Act published by the Department of Justice, Equality and Law Reform, taken through this House by the then Minister for Justice, Equality and Law Reform, Deputy McDowell, who I recollect the media at the time thought was the font of all wisdom, and, presumably, drafted within the then Department of Justice, Equality and Law Reform. The truth is that the original Bill passed in 2006 has not worked in the manner anticipated because it has two substantial defects in it. It is time it was realised that this House should be allowed to legislate and Members on the side of the House, and backbenchers in the Government parties, should be respected as legislators and allowed to publish legislation which should have the possibility of being enacted without impacting on the pride of individual Ministers or their personal perspective of themselves as terribly important persons whose reputation might be damaged if they allowed anyone other than themselves to pass legislation in their area. The truth is that if they did so their reputation would be enhanced.

The original Bill is defective. I welcome the fact that some of the defects are being addressed in this Bill but I want to raise certain issues, on one of which at least I know the Minister of State, Deputy Moloney, would agree with me. I do not mean any disrespect to him but he has limited influence because he is a Minister of State and, as such, is not a member of the Cabinet. As someone who, as a constituency Deputy and lawyer, has worked over the years with individuals and dealt with their personal circumstances — individuals who are clearly under substantial mental strain and suffer from mental illness or mental disorder — there is an importance in all reforming legislation introduced in this House that we use appropriate terminology. I do not believe it was appropriate in 2006 to pass legislation with the word "Insanity" in the Title. It is

not appropriate that in 2010 we publish legislation entitled the “Criminal Law (Insanity) Bill. This Bill is about individuals who suffer mental illness or mental disorder. We have other legislation called the Mental Health Act. Why are we reverting to a form of language in the criminal law area that has been outdated for two decades but was apparently regarded as acceptable in 2006? We still have legislation on our Statute Book which refers to people as “lunatics”. We have rules of the superior courts which refer to people as “lunatics”; people are made wards of courts because “they are lunatics”. That is 18th century wording. As we moved through the 20th century the word “lunatic” was ultimately replaced by the word “insanity” and now that we have greater insight into these areas, we refer to people’s mental health. Although the Bill amends an Act which uses the word “insanity”, there is no reason the Title should not read, “Criminal Law (Mental Health) Bill”. I genuinely do not understand the reason this is not the case as it could still amend the previous Act of 2006. I do not understand why we have to use this sort of pejorative language for something that is fully recognised as a sickness.

The only hospital to which the legislation is relevant is the Central Mental Hospital in Dundrum, which is in my constituency. There are a number of individuals within that facility who, having been there for many years, would be well able to exist outside and in the community but who cannot be simply unconditionally released. They will require substantial supports and a degree of supervision when they are released and for some of them, there also will be a period of time when they will have to adapt to living within the community.

It is a great shame that the original Act was defective and did not work. I welcome the fact that this legislation is now before the House and we can progress it. I am conscious that, in making decisions to release individuals from the Central Mental Hospital, very careful judgment is required both in the interests of the individuals concerned and the greater interests of the community. There will be occasions when conditions are not complied with and individuals will be required to be returned to the Central Mental Hospital. The hospital is currently the only facility available, although I am aware that in the context of the Bill, as drafted, there is a possibility in certain circumstances that some other facility may be utilised under its provisions.

I draw to the Minister of State’s attention my concern about section 13C. The Bill envisages that if conditions are not complied with, the Garda Síochána may become involved and return someone to the hospital. As the Minister of State noted, section 13C “is a technical provision to ensure that staff of private agencies hired to effect the return of patients to the designated centre can be considered authorised persons for the purpose of section 13B.” In this case, the designated centre could only be the Central Mental Hospital in Dundrum. The section allows the designated centre to authorise persons other than members of the Garda Síochána to return someone to the Central Mental Hospital or to other designated centres in the event that other such centres emerge. There must be a possibility under this legislation that there will be privately funded designated centres which are paid a sum of money to care for someone sent them as a consequence of the outcome of a court case.

In so far as I can see, there is nothing stated in the Bill about the qualifications or training of the persons who may be recruited under section 13C. Gardaí would be given a certain amount of training on how to deal with mentally ill people. If this sort of function is to be farmed out to some other body, what training will these individuals receive? At present, we have a problem in some areas of this city surrounding the manner in which so-called private security firms are conducting themselves. Will we find a couple of fellows, who were formerly engaged in criminal gangs or paramilitary activities and work as bouncers outside some night-

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club or pub, being recruited to collect from a local community some mentally ill individual who has been conditionally released and is failing to comply with conditions? In what tragedy might that result? I ask the Minister of State to clarify how he sees this provision working. What controls will be in place? What training will such individuals require? In what circumstances will it be deemed appropriate that an outside agency that employs individuals should be utilised to return a mentally ill individual to the Central Mental Hospital in Dundrum instead of the Garda Síochána? This is a serious issue which needs to be clarified.

Will the Minister of State clarify what is the position of the Central Mental Hospital and what is its future? We all know it is a very old building which is no longer truly fit for purpose. When the former Minister for Justice, Equality and Law Reform, Mr. Michael McDowell, spent unnecessary millions of taxpayers' money to buy a piece of farmland on which Thornton Hall was to be constructed, the original plan was that the site of the Central Mental Hospital would be closed, the Government would make an enormous sum of money from, I presume, selling it off for housing or apartment development and the hospital would be inappropriately located in Thornton Hall, right beside the new prison. That was a bad idea from day one and has since been dropped. We are now back at the starting point with an outdated, inappropriate facility still being utilised without — the Minister of State will correct me if I am wrong — any definitive decision having been made as to where we go from here. While I am aware that one or two ideas have been floated, I am unaware of any definitive decision that has been made. What is the position? Clearly, there will not be a pot of gold at the end of the rainbow for selling the site in question in the short or medium term based on the collapse of property values and the housing market. For how long can we go on without replacing the current facility with something more appropriate?

While I am conscious that there is not significant public interest in what happens to people in the Central Mental Hospital in Dundrum, Ireland has certain international obligations in this area. We must recognise mental illness and its impact on individuals. They have some degree of human rights and are entitled to a certain amount of dignity. Irrespective of how good is the work of the staff in the hospital, the current facility will never be adequate to meet the real needs or what is required to be in place in the 21st century to address the type of individual problems from which those who have been sent to the Central Mental Hospital suffer.

I do not propose to speak at length on the Bill. While I welcome the legislation in principle, there are one or two issues which need to be tidied up on Committee Stage. I hope there is some insight into the fallibility of the Office of the Attorney General and Department of Justice and Law Reform. If Members on this side propose amendments of a technical or substantive nature I hope they will be treated seriously and taken on board and that they will not be simply rejected because they emanate from the Opposition.

I ask the Minister of State to address another issue. The Law Reform Commission, in a report published in 2006, recommended the replacement of the wardship system with a comprehensive structure with regard to individuals who are currently designated as “lunatics” and whose property is managed for them. We should properly update our laws in these areas. I ask the Minister of State to comment on this matter.

The Minister of State indicated that a review is taking place of the original 2006 Act. Parts of the legislation have not worked properly, although I accept that other aspects of it are working. Perhaps the Minister of State will give us some insight into what issues are being

considered in the review and how they might impact on the current workings of the criminal law.

Two issues arise in this area. The first issue of major importance is to ensure that those who are mentally unwell and who commit crimes, be they serious or minor, are not simply left at large to continue disrupting local communities. Some of those who are in the Central Mental Hospital at present have been involved in events that have resulted in people's deaths, some in horrendous circumstances. Consequently, there is a need to ensure that the public is properly protected. However, there also is a need to ensure that those who are mentally ill are dealt with in a manner that reflects the value system that we should hold in the 21st century, in that they should be neither kept in facilities that were more appropriate 200 years ago nor neglected when they are conditionally released into the community. That is the final point.

As Members are aware, the HSE has huge difficulties in the manner in which it functions and in its capacity to deal with those who suffer mental illness. The Minister of State might outline to Members the exact nature of the support and backup facilities that will be available to those who are conditionally released under the Bill to ensure they comply with those conditions both in their own personal interest and in the interest of protecting the wider community. It is of the greatest importance that if people are to be conditionally released from the Central Mental Hospital, the wider community has no reason to fear any consequences detrimental to it as a result of such release and has confidence in whatever State backup and supervisory services are to operate so as to ensure the community remains protected and that an individual who is conditionally released does not pose any real threat to anyone else within the wider community.

Deputy Kathleen Lynch: I will not take anything near to my allotment of 30 minutes. As Deputy Shatter has already made many of the points I intend to make, I hope Members will not be put off by repetition. While this is a fairly short Bill, it nevertheless is a highly significant one. On behalf of the Labour Party, I welcome the Criminal Law (Insanity) Bill 2010. The Bill represents a step forward in respect of the relationship between criminal law and mental health. While it does not constitute a full review of the Criminal Law (Insanity) Act 2006, I welcome the Minister for Justice and Law Reform's plans to conduct a full review of that Act once this Bill has been enacted.

As a State, Ireland has a poor record in caring for its citizens who suffer from mental illness. The State branded these people as lunatics and adopted an "out of sight, out of mind" approach to care for the mentally ill. All Members are familiar with the asylums, those imposing grey buildings dotted around the country, which were used to house those with mental illness. Incarcerating people in such environments often served to further compound their illnesses. The issue of rights was considered irrelevant because the State's intervention was regarded as benign and as in the best interests of the person. Mental health services have come a fair distance since then but there is still much work to be done. We are moving towards a more rights-based approach to the provision of services for mental health and this is to be welcomed. The improvements in the criminal law system regarding mental health comprise an important part of this work.

I will make a few more general points before talking more particularly about the Bill and the amendments being proposed by the Labour Party. There remains a stigma on the issue of mental health. While many people regard it as a taboo subject and something which is difficult to talk about, at the same time we all probably know someone who has suffered or continues to suffer from a mental illness. As a society we must confront the silence that surrounds the

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issue and must begin to recognise that many mental illnesses can be successfully treated. I compliment the Minister of State in this regard. It often is extremely difficult to admit that one ever had a difficulty but it is only through people in public life so doing that movement will be seen.

At a general level, there always has been an uneasy relationship between the criminal justice system and the area of medical, psychiatric and psychological sciences. The criminal law is particularly relevant because there has been a relatively frequent occurrence of cases in which crimes have been committed by persons with mental disorders, often by reason of such mental disorders. As a consequence, they may not have been able to establish intent for a crime or they may not, in certain circumstances, have had the capacity to understand the criminal justice process. There have been great difficulties in accommodating recognition of persons with mental illness in the criminal justice system. Obviously, a balance must be struck between recognising genuine mental illness and ensuring that people cannot evade the full rigour of the law by falsely claiming to be suffering from a mental illness. While we have not managed to achieve that balance yet, we may be getting there.

It is a matter of shame that so many people with mental illness continue to be imprisoned when what they really need is medical treatment. I acknowledge the difficulties in this regard but there is still much to be learned in the field of mental health sciences which can better our understanding of how to approach the issue in a criminal law context. One should endeavour to ensure that legislation in this area is in line with best practice with regard to care for the mentally ill. I hope the Bill as proposed will go some way towards addressing these issues.

The primary purpose of the Bill is to amend sections 4 and 13 of the Criminal Law (Insanity) Act 2006. The 2006 Act was welcome because it improved the law on criminal insanity and allowed for a statutory definition and restatement of the test for criminal insanity, which previously was based on existing rules in the common law. A new verdict of not guilty by reason of insanity replaced the guilty but insane verdict and a new plea of guilty but with diminished responsibility was introduced. The 2006 Act also set down provisions in respect of a person's fitness to be tried. It amended the law on infanticide, provided for new rules on the transfer of patients who become mentally ill while serving a sentence and established the new review board. This brought Ireland into line with many other countries, reflected changing attitudes to mental health and recognised the complexities therein.

The principal themes of the 2010 Bill are improving the fitness to be tried mechanism to bring it into compliance with the European Convention on Human Rights and providing that discharge and post-release conditions imposed on persons by the Mental Health (Criminal Law) Review Board will be legally enforceable for the first time. These conditions will apply both to those who have been found to be unfit to stand trial and those who have been found not guilty by reason of insanity. It is proposed that section 4 removes any doubt about compliance with the provisions of the European Convention on Human Rights. The convention requires that, except in emergency cases, an individual cannot be deprived of his or her liberty unless he or she is found, on the basis of objective medical expertise, to be of unsound mind and that any mental disorder must warrant compulsory confinement. It is necessary to comply with this convention both to respect a person's liberty and to ensure his or her personal safety.

The second important change proposed in the Bill relates to an amendment to section 13 of the 2006 Act. This amendment will allow enforceable conditions to be applied to conditional discharge. There was an element of confusion in this regard in the sense that the 2006 Act envisaged a rather black and white situation in terms of a person's fitness for discharge. This

neglected or ignored the reality in psychiatric care where cases might arise of persons who are capable of some sort of conditional discharge. However, the conditions were not enforceable. This anomaly came to light in a number of High Court cases, most notably highlighted by Mr. Justice Hanna in *JB v. Mental Health (Criminal Law) Review Board*. This case found that the Mental Health (Criminal Law) Review Board had no mechanism available to it by which it could make post-release conditions binding on the applicant. The Minister of State has spoken of the urgency attached to this amendment given that there are people currently in detention who should, if the law allowed it, be considered for conditional discharge. As such, I welcome the proposed amendment which underpins the principle of conditional discharge.

While the Labour Party broadly welcomes the Bill, we have some concerns. First, we have a difficulty with the rather outmoded language employed by the Bill. The use of language can be delicate in many circumstances but is particularly so in the case of mental health. In light of this, the Labour Party has proposed amendments which would replace the word “insanity” with “mental disorder”. The word “insanity” has specific negative connotations and is out of date. It is important that our legislation uses the most appropriate terms available.

Second, the Labour Party is proposing an amendment which would allow people to be detained in a “...suitable place of treatment specified by the Minister for Health and Children”. This would allow for detention in places other than the Central Mental Hospital, a facility which may not be suitable for all detainees. For example, a number of the “fitness to be tried” proceedings are currently being held in the District Court setting and, as such, are for summary and minor offences. It would be inappropriate in many of these cases to send someone to the Central Mental Hospital. I hope the Bill will be amended to offer the courts an alternative.

These are sensible and reasonable amendments. I am confident that if the Minister of State were to have his way, they would be taken on board. As Deputy Shatter observed, it is frustrating for Opposition Members when reasonable proposals from this side of the House which would not involve a cost for the State and which would make life better for particular sectors of society are rejected purely on the basis that they did not come from the Minister or Minister of State.

This Bill, the 2006 Bill and the review of the latter offer, above all else, the prospect of a new tolerance in regard to mental health. They point the way in terms of ensuring that people now know that recovery is possible. That is vitally important but was not always the case. When I was growing up there was a general acceptance that there was no possibility of recovery from mental health problems, and depending on the particular psychosis or condition, there was indeed a great likelihood that one would never recover. We have come a long way since then in terms of treatments and in terms of our attitude towards mental health.

It is the absence of hope that drives us to despair, and this Bill is, more than anything else, about hope for those who previously had none. Deputy Shatter remarked that the Joint Committee on Health and Children spoke to the families of many of those detained in the Central Mental Hospital to ascertain their view on the proposed move to Thornton Hall. I realised in the course of these discussions that our attitude to and perception of people with mental illness and those who surround them is very flawed. These were ordinary families whose hopes and aspirations for their loved ones are that they will return home and have a life like everybody else. Those people will take great hope and comfort from this Bill.

The people about whom we are talking are those who have experienced the most severe and traumatic mental health episodes. However, they are in some degree the lucky ones because we are putting in place legislation which will ensure their situation is progressed. We all know

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of people who have mental health issues but do not have that type of path to recovery. We should be conscious of them.

We should also bear in mind that just as we members of the committee had a distorted view of people who are detained in mental health facilities for their own protection, so too do members of the public have concerns about the provisions of this Bill. We must trust the professionals in this case. I have no doubt that things will go wrong as they always do. However, in the main, more things go right than go wrong. We must be far more tolerant and we must accept there are episodes in people's lives when they do awful things. However, with the right type of treatment they can recover. That is what it is all about.

I wish the Minister of State well with the Bill. I hope he and his Department will take on board the amendments the Labour Party has offered in the spirit in which they are offered. The objective is to bring us forward in terms of the provision of mental health services.

Deputy Darragh O'Brien: I propose to share time with Deputy Sargent.

Acting Chairman (Deputy Charlie O'Connor): That is agreed.

Deputy Darragh O'Brien: I welcome the opportunity to address this Bill. Deputy Kathleen Lynch observed that attitudes have changed in the area of mental health. We all have a role to play in terms of recognising that people have episodes in their lives that bring them over the edge and lead them to do things they would not normally do. We also have work to do in educating public attitudes to depression, suicide and other mental illnesses, which are as real as physical illnesses.

The Bill proposes two important amendments to the Criminal Law (Insanity) Act 2006. It has been carefully devised to achieve a balance between the rights of the individual, which must be paramount in this, and the need to safeguard the community at large. The primary amendment relates to the conditional discharge of persons detained in the Central Mental Hospital. Currently, the mental health review board is entitled to conditionally discharge suitable patients, but it does not have the power to make the necessary arrangements for the supervision of a patient who has been discharged. This means it cannot ensure that patients are returned if conditions are breached. This is detrimental to patients, society and hospitals. This lack of enforcement has effectively made the Act unworkable in this regard and has meant the board was not in a position to grant conditional discharges.

Given that this goes to the core of an individual's right to freedom, it is not surprising that the situation has resulted in several legal challenges. It is understandable that there are concerns regarding personal freedoms, but we must also consider the concerns of communities and society at large. If this Bill is enacted, the board will be allowed to recall patients who breach the conditions of their release and thereafter to review, as soon as possible, their continued detention. It will also be possible for a person who has been granted a conditional release to be granted a full release, without conditions, after one year. This is a sensible approach.

The second amendment deals with cases where unfitness to be tried may be an issue, a matter that has attracted a great deal of public comment. As the law stands, the court can refer an individual to the Central Mental Hospital for up to two weeks for an assessment to determine whether he or she is mentally fit to be tried for a criminal offence. This is not a standard procedure, nor should it be, because it presents a difficult scenario for the Judiciary and the Courts Service. It can become very emotive when, for instance, a conviction is overturned on the grounds of mental insanity.

The European Convention on Human Rights states that an individual cannot be deprived of liberty unless he or she has been found, on the basis of objective medical expertise, to be of unsound mind.

In this instance, I agree with Deputy Kathleen Lynch that we must leave it to the professionals, and not the State, to make those decisions. When clinical, psychological and psychiatric assessments are done on people who find themselves in these situations it is important that resources are in place to ensure that these procedures can be followed on a seamless basis.

The Bill ensures that our law complies with the European Convention on Human Rights. It proposes that a court hear evidence from a consultant psychiatrist before requiring a full assessment of the accused person. The Bill also allows for other centres, apart from the Central Mental Hospital, to carry out assessments. The net effect of this will be to reduce pressure on the Central Mental Hospital, where accommodation is scarce. I know the Minister of State is actively looking at alternative locations for the Central Mental Hospital. I welcome the fact that he has engaged with interested groups in this area. The relocation of the Central Mental Hospital should not cause it to be seen as an extension of the prison service. We must be careful of the public perception of the hospital and of the people who seek treatment there.

6 o'clock

The proposed amendments represent a progressive common-sense approach to the law in this area. At their most basic level, they bridge the gaps that currently exist in the law. I welcome the fact that the legislation will be kept under constant review to see whether the procedures enshrined in the Bill are effective. At the core of any legislation we pass there must be vigilance to ensure that the systems we put in place are working to the benefit of the individual patient, the Health Service Executive and the community. Issues leading to disagreement will arise from time to time and anomalies may be created within the system. That is why it is important it is kept under review.

The alternative to introducing these amendments is to leave the situation as it is. Inaction in this instance has never been mine or my party's preference. A failure to act would undermine the interests of society at large, as well as of individuals, particularly vulnerable individuals. It could also expose the State to further legal challenges with possible significant legal costs and damages awards.

The Bill offers a win win situation for the individual, society and the State. I am glad to have been given an opportunity to make my contribution to this issue. Mental health needs a particular focus. The Minister of State takes a particular interest in this area and it is important, particular when resources are scarce, that mental health continues to be given the priority it deserves. The figures are stark. The effect of difficult economic situations on depression and on the break-up of families can be great. These are difficult things for people to deal with and it is incumbent upon legislators and the Government to ensure that as many resources as possible are applied to this area. Prevention of mental illness is better than its cure. It is important that people can be open about depression, how they are feeling and their own mental health and can access services and talk to people. This is particularly important for young men because we have seen an increase in rates of suicide among this group. We must look closely at this area. People must not feel that they cannot talk or seek advice. If young people cannot seek help from their parents, and sometimes they cannot, the State should be able to assist these people where possible.

Deputy Trevor Sargent: Ba mhaith liom mo bhuíochas a ghabháil le mo chomhleacaí i mBaile Átha Cliath Thuaidh, an Teachta Darragh O'Brien, as ucht a chuid ama a roinnt liom.

[Deputy Trevor Sargent.]

I welcome the opportunity of saying a few words on this important legislation amending the Criminal Law (Insanity) Act 2006. The fact that we are coming back to legislation that was passed in 2006 highlights the rate of development in this area. The Government is conscious of its responsibility to do everything possible, within the very restricted resources we have, to stay up to date and to respond, as well as it can, to the professional advice in this area. The wording, “guilty but insane” is not acceptable when one is defining someone’s position in law. The term, “not guilty by reason of insanity” is much clearer. There are also issues regarding fitness to be tried. Those amendments come on the back of recommendations that have come to Government. I applaud the Minister of State, Deputy John Moloney, for acting on the advice he gets. He has shown himself to be very genuine and serious about his responsibility for mental health. Those of us in Dublin North know of his interest in St. Ita’s Hospital and in the work done in collaboration with the professionals, the community, the patients and their relatives in the hospital. That must be acknowledged.

The Bill gives us an opportunity to reflect on the recommendations that have come to us from different organisations, not least from Amnesty International, an organisation with which I have a long involvement. As the name of that organisation suggests, it draws on its experience worldwide in the area of human rights. Last Sunday being world mental health day makes it all the more appropriate that we reflect on the context of this legislation. The report launched last Sunday by Amnesty International and its campaign challenging prejudice and discrimination against people with mental health problems point to the need for more work in this area. The report, *Hear my Voice: the Experience of Discrimination by People with Mental Health Problems*, explores the experience of unfair treatment and discrimination as perceived by people directly affected by these issues. This happens in all sorts of subliminal ways but it comes to a very serious impasse for the very small minority of people who become involved in the criminal justice system.

As the Amnesty International campaign highlights, mental health is a matter for everybody. Many people would say they are driven mad by politics. There are many interpretations of what that might mean but there is no doubt that mental health is something to which we must all have regard. We must overcome the stereotype that is a throwback to outdated ideas. The Amnesty International campaign on mental health prejudice and discrimination was launched with DCU. The report presents some glaring findings. It states that 95% of participants reported some level of unfair treatment because of a mental health problem. The vast majority, or 86%, of respondents indicated experiencing distress resulting from unfair treatment. In addition, 64% reported unfair treatment in making or keeping friends, 63% reported being avoided or shunned because of mental health problems, 61% reported unfair treatment by family, 44% reported unfair treatment in terms of personal safety, 43% reported being treated unfairly in keeping a job, 36% reported unfair treatment in finding jobs and 66% decided against applying for work on the basis of perceived prejudices. This evidence clearly suggests the disempowering effect this stereotyping can have on the people concerned.

The Government ought to act without further delay to meet the report’s recommendation that Ireland ratify the Convention on the Rights of Persons with Disabilities and its optional protocol. The Government and Amnesty International need to work closely together given the latter’s international experience and the former’s wherewithal to bring about change. Thankfully, the changes required are not capital intensive. However, they require leadership in highlighting the potential for good attitudes towards mental health.

I commend the Minister of State, Deputy Moloney, in that regard. Both of us have had the honour of attending a suicide awareness fundraiser in the Four Seasons Hotel, at which the Minister of State was recognised as being aware of the challenges faced by people who are feeling suicidal. In light of what he had to say on that occasion, I am proud to be a Member of a Government in which he has a portfolio. By speaking from the heart, he demonstrated the leadership we require. While accepting that money and resources will have to be found, he also highlighted the fact that Government involves more than resources.

I was reminded that leadership can be expressed in different ways while attending the launch of a research report in Balbriggan town hall last Friday. The report, which investigated youth well-being in Balbriggan, discussed issues of facilities, counselling services and feelings of self-esteem and it did not shy away from mental health in young people. Some 27% of the population of Balbriggan is aged 18 or below, compared to a national average of 21%.

I compliment the Headstrong organisation on its innovative approach to the area of mental health in terms of providing services which will make it less likely that people have to engage with the Criminal Law (Insanity) Bill 2010. Those who receive Headstrong's support have an affirmation that they will be able to become constructive and full members of society.

I commend the youth advisory panel and its working group on producing the A Voice Being Heard research report on youth well-being in Balbriggan and Amnesty International on its ongoing work in highlighting human rights issues in the area of mental health, prejudice and discrimination. This Bill is informed by the latest research and will ensure that a humane and understanding approach is taken to people with mental health issues. That is a good reason to support its passage through the House.

Deputy Olivia Mitchell: I welcome the opportunity to speak on this Bill. It is rare that we find ourselves amending an Act passed as recently as 2006. Nevertheless, it is clear that difficulties have emerged with the earlier legislation, which itself was welcome as a significant improvement on the law as it previously stood.

The two major changes proposed in this Bill pertain to the mechanisms for determining whether an accused is fit to stand trial and conditional discharges, which was not working under the 2006 Act. These changes are welcome. In regard to the first mechanism, the former practice whereby a jury decided whether a person was fit to stand trial resulted in gross abuses of people's rights because it required sick people to undergo trial. People who should have been in hospital were unfairly exposed to the rigour of the law. The new mechanism introduced by the 2006 Act allowing a judge to make the decision was infinitely preferable. However, as the requirement on a judge to reach a decision quickly and in the absence of expertise brought us into conflict with our commitments under the European Convention on Human Rights, we are now amending that Act. Judges were making what appeared to be arbitrary decisions in the absence of objective expertise or advice from forensic psychiatrists. It was also possible that decisions were made without due consideration because of the short time spans involved. The amendments provided in the Bill are welcome in this regard. Deciding on a person's fitness to stand trial is a grave responsibility for anybody and I am sure judges will welcome the amendments.

The interface between the health service and the criminal justice system is fraught with difficulties and tensions. Mental disorder and illness are catch-all terms which encompass a continuum of conditions ranging from very mild to extremely severe. Many films have been made about the idea that those who appear the sanest are the most ill. Judges do not like to be called "laymen" but nevertheless they do not always have the requisite expertise and the

[Deputy Olivia Mitchell.]

input of forensic psychologists is essential. An accused person who is incorrectly determined fit for trial is subjected to the full rigours of a criminal trial and, possibly, a prison sentence which would be totally inappropriate. Prisons are not nice places, even for the healthiest people. They represent a considerable abuse for those who are not of sound mind. The potential for the abuse of human rights is enormous.

Having to face confinement for an unspecified time, as in the case of those deemed unfit for trial, has considerable implications. A decision made on this should only be made in the very strictest of conditions and it should be informed by fairness and the very best expertise available. This Bill is very welcome in that it gives judges access to the best expertise available. It also ensures decisions will not be made in haste. It provides for a 14-day referral to the Central Mental Hospital, where a person can be assessed to decide whether he or she is fit or unfit. Decisions made in haste by a judge could result in an accused regretting those decisions for a very long time. I welcome the provision in this regard.

I welcome the second measure, which clarifies and facilitates the termination of a person's detention. The former legislation was dreadful in that, under it, a decision had to be made by the Minister. Effectively, the decision was never made by a Minister. Even when somebody was found fit to be discharged on medical grounds by the psychiatrist, a decision on the finding had to be made by the Minister. Inevitably, decisions such as those are too susceptible to political considerations and public opinion on the crime for which one was incarcerated. The 2006 Act, in setting up the review board to make such decisions, represented a huge improvement. Without this improvement, people languished completely unnecessarily in the Central Mental Hospital, probably for much longer than they would have had to spent in an ordinary prison had they been deemed fit to go to trial. Detention, for many, was for an indefinite period.

The procedural defects in the 2006 Act are obvious and have been the subject of court cases and various recommendations to the Minister. I congratulate the Minister on acting on these recommendations. Incarcerating people needlessly in the Central Mental Hospital is a considerable abuse of human rights. A provision to make conditions of discharge binding rather than mere recommendations is missing in the existing legislation but is provided for in this Bill. That is welcome.

Recovery is not a black-and-white issue. People may be partially recovered or not so ill as to justify incarceration in the Central Mental Hospital, yet they may not be well enough to be discharged without supervision or on the assumption that they will never relapse into mental illness. That decisions cannot be made in this regard results in people languishing in the hospital. The intent of the 2006 Act was not being met as a result of the failure to provide supervisory powers for the board. The safety of the public must be of paramount importance, in addition to the human rights of those incarcerated in the Central Mental Hospital. The changes in the Bill represent an attempt to ensure that we will comply with our obligations under the European Convention on Human Rights.

I regret the persistent use of the word "insanity" in the Bill. Irrespective of its legal definition, it is an out-of-date term. It is pejorative and very stigmatising. I ask the Minister of State to consider a different, less pejorative term for future legislation.

The Minister of State says there will be no cost associated with this legislation. I question this; it must be incorrect. Beds in the Central Mental Hospital come at a premium. One benefit of the proposed legislation is that people will be discharged and not kept unnecessarily. Nevertheless, patients will be referred to the hospital regularly and surely will have to be assessed by forensic psychiatrists, thus giving rise to a resource issue. Quite apart from the assessment,

if people are to be discharged, placed under supervision and monitored in the community, perhaps while receiving treatment, surely there will be cost implications. I hope we are not making another mistake in assuming that, by passing another law, we will solve a problem when a lack of resources will prevent its implementation.

The Minister of State said in his speech that he is considering designating centres other than the Central Mental Hospital in Dundrum as locations where people may be assessed. That would be welcome but it would not overcome the problem associated with the general shortage of psychiatrists, particularly forensic psychiatrists.

I want to raise the issue of the future of the Central Mental Hospital in Dundrum, which is in my constituency. In the old days of the health boards, of which I was a member, I visited the Central Mental Hospital on a number of occasions. In the early years of those visits, people were still slopping out. Conditions have improved slightly in that this is no longer happening but, by any standard, the conditions are Dickensian. They are appalling conditions in which to place sick people and to have staff work. The building is unsuitable and is in an unsuitable location. I am probably not telling the Minister of State anything he does not know because I am sure he has visited the building.

While we may be meeting our commitments under the European Convention on Human Rights to the letter of the law, we must remember the physical conditions in which people are being kept for indefinite periods are really appalling in this day and age. While the Minister of State said Thornton Hall will not go ahead and that alternative locations are being considered, my worry is that an alternative location will not be announced until the terms of the public private partnership are agreed. I am worried that there will never be another public private partnership. Where are the developers who might have been involved in such partnerships? Most are unable to obtain credit. If we are to depend on the private sector, will the development ever happen? Is there a plan B if we cannot get the private sector to participate? Will the Minister of State clarify what is happening in this regard when replying? Important as this legislation is, the reality is that people are living their whole lives and dying in the Central Mental Hospital in Dundrum. The conditions are really appalling. I ask the Minister to consider this.

Minister of State at the Department of Health and Children (Deputy John Moloney): I thank all the Members who contributed to the debate this evening. I acknowledge the points raised and will address them individually.

Deputy Shatter is correct that we are attempting to honour our obligations under the European Convention on Human Rights. That is a given and I accept it.

I take the points raised by Deputies Shatter, Kathleen Lynch and Mitchell on the reference to the word “insanity” in the criminal law legislation.

We must move on in terms of the terminology we use in regard to mental health. While we have come some distance, we have not come far enough. This is what the review to be undertaken next year, to which I referred earlier, will be about. I will come back to the Deputies on what will be addressed in that review as I deal with the specific issues raised. It is important to state — I also gave this response in the Seanad — the reason we use this terminology.

It is our intention to take on board amendments. The point was made that the 2006 Act is defective. An Act which provides for the release of people from the Central Mental Hospital, that the review board will have no control in terms of their whereabouts or the activities in which they engage and in respect of which we cannot insert restrictions or safeguards is, I

concede, defective. This is the reason for the urgency of the legislation before us. I agree with Deputy Mitchell that it is unusual for an Act, such as the Criminal Law (Insanity) Act, 2006, to be amended so soon after enactment. This legislation is being introduced to allow us address the many issues surrounding the Central Mental Hospital, the pressures on it in terms of beds and the need to allow people to live in the community but, under supervision and restriction. I do not intend addressing all the technical issues raised.

It is important I set out the advice given to me by my officials, as I did when the Bill was before the Seanad. I thank my officials for their advice. While I fully understand the concerns raised in regard to the retention of the word “insanity” as used in the 2006 Act, I ask Members to bear with me as there are complex and fundamental issues associated with replacing that term. These issues will need to be carefully examined. I assure Members that this will be done in the course of the planned comprehensive review of the 2006 Act. I will return later to the specific points raised in this regard. The Minister for Justice and Law Reform has agreed this issue should be examined in the course of that review which will commence early next year.

The word “insanity” is used in the 2006 Act because this is the correct description of the contents of the Act. The definition of “insanity” in the 2006 Act was drafted on the basis of the decided judicial authority and the precise meaning of insanity and the circumstances in which the finding of insanity will excuse a person from criminal liability. The House may be aware that this issue was extensively debated during the passage through the Oireachtas of the 2006 Act. The 2006 Act was in gestation for ten years during which time the issue was examined in great depth. I mention such long periods of deliberation to stress the complexity of the issue which has been raised. The plea of insanity in Irish law is an excuse rather than a condition. It is also a factor that excuses liability from the commission of a crime. Our law places the matter within legal parameters directly related to personal responsibility for one’s action. In this scenario medical evidence will be influential but not decisive. This means that an accused person who has been diagnosed as mentally insane may fail to satisfy the criteria for criminal insanity in law.

I support Members’ suggestions that the use of this terminology, including references to lunatics and the involvement of wards of court, be addressed by way of amendment. This legislation is urgently needed. We have received many submissions from the Law Reform Commission and other voluntary bodies, including Amnesty International and Members of this House on the need to make this necessary change in the legislation.

I will try now to address some of the specific points raised, including what supervision will be in place for people released under the conditions set out in subsection 13(c) and what agencies, supervision or criteria may apply. I fully appreciate the question. This issue also cropped up in previous debate in this House in relation to the training of the people involved. I stress that those involved will be people trained in the mental health system and not bouncers and so on. Those involved will be people trained as psychiatric nurses, people who will have the necessary qualifications and who will be vetted by the Mental Health Commission. It is most important that these are people from a psychiatric care background.

Deputy Alan Shatter: The Bill does not appear to prescribe that.

Deputy John Moloney: We are speaking of people specifically trained in mental health care similar to those recruited to deal with people returned under the Mental Health Act 2001. That is the intention of this legislation. The Deputy also raised fundamental questions in regard to

the safety of the person and the public. While I will have another opportunity to address this issue on Committee Stage, I take this opportunity to confirm to the House that this Bill seeks to, on the one hand, ensure people who no longer need to be detained in the Central Mental Hospital are returned to the community and, on the other hand, that they and the public are protected. We must ensure people live up to the conditions of their release from the Central Mental Hospital to the community. I will return to the Deputy on this point later.

Deputies Shatter, Mitchell and O'Brien referred to the Central Mental Hospital. I take on board Deputy Mitchell's remarks in regard to the current economic climate. Under the multi-annual capital programme we are allowed to sell off properties to the value of €50 million. However, we have this year raised only €10 million through the sale of property due to decline. I acknowledge that Thornton Hall was the Government's preferred location for the new prison. However, this is no longer the case. I put the case for the withdrawal from the Thornton Hall project to Cabinet and did not announce a proposed relocation because advice to me at the time was that this cannot be done until we have the capital commitment to meet it. I am not very proficient in financial matters. I will engage with the director of estates, Mr. Brian Gilroy, during October-November on public private partnerships proposals in this regard. I am led to believe this can be done. I acknowledge that there are different types of public private partnerships but as I understand this is a vehicle we can use.

I cannot yet say what will happen to the Central Mental Hospital in Dundrum. I do not make these points to pretend everything in mental health is being addressed because as Deputy Neville will I am sure remind me that we have a huge distance to go. However, we have been able to address some of the issues through the €10 million we have secured, including the construction of the new psychiatric hospital in Letterkenny which will ensure no further referrals to the old hospital there. The contracts for work on the Clonmel project have been signed and work on that site is progressing. I am trying to follow the inspectors' reports on the conditions in mental hospitals. Three months ago, I turned the sod for the building of a 100 bed unit to replace St. Loman's Hospital Mullingar. I understand this is not what one would call fast forward movement but it is at least an attempt to deal with the worst hospitals as identified in the inspectors' reports.

I wish to return to the specific question relating to the Central Mental Hospital. I am led to understand that of all of the properties in which mental health services are provided, that in Dundrum is considered one of the best locations in respect of which maximum funding might be procured. Securing such funding will clearly be the intention as we prepare the capital programme for next year. There is little point in bringing Dundrum on to the market until we can maximise the value in this regard.

There is no point in creating false hopes. In that context, I regret to say that the new central mental hospital will depend on funding secured under PPP arrangements. I will not be in a position to say when that will happen until later in the year. A certain area has been touted in the media as being the location for the new facility. I met political and other representatives from that area and I assured them that, should the area be selected, they will be informed in advance of any public announcement. I accept that this answer is probably not to the Deputy's liking. However, the deadline for deciding how the project will be funded is either November or December. I will inform the House of the position in this regard as soon as possible.

Deputy Kathleen Lynch raised an extremely important issue. It is obvious that everyone who contributed to this debate wants a better quality of life for those who suffer from mental illness. The Bill is designed to ensure that people who have been committed to the Central Mental Hospital will be released into the community as quickly as possible. It has been suggested that

[Deputy John Moloney.]

these individuals should be released into centres of population away from the hospital. That is an extremely important point.

I was beginning to think that I had lost the plot. I refer, in that context, to the supplement and the editorial which appeared in *The Irish Times* today. When I entered the Department two years ago, I felt it important that I should set out my policy position and my hopes. I did this so that we might drive forward a programme to deal with the closure of mental hospitals. This can be achieved. I also put forward the need for a director of mental health services. I felt that was extremely important to deal with the stigma relating to mental health. I reached a conclusion in respect of this matter, but not because I have a professional background in it. I have no such background. From many years as a public representative, I have been aware of the major concerns people harbour regarding loved ones or relatives who will not seek support in case it might affect their career prospects, relationships or whatever. In that context, I set about launching the See Change initiative. I did not do so lightly.

I certainly had notions in respect of this matter but I invited people I respect to assist with the initiative. I often said to Deputy Neville — I am sure he will confirm this — that it was important to highlight the area of mental health. I did not try to do this on my own. I invited people from all walks of life who, I believed, had a contribution to make and who were prepared to give of their time on the first Wednesday of each month to become involved. Those individuals confirmed to me that the stigma attaching to mental health was a major issue. That was what encouraged me to launch the campaign and to facilitate it I selected 27 centres throughout the country to which people would be invited to discuss the issue of mental health.

On each occasion on which I discuss mental health in public, I make the point that the resources available in respect of this area are not adequate. I am a Fianna Fáil Deputy and I am not trying to pretend that I am not a member of the Government. I wish to make that clear, particularly in circumstances where people might be of the opinion that we are trying to pretend that everything is grand and that the only issue which arises is that relating to stigma. It is, however, important that we deal with that stigma. To date, meetings relating to the See Change initiative have been held in Ennis, Limerick, Tipperary and, last night, in Donegal.

I am somewhat concerned with regard to the editorial which appeared in today's edition of *The Irish Times* and which refers to what is being done as an extraordinarily cynical exercise on the part of the Government. It is obvious that this is a reference to me because I am responsible for driving the campaign. I was glad to realise, as I listened to Members contributions, that the stigma attached to mental health is not an issue I merely dreamt up. This is a real issue.

Regardless of whatever level of capital funding we can secure, unless people are prepared to present and seek support, there is very little which can be done for them. I do not wish anyone to be of the view that I am presenting myself as the Mother Teresa of mental health or depression. That is not the impression I wish to give. However, I always knew I would front a campaign in this area. I had occasion to be referred to a psychiatrist in the Mater Hospital some years ago and I felt it was important to publicise that fact if only to try to show people that there is no big deal when it comes to matters of this nature and that individuals can seek support and recover.

I am glad Members have confirmed that the stigma attaching to mental health is an issue because I had begun to have doubts. I had also begun to wonder whether it was right to engage in a national campaign, particularly if such a campaign was seen as a cynical exercise. I do not believe the latter to be the case. The See Change initiative is a fundamental part of the reform

programme we are pursuing. The meetings that have been held to date have been arranged under the auspices of the various county forums, which acknowledge that there is a need for this issue to be addressed.

Deputy Shatter referred to the safety of communities where persons are conditionally discharged. I again draw attention to the fact that the review board must have regard to the public interest. The authority being transferred to it brings its own level of responsibility. In that context, the board must have regard to the public interest when deciding if a person can be discharged. The board must also be satisfied that appropriate supervision arrangements are in place in respect of the person. The Bill provides that a person who is in breach of the conditions of his or her discharge and who is a danger to himself or herself or others can be returned to the Central Mental Hospital. I appreciate the Deputy's point in respect of this matter and I am using this debate to expand on the position. The Bill also states that the Garda can be requested to assist in returning someone to the Central Mental Hospital.

The Bill is an attempt, prior to bringing the conclusion of the major review, to allow people to be discharged conditionally. I accept the Deputy's point that this should have been dealt with in the initial legislation. The Bill is, therefore, an attempt to do that and to ensure that people can be discharged from the Central Mental Hospital, under supervised conditions to create additional space there. I accept Deputy Mitchell's point regarding the conditions at the hospital. It is not enough for me to state that I have visited the facility and have first-hand knowledge of those facilities. That is why there is a commitment to progress matters in this regard.

The Bill is an important example of the necessity to ensure that the criminal justice system sets the correct balance between safeguarding the rights of the person, particularly the vulnerable, and protecting communities. If it is not considered strong enough, I will bring forward amendments on Committee Stage to rectify any shortcomings. The conditional discharge conditions will enable patients to whom the Criminal Law (Insanity) Act 2005 applies and who are no longer in need of attention at that Central Mental Hospital to be allowed their freedom, while ensuring that the welfare and safety of those patients and the public interest are fully protected. I appreciate that she said in opening comments that there has been some progress in the mental health area. Although the health budget will be reduced by €600 million, I will not use that for a second as cover for our demands within the mental health budget. It has also been established that 70% of mental health issues begin in child and adolescent years so my pitch to the Government has been that the focus of funding this year must be in that specific direction.

We have all met with various groups who have put their case before us. It has been noted that Headstrong have a Jigsaw model and I saw what has happened at first hand when I called to Galway. I will not try to escape through the hatch and it has been quite properly pointed out to me that the budget allocation is down to 5.5%. I was questioned about this by Deputy Neville on previous occasions but have never used the excuse, which might give some cover, that funding is now being channelled to different areas, such as the primary care centres or community services. I fully acknowledge that until we show clear commitment to what we promised in A Vision for Change by way of community supports and community mental health teams, the argument about insufficient funding will remain. The challenge going into this budget will be to ensure that what we have promised in A Vision for Change can become a reality.

A Vision for Change is a ten-year programme and I will not use the term "work in progress", as a work in progress must come to a halt at some stage. We have approximately five years

[Deputy John Moloney.]

left for the programme, and there has been progress in the area of child and adolescent beds. The commitment is for 100 beds and as we have come from 30 to 55 beds, there is a long way to go. The option is to either suggest publicly that the programme is parked until the recession passes or else we work within the context of making the case to ensure that the commitments made in A Vision for Change become a reality. That will require funding.

Prior to Committee Stage full consideration will be given to the issues raised today. I take the point that the Government does not always have all the answers, and I note this in regard to what can come from the Opposition benches, particularly with regard to health care and mental health. I am open to and looking forward to amendments to improve the Bill.

It is important to mention that the scope of the Bill is limited and looks to ensure the difficulties regarding fitness to be tried and conditional discharge can be resolved as quickly as possible. Any other issues regarding the operation of the Criminal Law (Insanity) Act 2002 will be looked at in the context of the full review of the 2006 Act, which commenced towards the end of the year.

A number of Deputies made the same point about the future of Dundrum and I have dealt with it. The matter does not only concern criminal law and the electoral laws also refer to lunatics and people of insane mind with regard to participation in this House. The issue was raised at a public meeting in Tralee and I have written to the Minister for the Environment, Heritage and Local Government, Deputy Gormley, since that meeting. I have sought a response ensuring that such references will be removed from the electoral laws. The proposal went in over six months ago and shows that we have much catching up to do, although the opportunity has presented itself for an open debate.

I hope I have answered most of the questions raised. I take Deputy Kathleen Lynch's point that the Bill is about hope, tolerance and recovery. The fundamental hope for A Vision for Change is recovery and the fundamental hope for this Bill is to drive the recovery forward for those who can participate in open society. I know there are many issues which must be dealt with so safeguards can be put in place but it is fair to say in response that it is up to us to show that when we talk about people being supervised, the correct supervisory treatment will be put in place and people can be trained appropriately. All of this is an attempt to tie in the commitments for A Vision for Change so that people can move from institutionalised care, whether it is the Central Mental Hospital or an acute hospital, provided that the necessary supports are in place.

Many of these issues are now being presented to us and in the past fortnight I have met with Amnesty, with which Deputy Neville was involved. They are putting together a proposal and perhaps its time is coming. Like the Italian model, it may be important to legislate for our commitments to spending. If we bring about another reform programme like A Vision for Change, there should be legislation underpinning the process to ensure whatever commitments we make can be legislated for. There should be penalties or conditions imposed if we fail.

I have responded as best I can to all the points. I thank all Deputies for their support and look forward to hearing amendments and proposals as we go through Committee Stage.

Question put and agreed to.

Criminal Law (Insanity) Bill 2010 [Seanad]: Referral to Select Committee

Minister of State at the Department of Health and Children (Deputy John Moloney): I move:

That the Bill be referred to the Select Committee on Justice, Defence and Women's Rights, in accordance with Standing Order 122(1) and paragraph 1(a)(i) of the Orders of Reference of that committee.

Question put and agreed to.

Sitting suspended at 6.55 p.m. and resumed at 7 p.m.

Private Members' Business.

Fuel Poverty: Motion

Deputy Liz McManus: I move:

That Dáil Éireann, noting that:

- electricity prices increased by almost 5% from 1st October, 2010;
- there is a significant pressure from this electricity price increase on small and medium enterprises (SMEs) experiencing financial hardship and households dependent on low incomes;
- electricity disconnections have increased to an alarming level of approximately 2,500 every month;
- similarly gas disconnections have risen to 20 disconnections a day with approximately 90,000 customers experiencing debt difficulties;
- there is a changing demographic of those in fuel poverty as indicated by research that shows that approximately 60% of gas disconnections taking place are in owner occupied housing;
- €35 million in grant aid set aside for crucial insulation schemes in 2009 was handed back, unspent, to the Department of Finance;
- the cost of disconnections and reconnections as levied on the customer is prohibitive in many cases;
- the Minister for Finance stated that the revenue from the carbon tax would, in part, be used to alleviate fuel poverty yet he has failed to deliver on this promise;
- the Minister for Communications, Energy and Natural Resources has so far failed to enable the allocation of funding promised by the Electricity Regulation (Amendment) (Carbon Revenue Levy) Act 2010 to large energy users; and
- the Minister for Finance has failed to implement a vouched fuel allowance scheme, as promised in Budget 2010;

calls on the Government to:

[Deputy Liz McManus.]

- publish a fuel poverty strategy as a matter of urgency in view of the Programme for Government commitment that it would be ‘published by the end of 2009’;
- adopt the Fuel Poverty and Energy Conservation Bill as published by the Labour Party in 2008;
- scrap the plan by the Commission for Energy Regulation (CER) to insist on the rebranding of Bord Gáis and ESB, which Bord Gáis alone estimate will cost it €40 million, a cost to be borne by the consumer;
- direct the CER to implement a zero disconnection policy through the use of prepayment meters and to develop an acceptable policy in relation to disconnection fees;
- implement a National Retrofit Programme as a matter of urgency, with payment plans which will ensure participation from all sections of society, not just those with disposable incomes and to ensure that all moneys allocated are actually spent;
- ring-fence funds raised through the carbon tax to combat fuel poverty in line with commitments given by the Minister for Finance;
- consider extending the carbon revenue levy to SMEs;
- implement a vouched fuel allowance scheme to offset the financial pressures on low income households following the introduction of the carbon tax on 1st May, 2010, as promised by the Minister for Finance; and
- extend a National Retrofit Programme to public buildings, including schools and hospitals in order to bring unemployed construction workers into the workforce and enable apprentices to complete their apprenticeships, in line with Government commitments for 33% energy saving across the public sector by 2020.

I wish to share my time with Deputies Upton and Ferris.

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

Deputy Liz McManus: In this motion I am presenting the case on behalf of the Labour Party for a realistic and effective response to the hidden crisis of fuel poverty. Thousands of families are being put in extreme anxiety because they simply cannot pay their utility bills. This year already approximately 2,500 electricity disconnections and more than 4,000 gas disconnections have occurred every month. Unless the Government wakes up to this reality, the crisis will simply deepen as winter sets in.

This motion does not ask the Government to do anything it cannot do in the current recessionary climate. It does not even ask the Government to do anything it does not accept needs to be done. This motion is about getting the Government to do what it said it would do but did not. It is about calling the Government to account.

A year ago in the renewed programme for Government, Fianna Fáil and the Greens stated, “We will publish a fuel poverty strategy by the end of 2009, in keeping with the introduction of a carbon levy”. We got the carbon levy but only silence on the fuel poverty strategy. The same programme stated those most at risk of fuel poverty will be protected with the introduc-

tion of the carbon levy. The Government passed on that one too. Another deafening silence despite promises made at the last budget.

The tabling of this motion has already produced some kind of result, even though we cannot tell yet what precisely is going on. According to media reports today, there has been a promise of some kind of fuel allowance increase. The Minister for Finance, Deputy Brian Lenihan, and the Minister for the Environment, Heritage and Local Government, Deputy Gormley, are in total disarray on the issue, however. The Minister for Finance opposes an increase in the fuel allowance while the Minister for the Environment, Heritage and Local Government talks up an increase. Meanwhile, the Minister for Social Protection who has primary responsibility for the allowance, Deputy Ó Cuív, is saying nothing. At a time when the Minister for the Environment, Heritage and Local Government is looking for consensus from the rest of us, the Government parties are squabbling among themselves on this issue. It would be funny except for the fact that it is tragic for those directly affected. This debate has prodded a response, albeit a muddled one, from the Government. Nothing in the Government amendment clarifies the matter, however.

Recently, at my request, the Oireachtas Joint Committee on Communications, Energy and Natural Resources held hearings on the issue of debt management and the high level of disconnections, a matter of concern to both the energy regulator and the utility companies. Organisations such as the Money Advice and Budgeting Service and the Society of St. Vincent de Paul play a vital role in supporting people at risk. I want to record our thanks for their dedication.

Neither does the Government have in place an over-arching strategy to deal with fuel poverty. Will the Minister for Communications, Energy and Natural Resources outline his proposals for a strategy when he responds later? Two years ago, the Labour Party foresaw the growing problem and published the Fuel Poverty and Energy Conservation Bill 2008, the purpose of which was to require the Minister for Communications, Energy and Natural Resources to publish and implement a strategy for reducing fuel poverty. He would also be responsible for setting targets for the strategy's implementation. Regrettably, the Government ignored the Bill then. Now, in the absence of any statutory initiative, I demand the Government takes up our proposal.

In Northern Ireland the situation is markedly different. A fuel poverty strategy is in place which includes a zero-disconnection policy which should be adopted here in the Republic. It is based on the use of prepaid meters so that people use only what they can afford. The regulator here has approved the use of an additional 17,000 free prepaid meters this year, welcome news. Their cost is prohibitive and this measure does not go far enough, however. The UK Government has a legal obligation to eradicate fuel poverty. In Northern Ireland the strategy sets out targets to be met by 2016.

It is time here in the Republic we lived up to this challenge at home. Thousands of households will not be able to afford to heat and power their homes this winter. Winter mortality death rates of approximately 2,000, mostly among older people, are recorded each year in Ireland alone due to the cold, one of the highest levels in the EU. The rise in the number of fuel poor is likely to put more lives at risk this winter. Many families with young children are forced to choose between heating their homes and cooking a hot meal.

Fuel-poor people are living in cold, damp, energy inefficient housing and are often unable to heat their homes to an adequate level. Fuel poverty is defined as the need to spend greater than 10% of the household income on fuel to achieve an acceptable level of warmth. It depends on household income, the energy efficiency status of the property and the cost of energy.

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However, no comprehensive up-to-date national statistics are available on the number of people experiencing fuel poverty.

Research carried out by Bord Gáis Éireann on a sample of 500 household disconnections showed a new demographic development in fuel poverty. Up to 59% of households disconnected were owner-occupied while only 2% were in social housing. Overcome by unemployment, high mortgages, family breakdown or illness, these are the new poor who live in private estates and in terror waiting for the company man to come and disconnect an essential service.

In one case I know of, a woman is desperate for help. Her husband, self-employed, recently suffered a brain injury and cannot work. They have a young child. When the woman sought help from her community welfare officer to pay for heating oil, she was told no assistance could be given for oil fills.

What is this woman to do? What are all the others like her, mothers with young children, older people with long-term medical conditions who regularly come into our constituency clinics, to do? It has been estimated that approximately 60,000 Irish households live in persistent fuel poverty and a further 160,000 or so experience intermittent fuel poverty. Bord Gáis stated in the order of 20,000 customers are currently carrying arrears of more than €500 and 20,000 customers are in the final resolution stage where disconnection of supply is a possibility. Among all the statistics, the most shocking one is the fact that debt management in Bord Gáis is a problem that is 40 times bigger this year than it was last year. That shows the scale of what we will have to deal with now.

We know certain approaches will help. Early intervention is key to finding the solution and new payment plans must be offered to all those customers who are struggling to pay their bills. All utility companies must have an active role in ensuring that customers are facilitated in paying in methods that they can manage. The ESB told post office workers that people have to pay in €20 instalments, rather than the small amounts they have been paying until now. That is not helpful and I hope it adopts a different approach. That said, it is worth noting that companies, in the main, are making considerable efforts to assist customers in trouble. It is not helpful that the regulator has set the price for disconnection and reconnection fees at around €200. This bears no relation to the cost of these measures or the ability of the debtor to pay it. There needs to be a full review in the context of developing a zero disconnection policy in order that these fees are made manageable.

It is curious that the regulator, which is so exercised with ensuring competition in the market, has not dealt with lack of competition in the free electricity units market. At the current time, only ESB customers are entitled to free units, which is obviously part of social welfare support. Other utility companies are only allowed to offer cash or cheque alternatives and, understandably, free units are preferable to customers. It may seem a small point but this scheme should be redesigned to extend its availability to non-ESB customers.

The Government maintains that prices have decreased but if we look back far enough we find that in 2002 we had among the lowest electricity prices in the EU. Now we are on the higher end of that range. On full deregulation, something that is now being considered by the regulator and which I hope will be helpful to customers, it is extraordinary that before we can have it for households, there will be further costs levelled in the interests of competition. The regulator is insisting that the major utility companies must change their brand names if they are to have price deregulation at an early date.

At a committee I asked the regulator how much it would cost. I was rather startled to hear that the regulator did not know how much it would cost, even though he was imposing the requirement on the major utility companies. It seems it is not his problem, rather it is our problem. We are the consumers being sacrificed on the altar of competition. It is a crazy plan that the Labour Party opposes strenuously. Such a change, and a loss of familiar brand names in which this country can take a certain pride, such as the ESB and Bord Gáis, would involve a campaign to explain it to customers to get them used to a new set of names and would cost at least €80 million for no good purpose. Bord Gáis has estimated it will cost €40 million. The ESB is a much bigger company and it will cost more. If one considers what Aviva spent in changing its name, it is mind-boggling. Who will pay for this bling regulatory measure? The unfortunate consumer will be forced to foot the bill. In the interests of common sense I am asking the Minister, Deputy Ryan, who is a man of common sense, to step in and put a stop to this vagary once and for all. We simply cannot afford it.

There is a context to the issue of how we manage, price and use energy. There is an onus on any Government to deal with fuel costs and climate change in a fair and equitable way. It is a matter of regret that tackling climate change is now perceived by many people as simply about the imposition of a carbon levy. I refer to the public perception that it is seen as a negative when tackling climate change is a responsibility for all of us and the Government can be a help or a hindrance in helping us to face up to it. That is why it is disappointing that a Green Party Minister has failed to deliver fully on energy efficiency measures. There is plethora of energy efficiency schemes but there is no comprehensive national retrofit effort that could transform Ireland's energy efficiency and play its part in tackling fuel poverty.

At present most grant support for energy efficiency measures is geared towards those with disposable income who can afford to make up the cost of the solar panel or have the space for a wood pellet burner. Private companies are springing up to provide renewables for households, and good luck to them, and are clearly targeting the better off who can avail of these grants. I am glad the warmer homes scheme is now available. It is geared towards providing insulation for elderly people on low incomes living in poor quality housing, but it is limited in its range. In my area one has to have a fuel allowance to qualify for the scheme and I understand this is the case all over the country, which means the scheme excludes as many as it includes. The fact is that very often those on low incomes are still living in poorly insulated, sub-standard, energy inefficient homes.

In a recent survey among homeowners who took part in the home energy saving scheme carried out by the Sustainable Energy Authority of Ireland it was found that "single and low-income households are under-represented, as are younger adults and those in rented accommodation". The reality is that poor householders are means tested for basic insulation projects while the better off are entitled to claim for grants for various energy efficiency measures. Even allowing for this startling unfairness the Minister, Deputy Ryan, failed to ensure that the funding allocated for energy efficiency was actually spent last year. It was budgeted for and allocated, and was in the Estimates, but some €35 million was returned to the maw of the Minister for Finance because the Minister, Deputy Ryan, could not implement his own policy.

Other commitments that have been made in the programme for Government, such as the proposal to maximise energy efficiency with a target of 33% energy savings by 2020 in the public sector, have tremendous potential for job creation. The Labour Party produced a document, *The Energy Revolution*, which put forward very clear proposals for a national energy efficiency retrofit programme to create at least 30,000 direct construction sector jobs. We recog-

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nise the need for an immediate jobs initiative and these schemes, and the retrofit project in particular, are the low hanging fruit for job growth and energy savings.

This summer, during an Oireachtas committee meeting when I questioned the Minister, Deputy Ryan, on his failure to deliver, he asked me what I would do differently and I told him. I said that, first, I would concentrate on houses for which there is greater need. I certainly would invest in insulation in public buildings, such as schools and hospitals. Every hospital should be covered with external insulation. That should be the Government's marker if it is serious about insulation and increasing energy efficiency. I am glad the Minister agreed with me, yet there is no major programme of insulation for our schools, hospitals, Garda stations and public buildings even though there are thousands of construction workers with the necessary skills who are without work.

Deputy Mary Upton: Fuel poverty has always been a major concern in my constituency. Every winter people contact me worrying about their ability to heat their homes and looking for advice on where they can get assistance. Last winter was particularly harsh and as the problem was far greater than had been experienced previously, we had to pay particular attention to the issue. Last January, we had a big freeze during which the country came to a standstill. People sought top-up deliveries of home heating oil and other heating fuels to ensure they could heat their homes adequately. For many people this additional expenditure put stresses on already tight budgets.

During this time of extreme weather conditions we were also reminded to keep an eye on our older relatives and neighbours. The reasons for this are the consequences of being cold and the knock-on health effects of inadequate heating which are well known, particularly with regard to the elderly. Last year, for perhaps the first time in a generation, we were also acutely aware of the effects of the recession on households. It was not only elderly pensioners and low-income families who were at risk of fuel poverty, it was also those who were coming face to face with the reality of the recession for the first time.

Traditionally, fuel poverty would have been considered an issue associated with lower income areas throughout the country. However, this recession is so widespread that fuel poverty is now a very real issue in households that were previously considered well off. Families who relied on two incomes to meet their financial commitments who never faced the prospect of not being able to adequately heat their homes throughout the winter but who have lost one of those incomes are now suddenly facing exactly this scenario.

In recent weeks, we were given an insight into the extent of the problem by presentations from the ESB and Bord Gais at an Oireachtas committee meeting. We heard from Bord Gais that every five minutes it enters into payment plans with customers who have fallen into arrears. We know that each month this year approximately 2,500 people have had the electricity supply to their homes disconnected. Figures from the Commission for Energy Regulation show that gas disconnections are running at a rate of approximately 20 per day. Disconnections are an absolute last resort when other measures have failed but while some of these figures can be accounted for through houses no longer being occupied as a result of persons leaving the country, the sheer number of disconnections is staggering. We know that approximately 60% of gas disconnections now take place in owner-occupied housing and this is a huge change.

Perhaps more worrying are the approximately 90,000 gas consumers experiencing debt difficulties. This may in large part refer to persons who have exhausted their savings after becoming unemployed, fallen into arrears on bills and are unable to pay off their arrears and meet their

monthly outgoings at the same time. This is the real effect of long-term unemployment and it indicates that the rate of disconnections is therefore only the tip of the iceberg of what is clearly a crisis.

As my colleagues pointed out in recent days, the revised programme for Government promised a fuel poverty strategy by the end of 2009. However, here we are almost one year on and there is still no sign of it. How can the Government have been so negligent at a time of soaring unemployment with low-income families facing such financial pressures? How can the Government not consider this an urgent matter? In the intervening time we have seen the introduction of a carbon levy on home heating oil and the sanctioning of a 5% rise in ESB prices. The carbon levy was introduced despite the failure of the Government to deliver on promises by Ministers that arrangements would be made to assist those most at risk of fuel poverty before the levy was applied.

We have to consider the Government's priorities; we have spent more than two years debating every aspect of the banking crisis and it has consumed political life at the expense of almost all other issues. This is not to say that the banking crisis is unimportant; it is important, but the knock-on effect of that crisis is critical. It is precisely because of the banking crisis that we now find the country and the economy in the grip of a recession that affects everything from food on the table to payment of mortgages and the prospect of a miserable and freezing winter for many of whom we call the "new poor".

I find it inexcusable that an issue as important as fuel poverty, which forces people to choose between essentials like food and heat, is almost an afterthought for the Government. Why should we have to question the Government for not delivering a strategy that was plainly needed last winter and is nowhere to be seen as we face into this winter? Why, when the issue of fuel poverty is patently within our ability to resolve, do we have a Government which at best procrastinates on resolving the problem and at worst is remiss about it?

This issue must be considered in wider terms. In recent weeks we have seen an ESB price hike of 5%. This increase compounds the problems we already face in this area. However, not only does this increased cost affect those who have lost jobs or suffered wage reduction, it places additional costs on businesses and therefore affects the competitiveness of our economy, hampering efforts to start job growth. I fail to see the logic in this approach; either the Government is serious about these issues and adopts complementary policies to address them, or it operates conflicting policies that just make the situation worse.

That €35 million in grant aid set aside for crucial insulation schemes in 2009 was handed back just beggars belief. Measures to increase fuel efficiency, such as retrofitting homes with proper insulation, are absolutely necessary to tackle this issue. As well as long-term cost savings and better home heating, they provide employment in the most ravaged sector of the economy. Retrofitting homes is a labour-intensive job and its benefits are many, so why was this money in targeted grant aid not spent when it is clearly needed? I have met many construction workers throughout my constituency with a variety of skills who asked me about what was being done for them. These people want to work. This is an area where there is a clear need for investment, but when we allocate money for such projects it is not spent.

Fuel poverty is a problem throughout the country; surely it demands urgent and immediate attention. The Labour Party has proposed measures to tackle this problem, from a national retrofit programme to return unemployed construction workers to the workforce to implementing a fuel allowance scheme to alleviate the pressures on low-income households following the introduction of the carbon tax. These and other measures would more than offset their

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costs if implemented as a coherent strategy that addresses the issue of fuel poverty while providing long-term benefits in areas of efficiency, savings and tax revenue.

In the coming months, I fear we will see a much greater input from the Society of St. Vincent de Paul and we must acknowledge the great work it does to support families in need, not only with regard to fuel poverty but in many other areas where there are huge demands in terms of household bills. It is simply not good enough for the Government to sit on its hands and let the Society of St. Vincent De Paul and MABS take over its responsibility.

Deputy Martin Ferris: I thank the Labour Party for providing me with an opportunity to speak this evening. I fully support the motion. My party has been campaigning strongly throughout the State on the issue as it is clear that fuel poverty is one of the key problems facing households. Many in my party in the Munster area have been very active with regard to an attempt to cut off the electricity supply of an individual. They collected more than 7,000 signatures which were handed in at the ESB office. Recently released statistics show that at present the ESB cuts off the electricity supply of more than 900 people a month, with overall disconnections at a monthly rate of approximately 2,500. Gas disconnections have increased to something in the region of 600 per month.

My party and others have long pointed to the problem of fuel poverty here. It has been highlighted in official studies and by various Government agencies, and from time to time Ministers have recognised the problem and promised to take measures to alleviate it. Far from doing that, they recently facilitated an increase of 5% in the price charged to electricity consumers. We called on the Minister to reverse the decision to impose the 5% levy but that call fell on deaf ears.

I have dealt with cases, as I am sure has every other Member, where people have found themselves in financial difficulties which have caused them to fall behind in paying their electricity and gas bills, and in some cases have led to the threat or the actuality of their supply being disconnected. I have dealt with numerous such cases, in some instances successfully but in at least two of the cases no compassion was shown. In one instance earlier this year, a family whose daughter was doing the junior certificate was cut off a week before the examination. This was deplorable. It was subsequently reconnected. Can the Minister imagine the daughter or son of anybody in the House going in to do the junior certificate without a shower or a wash in the morning as a consequence of a lack of compassion from the electricity suppliers?

Unfortunately, many of us who have made representations on behalf of such people in difficulties have noted the unco-operative attitude which the ESB has adopted towards struggling families who are attempting to make arrangements to pay their bills. Despite what the company states publicly, there seems to be a rigid attitude and a refusal in many cases to come to an agreement on repayments. It even charges for the call out to cut people off. That is outrageous behaviour from a State company. It charges when it tells somebody the company is going to cut them off and then it also charges for a reconnection, adding to an already big bill that in many instances the family cannot afford to pay. The ESB needs to begin co-operating with its customers who are struggling in the current climate and to start accepting new payment structures. Cutting the electricity supply of families who are genuinely trying to meet their payments should not be an option.

My party and others have adopted a responsible attitude to the issue and have advised that if people are in arrears they need to take positive action to address the situation. We advise them to contact the supplier and attempt to arrange a repayment plan. However, that is not

helped if the agencies concerned adopt the attitude which they have up until now. The vast majority of people who fall behind in their payments do so not because they are reckless or irresponsible, but because of genuine financial problems. They should not be treated as though they were criminals.

We have also advised that people in financial difficulties that are causing them to miss energy and other repayments should also consider contacting the Money Advice and Budgeting Service which has trained staff who can advise them on this and other financial problems. Local representatives have made themselves available to accompany people meetings with the ESB, Bord Gáis and other energy suppliers to discuss arrears and repayments. However, I reiterate that this is made more difficult if the companies themselves refuse to meet their customers half way. That is why we have also called on the Minister to arrange a meeting with the relevant staff in the management of the energy companies and to impress upon them the need to act in a more socially responsible manner given the pressures in which hundreds of thousands of households around the State currently find themselves. The fact that there is a State involvement in supply ought to mean that the companies concerned act in that manner without having to be reminded.

The suppliers may argue that they themselves are facing financial pressures but that is to overlook the reasons energy supply was placed under State control in the first instance. It was because there were no private entrepreneurs interested at the time that the ESB was established because they did not think they could make enough profit out of supplying electricity or gas, yet the then Government correctly judged that there were factors more important than profit. Unfortunately, that attitude seems to have been lost along the way even to the extent that successful State companies, which would never have gotten off the ground or survived without State investment and which were of no interest to speculative capital in this State, are now proposed for sale or have already been sold off to speculators.

The impact of the increases for domestic consumers has been particularly severe in many instances. The most recent report I can recall on fuel poverty was by the Institute of Public Health, which conducted and published a study in 2007. Even then, it found that fuel poverty in this country was at an unacceptably high level by international standards and in that regard it was supported by the World Health Organisation, which stated that it was shocked by the fact that 17% of households in this State were experiencing fuel poverty — a huge indictment of how the State looks after those most in need. That already bad situation has been exacerbated by subsequent price increases and the overall economic situation, which has led to hundreds of thousands joining the dole queues. Many people who are working have experienced cuts to their wages and living standards and are also finding it hard to make ends meet. No doubt the percentage of households in fuel poverty now is much higher than 17%.

Families on marginal incomes, and particularly the elderly, are the most affected, sometimes to the extent of having to go into further debt in order to heat their homes, and it is estimated that there are approximately 3,000 excess deaths per annum in the island of Ireland due to deficiencies in households being able to meet their energy needs. The most alarming aspect of studies on fuel poverty here is that rates of fuel poverty were increasing even over the years of highest economic growth and that the level of household income below which families were finding it hard to meet their energy needs was also rising. It is hard to comprehend that with the economic growth during the so-called Celtic tiger, more and more people were finding it difficult to meet their household's energy needs. It reflects the inequalities in society where those on low income and surviving on welfare are finding it more and more difficult to meet

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their energy needs. As the motion points out, the majority of homes where gas is being disconnected are owner occupied.

It is clear then that it is not a problem exclusively, or even mainly, associated with people on social welfare. The fact that the income threshold at which people find it difficult to pay their energy bills has risen is also an indication that energy prices and the relative proportion of household income required to meet their needs has been rising at a faster rate than most other essentials. In the current economic situation, that is a recipe for social disaster and a similar study on fuel poverty to that conducted in 2007 would undoubtedly make much grimmer reading.

My party has also proposed measures similar to those in this motion. We have pointed to the need for a fuel poverty strategy and to the failure to implement to date the Government promise to create such a strategy. I also called here, when we were debating the carbon tax, for such funds that accrued from the tax to the Revenue to be devoted to the energy sector and to combating fuel poverty. As I stated at the time, the carbon tax was simply another excuse to impose extra taxation. It is ironic that the Green Party, which made energy such a central plank of its policies when in Opposition, ought to have co-operated in such a cynical move. It would be expected that reducing energy wastage might be a priority for the Green Party also and there are economically beneficial ways of accomplishing that. That would not only reduce the amount of energy lost, and reduce costs and bills, but would also create employment.

The motion refers to a public programme to refit public buildings in order to make them more energy efficient. My party has also called for a similar programme, not only for public buildings but also to ensure that domestic homes are likewise made more energy efficient and in that way help to reduce household bills as well as creating much needed employment in construction and other sectors. In the current economic climate it seems a realistic way to go because we need to create employment and get as many people back to work so that we can reduce fuel poverty.

Unfortunately, in this area as in others, the Government has displayed little imagination and is wedded to a programme of cuts in public provision and expenditure allied to further impositions on ordinary people. It is little wonder that such an attitude is shared by the management in the energy suppliers, with official encouragement.

I support this motion and call on the Government to take on board what is being said here and recognise the serious situation facing many households in the State at present.

Deputy Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I move amendment No. 1:

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

“recognises that:

- Ireland faces particular challenges in terms of energy cost competitiveness, including significant dependence on volatile imported fossil fuels, particularly gas and a requirement for major investment in energy infrastructure, following two decades of under-investment;
- the implementation of Government policies, along with falling natural gas prices, has led to significant reductions in Irish electricity prices in recent years, bringing

them closer to and in some cases below EU and Eurozone averages for both domestic and business consumers;

- Government policy to foster competition in energy markets is working, with multiple suppliers offering a range of products to all segments of the market and that significant discounts are available to households and businesses who simply switch their supplier;
- the Public Service Obligation (PSO) levy in place for this year accounts for the entirety of the rise in electricity prices from 1st October, 2010, that the Government has decided to cover the full cost of the levy for those households in receipt of the free electricity allowance and that a significant number of domestic and business customers could reduce their electricity bills and more than offset this cost by availing of reductions offered in the competitive electricity market or by engaging in Government supported energy efficiency programmes;
- improving energy efficiency has been widely agreed internationally as a key mechanism to offset energy price rises, enhance security of supply and reduce greenhouse gas emissions;
- increasing the contribution of renewable energy in the Irish fuel mix is the best protection against further fossil fuel price rises;
- the Electricity Regulation (Amendment) (Carbon Revenue Levy) Act 2010 commenced on 1st July, 2010, that the Commission for Energy Regulation (CER) and the Department have put in place the necessary administrative procedures and arrangements and that the CER has been administering the scheme since 1st October, 2010; and
- re-branding is a necessary part of deepening the EU internal market liberalisation process and enhancing competition in the national market, in the best interests of consumers;

commends the Government for:

- its comprehensive actions to deliver a secure, sustainable and competitive energy supply, including its commitment to increasing competition as the best means of exerting downward pressure on electricity prices in the long term, and improving the regulation of energy markets, with resultant benefits to consumers;
- its policy of enhancing security of supply and reducing our exposure to volatile international fuel prices through increased fuel diversity, with particular focus on indigenous and renewable resources;
- its continuing commitment to those most at risk of energy poverty, through the creation of a cohesive and coordinated approach to energy affordability issues overseen by the inter-Departmental/Agency Group on Affordable Energy;
- its commitment to produce a comprehensive Affordable Energy Strategy which will outline actions to protect vulnerable households with a view to ensuring that existing and future measures are targeted at households where the risk of energy poverty is greatest;

[Deputy Eamon Ryan.]

- its commitment to 340,000 fuel allowance recipients by providing over €231 million in 2009/2010 via the fuel allowance and smokeless fuel scheme as a contribution towards a person's home heating costs;
- its commitment to 380,000 Household Benefits Package recipients, which will cost in excess of €200 million in 2010;
- committing to domestic and non-domestic energy efficiency programmes including for social housing, including:
 - its continued commitment to the Warmer Homes Scheme, which has supported community-based organisations and private sector contractors to provide nearly 51,000 energy efficiency improvements in low-income households over the past nine years; This year alone will see energy efficiency expenditure near €30 million in vulnerable homes;
 - its commitment towards improving the quality of private housing for vulnerable groups through the provision of €80 million in 2010 for the operation of the housing adaptation grant schemes for older people and people with a disability; and
 - its commitment to providing incentives for domestic retrofits through the Home Energy Saving (HES) schemes, which was launched in March 2009 and since then has processed over 86,000 applications resulting in expenditure of over €48 million;
 - its commitment to introducing a new national retrofit programme in 2011 on foot of the most recent consultation exercise which closed in mid-September 2010 and which aims to deliver energy efficiency upgrades to one million residential, public and commercial buildings in Ireland, involving energy supply companies, energy services providers, construction workers, energy auditors and policymakers;
 - the provision of significant programme supports for all businesses, including an energy efficiency tax incentive under the Accelerated Capital Allowance scheme; Over 1,600 businesses have already availed of this programme, all of whom have identified immediate savings, typically greater than 10% of costs; Total business cost savings from the programme already total close to €60 million a year;
 - the creation in June 2010 of an Energy Efficiency Fund, which supports exemplar energy efficiency projects in the public and commercial sectors; 43 projects have been approved to date which will deliver lifetime savings of over €70 million; and
 - its comprehensive package of measures to mitigate energy costs for large energy users, including the taking of windfall gains from the electricity industry, the provision of rebates and the rebalancing of network charges.”

I propose the Government amendment to the Labour Party motion while recognising that this is an issue very much worthy of debate. I commend Deputy McManus on raising it because, as I have said previously, this is a crucial issue in energy policy for us to get right, to consider and reconsider. I will set out some of the programmes and projects in place and ones we need to introduce to supplement what we are doing in this area. I will respond to some of the issues

raised in Deputy McManus's contribution and the contributions of other speakers and well as setting out some of the measures the Government has taken.

I wish to refer to a useful meeting of the Oireachtas committee on the issue of disconnections, which is a matter of concern. That meeting continued for four and a half hours and I followed parts of the debate on monitor. It was a useful exercise to bring in the energy companies to account for what they are doing, to bring in the regulator to get the commission to reconsider the policies in regard to disconnections, which we all agree must only be the last resort. What emerged from that meeting is that this is a complicated issue and it is important to reflect on how we can get this right to minimise the social disruption caused to people by being disconnected and to ensure we do not have a hugely expensive system that would impose a significant cost on customers. That meeting was useful. I look forward to the energy regulator returning with the commission's review of the disconnections policy in that regard and to ascertain if there are further measures that can be introduced to make the policy fairer and more effective.

A measure that has been put forward and which is coming on stream is the allocation of pre-payment meters. This is one of the immediate measures that can be put in place. In regard to gas pre-paid metering, the CER has already revised the definition of "financial hardship conditions", which has made it easier for people to get such pre-paid meters. Since December 2008, some 1,500 gas meters have been installed on the grounds of financial hardship. We all acknowledge that this is a serious issue for many people. Such metering is one element which may assist people in danger of experiencing fuel poverty to ensure they will not suffer a disconnection.

Returning to that meeting of the Oireachtas committee, having listened to what people involved in this area said, one of the key points is that we need to get people to contact their suppliers. They should not ignore the problem, it is better for them to get engaged. While I take on board what Deputy Ferris said about the Government's over-reliance on the Money Advice and Budgeting Service, MABS, or other bodies, those bodies are working effectively, they have public contact and have gained public trust. It would be wrong for us to send out any message other than that people should contact their supplier and they should contact MABS. A crucial first step in any good code of practice is to set out a repayment plan to acknowledge the issue and to seek flexibility, which, I believe, will be given by utilities in advance of any disconnection. That is the best and most important measure that we can encourage and support to avoid traumatic cases where disconnections occur.

There exists a code of practice which requires that customers must be given a seven-day notice of disconnection in advance. It is right that no elderly customer would be disconnected in the middle of winter or that no person with a medical condition who relies on medical equipment would have such equipment shut off or his or her electricity disconnected. It is right that the regulator is considering if we need to go further than that.

When electricity and energy prices spiked in 2008, an interdepartmental committee was set up, the membership of which comprised officials from all the relevant Departments who have an interest in this area, including the Department of the Environment, Heritage and Local Government, my Department, the Department of Health and Children, the Department of Social Protection and other outside bodies. That committee examined the various measures being taken and if it was necessary to make immediate changes to them. I will give some details of those measures, which are not insignificant.

Some 380,000 customers are recipients of the household benefits package. Under this package a standing charge for electricity is paid and 2,400 free units of electricity per annum are

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given to those in receipt of it. In the case of gas customers who are recipients of this package, a gas allowance of a subsidy of €52 is provided in terms of a customer's gas bill every two months or a subsidy of €111 is given over winter months. This package of €200 million from the State, recognises that fuel poverty is an issue. It is not insignificant. It is a significantly larger scale package than the equivalent measures in the UK. Certain measures have been put in place, which recognise that fuel poverty is an issue of concern.

In addition to that, the fuel allowance scheme was increased in light of those higher oil prices, recognising that there was an increasing issue of energy poverty with the higher spike in oil prices two or three years ago, to a provision of €20 per week for 32 weeks. That was an increase in both the rate and the length of time in respect of which the fuel allowance measure applied. This year, we are expecting that to have a cost of some €231 million on top of the €200 million that is allocated under the household fuel benefits package. Therefore, there are significant payments by the State to cover the valid issue of fuel poverty.

Critically, I believe we would all agree that one of the best measures to protect people from fuel poverty is not only to provide an ongoing allowance to cover the fuel cost but to improve the building to ensure that the demand for such fuel is decreased. That is a far better investment by the State and far better protection for people experiencing fuel poverty than concentrating on household benefits or fuel allowance packages. As important as those benefits and payments are, it is far better to cut off the need for people on lower income to spend more money on fuel to heat their homes.

That is the reason I am proud, at a time when energy prices were rising, that we increased the warmer homes scheme. When it was introduced in 2008 approximately €2.5 million was being spent on it. This year, the best part of €30 million will be spent on it and the works will be carried out to more than 22,500 houses and up to 25,000 houses by the end of this year. This scheme targets those people on lowest income — those in receipt of fuel allowance, disability benefit or invalidity benefit. I have been in many houses where people have said their house has been transformed, it is a warm house and they do not have to turn on the heating as much because the heat is retained as a result attic insulation, wall insulation or other measures that have been put in place. That scheme is working. It has had a huge effect in terms of helping tens of thousands of households threatened by fuel poverty. I am pleased that we have been able to extend it to the extent we have done so.

I am told that this year the Department of the Environment, Heritage and Local Government will spend approximately €40 million in a similar retrofitting scheme to benefit people living in social housing. Under this scheme the local authority can claim 90% of the capital cost — up to €15,000 — if a building is improved beyond a C1 rating, or if that is not possible, for technical reasons, in the case of the building, a 50% grant allocation is being made available to a local authority up to a total of €15,000.

I would say in response to Deputy McManus that there is an ongoing clear commitment on the part of the Government that when it comes to energy efficiency retrofit measures we target and allocate to those on lower incomes and in social housing. That €70 million budget this year will be spent and targeted, although we will not know the detail until the end of the year, as these things are often staged. I have been told by both Departments that they are confident we will spend roughly that amount. That targets specifically those in receipt of fuel allowance or those living in social housing.

We need to go further. While it has taken longer than we expected, my Department has been working on myriad measures on which we have to work. We have been working on the

alternative fuel energy strategy — the affordable energy strategy. Having gone out to public consultation earlier this year, we will be able shortly to produce our report in that regard. Critically, it sets out to do what Deputy McManus seeks, namely, to identify the most at risk categories. We engaged consultants specifically to take account of demographics and household patterns to identify the worst cases, that is, those who are most vulnerable to fuel poverty. We must target these extreme cases given the health effects that arise from what is a life and death issue. It is appropriate, therefore, that we do research and statistical analysis to allow us to target these households and change our schemes to respond to extreme cases.

This is not only a matter of correlating household formation but also of correlating the type of dwelling because there is a clear correlation between the age of a dwelling and the performance of the building. It is this correlation of household characteristics data analysis and building analysis of age and type of building which will allow us to start targeting our measures on particular housing sectors.

Deputy McManus cited a recent report done on the home energy savings scheme. The scheme is working well and is receiving approximately 1,300 applications per week. While I accept the scheme's budget was not fully spent last year, this was largely because it is a demand-led scheme. It took time to get the scheme up and running and achieve the level of public response we expected.

Some statistics concerning the home energy savings scheme bear repeating. Of those who engaged work under the scheme, 98% would recommend to their neighbours that they do the same work. This is not an insignificant percentage. The research also indicated that 90% of respondents would approve the contractor who undertook the work. While I would prefer an approval rate of 98%, I anticipate that in any survey of any category of work done on homes, a 90% approval rate is not a bad result.

From speaking to officials from the Sustainable Energy Authority of Ireland, I understand the housing characteristic of the households involved in the home energy savings scheme is very much the standard, typical Irish house. If I recall correctly, the survey found that the average household income of these households was approximately €50,000. I understand the number of people surveyed was 10,000, although I stand to be corrected. Scheme participants belong to what would be described as middle Ireland and many of them would be in a certain amount of difficulty with debt, whether because one partner has become unemployed or the value of the mortgage may be higher than the value of the house. The scheme has been of real benefit to tens of thousands of people this year and last year and will continue to benefit others next year.

Deputies McManus and Ferris argued that we should introduce a national retrofit scheme. The Deputies will be aware that the Department is engaged in precisely such a project. Our new, national retrofit programme has been out for consultation. The programme is designed to bring together and co-ordinate in a more efficient manner the various schemes in place.

Notwithstanding the success of current schemes, we need to adapt and improve them in a number of ways. First, we need to place on all utility companies supplying energy to the home, whether gas or electricity, an obligation to have their customers make energy savings. When one analyses different international projects and policies, they all show that this is the correct approach. We will then tailor the obligation scheme to meet some of our social and affordable energy objectives as well as our energy policy objectives. Funding will remain available in difficult budgetary circumstances because this form of investment makes more sense than any other investment. We will be able to target low income households at risk of fuel poverty with

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support funding from the State. This would be provided to the supplier — the person doing the work — to ensure the work is done at the least cost and in the most effective and efficient manner.

The evolution of our various schemes towards one which is driven by a range of energy companies uses a variety of energy service company models to secure real efficiency and technological innovation in the way work is done. This is the right way to go. This evolution from existing schemes to one which imposes obligations on energy service companies and utilities will take time and will result in a better system. Crucially, it will allow us to start introducing some pay-as-one-saves elements which will help fund some of the capital costs involved. This approach entails providing a loan up front to be paid off subsequently over a five to ten-year period using the savings made by the householder. The annual saving from the home energy saving scheme is estimated to be €750. This approach overcomes the capital cost obstacle to doing work of this nature.

We are moving towards a retrofit scheme and the Department is committed to evolving the current model, not only for domestic buildings but also for public and commercial buildings. These offer significant economic opportunities to make savings and reduce our current budgets while creating construction jobs which are badly needed at this time. It will take some time to get right the financial mechanisms and utility obligation. Once the mechanics are working effectively, however, we can ramp up the scheme to a massive size. It makes economic sense to do so.

We have commenced this process. This year, for instance, we provided funding for approximately 45 projects in public and commercial buildings. The nearest example that comes to mind is the Mansion House, with which Deputy Catherine Byrne is familiar. The Department has committed to a whole energy plan for the building that will deliver energy savings. We need to do this type of work on a range of public buildings and the Department is supporting many such projects this year with a €9 million budget. Over their lifetime, the projects will deliver savings of €70 million. These types of investments make economic sense.

As we are only at the starting point. We still have a major challenge ahead if we are to achieve our commitment to a 33% improvement in energy efficiency in the public sector. It will take time to ramp up the scale of the response required to achieve this objective. Crucially, we are doing it right, as has been confirmed to me during visits to the United States and United Kingdom where schemes similar to the new retrofit scheme we are on the point of launching are being considered. We have done a detailed, lengthy and thorough consultation exercise which builds on the experience of recent years in operating other schemes.

The increase in electricity prices arising from the introduction of the public service obligation, PSO, levy at the start of this month, as announced in early August, has been understandably controversial. The levy was, however, prescribed in legislation. By 1 August, the energy regulator had to have considered and introduced the levy. It was not new, therefore, but a requirement under legislation.

Deputy Leo Varadkar: As the person responsible for the legislation, the Minister can also change it.

Deputy Eamon Ryan: I look forward to debating this issue with the Deputy during Question Time and on other occasions.

Deputy Leo Varadkar: The price increase is not the regulator's fault. The Minister can change the legislation, which was passed by the Oireachtas with his support.

Deputy Eamon Ryan: PSO levies are introduced for a reason.

I will go into the details and then will ask questions of Deputy Varadkar to which he may be able to respond during his own contribution. As for the purpose, first and primarily——

Deputy Leo Varadkar: I understand how PSOs work.

Deputy Eamon Ryan: Allow me to frame the questions for the Deputy. The PSO levy this year was approximately €156 million, approximately €90 million of which was accounted for by the peat-fired power stations, some brought over from the previous year but most from this year. In my announcement I stated that I wished to examine this issue to ascertain whether this could be reduced, which would be appropriate. However, I understand that Deputy Varadkar's party now appears to suggest that the PSO should be ended or stopped. A motion to that effect was tabled in the Seanad last week by the Fine Gael Senators. Deputy Varadkar should check with all the Deputies on his side as to whether they are comfortable with or support such a position.

Deputy Leo Varadkar: I believe the motion called for a postponement pending a review, rather than to stop it, which is quite a different thing.

An Leas-Cheann Comhairle: We will let the Minister make his contribution.

Deputy Eamon Ryan: I look forward to hearing Deputy Charles Flanagan's response in this regard because a postponement along the lines suggested by Deputy Varadkar would have the effect of shutting the peat-fired power plants, as well as the associated harvesting arrangements. That is what would happen.

Similarly, the second reason for the PSO is that the best way to protect our people from price rises is to switch to renewable energy. We have the cheapest available onshore wind in particular, to which we now can turn as the greatest protection from higher future fuel prices arising from volatility in gas or other fossil fuel import prices. Moreover, it is bringing down the price of electricity today. Every time the wind blows, it switches off the expensive——

Deputy Leo Varadkar: That is not true.

Deputy Eamon Ryan: It is true. Moreover, were the Deputy to talk to people within the industry——

Deputy Leo Varadkar: I do.

Deputy Eamon Ryan: ——about the reality of the market or were he to watch the market price, which now is transparent——

Deputy Leo Varadkar: I refer to the reality of the numbers. Bringing down the price does not need a subsidy.

Deputy Eamon Ryan: ——Deputy Varadkar would see that when the wind blows, it brings down the market price of electricity. The reason I am surprised at the Deputy's position is that over the past four to five years, such has been the benefit of Ireland's switching to wind that it has derived more than €250 million in a subsidy from wind that has helped to avoid having a

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higher PSO in the peat-fired power plants and elsewhere. Wind has subsidised our system and is the best protection and the best way to bring down prices in Ireland.

Deputy Leo Varadkar: That was the case but no longer is true.

Deputy Eamon Ryan: The Commission for Energy Regulation has carried out a detailed analysis to the effect that, from memory, were we to meet the 40% target of wind by 2020, it would result in a reduction in prices of approximately 10% to 15% from what otherwise would have been the case given what is expected regarding gas prices. Deputy Varadkar appears to have very little support in his own position for the renewable wind industry.

Deputy Leo Varadkar: On what does the Minister base that?

Deputy Eamon Ryan: The Deputy's proposal to postpone——

Deputy Leo Varadkar: We have not published any proposals.

Deputy Eamon Ryan: Fine Gael has stated in its press releases, which accords with the position of its Senators, that the PSO in respect of wind should be postponed. I assure the Deputy that the effect of so doing would be to kill immediately investment in the wind industry in Ireland. This would have huge consequences in terms of job losses, higher energy prices and, for the second time in a number of years, would create uncertainty in the financial markets that would kill a renewables industry that we are mandated to deliver and in which we have comparative competitive advantage. Fine Gael's suggested postponement of a PSO in support of such a wind industry would have a devastating effect on the development of renewables in Ireland. I ask the Deputy to reconsider his position and to support the Government's position of supporting the renewable industry because the Deputy's proposals would kill it.

Deputy Leo Varadkar: A policy of taking the money out of the companies' profits.

Deputy Eamon Ryan: This would be the worst position——

Deputy Leo Varadkar: It proposes taking €80 million out of the profits of companies that make €700 million in profit at present.

An Leas-Cheann Comhairle: Please Deputy. Allow the Minister to speak.

Deputy Eamon Ryan: The actual outgoing to the wind sector is closer to approximately €40 million this year. However, even taking this into account, the effect of wind power within our system on a continuous basis is to help keep down the market prices. Such support measures are in place in every other European country in which wind or any other renewables are being developed as alternative supply sources and are recognised to be the correct policy approach. I cannot understand the reason Deputy Varadkar has changed Fine Gael policy to be against such an approach in a manner that is so threatening to Ireland's energy industry and the future lower prices that customers need.

Deputy Leo Varadkar: The Minister is making it up. He does not even know what is Fine Gael's position.

Deputy Eamon Ryan: My point is that Fine Gael's position, as set out in its press releases and in the motion tabled by Fine Gael is Senators last week to stop——

Deputy Leo Varadkar: It is to defer the levy, not to get rid of the entire reason for the PSO.

Deputy Eamon Ryan: Stopping or deferring. We can get into semantics. I apologise to Deputy McManus for diverting from the core issue.

Deputy Leo Varadkar: That is not Fine Gael's policy.

An Leas-Cheann Comhairle: Deputy, please. You will have an opportunity to speak in a moment. Stop.

Deputy Leo Varadkar: The Minister is making things up.

An Leas-Cheann Comhairle: Deputy Varadkar.

Deputy Leo Varadkar: He is renowned for fantasy and for making things up and he is at it again.

Deputy Eamon Ryan: No fantasy comes into it

An Leas-Cheann Comhairle: I ask the Minister to yield for a moment.

Deputy Leo Varadkar: I do not go along with the Minister's fantasies.

An Leas-Cheann Comhairle: Deputy Varadkar, kindly do not ignore the Chair.

Deputy Leo Varadkar: I apologise.

An Leas-Cheann Comhairle: The Deputy will have an opportunity to speak in a few moments.

Deputy Leo Varadkar: The Leas-Cheann Comhairle should ask the Minister to speak through the Chair, rather than at me.

An Leas-Cheann Comhairle: Please. Minister, through the Chair.

Deputy Eamon Ryan: Through the Chair, Deputy Varadkar's proposal to postpone PSO support levies would be hugely damaging to the wind industry in Ireland and would have huge consequences in terms of higher electricity prices in the long term for Irish consumers. I am simply debating the proposals he has put in the public domain. This is not fantasy but is reality. It is the reality of an energy policy of which one should be extremely wary because it could have huge consequences to the people, were it put into effect. I am glad the Government will not do so.

I will continue by reverting to the issue concerning prices because it is a subject about which Members must be clear. First, arising from that debate, a range of different statistics were produced regarding the present position on prices. This is difficult because there is a range of different categories. For example, were one to compare the price of a holiday home in Ireland with an ordinary home——

Deputy Liz McManus: Will the Minister yield to allow me to ask a question of him?

Deputy Eamon Ryan: I will if I have time.

An Leas-Cheann Comhairle: I am afraid that only three and a half minutes remain.

Deputy Liz McManus: I asked a specific question on whether the Minister would intervene with the regulator to induce the latter to end its crazy proposal which insists that the big utility companies must change their brand names? As Members are running out of time, I would be grateful were the Minister to respond.

Deputy Eamon Ryan: I respect the independence of the regulator. However, I will, as I do on an ongoing basis, discuss that issue, among others, to ensure there is a common sense solution that does not cost the Irish consumer. In a variation on this subject, I understand that any such cost of a brand change would not go through to the regulated cost base. Although it would come from the company's cost base, it would not be put onto the prices. This is one variation on what I heard during Deputy McManus's contribution. However, I will continue to discuss this matter with the regulator, while recognising its independence, because a properly-regulated market also brings down prices. We have seen this work as competition now exists whereby five or six electricity companies of real scale are bidding to win consumers. Our households can switch tomorrow following a two-minute telephone call and can achieve savings in their bills of between 10% and 14%.

Deputy Liz McManus: Why get rid of the brand names?

Deputy Eamon Ryan: This comes from having a regulated market and from giving the regulator the freedom to pursue competition. On the back of this initiative, the average Irish household, that is, the category that encompasses approximately half of all Irish households, now pays approximately 2% below the eurozone average. Deputy Varadkar should note that these are the EUROSTAT statistics.

Deputy Leo Varadkar: That was before the PSO levy increase. The Minister is fantasising again.

Deputy Eamon Ryan: Why does the Deputy state that this is fantasy?

An Leas-Cheann Comhairle: The Minister should speak through the Chair.

Deputy Leo Varadkar: I refer to the Minister's own answers to parliamentary questions. His figures are from before the PSO levy increase.

Deputy Eamon Ryan: No, I am afraid——

An Leas-Cheann Comhairle: No. This is not a screaming match between individuals.

Deputy Leo Varadkar: Will the real Eamon Ryan please stand up? Is it the aforementioned answer or the one about which the Minister is now fantasising?

An Leas-Cheann Comhairle: Please. Deputy Varadkar, you will have an opportunity. The Minister, through the Chair.

Deputy Leo Varadkar: The Minister is desperate.

Deputy Eamon Ryan: While Deputy Varadkar asserts that such a statistic is fantasy, it is taken from the latest available EUROSTAT statistics from the end of 2009. I am told that during the first half of this year, the trend has been for a continuing fall in such prices.

Deputy Leo Varadkar: Before the recent increase.

Deputy Eamon Ryan: That is a fact. It is a clear statistic presented in the EUROSTAT statistics, which——

Deputy Leo Varadkar: That was before the recent increase.

An Leas-Cheann Comhairle: Please. Deputy Varadkar should stop shouting down people.

Deputy Eamon Ryan: ——does not even take into account the ability of Irish householders to make a further 10% saving were they to make a switch and preceded further decreases that came into effect in the first half of this year.

I agree with Deputy Varadkar that no one wants a price increase and that everyone would prefer not to have a PSO levy. However, if the Deputy consequently wishes to kill the renewables industry in this country, that would be a terrible policy mistake.

Deputy Leo Varadkar: It would.

Deputy Eamon Ryan: That would be a fatal error and one which goes completely against Fine Gael's so-called NewERA strategy. On the one hand, Deputy Kenny talks about building up a massive new energy project and being able to raise finance, while on the other hand, Deputy Varadkar states that he wishes to put a stop to the support measures that are an essential prerequisite to that industry getting off the ground. That is a circle Deputy Varadkar cannot square. Alternatively, perhaps Deputy Kenny is not being accurate about Fine Gael policy when he states he has this ambition, while Deputy Varadkar has a different ambition.

Deputy Leo Varadkar: No subsidies are proposed in the NewERA policy. The NewERA policy does not require subsidies.

An Leas-Cheann Comhairle: Please Deputy. You will have your opportunity in a moment.

Deputy Eamon Ryan: There is a radical change between the position taken by Deputy Coveney and that taken by Deputy Varadkar. I do not know whether Deputy Varadkar is articulating the Fine Gael policy position or whether Deputy Kenny is setting out the correct position.

Deputy Leo Varadkar: It is the policy that is written down.

Deputy Eamon Ryan: Crucially and more importantly, I turn away from such political issues towards the issue regarding fuel poverty.

An Leas-Cheann Comhairle: The Minister's time is up.

Deputy Eamon Ryan: I apologise that my time has come to an end. I commit to the House that the Government will continue to work in its new fuel strategy and affordable energy strategy to target in particular those who are most at risk to ensure they are protected because this is an important issue. We intend to work with the energy regulator on any review that comes out of the work done in the Oireachtas committee in terms of disconnections. The Government will continue the policy approach it has been taking — which is the correct one — in order to reduce energy prices. We have taken some €500 million from the ESB to bring people's bills down. Developing renewables will also reduce prices. I fear terribly what Deputy Varadkar might do to increase those bills.

Deputy Leo Varadkar: I propose to share time with Deputy Catherine Byrne.

An Leas-Cheann Comhairle: That is agreed.

Deputy Leo Varadkar: I despair of the Minister. For somebody who preaches about consensus and everybody working together to agree a budgetary strategy, he is showing a great contempt for the Opposition and a great ability to misrepresent other people's positions and make assumptions based on attitudes that are not correct.

Deputy Eamon Ryan: There is no contempt, I am presenting the facts.

Deputy Leo Varadkar: It shows how phoney the Green Party is that it demands consensus in regard to difficult decisions but in the case of other policy issues, it just wants to slag people off. It is very disappointing.

I thank Deputy McManus and the Labour Party for bringing forward this important motion, which we support. I propose to address three issues. First, I will refer to the truth about energy prices, which the Minister did not do. Second, I will address the motion before us and, third, I will address ways in which we can reduce energy prices. I am interested in the Minister's considered view on these matters rather than nonsensical contributions.

The Minister's claim that energy prices in this State are 3% lower than the European Union average is incorrect. The chairman of the Commission for Energy Regulation presented the relevant statistics at a meeting of the Joint Committee on Communications, Energy and Natural Resources some weeks ago, a meeting which the Minister did not attend. The data he presented clearly show that since the Minister assumed office, domestic energy prices in total have increased by 6%. When I asked the Minister for Social Protection, Deputy Ó Cuív, what his Department has done in terms of studying these matters, that Department, through Forfás, indicated that the most recent statistics show that average energy prices for high users in Ireland are 5% higher than the average for the euro area. For SMEs, the most recent data show the gap is 15%. The situation has improved in this regard but remains unsatisfactory. All these figures are from the Forfás report.

Data from the Sustainable Energy Authority of Ireland show that business electricity prices range from 97% of the eurozone average for very small users — those using less than 20 MW — to figures of 112%, 111%, 102%, 104% or 103% higher for categories above that. These figures do not take into account the most recent increase. In the case of domestic users, for those who use the least — less than 1,000 kilowatt hours — the price is 58% higher than for the eurozone average; 12% higher for the next group; 7% higher for the next; and for the next group — DD, which is the most common — prices are 98% higher. Again, these figures do not include the increase in the PSO levy.

These are the statistics from the Minister's own Department, but he just makes up whatever he wants to believe because he is basically a fantasist. It is time the Government came clean and admitted to what everybody, including EUROSTAT, Forfás, the SEAI, the National Competitiveness Council, and every single business and consumer organisation in the country, knows — that Irish energy prices are higher than elsewhere in Europe. One can argue about the degree to which they are higher and the different ways of calculating costs, but there is no escaping the reality that, in the main, they are higher. The dogs on the street know it. The Minister's own Department and agencies know it. He should stop pretending and be honest about it. It was not the case in the past but it is certainly the case now that energy prices in Ireland are higher. That means there is something wrong with the policies we are putting forward.

I strongly support the motion before us. Deputy McManus is absolutely right in pushing for a fuel poverty strategy, which the Government promised to publish but did not. I have not read the Labour Party Bill on fuel poverty and energy conservation but I intend to do so. On the question of rebranding the CER, I have a mixed view. I would like to see where the European law stands on that because there are differing views on it and I have not yet received an independent opinion. However, I have spoken to the ESB and Bord Gáis about it. While the ESB did not initially want to proceed with rebranding, it is now happy enough to go along with it at a cost, it predicts, of between €5 million and €8 million. This is money it would have spent anyway in re-advertising and trying to gain back some of the market share it has lost. For the ESB, rebranding the customer supply business is mostly about changing paper and advertising, which is why it estimates its costs will be much lower than those of Bord Gáis. I am not sure whether it is a case that ESB is talking it down and Bord Gáis is talking it up. We must ascertain what the European law is in this regard. If it must be done, then it must be done.

I strongly endorse the position put forward by Deputy McManus in regard to the national retrofit programme both for public buildings and other forms of housing. It is a no brainer. We are all committed to reducing carbon emissions, and the retrofit and energy efficiency measures make perfect sense. They are the most cost-effective measures and they definitely work. We should be prioritising them rather than more expensive proposals, some of which have been put forward by the Minister in regard to certain refits. Certainly we should not proceed in regard to onshore wind.

My only criticism of the motion is that while it addresses many of the consequences of high energy prices in terms of how they impact on individuals and families, it does not address the underlying issue of how we can bring them down. There are ways to do so. For example, we can open more of the market to competition. There is no reason that the dual fuel market, where one has Airtricity and Bord Gáis both supplying gas and electricity, cannot be opened up to competition immediately. Why can the Minister not tell us for certain that the Government will open the domestic market to competition?

We currently fund our capital expenditure through transmission charges. In other words, we put money on people's energy bills to fund capital investment. An alternative system is that set out in the NewERA model where we would sell some of our non-essential semi-State assets and use that money to re-invest in the energy system, to pay for smart meters, establish a smart grid, build 1,000 MW of plant and have onshore wind power clustered in the right locations and connected cheaply to the grid. All this could be done without any need for high transmission charges that drive up costs and without any need for subsidies. That is the difference under Fine Gael's NewERA model. We want to use State investment, not high prices and high subsidies, to drive the industry. The Minister is using the old fashioned model which facilitated the property bubble. He is repeating all the mistakes of the property boom.

Another issue to look at is reducing capacity payments. This year alone generators will receive €551 million just for being there, even if they produce no power. We must consider whether it is necessary at a time when we now have surplus generating capacity to pay power generators more than €500 million per year even if they never turn on the power station.

In regard to the PSO, I am sorry that the Minister who is so keen on consensus and likes to pretend to be interested in the consensual green model is so keen to blackguard and misrepresent the policies of others. The peat aspect of the PSO levy should be reviewed and phased out over time. That is the position Deputy Coveney advocated in the past and we have not departed from that. Obviously, if that is done one must reinvest in the midlands and ensure there is not a net loss of jobs. There are different ways of doing that.

[Deputy Leo Varadkar.]

I am very enthusiastic about onshore wind energy. Even though the subsidy increases prices, it is necessary to drive investment in the industry. In time, as gas prices rise, it will make energy cheaper. It does not do so now but it will in future.

Deputy Eamon Ryan: I apologise for interrupting. May I ask Deputy Varadkar a question?

An Leas-Cheann Comhairle: A brief one.

Deputy Eamon Ryan: Does the Deputy not agree that stopping the refits for the support price mechanism would have damaging consequences for the financing of onshore wind projects?

Deputy Leo Varadkar: I do, but that is not our position. We are proposing to defer the increase and in the meantime, if needs be, to take that money out of the massive profits of the utility companies. The Minister needs to review aspects of the PSO levy. Under the old system, when the price of energy was high, the owners of wind power plants had to pay something back into the fund, but that is no longer the case. When the price is high, not only do they receive the guaranteed price, but they also get a bumper payment. If somebody is getting a guaranteed price that protects them when prices fall, they should pay something into the fund, as they used to do, when prices go up. That would help to reduce the PSO levy.

We need to have a serious debate on this, perhaps somewhere outside the Chamber where we can be more consensual. We must look at the types of refit subsidies the Minister is proposing to put in place for offshore wind and other renewables.

Deputy Eamon Ryan: I look forward to taking the Deputy up on that offer, and I hope Deputy McManus will join us. It would be useful in order to achieve clarity.

Deputy Leo Varadkar: It would be. It is a debate we have had at committee, which the Minister does not attend. The Joint Committees on Climate Change and Energy Security and on Communications, Energy and Natural Resources have debated the matter of super-subsidies, such as those of 14 cent and 27 cent per kilowatt hour which are twice the market price of energy, and whether such subsidies make sense. Can we be so sure gas prices will go so high so quickly that such subsidies make economic sense? Many people think they do not. For example, Bord Gáis is deliberately not going down that route because it does not think it makes economic sense. Many of the Minister's officials and people who work for other bodies say they do not agree with Government policy when it comes to super-subsidies. On-shore wind generators clustered in the right place and connected cheaply to the grid, particularly in the west, north-west and south-west of Ireland, make a great deal of sense and that is what we should pursue. We should do more or less what the Minister is doing in the communications area where he is taking a technology neutral approach and not giving extra-super-bumper-subsidies to the least efficient plant. That does not make sense.

Deputy Eamon Ryan: I look forward to that lengthy debate in committee or elsewhere. We could benefit from a very long and extensive debate on the whole issue.

Deputy Leo Varadkar: We should have that debate. I hope the Minister, having said that, now has a slightly more advanced understanding of Fine Gael thinking on this. We understand the issues. We have studied them in detail. We are not total idiots.

Deputy Eamon Ryan: My understanding of the difference between deferring and stopping has not changed. I look forward to a more lengthy debate when the Member opposite can explain that.

Deputy Leo Varadkar: When the Minister comes to that debate I hope he will bring his figures and his calculators. I am not anti-ideology. I am interested in political idealism and ideology but there is nothing worse than having an ideology and ignoring the numbers. Whatever ideological or philosophical position one has must make economic sense. The numbers must add up. Some of what the Minister is doing on the renewable side makes a great deal of sense. Some of it really does not. It could cost us a fortune while gaining nothing for the public other than higher energy prices and pylons on people's property. We need to think very seriously about that.

We must also address the profits of semi-State companies. I have nothing against companies making profits but the ESB, in the current climate when other companies are struggling, does not need to make a profit of €500 million a year or Bord Gáis to make a profit of €200 million a year. The public object to energy price increases because of the huge profits made by energy companies while everyone else is being squeezed. The Government could have taken from their profits, as it has done for the big energy users. The Government took the profits away from the companies to subsidise the big energy users but would not take the profits away from those companies to defer the PSO levy. That shows how the Green Party have been taken over by the Fianna Fáil big business agenda against the interests of small business and ordinary people. Those profits are not justified. The Minister should give a direction to the Energy Regulator that if companies are making profits of that size they are clearly not being put under enough pressure to reduce either their costs or their profits.

There are ways to reduce energy prices if the Minister wanted to. I do not think he does want to, because if energy prices do not keep rising many of his green gambles will not pay off.

Deputy Catherine Byrne: I welcome the opportunity to speak on this issue. I thank the Labour Party for bringing this matter to the House and I thank Deputy Leo Varadkar for sharing his time with me.

For most people, fuel is the basic fundamental need. We all need it to keep warm, cook, heat water and travel. It is not a luxury. However, fuel poverty is a real threat for many people. The steady rise in the price of gas and electricity in recent years has put a huge financial burden on many low-income households, and the elderly in particular. This has resulted in many people not being able to pay their bills and struggling just to keep warm on a daily basis.

The Government continues to increase taxes in the form of a carbon tax on oil and gas, which came into force last May, and the recent introduction of the PSO levy on electricity from 1 October. Fuel poverty exists when a household needs to spend more than 10% of its household income on energy or fuel to keep acceptable levels of heat throughout the home. The new carbon tax has brought a rise in electricity prices and the new green levy has put an extra burden on many elderly people, people with disabilities and the most vulnerable families in our communities, while the Government should be focusing on energy efficiency programmes. The cost of gas, electricity and, particularly, solid fuel increased hugely between 2008 and July 2010. The cost of solid fuel increased by almost 10% while the cost of bottled gas rose by 17.8% and electricity rose by 3.3%.

This is not sustainable and is pushing many families over the poverty threshold. Recent reports of people's electricity being cut off because they could not pay their bills are truly

[Deputy Catherine Byrne.]

shocking. Many people are vulnerable at present and the current figure of more than 2,000 households being disconnected for non-payment every month is not acceptable. More and more people are relying heavily on the Society of St. Vincent de Paul to top them up each week so they can manage to pay their home heating bills and keep food on the table. The Society of St. Vincent de Paul does a great job and it can do it because of the many charitable people who extend a hand to the society in donations. This cannot continue forever and the Society of St. Vincent de Paul should not have to clean up the mess made by the Government.

The Department of Social Protection pays a fuel allowance of €20 per week from September to April. While this is welcome, it only covers a small proportion of a fuel bill and is more of a gesture than a genuine commitment by the Government to help people meet their fuel costs.

The new carbon tax that was introduced this year has increased the price of a bale of briquettes by 10%, a kilowatt hour of gas by 7% and 1,000 litres of fuel oil by 8%. In other words, it will add approximately €43 to a 1,000 litre fill of oil and €41 to the average annual gas bill. How on earth can people be expected to afford these extra costs when so many are struggling financially, which is not their fault?

When the Government announced that it planned to introduce carbon tax it stated that it would protect those most at risk of fuel poverty. I would like to know how this is this being achieved, because those I have spoken to feel the pinch and they do not feel they have been protected by the Government or by the State. Many organisations, such as Age Action, Older and Bolder, The Carers Association, the Alzheimer Society of Ireland, the Society of St. Vincent de Paul, Alone, MABS and many others, called on the Government not to introduce the PSO levy on electricity. This will mean an increase of almost 5%, or an extra €2.73 on a monthly ESB bill. This charge came into effect despite the financial hardship the Government has caused. I welcome the announcement by the Minister for Social Protection, Deputy Éamon Ó Cuív, that he has decided to increase the electricity allowance provided by his Department to cover the PSO levy. This will come as a welcome relief to older citizens, who are very worried about making ends meet. However, this is like robbing Peter to pay Paul, as the money needed to increase the electricity allowance has to come from the Government purse. The question remains, will the new levy generate enough income to justify all the worry and confusion caused by the Government?

Fuel poverty is a very real worry for older people because they are more fuel dependent than any other group in our society. On a daily basis, and particularly on a nightly basis, I meet many older people in their homes and bed-sits who are unable to turn on the electric fire because they are afraid of the cost. Many elderly people rely on a small fixed income and spend a high proportion of it on fuel and energy. They have budgeted every penny for their basic needs. Even a €3 increase in their monthly bill might as well be an increase of €200 or €300. Rising fuel costs have a devastating impact on older people and they simply cannot afford for the price to get any higher.

Many older people spend more time at home and need to be kept warm, especially if they are vulnerable and unwell. Many live in old properties without proper central heating or insulation and many rely on electric heaters, which cost a fortune to run. I am also concerned about elderly people living in flat complexes. I am familiar with senior citizens' complexes run by local authorities where the heating is controlled from 7 a.m. until 11 p.m. This is not acceptable, particularly when many elderly people wake up during the night and tend to walk around in the cold because they are afraid to turn on their heaters. Ireland experiences a high rate of winter deaths compared to other cold European countries. Between 1,500 and 2,000 deaths

occur each year. Last winter was one of the harshest on record and this year appears to be going in a similar direction.

The health and well-being of our citizens, young and old, must be safeguarded but this can only be achieved once fuel poverty is eradicated. The Government must wake up to the crisis of fuel poverty among the low paid and the elderly and do all it can to ensure people are not forced to choose between heat and putting food on the table. Is the Government really intent on sending us back to the dark ages of candlelit rooms and our fathers' overcoats on our beds? I commend the motion to the House.

Debate adjourned.

Adjournment Debate

Schools Building Projects

Deputy P. J. Sheehan: I am grateful to the Ceann Comhairle for the opportunity to raise an issue vital to the future of the children of Kinsale. On behalf of the 762 pupils on the roll of Kinsale community school, I ask the Tánaiste and Minister for Education and Skills the timetable for the completion of the proposed extension for their school.

The school's existing building was designed for 460 pupils and completed in 1996. From the day it opened, it accommodated more than 500 pupils and the school management had to convert the stage into an art room and the art room into a woodwork room. The school is now short of classrooms for biology, woodwork, metalwork, art, music and technical drawing and graphics. It also requires a gym.

There are no canteen facilities to cater for its current enrolment of 762 pupils. Kinsale is regarded as the gourmet capital of Ireland and this sector offers good employment prospects in the local economy. There is but one small home economics classroom. If the Government's primary aim is to create employment, it is going about it the wrong way.

My information is that over two years ago departmental officials agreed that the school needed to be doubled in size and predicted that school would have to cater for 850 pupils. The school's management was told that a design team would be appointed in the third quarter of this year but we are now in the fourth quarter. Miraculously this morning, after this matter was selected for the Adjournment debate, the building unit in the Department of Education and Skills contacted the school to arrange a meeting for next Tuesday to discuss the implications of appointing a design team. Is this a new bureaucratic hurdle to be passed before the Department keeps its promise to appoint a design team in the third quarter of this year?

The former Minister for Education and Science visited the school when two pupils, John D. O'Callaghan and Liam McCarthy, won the European Competition for Young Scientists, having already won the Irish Young Scientist competition with their project on testing milk quality. The Minister will recall that three years earlier in 2006 another Kinsale community school pupil, Aisling Judge, won the Irish Young Scientist competition with a project on food hygiene.

In January 2008, I visited the school with my party leader, Deputy Kenny, who was very impressed with the excellent service it provides to the community in Kinsale despite the cramped conditions in which it must operate. I ask for a completion date for the sake of the 762 pupils of the school. The school provides services for the whole community of Kinsale six days per week from early in the morning to late every evening. I am told that the school is not

[Deputy P. J. Sheehan.]

allowed to replace its second caretaker, who retired during the summer, even though it is operating at double capacity. I ask that an exemption be made in this case.

How would the Department fare if we had an education quality standards authority that was similar to Health Information and Quality Authority? This school is overcrowded in every classroom and corridor. It is unhealthy for its children to be confined to one classroom from nine o'clock in the morning until three o'clock in the afternoon, especially on wet days. The school is operating at nearly twice its design capacity. On health and safety grounds I ask that its application be prioritised and completed as a matter of urgency. Schools projects are delayed for many reasons but in the present environment of building costs it might opportune to prioritise this project and finish at least one school project ahead of schedule. This school has proved itself to be an excellent provider for all its pupils and its community but it needs the space to house all its pupils and to give them a good start in life. It does not need further bureaucratic delays. I ask that the extension be built without delay.

Minister for Defence (Deputy Tony Killeen): Gabhaim buíochas leis an Teachta Sheehan as ucht an t-ábhar seo a ardú inniu. I am taking this Adjournment matter on behalf of the Tánaiste and Minister for Education and Skills, Deputy 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 school building projects and also to outline the current position regarding to Kinsale community school.

Modernising facilities in our existing building stock as well as the need to respond to emerging needs in areas of rapid population growth present a significant challenge. The Government has shown a consistent determination to improve the condition of our school buildings and ensure that 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 based on the demographics of an area, proposed housing developments, condition of buildings, site capacity, etc., and leads 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. There are four band ratings overall, of which band one is the highest and band four the lowest. Band one projects, for example, include the provision of buildings where none currently exists but there is a high demand for pupil places, while a band four project makes provision for desirable but not necessarily urgent or essential facilities, such as a library or new sports hall.

The project for Kinsale community school has been assigned a band rating of 2.1 under the published prioritisation criteria for large scale building projects. A band rating of 2.1 means

there is a deficit of mainstream accommodation in the school and the deficit constitutes a substantial and significant proportion of the schools overall accommodation needs.

All major projects on the Department's capital programme progress through the same structured process of architectural planning, which is divided into clearly defined stages. There are five stages involved in the progression of major school building projects through architectural planning. These stages are set out in the Department's design team procedures and are necessary to comply with Department of Finance guidelines which require that capital projects be fully designed prior to going to tender. They also ensure proper cost management of capital projects and facilitate compliance with statutory and public procurement requirements.

The project for Kinsale community school was announced earlier this year for the appointment of a design team. Subsequently, the National Council for Special Education advised the Department of Education and Skills of the need for an autistic spectrum disorders unit at post-primary level in that catchment area. A revised schedule of accommodation providing for additional accommodation for such a unit was issued to the school at the end of August.

The tender process for appointment of a design team for Kinsale community school will commence shortly as part of a bundle of schools tendering in the coming weeks. The brief for the project includes the construction of an extension of approximately 4,500 sq. m. plus associated refurbishment and site works. This brief will provide suitable accommodation for a long-term projected enrolment of up to 850 pupils in Kinsale community school.

The progression of all large scale building projects, including this one, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual school building and modernisation programme for 2011 and subsequent years. However, in light of competing demands on the capital budget of the Department and taking into account the early stage at which this project currently stands, it is not possible to give an indicative timeframe for the progression of the project to completion of tender and construction.

Proposed Legislation

Deputy Mattie McGrath: I recognise the significant effect new motorways have on businesses that have been bypassed and the refusal of the NRA to allow for signage to promote those businesses. I call on the Government to make amendments to the Valuation Act 2001 to state the bypassing of a property represents a material change of circumstances, as defined in section 3 of the Act. Valuations for rating purposes are made in accordance with the Valuation Act 2001. The Act confers authority to revise valuations on a revision officer only in instances where there has been a material change of circumstances. These are defined in section 3. They encompass circumstances where the structure or neighbouring structure has been rebuilt, or where a structure has for some reason been closed down or damaged by fire, for example. A material change, therefore, must be of a physical nature. The circumstances to which I refer concern a physical change, but not to the building subject to rates. A change in turnover or a decline in the level of business activity would be insufficient, I am told, to warrant the authorisation of a revision of a valuation. As neither of these events is a material change of circumstances as defined in the Act, the Act is too limited. It is a great problem that the Government and institutions of State cannot react to evolving circumstances.

Our road network is unrecognisable by comparison to that of ten years ago. I and most people are delighted with that. The new roads are safer, better for business and are wonderful but we must think of the businesses along the old routes, including a number of businesses on

[Deputy Mattie McGrath.]

the old N8 in Tipperary, which has been bypassed by the M8, the Portlaoise-Cork road. Business has declined by 90% because of the bypass. Surely this is unfair.

I acknowledge that the new road was completed ahead of schedule and within budget. A wonderful job was done and we all say that is fine. While there was public consultation in the design of the new road, the county council officials and the NRA are totally intransigent in not allowing for any limited signage, although the council came up with a design for the signage. I refer to off-road signage that would not be on the roadway. I see how unfair circumstances are when I go to Cork, Limerick, Portlaoise, the other side of Tipperary and right up to Dublin, where there is signage everywhere. The system is not being implemented fairly.

Rate-paying business people, entrepreneurs, are affected. A landmark hotel, Kilcoran Lodge Hotel, was employing 40 people. Deputy P. J. Sheehan, who has now left the Chamber, always used to stop there. He told me he was only half way to Dublin when he reached Kilcoran. I am sure many of us have been there. The hotel employs many people but cannot survive. It cannot pay the huge rates. There ought to be some recognition of their plight. People from the town of Cahir going to transact business at the hotel end up on the motorway and cannot get off it until they get to Mitchelstown, which is a long distance away. This is very frustrating.

The hotel had a rate review recently. One must apply for a rate review through the national body. It costs €250 but one is adjudicated by the body that set the rate in the first instance. There is no independence or fairness. The rate reviewers say the hotel is as it was, is fine and grand. They are flippant about it but that is not acceptable. We must have an independent review body for everybody. It should not be the body that sets the rates.

There is a wonderful shop and filling station that sells light refreshments for the traveller and others in the village of Skeheenarinky. Some 90% of its business has been wiped away. I have had meetings with council officials and they have no understanding of the sheer loss of business and do not accept that if the local authority takes away one's business, that same local authority should not expect to have rates paid to it. One often heard the saying that one cannot get blood from a stone.

The tools of the trade have been denied to the people to whom I refer. They have a right to make a living, pay their staff, and pay their PRSI and taxes, which they always did diligently. They always provided good employment but their opportunities have been taken from them. They have been blindfolded and handcuffed behind their backs and they are not allowed to transact their business.

There will have to be changes to the Act. I appeal to the Minister, the Department of Finance, the Department of the Environment, Heritage and Local Government and local authorities to examine the review system as it is unfair. It is not fair that those who set the rates review the rates. Surely there should be an independent body to review the rates for premises.

Deputy Tony Killeen: Gabhaim buíochas leis an Teachta as ucht an deis a bheith agam labhairt ar an ábhar tábhachtach seo.

The Valuation Act 2001, which came into effect on 2 May 2002 provides that all buildings used or developed for any purpose including constructions affixed thereto are rateable. In regard to the Valuation Act 2001, the commissioner of valuation is independent in the exercise of his duties under the Act, and the Minister for Finance has no function in decisions in this regard.

Under section 28(4) of the Valuation Act 2001, a revision officer of the valuation commissioner may carry out a revision of valuation in regard to a particular property only if a material change of circumstances has occurred since the property was last revised. A material change is defined in section 3 of the Act as a change of circumstances which consists of a new building, a change in value due to structural alterations of an existing building, total or partial demolition of a building or a sub-division or amalgamation of relevant property. The definition does not allow for a revision of valuation where the change in value is due to economic factors, differential movements in property values or other external factors such as roads or other infrastructural development in the vicinity of a property. The valuation of commercial property is determined by reference to the values of comparable properties on the same valuation list.

That is to say they are compared to similar properties in the same local authority area to ensure, in so far as it is possible, that they are all treated equally. Therefore, while external factors such as roads or other infrastructural development in the vicinity of a property have no impact on valuations determined at revision, they can by their nature have either a positive or negative effect on a business. For example, new motorways are allowing greater numbers of people to travel to outlying areas, bringing potential for increased trading. While some businesses may have been bypassed by the new motorways, on the whole, the new road system has received a general welcome throughout the country and could be seen to have a generally beneficial effect on businesses. Similarly, the valuations of commercial enterprises that have benefited from infrastructural developments have not been increased.

It is generally recognised that bypasses give the bypassed towns back to their communities; these towns have thrived in the absence of daily traffic jams, lack of parking, and the general hassle of trying to do business in such a congested environment. Bypasses improve accessibility for whole regions, reduce travel times and transport costs and make journey times more predictable. All this adds rather than detracts from the prospects for economic development in a region.

In regard to signage on roads, spatial planning and national roads guidelines were recently published by the Department of the Environment, Heritage and Local Government. The guidelines indicate that the erection of advertising signage is tightly regulated for road safety and environmental reasons. Regulation of signage on national roads ensures that the information needs and safety considerations of road users can be fully and properly catered for. However, the authority's practice is to erect white-on-brown tourist signs identifying the town or village and including, as appropriate, symbols indicating the principal facilities and services available in the locations concerned.

It is at a revaluation that economic factors, differential movements in property values or other external factors such as roads or other infrastructural development in the vicinity of a property are accounted for in the valuation process.

With regard to the national revaluation programme, I am glad to report that steady progress is being made. In a typical revaluation of all the commercial properties in a local authority area, the entire list is brought up to date by reference to values at a specific date and the list is then published on one date, usually 31 December, and comes into effect on 1 January the following year. To date, revaluations have been completed in south Dublin and Fingal county council areas and the revaluation of Dún Laoghaire-Rathdown is nearing completion. In the next phase, it is intended to roll out the programme to a further local authority in the coming months and the necessary process of consultation, as provided for under the Act, is under way.

[Deputy Tony Killeen.]

The Valuation Act 2001 has been in operation for eight years and the commissioner has now decided to initiate an internal review of the statute. The various provisions in the Act are being examined from a number of perspectives in the light of experience and the implications of judgments emanating from the valuation tribunal and the courts over the past seven years. In the context of this review, I will ask the commissioner to consider the matters raised by the Deputy.

Regional Airports

Deputy Simon Coveney: The Minister, given where he comes from, will understand the importance of access to the regions in parts of the country that are isolated from large population centres and which are and have for some time been heavily reliant on air access.

I raise this issue because I am concerned that the subvention system in place to support the six regional airports I will mention is surrounded with uncertainty.

The budget that has been committed to most of the regional airports is clearly grossly inadequate to even allow some of them to remain open beyond the end of this year.

It is fair to say that the management and boards at all six regional airports have made huge efforts to reduce costs and to make the airports more cost effective and efficient. This is reflected in the fact that the Opex subvention budget, which is operational current expenditure, has reduced year on year over the past number of years. The cut so far this year has been dramatic.

The Minister when replying to questions in the Dáil last week gave me the following figures. Last year, Galway Airport received an operational subvention of €962,000. So far this year it has received approval for only €582,000. The figure for Sligo Airport has reduced from more than €300,000 to €150,000 so far. While the figure for Donegal Airport for last year was €131,000 it has received nothing so far this year. The figure for Knock Airport has reduced from €445,000 to €350,000. The figure for Waterford Airport has been most dramatic with a reduction from €1.5 million last year to just over €600,000 so far this year. The amounts allocated this year so far have more than halved. The Minister would neither confirm nor deny that extra money will be found and approved by the Department of Finance to at least ensure all six regional airports remain open into next year until we have had a proper and honest debate on the future of regional airports, the impact of the end of this tranche of the PSO levy next summer and whether a new PSO will be introduced by Government and so on.

It would be inexcusable to cut budgets in a salami type manner with everybody taking a small cut year on year and month and month and to expect airports to remain open. I am seeking from the Minister this evening an assurance that the Department of Transport, in consultation with the Department of Finance, will assure the public in regions like Galway, Kerry, Sligo, Donegal, Knock and Waterford that their airports will remain open into next year and that the relatively modest operational subvention budgets required to do so will be found, even in these difficult times.

I understand that some of the airports received a letter today from the Department of Transport asking them to revise their budgets with a view to a top-up payment between now and the end of the year. We need to provide budgetary certainty for the running of these airports so they can plan for the cost cutting that may be necessary and be in a position to give a

guarantee to airlines and the public that they have a future. If they cannot do this, it becomes a self fulfilling prophecy. Airlines that do not believe there is a future for an airport will not expand or commit to future routes at those airports. Likewise, the public will not book flights from those airports.

I would like a commitment from the Minister, which will provide reassurance and confidence to the communities in these regions that rely on an important airlink, that their airports will remain open into next year and that the relatively modest top-up budgets involved in this regard, in terms of operational subvention, will be provided by the Government.

Deputy Tony Killeen: Gabhaim buíochas leis an Teachta Coveney as ucht an t-ábhar seo a ardú inniu.

The scheme to which the Deputy refers was introduced in 2006 in response to new mandatory EU guidelines on the provision of public funding for airports, including regional airports. Under this scheme, the regional airports may be considered for annual subvention in respect of operating costs incurred in providing core airport services, to the extent that these cannot be met by prudent commercial management and by any surpluses available from other sources such as carparking charges and catering.

In view of a projected shortfall in the resources available to fund this scheme, after allowing for estimated requirements for the PSO Air Services Programme for 2010, the regional airports were allocated operational expenditure or Opex funding on a pro rata basis in July of this year, with no airport getting the full amount it might otherwise expect. This allocation was in line with the Opex contracts with the airports. However, the Minister for Transport is very much aware that several events have impacted on the regional airports since this year's applications for funding were received and that payments at the reduced level have been causing difficulties for them. To that end, the Department of Transport has been monitoring the position with management at each of the airports. In recognition of those difficulties, the Minister for Transport has decided to provide additional funding for the scheme for 2010.

The airports have been invited to submit additional information in support of their applications for funding. This updated information will be re-assessed by the Department of Transport in accordance with the terms of the scheme and allocations will be made accordingly. As the Deputy will be aware, the Value for Money Review of Exchequer Expenditure on the Regional Airports Programme, including the Opex scheme, has been completed and is at present being considered by the Government. It is expected that, in light of that review, decisions on funding for regional airports in future years will be made in the context of the Estimates and budget process later this year.

With changes in EU legislation, the substantial investment in surface transport, the completion of this review and the requirement to make best use of scarce Exchequer resources, the focus for the future will be on ensuring the sustainability of a strong network of regional airports servicing the Irish public, both in terms of business and tourism.

Marriages of Convenience

Deputy Seán Barrett: I did not think it would be a responsibility of the Minister for Defence to defend these sham marriages.

Acting Chairman (Deputy Michael Kennedy): I am sure the Minister will give an appropriate reply.

Deputy Seán Barrett: I read recently that a Latvian NGO that offers support to victims of human trafficking claims there has seen an avalanche of sham marriages during the past year. It also claims that Ireland and Cyprus are the two countries where Latvian sham marriages are most common. I am fully aware this is not an easy problem with which to deal given the State must meet its responsibilities under EU law to guarantee free movement to the spouses of EU citizens and is also prevented from undertaking systematic checks of particular nationalities.

The reality is that the EU directive on free movement is being exploited. Since the directive became law in 2006 the number of people in Ireland applying for residency rights, based on marriage to an EU citizen, has increased from 1,206 in 2006 to 2,129 in 2009. Every effort must be made to try to prevent these sham marriages taking place. It will take an EU-wide approach to achieve this. My colleague, Deputy Naughten, has sought to have the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 amended to give registrars more power to interview prospective brides and grooms and to block any marriages they deem to be shams. This is a reasonable amendment which should be made immediately. The law needs to be changed to give registrars, the people performing these ceremonies, the powers to block until they are satisfied, through various checks, that a genuine marriage is taking place.

Many developed countries have introduced tough laws making it a criminal offence to enter into a sham marriage in order to circumvent immigration laws. In this regard, the US law imposes a prison sentence of up to five years and a fine of up to \$250,000. I will give an example of the tragedy of these marriages. An article I read in relation to the Shelter Safe House, an NGO looking after Latvian women following their return to Latvia, gave an example of an 18 year old woman who was promised a job in a shop in Ireland by a friend living in Ireland who had an Indian boyfriend. When she arrived in Dublin she was allowed to stay in their house but no job materialised. After some time, her friend's boyfriend told her she had to marry his friend to pay him back for board and lodgings. She was put under a lot of pressure and because she had no one to turn to in a foreign country she agreed. She has since returned to Latvia where she has found a boyfriend she loves and is pregnant.

9 o'clock She wants to marry him but cannot do so because she is already married. This girl is 18 years old and she was conned into a marriage here. I am ashamed that this type of thing is happening in Ireland, particularly in respect of people of certain nationalities.

As stated previously, an EU-wide approach is required to deal with this extremely serious problem. I ask the Minister to ensure the matter is raised at the next EU Council of Ministers with a view to achieving a common approach. If such an approach is not taken, the institution of marriage, which is protected under the Constitution, will be seriously undermined.

The Latvian authorities recently suggested that Ireland has been dragging its feet and has ignored calls to deal with the abuse, through marriages of the kind to which I refer, of Latvian citizens living here. That is a serious allegation which could have major consequences on our international reputation. It is incomprehensible that a request from any county to eradicate the practice of sham marriages would be ignored. It is essential that this allegation be investigated fully and that the exact nature of what occurred be determined.

Ireland prides itself on being an equitable nation. Any suggestion that sham marriages were either not taken seriously or, worse still, ignored would paint us in a damagingly negative light on the world stage. The exploitation by one person of another should never be tolerated in a civilised society. If the Latvian authorities claim their requests to have the abuse of their citizens in Ireland stamped out were ignored, we must discover why.

I thank the Ceann Comhairle's office for allowing me to raise this matter and I sincerely hope the Minister will take on board the serious nature of it.

Deputy Tony Killeen: Gabhaim buíochas leis an Teachta Barrett as ucht an ábhar seo a chur faoi bhráid na Dála agus deis a thabhairt dom freagra a thabhairt ar son an Aire Dlí agus Cirt agus Athchóirithe Dlí.

I am taking this matter on behalf of the Minister for Justice and Law Reform and I welcome the opportunity to deal with the issue of marriages of convenience contracted for the purposes of exploiting the terms of the directive on free movement and, in particular, the involvement of Latvian citizens. This is a matter which has received significant recent publicity but has long been a concern for the Minister and the immigration authorities and their colleagues involved in marriage registration.

Free movement is a fundamental right in the EU. Under EU free movement rules, once an EU citizen exercises his or her entitlement to move to and live in a member state other than that of which he or she is a national, he or she is entitled to be accompanied or joined by his or her non-EEA family members. Crucially, this includes persons whom such people subsequently marry, irrespective of their immigration status.

Prior to the *Metock* judgment in 2008, Ireland had in place a rule that granted EU treaty rights only to non-EEA family members with prior lawful residence in another EU member state. This provision, had it not been struck down, would have excluded virtually all of the types of cases currently being highlighted from benefiting under the directive.

The Minister is surprised by the contention that Ireland has been passive on this issue. This is not the message we are getting from the Latvian authorities. The latter have expressed their appreciation of the measures the State is taking and there has been considerable operational co-operation between the Garda National Immigration Bureau and its colleagues in the Latvian police force.

Far from being passive, no member state has been as active as Ireland on this matter at Justice and Home Affairs Council meetings. The Minister has personally raised the issue at the highest level at EU meetings on a number of occasions as far back as September 2008, within weeks of the judgment being handed down. He has raised his concerns at successive EU Presidency meetings of JHA Ministers in the intervening period. However, the Minister received little support at the time from his colleagues from other member states. The Department has had ongoing concerns since the *Metock* case precisely because it could see the huge potential for abuse of the directive and the extent to which the ruling effectively set aside immigration control in respect of family members of EU nationals. The Department's experience is that the directive is now regarded by non-EU and EEA persons seeking to circumvent immigration controls as an unrestricted means to regularise their immigration status in the wider EU.

While the European Commission has set out guidelines for dealing with the issue, the balance of advantage is very much with the applicant and the onus of proof lies with the member state. This is why Ireland and some other member states have called for an amendment to the directive to restore the pre-*Metock* position. Ireland remains strongly of the opinion that amendments to the directive are necessary and that it should remain under continuing review at the Council of Ministers. We continue to seek the support of other member states, including those whose citizens are involved in suspect marriages. However, the difficulty of achieving such amendments must be acknowledged. The Department will continue to highlight this issue at every opportunity, including directly with the Commission when it visits Ireland later this year to assess our implementation of the directive.

Marriages of convenience are, of their nature, difficult to detect. Final determination as to the validity of marriage-based claims in this area can be made only after an in-depth examination of the particular circumstances of each individual case. The directive prohibits systematic checks.

On the domestic front, both the Department and An Garda Síochána have been taking steps to address this issue. I congratulate the Garda on the ongoing success of Operation Charity.

[Deputy Tony Killeen.]

This operation, which was launched by the Garda National Immigration Bureau in November 2009, has so far prevented 80 marriages of convenience from taking place through the issuing of objections to registrars to planned marriages which it is suspected may be marriages of convenience. The bureau has also made 16 arrests in this period for alleged offences including bigamy, the production of false documentation and illegal residence in Ireland. There is valuable ongoing co-operation between the bureau and the organised crime enforcement department of Latvia, which is the member state of origin of the majority of EU citizens involved in suspect marriages. There shortly will be a meeting under the auspices of Eurojust in The Hague between the Latvian state police and the Irish authorities to discuss information exchange and co-ordinating investigation activities relating to suspected marriages of convenience.

In the longer term, the Minister will seek to further address the issue through legislation. The Immigration, Residence and Protection Bill 2010, currently before the House, proposes, *inter alia*, to allow the Minister, in making his determination of any immigration matter, to disregard a particular marriage as a factor bearing on that determination where it is deemed the union is a marriage of convenience. The criminalisation of the contracting of marriages of convenience was considered in the context of the Bill but difficulties are presented by the strong constitutional protection for marriage in Ireland and the issue of enforcement.

The Minister particularly welcomes the updated guidelines for registrars for marriage notifications, which issued to all superintendent registrars in Ireland on 2 September. These new guidelines include stricter conditions on proof of identity which will require applicants for marriage to provide letters of authentication of birth certificates from their embassies. This requirement will, in most cases, bring the proposed marriage to the notice of the authorities of the member state of the EU citizen in question and afford them an opportunity to outline the risks involved. The Minister is of the view that this measure alone could have a significant impact on the number of suspect marriages. This is also the view of the Latvian Ministry of Foreign Affairs, with which the Irish authorities have been in contact through our embassy in Riga. As recently as last week, the Latvian Ministry thanked the relevant authorities here for the steps being taken to tackle this abuse and pledged their continuing co-operation with both the Minister's Department and the Garda to end the exploitation which is at the root of this matter. The Minister has also instructed his officials to examine afresh the processes in place in the Department for approval and assessment of these applications. Arising from that review, other steps may well need to be taken to tighten up the procedures.

There is no quick fix solution to this problem. A combination of actions, including prevention, ensuring that marriages of convenience are disregarded in immigration decisions and police co-operation, will be required. Ultimately, the Minister believes there is a need for legislative action at EU level.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 13 October 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 11, inclusive, answered orally.

Questions Nos. 12 to 78, inclusive, resubmitted.

Questions Nos. 79 to 85 inclusive, answered orally.

EU Foreign Policy

86. **Deputy Kieran O'Donnell** asked the Minister for Foreign Affairs if his Department has had discussions at EU level regarding proposals to forge closer EU links with NATO; and if he will make a statement on the matter. [36072/10]

Minister for Foreign Affairs (Deputy Micheál Martin): For many years there have been discussions between the EU and NATO on questions of common interest related to crisis management. This is not surprising considering that twenty-one EU Member States are also members of NATO. In addition, where both the EU and NATO operate in the same area, cooperation on practical issues is logical and enhances the security of EU personnel deployed, including Irish military and civilian personnel. Arrangements for cooperation between the two organisations have existed since the Union's Common Security and Defence Policy (CSDP) originated over 10 years ago and have evolved in accordance with principles specified by successive European Councils. Permanent arrangements to facilitate cooperation between the EU and NATO in the crisis management area have also been developed. These arrangements, known as 'Berlin Plus' arrangements, allow the EU to draw on some of NATO's military assets — such as transportation, headquarters or planning facilities — in support of CSDP crisis management operations. The ongoing stabilisation mission EUFOR Althea in Bosnia-Herzegovina benefits from having recourse to these arrangements.

More generally, EU-NATO relations are underpinned by long-standing principles that include full respect for the autonomy of EU decision-making, recognition of the different nature of the EU and NATO, and non-discrimination against any of the Member States. At least once per Presidency the Foreign Affairs Council adopts conclusions on CSDP which refer to this issue. For example, in April this year the Council "recalled the objective of strengthening the EU-NATO strategic partnership in crisis management ? and welcomed the efforts by the High Representative and the NATO Secretary General to foster progress in this area".

[Deputy Micheál Martin.]

Most recently, on 16th September 2010, the European Council invited High Representative Ashton “to develop ideas on how EU/NATO cooperation in crisis management could be further strengthened”.

Overseas Development Aid

87. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs his plans to provide ongoing support and aid to Pakistan following August 2010 floods; and if he will make a statement on the matter. [36123/10]

126. **Deputy Jack Wall** asked the Minister for Foreign Affairs to provide an update on the current situation in Pakistan following recent flooding; and the specific actions the Irish Government has taken to be of assistance [36108/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I propose to take Question Nos. 87 and 126 together.

The scale and magnitude of the ongoing flooding in Pakistan has been immense, with the UN estimating that 21 million people have been affected. To date, more than 1800 people are known to have lost their lives as a result of the tragedy and with flood waters yet to fully subside in many areas and the risk of waterborne diseases, there are fears that this death toll may rise further. In those areas where the flooding has receded, millions of people have been left destitute and dependent on humanitarian aid.

Ireland was one of the first countries to respond to the crisis. I attended a special session of the UN General Assembly in New York on 19 August and pledged €2 million in immediate relief. Since then, the total direct assistance allocated by the Government to the victims of the disaster has risen to nearly €2.6 million, with support provided through the UN Office for the Coordination of Humanitarian Affairs (OCHA), the World Food Programme and UNICEF as well as Concern, Trócaire, Goal and Plan Ireland. I also convened an emergency meeting of Irish-based NGOs responding to the crisis in order to ensure a seamless Irish response and met the Ambassador of Pakistan to Ireland, Mrs Naghmana Hashmi, to discuss Pakistan’s needs and how Ireland could best contribute.

Irish Aid also carried out two airlifts of emergency supplies to Pakistan, the second of which was the single largest humanitarian airlift ever undertaken by the State, providing shelter, water and sanitation equipment for 33,000 people. Irish Aid’s Rapid Response Corps has been placed on standby, with one member already deployed to work as a logistician with Goal. A member of Dublin Fire Brigade has also been working in Pakistan with the UN Disaster Assessment and Coordination (UNDAC) team.

In addition to this direct response, Ireland is one of the largest overall contributors to the UN Central Emergency Response Fund (CERF) a funding reservoir which can be drawn upon within hours of a disaster. Ireland has contributed €76m to this fund since 2006.

Ireland will continue to support the ongoing efforts of the Government of Pakistan, the United Nations and NGOs to provide relief to the people of Pakistan as they face into the onset of winter. An international conference on the recovery of Pakistan is due to be held before the end of the year and we will examine further support for the ongoing recovery efforts in the light of the priority needs at that time.

Foreign Conflicts

88. **Deputy Emmet Stagg** asked the Minister for Foreign Affairs his views on the recent

attack on a village (details supplied) in east Congo and where the United Nations High Commissioner for Human Rights has admitted that the incident was made worse by subsequent failings by UN peacekeeping forces [36116/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The systematic mass rapes which were carried out in the east of the Democratic Republic of the Congo (DRC) in July and August, in Luvungi and several other locations, were appalling and despicable. Ireland fully shared in the international condemnation of those responsible, which included statements by EU and UN representatives. In their 27th August joint statement on the violence, EU High Representative Ashton and EU Development Commissioner Piebalgs expressed outrage at the attacks and mass rapes and called on the Government in Kinshasa to make every effort to protect the population and end impunity for the perpetrators. They also called for the United Nations Stabilization Mission in the DRC, MONUSCO, to speed up their efforts with the Congolese authorities to improve security in the region. Of course the primary responsibility for the protection of civilians lies with the Government of the DRC, its national army and police force, which failed to protect the victims. However MONUSCO peacekeepers also had a role to play, and the UN has admitted that they also failed, and could have done more to stop the series of attacks. Poor infrastructure, difficult terrain, limited communication, and insufficient resources were some of the reasons cited for the failure.

Notwithstanding the failures of the DRC Government and of MONUSCO, it is important to remember that the fault lies with the perpetrators. They and their leaders must be apprehended and charged with their crimes. The Government of the DRC has constituted a commission to bring them to justice. By early September the DRC Government had arrested some of those responsible and they were awaiting trial. Ireland also calls on the Government of the DRC to address issues of civilian protection, impunity, and security sector reform, which contribute to such abuse.

89. **Deputy Tom Hayes** asked the Minister for Foreign Affairs the position regarding discussions between Turkey and Cyprus; if any progress has been made at EU level; and if he will make a statement on the matter. [36049/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The current phase of negotiations to find a comprehensive solution to the Cyprus problem began in September 2008, under the auspices of the Special Representative of the UN Secretary General, Mr. Alexander Downer. By the end of March 2010, over 70 rounds of talks had taken place between President Christofias, the leader of the Greek Cypriots, and Mehmet Ali Talat, the then leader of the Turkish Cypriot community. In April 2010, Mr. Dervis Eroglu was elected leader of the Turkish Cypriot community, defeating Mr. Talat. A first round of talks between President Christofias and Mr. Eroglu took place at the end of May and eight further rounds took place during the summer months.

After a short recess in mid-August, Christofias and Eroglu resumed their talks at the end of the month. An intensive two-day session took place on 9-10 September in a bid to accelerate the process before both President Christofias and Eroglu departed for international engagements. They considered comprehensive written proposals from each side on the problematic property chapter and agreed that their respective representatives would take forward work on the technical aspects of the issue to try to identify and develop possible convergences. The representatives hope to be in a position to produce an agreed joint document in advance of the resumption of talks between the two leaders this month.

[Deputy Micheál Martin.]

The UN has the lead role in the search for a comprehensive settlement and the Government fully supports the leadership of UN Secretary General Ban Ki-moon and his Special Representative Alexander Downer in this important work.

Ireland, along with its EU partners, will maintain that support for the Secretary General and his Special Representative in this role. We continue to encourage both sides to work for progress towards the achievement of a bi-zonal, bi-communal federal state through an honourable, balanced and durable settlement protecting and guaranteeing the basic rights of all Cypriots.

We also encourage Turkey to bring its influence to bear in supporting a durable settlement. When I met with the Turkish Foreign Minister in the margins of the UN General Assembly in New York on 21 September, I stressed the importance of making progress on the Cyprus issue. In particular I emphasised the need for Turkey to comply with its obligations under the Ankara Protocol and open its ports and airports to Cyprus.

Northern Ireland Issues

90. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs to request the US Secretary of State and her NI envoy (details supplied) to promote the Border region as a location for new foreign direct investment at the Northern Ireland enterprise conference that they will host in Washington on 19 October 2010; to acknowledge the importance of same in the context of the bilateral 2006 comprehensive study on the all-island economy which notes that companies should be encouraged to redesign logistical strategies and treat Ireland as one commercial zone rather than two separate entities; and if he will make a statement on the matter. [36009/10]

142. **Deputy Richard Bruton** asked the Minister for Foreign Affairs if he will request the US Secretary of State and her Northern Ireland envoy (details supplied) to promote the Border region as a location for the new foreign direct investment at the Northern Ireland enterprise conference that she will host in Washington on 19 October 2010; to acknowledge the importance of foreign direct investment in the context of the bilateral 2006 comprehensive study on the all-island economy which notes companies should be encouraged to redesign logistical strategies and treat Ireland as one commercial zone rather than two separate entities; and if he will make a statement on the matter. [36186/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Question Nos. 90 and 142 together.

The 2006 Comprehensive Study on the All-Island economy identified the need to build on our competitive strengths, particularly in the areas of infrastructure and R&D. The recently published Innovation Task Force report was also clear on the benefits to be gained — not least to border regions — from jointly branding and promoting our ‘Innovation Island’.

An important initiative in this context is the US-Ireland R&D Partnership, an outcome of the US-Ireland Business Summit in Washington D.C. which was launched in July 2006. Its aim is to promote collaborative innovative research projects which create value above and beyond individual efforts. The Partnership represents a new model for international research cooperation and, to date, a total of seven awards have been made amounting to a total of \$19m from a combination of sources in the US, Northern Ireland and Ireland. I will travel to Washington to attend the Northern Ireland Economic Conference on October 19th which is being hosted by the US Secretary of State Hillary Clinton. While there, I will take the opportunity to stress the potential of all-Ireland, cross border economic cooperation and the investment opportunities in the border region.

To coincide with the Economic Conference, I will co-host an event with the First Minister, Deputy First Minister and the US Special Envoy to Northern Ireland, Declan Kelly, to promote the work of the US-Ireland R&D Partnership.

I anticipate that a number of key announcements will be made at that Washington event, including the expansion of the Partnership's relationship with the National Science Foundation in the US.

Human Rights Issues

91. **Deputy Kathleen Lynch** asked the Minister for Foreign Affairs his views on the recent expulsion from France of Roma migrants; if this matter has come up in discussions at European Council level; his view of this expulsion; and if he will make a statement on the matter. [36112/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Ireland fully supports the free movement of persons within the European Union, which constitutes one of the fundamental freedoms underpinning the internal market. The Free Movement Directive (Directive 2004/38/EC) sets out the entitlement of EU citizens to free movement across the EU.

Under Article 7 of the Directive, a Union citizen may reside in another Member State for a period of more than three months if he or she:

- is in employment or is self-employed;
- has sufficient resources to support himself or herself, his or her spouse, and any accompanying dependants;
- has comprehensive health insurance in respect of himself or herself, his or her spouse, and any accompanying dependants;
- is enrolled in an educational establishment for the principal purpose of following a course of study, including a vocational training course.

Where a person is in breach of these provisions, they may be removed from the State and, where appropriate, an exclusion period may be placed on them whereby they cannot re-enter or seek to re-enter the State during the validity of that period.

Furthermore, under Article 27 of the Free Movement Directive, Member States may restrict the freedom of movement and residence of Union citizens and their family members, irrespective of nationality, on grounds of public policy, public security or public health.

France has stated that the removals of members of the Roma community from encampments in France to their countries of origin have taken place in line with the provisions on the Free Movement Directive. The situation of Roma people has been given special attention at the EU Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) over recent years, including in June 2009 and June 2010. The issue was also touched upon at the General Affairs Council in July of this year. Two European Summits on Roma Inclusion have been organised in recent years, the first during the French Presidency in 2008 and the second during the Spanish Presidency earlier this year.

This issue has also been discussed at European Council level on a number of occasions in the past, including in December 2007 and June 2008 and most recently, I understand, at the Heads of State or Government lunch at last month's European Council meeting.

The European Commission have an important role, as guardian of the Treaties, in ensuring that European Union law is applied fully and effectively in all Member States. In this regard,

[Deputy Micheál Martin.]

it is usual practice for the Commission to enter into dialogue with a Member State if they have concerns about the application of EU law in that Member State. As regards the situation with France, I understand that the Commission is in continuing contact with the French authorities.

Millennium Development Goals

92. **Deputy Richard Bruton** asked the Minister for Foreign Affairs if he will report on his visit to the United Nations in relation to the review of the millennium goals; and if he will make a statement on the matter. [36013/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): The content of audit reports is determined by Irish company law, which is largely based on EU legislation in this area, and by internationally-based auditing standards. In addition, auditors currently have a range of statutory reporting obligations, for example, under criminal justice legislation and taxation law.

Officials of my Department, and, as appropriate, other Departments, participate in EU meetings at which auditing matters are considered.

The European Union is scheduled to bring forward a Green Paper on auditing shortly which is likely to stimulate debate on many issues of relevance to statutory audit. Ireland will fully participate in these deliberations and EU initiatives arising therefrom.

Passport Applications

93. **Deputy John Deasy** asked the Minister for Foreign Affairs if his attention has been drawn the additional security placed on UK passports; his plans to establish new procedures for the issuing of passports in this country; if he will ensure that there are no delays in the future for Irish citizens being able to receive a passport which is their constitutional right; and if he will make a statement on the matter. [36031/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The security procedures associated with the issuing of the Irish passport are under constant review. Passport Service staff remain in regular contact with other passport agencies worldwide to ensure that ‘best practice’ lessons are learned. I understand that a new UK passport will issue shortly and that this passport book will incorporate new security features. I am satisfied that the current Irish passport includes a suitable range of equivalent security features. However, passport security is regularly reviewed by the Passport Service and new features will be added to the Irish passport, should this prove necessary. Over the coming year the Passport Service will make significant changes in the processing of passport applications aimed at speeding the renewal of passports and preventing identity fraud. These will include a new simplified application form and procedure for adults seeking to renew their passports and a requirement that certain categories of first time applicants submit additional documentary evidence in support of their application.

In August I confirmed that the backlog in passport applications, which occurred following a period of prolonged industrial action, had been cleared. Every effort will be made to ensure that such a backlog does not reoccur. The introduction of different procedures for first time applications and renewals will assist in this regard. Additionally, as part of the settlement of the dispute the Chief Executive of the Labour Relations Commission agreed to undertake an examination of staffing levels in the Passport Service. I understand that this examination will take place later this year and I hope this process will help prevent future industrial unrest.

Overseas Elections

94. **Deputy Róisín Shortall** asked the Minister for Foreign Affairs his views on the recent elections held in Bosnia; the way he sees the impact of these impacting on the possibility of lasting peace in the country [36101/10]

Minister for Foreign Affairs (Deputy Micheál Martin): A general election was held in Bosnia-Herzegovina on 3 October. Under Bosnia-Herzegovina's complex constitutional system voting took place for the three-person state-level Presidency, the state-level House of Representatives as well as at a regional level within the Bosniak-Croat Federation and the Serb Republic. Provisional results indicate gains for moderates in the Federation while the ruling party, the Alliance of Independent Social Democrats, did well in the Serb Republic. Turnout is estimated to have been 56%, an increase on recent elections. In its preliminary assessment, the OSCE-led election observation mission reported that the elections were conducted generally in line with OSCE and Council of Europe commitments and represented further progress for Bosnia-Herzegovina. Ireland contributed nine short term observers to the OSCE-led election observation mission.

I welcome the positive preliminary findings of the OSCE-led election mission. The relatively strong turnout demonstrates the commitment of the Bosnian people to democracy and their determination to shape their own future. Ireland, along with our EU partners, remains committed to enhancing stability in the Western Balkans region. The EU perspective for the countries in the region, agreed at the June 2003 Thessaloniki European Council, is essential in helping to build and maintain this stability. When I met with Foreign Minister Sven Alkalaj in New York last month he emphasised the importance of the EU accession perspective for his country. This meeting followed up on the more detailed discussions I had with Minister Alkalaj during his visit to Dublin in March.

It is important that now, after the general election, fresh impetus is given to domestic reforms to ensure Bosnia-Herzegovina moves forward on the path towards the EU. The EU is ready to play its part by encouraging political leaders in Bosnia-Herzegovina to engage in constructive dialogue and by assisting with the reform process. However, the key to progress lies with the political parties themselves.

Diplomatic Relations

95. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs to provide an update on recent developments in Colombia [36099/10]

128. **Deputy Willie Penrose** asked the Minister for Foreign Affairs his views on the deterioration of relations between Colombia and Venezuela relations due to accusations by the Colombian administration claiming that the Venezuelan Government is harbouring terrorists [36106/10]

387. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he directly, through the UN or EU had attempted to positively influence the situation in Colombia; and if he will make a statement on the matter. [36417/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Question Nos. 95, 128 and 387 together.

On 7 August 2010 President Juan Manuel Santos Calderón was inaugurated as President of Colombia.

[Deputy Micheál Martin.]

In his inauguration address, President Santos indicated that one of his fundamental aims as President will be to re-establish ties with Venezuela and Ecuador, to restore trust between them and to privilege diplomacy and prudence in their bilateral relations. On 10th August President Santos met with President Chavez and they agreed to re-establish diplomatic relations between the two countries which had been broken off by Venezuela on 22nd July in response to allegations that Venezuela was harbouring Colombian terrorists.

Efforts are underway to normalize diplomatic relations between Colombia and Ecuador, which were broken off following an incursion in March 2008 by the Colombian Armed Forces into Ecuador which resulted in the death of a Forzas Armadas Revolucionarias da Colombia (FARC) leader Manuel Reyes. On 23rd September, Victor Suárez, reportedly the military leader of the FARC, was killed by Colombian Armed Forces in La Macarena, in central Colombia. Commenting on the incident, President Santos noted that the loss of such an important FARC figure will make a considerable contribution to ending terrorism and narco-trafficking in Colombia.

During his inauguration address, President Santo emphasised that human rights would be a key issue during his term of office. He stated that Colombia's Ministry of Justice will be re-established as the Ministry of Justice and Rights with a view to strengthening the State's policy in support of justice and protecting fundamental rights. I am encouraged that President Santos has tasked his Vice President, Angelina Garzón, with particular responsibility for taking forward his government's programme in this important area. Furthermore, I have written to Foreign Minister Maria Ángela Holguin Cuéllar to indicate my continuing interest in human rights dialogue with the Colombian government.

During negotiations on a Free Trade Agreement between the EU and Colombia, Ireland insisted on the inclusion of a clause committing both the EU Member States and Colombia to the implementation of their human rights responsibilities with the proviso that failure to do so would result in the suspension of the Agreement.

I can assure you that the Government will continue to closely follow the human rights situation in Colombia and take any steps we consider necessary bilaterally as well as in cooperation with our EU Partners. End of Take

North Korean Leadership

96. **Deputy Mary Upton** asked the Minister for Foreign Affairs his views on recent developments regarding the leadership of North Korea [36097/10]

Minister for Foreign Affairs (Deputy Micheál Martin): There has been intense speculation about political developments in the Democratic People's Republic of Korea, following the announcement late last month of the promotion of Kim Jong-un, the youngest son of current leader, Kim Jong-il, to the rank of four-star general. The promotion was announced to the North Korean media agency following the Worker's Party congress, the first to be held in forty-four years. The promotion is seen by some as a signal that Kim Jong-un is the heir apparent to his father. Despite the ongoing speculation, there has been no official announcement of any change in leadership by the North Korean authorities to date. Notwithstanding this, China, a key interlocutor for the Korean peninsula and the North's closest supporter, issued a statement on 2 October pledging to strengthen ties with the new leadership. The United States has also issued a statement, calling on the new regime to honour the denuclearisation agreement signed in 2005.

Concerns have been expressed regarding possible internal instability in North Korea if the transfer of leadership, when it comes, is challenged. Such a development could have implications for the stability and security of the region as a whole and indeed beyond. However, I hope that any transition would take place peacefully and might even allow for progress to be made on a number of outstanding issues, including the stalled Six Party Talks. Transition to a new generation of leaders in the Democratic People's Republic of Korea could also be an opportunity for North Korea to emerge from its isolation and implement reforms leading to democracy and human rights for its citizens. The international community needs to be ready to respond imaginatively and generously in the event of such a positive development.

Ministerial Appointments

97. **Deputy Dinny McGinley** asked the Minister for Foreign Affairs his views on the fact that no Irish ambassadorial appointment was made to the European external action service announced on 15 September 2010; and if he will make a statement on the matter. [36062/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The European External Action Service, the EEAS, is an important innovation under the Lisbon Treaty to support the work of the new High Representative for Foreign Affairs and Security Policy, Catherine Ashton. The Treaty provides that the EEAS will comprise officials from relevant departments of the Commission and the Council Secretariat, as well as staff seconded from the national diplomatic services of the Member States. The former European Commission Delegations outside the European Union have now become Delegations of the European Union, and are under the authority of the High Representative. While the EEAS is not yet fully up and running, the European Commission opened the competition for Heads of Delegation in this year's rotation to applicants from the diplomatic services of the Member States and the Council Secretariat.

On 15 September High Representative Ashton announced an initial tranche of appointments of 28 Heads of Delegation, as well as the Deputy Head of Delegation in Beijing. There was a number of applicants from Ireland's diplomatic service, some of whom were called for final interview. However, none were successful on this occasion. Of those appointed, three are Irish citizens working for the Commission. While this is a gratifying reflection of the calibre of Irish people serving in the European Institutions, naturally they will be counted as coming from the Commission stream of staffing for the EEAS rather than that of the Member States.

There are currently two other EEAS staff selection processes underway. One is for 10 senior posts at the headquarters of the EEAS in Brussels, and the other is for 81 more junior posts, mostly in EU Delegations. Appointments should be made by the High Representative in the coming months. Officers from the Department of Foreign Affairs have applied for some of these positions.

Ireland has consistently pressed for the EEAS recruitment process to be open, transparent and merit-based, while also ensuring that EEAS staffing is representative of the diversity of the Union. The Council Decision establishing the organisation and functioning of the European External Action Service states that recruitment should be based on merit whilst ensuring adequate geographical and gender balance, and also that the staff of the EEAS should comprise a meaningful presence of nationals from all the Member States.

I am conscious that the number of posts involved in this first round of appointments was small and not fully representative of the EEAS. I am confident, however, that Irish diplomats will be included in future rounds of appointments and will make a valuable contribution to the work of the new service.

Departmental Bodies

98. **Deputy Tom Sheahan** asked the Minister for Foreign Affairs the number of agencies, commissions, committees and boards under the his Department; the role each of these play; the annual cost of each of these for the past five years; and if he will make a statement on the matter. [36082/10]

Minister for Foreign Affairs (Deputy Micheál Martin): There are currently five bodies which operate under the aegis of my Department: the Development Education Advisory Committee (DEAC); the Government Emigrant Services Advisory Committee (previously known as *Díon*); the Audit Committee of the Department of Foreign Affairs; Department of Foreign Affairs/NGO Standing Committee on Human Rights; and the Fulbright Commission (the Board of the Ireland — United States Commission for Educational Exchange). A further two bodies — the Advisory Board of Irish Aid (ABIA) and the Hunger Task Force — also operated during the period in question. There are other committees led by my Department that do not have dedicated budgets. The Fulbright Commission, ABIA and the Hunger Task Force received funding from my Department during the period in question, as indicated in the table below. The remaining bodies are all committees, the administrations of which are serviced directly by my Department's budget.

Funding Provided

	2006	2007	2008	2009	2010
	€	€	€	€	€
Fulbright Commission	254,000	254,000	254,000	254,000	254,000
Advisory Board for Irish Aid (ABIA)	1,062,884	1,152,868	738,047	N/A	N/A
The Hunger Task Force (grant)	N/A	25,987	257,669	18,334	N/A

Acting on a recommendation contained in the Irish Aid Management Review adopted by the Government in 2009, an Irish Aid Expert Advisory Group (IAEAG) has now been established. The role of the Group is to offer independent expert advice to me and my colleague the Minister of State for Overseas Development on the strategic direction of the aid programme. The inaugural meeting of the Advisory Group will be held in November 2010. The administration costs associated with this Group will be serviced directly by my Department's budget.

The members of the Department's Audit Committee work on a voluntary basis and receive no remuneration, travel expenses or subsistence.

Passport Applications

99. **Deputy Frank Feighan** asked the Minister for Foreign Affairs the position regarding the investigations into forged Irish passports being used in Dubai earlier this year and a forged passport being used in the USA in July; and if he will make a statement on the matter. [36041/10]

Minister for Foreign Affairs (Deputy Micheál Martin): In June I received a copy of the Passport Service investigation into the use of forged Irish passports in a Dubai incident. This investigation reached the conclusion that an Israeli government agency was responsible for the misuse and, most likely, the manufacture of the forged Irish passports associated with the murder in Dubai. As a result of my recommendation to Government, and by way of protest at this unacceptable action, Israel was requested to withdraw a designated member of staff of its Embassy in Dublin. This request was accepted by the Israeli authorities. On Sunday 27 June,

U.S. federal agents arrested ten people in the states of New York, New Jersey, Virginia and Massachusetts for allegedly carrying out long-term, “deep cover” assignments in the United States on behalf of the Russian Federation. A total of eleven defendants, including the ten arrested, were charged with conspiring to act as unlawful agents of the Russian Federation within the United States; while at that time one defendant remained at large. The affidavit lodged by the F.B.I. to justify the bringing of charges against the defendants alleged that one of the defendants travelled to Moscow using a false Irish passport. A search of the Irish passport database confirmed that a valid Irish passport with the same details as those on the alleged false Irish passport had issued in 2001 to an Irish citizen.

On being made aware of these allegations I asked the Passport Service and An Garda Síochána to undertake an investigation into the alleged use of a false Irish passport. This investigation is underway at present and I do not wish, at this stage, to speculate on its conclusions. However, I understand that the Gardaí have since received information alleging that as many as six Irish forged passports using material cloned from the valid passports of Irish citizens may have been involved in the case in question.

I can confirm that a small number of citizens have been interviewed by the Gardaí and the Passport Service and that those whose passport details have allegedly been used are, as a precautionary measure, being issued with replacement passports. None are suspected of any wrongdoing on their part.

Once I have had received the reports of the Garda and the Passport Service, I will consider the evidence before reporting to the Government and recommending any course of action. I will then report to the House.

Terrorist Attacks

100. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs his views on recent tourist advisory warnings issued by countries to their citizens living or travelling in Europe due to perceived risks of terrorist attack [36086/10]

Minister for Foreign Affairs (Deputy Micheál Martin): While I am aware of the recent travel advisories issued by other countries to their citizens travelling to Europe, it is the Department of Foreign Affairs that issues detailed travel advice for the benefit of Irish citizens travelling or resident abroad. The Department’s advice is available on its website, www.dfa.ie. It reflects a considered assessment of the risks involved and is based on the best information available to the Department. It draws on reports from Irish Diplomatic and Consular Missions abroad and advice issued by other countries, including Member States of the European Union, as well as other like minded countries. The advice takes account of any current security situation that exists and every effort is made to ensure that the advice offered is accurate and up-to-date.

Ireland works closely with other Member States of the European Union in the consular area in ensuring effective coordination and in exchanging essential information as to how to act together in advising and assisting all our citizens.

The Department is not currently advising against travel to Member States of the European Union. We are, however, advising citizens when travelling to be alert to possible threats of terrorist attack on places frequented by tourists. If we are advised of any specific threat at any time we will amend our advice to reflect this.

As I am sure the Deputy will accept, the primary responsibility for undertaking a journey overseas rests with the individual. However, I can assure the Deputy that my Department will continue to monitor the situation closely and will remain in regular contact with our European colleagues in order to provide our citizens with the most helpful advice in this regard.

United Nations General Assembly

101. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs if he will outline his recent attendance at the United Nations General Assembly; and if he will make a statement on the matter. [36122/10]

Minister for Foreign Affairs (Deputy Micheál Martin): A major event marking the opening of this year's General Assembly session was the High Level Summit meeting on the Millennium Development Goals (MDGs) convened by Secretary General Ban and which took place from 20-22 September. I was honoured to head the Irish Delegation to this important event and to deliver Ireland's statement to the Summit on 21 September in which I restated Ireland's continued commitment to the achievement of the Goals, emphasising in particular the challenge of addressing hunger. Also on 21 September, as part of the events of the wider MDG Summit, I co-hosted with Hillary Rodham Clinton, the US Secretary of State, an important meeting of international leaders to address world hunger and undernutrition. The meeting was attended and addressed by Secretary General Ban as well as ministers from a number of developing and donor countries, by the Heads of several UN agencies including World Food Programme, the World Health Organisation and UNICEF, and by civil society and private sector representatives. The event, entitled *1,000 Days* and which focused on the danger posed by under-nutrition to children under two years old, was very successful in highlighting the need for more effective and concerted international action in this area as part of the drive to achieve the Millennium Development Goals while also providing an excellent example of the strong and effective cooperation which now exists between Ireland and the US in combating global poverty and hunger.

As part of ongoing work by Ireland to progress the international disarmament agenda, I participated in a Ministerial Meeting of the Comprehensive Test Ban Treaty on 23 September and in a High Level Meeting convened by the UN Secretary-General on 24 September, to examine how the work of the Conference on Disarmament and the global disarmament machinery in general could be revitalised.

Together with my EU counterparts, I participated in EU Ministerial meetings with both US Secretary of State Clinton and Russian Foreign Minister, Sergey Lavrov. Both meetings provided important opportunities for exchanges with these two key strategic partners of the EU.

As is also customary during the UNGA Ministerial Week, I availed of the opportunity to conduct a round of bilateral meetings with a number of foreign ministers of other countries, including the foreign ministers of Australia, Turkey, Egypt, Serbia, Croatia, and New Zealand as well as the Secretary General of the Arab League.

The focus of my visit to New York was not exclusively on UN matters but also provided me with a useful opportunity to engage in economic promotional work and also to meet local Irish community representatives in New York and Philadelphia. I carried out a number of engagements with business leaders, including the Irish American Leadership Council in New York and the Irish American Business Chamber in Philadelphia and also undertook a number of interviews with major US media, including Bloomberg, Fox Business channel and the New York Times, in which I briefed on the measures the Government is taking to meet the current economic challenges. I was also pleased during my visit to join with those taking part in the first annual Irish Theatre Festival in New York in celebrating and promoting Irish culture.

Human Rights Issues

102. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs to indicate, while accepting the urgent need for the EU to encourage Serbia's accession to the European Union, recognition is given to the equally important requirement to bring those wanted for war crimes such as the Bosnian Serb Army commander (details supplied) indicted for genocide, war crimes

and crimes against humanity and Croatian Serb leader indicted for crimes against humanity are brought before the International Criminal Tribunal for the former Yugoslavia in the Hague thereby clearly demonstrating that the perpetrators of such atrocities are brought to justice; if he will endeavour to use his influence throughout the European Community to this end; and if he will make a statement on the matter. [36121/10]

386. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent, if any, to which he and his EU colleagues intend to encourage the handing over of specific persons to the International Criminal Tribunal for the former Yugoslavia at the Hague; and if he will make a statement on the matter. [36416/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Questions Nos. 102 and 386 together.

I can assure the Deputy that I recognise the need for all countries in the Western Balkans, including Serbia, to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia (ICTY). The EU's Stabilisation and Association Agreement process provides the framework for cooperation on economic, political and legal matters aimed at bringing the Western Balkan countries towards the standards and principles required for EU accession. Cooperation with ICTY is a precondition for those wishing to conclude Stabilisation and Association Agreements with the EU — a precondition which the EU has enforced consistently and firmly. A Stabilisation and Association Agreement was signed with Serbia in April 2008. However, it was decided to defer ratification of the Agreement until the Council was satisfied with Serbia's cooperation with ICTY. Following a positive assessment regarding Serbia's ongoing cooperation with the Tribunal from the Chief Prosecutor, Ministers decided, by consensus, at the Foreign Affairs Council on 14 June 2010 to submit the Agreement to their national parliaments for ratification. At the same time, the Council again underlined that full cooperation with ICTY remains an essential element of the Stabilisation and Association Agreement process.

Serbia formally applied for EU membership in December 2009. The next step in the process is for the General Affairs Council to request an "avis", or opinion, from the European Commission. It is possible that this will be considered at the October General Affairs Council. I believe it is important that we acknowledge the substantial progress Serbia has made in the ten years since protests led to the end of the Milošević regime. Recent months have seen a number of positive developments which demonstrate that Serbia's Government has moved away from the destructive politics of past decades. These positive developments include: the declaration by the Belgrade Parliament last March condemning the Srebrenica massacre; the handing over of the wartime notebooks of Ratko Mladic to the ICTY in May; the joint visit by the Serbian and Croatian Presidents to Bosnia for the Srebrenica commemoration this July; the indictment in September of nine former paramilitaries by the country's war crimes prosecutor over the killing of ethnic Albanians during the Kosovo conflict; and the joint EU-Serbia UN General Assembly resolution on Kosovo this September. When I met with Foreign Minister Vuk Jeremic in New York last month he emphasised the importance Serbia attaches to EU integration. He also underlined Belgrade's commitment to working with ICTY.

The EU will continue to encourage Serbia as it rebuilds relations with its neighbours, allowing it to move further along on its path to the EU. At the same time, the EU will also insist that this path must see Serbia continuing to cooperate fully with ICTY in bringing the two indicted war criminals that remain at large to justice in The Hague.

103. **Deputy Pat Rabbitte** asked the Minister for Foreign Affairs if he will provide the most recent position as it pertains to the Saharawi people and their struggle for self-determination and independence. [36114/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Ireland continues to support the right to self-determination of the people of Western Sahara, as well as the continuing engagement of the United Nations in the search for a political solution in the territory based on the principle of self-determination. UN Secretary General Ban's Personal Envoy for Western Sahara, Christopher Ross, is continuing his efforts to convene direct negotiations between the two sides, following the last such discussions held in March 2008. In an attempt to resume contact this year, Mr. Ross hosted a second round of informal discussions in New York in February following an initial round held in Austria in August 2009, but unfortunately he has had to report that so far there has been no real engagement between the two sides, Morocco and the Polisario, in resolving the outstanding issues. The major issue remains Morocco's refusal to allow a Referendum in the territory which would include an option of independence for the people of the Western Sahara. This has been provided for in a number of UN peace plans, and it is difficult to see that there can be any genuine self-determination without such a referendum. Mr. Ross visited the region in the early part of this year, and reported back to the UN Security Council in some detail.

In an effort to move beyond the current impasse, Mr Ross this summer started to visit the capitals of the so-called Group of Friends (this group is comprised of the UK, France, Spain, the U.S. and Russia). Mr Ross reported that these meetings revealed an interest in moving beyond the status quo and finding a solution. In addition, there was unanimous agreement on the need to intensify work on confidence-building measures, including the resumption of family visits by air, the early inauguration of family visits by road and other steps proposed by the UN High Commissioner for Refugees (UNHCR). It is disappointing therefore that a recent family visit had to be aborted in September, particularly since Algeria, Morocco and the Saharawis had agreed to expand the Confidence-building Measures Programme in meetings with the UN High Commissioner for Refugees earlier in September. I urge all parties to resume these flights and build on the Confidence-building Measures Programme, and to implement the UNHCR proposal to allow family reunification visitors to travel by land as well as air to the Saharawis refugee camps, based in Tindouf, Algeria.

Issues pertaining to the Western Sahara are regularly raised at EU level within the framework of the EU-Morocco dialogue. The most recent EU — Morocco Summit took place in Granada on 7 March 2010. The EU conveyed its concerns over the situation of Western Sahara as well as the need to safeguard the rights of both Moroccan and Saharawi human rights defenders, and these concerns were reflected in the joint statement after the meeting.

Ireland will continue its dialogue with both Morocco and the Polisario, through their representatives based here in Ireland, to encourage support for the UN Secretary General's good office's mission and the efforts of Personal Envoy Ross to achieve some measure of political progress and increased confidence between both sides.

Overseas Elections

104. **Deputy Jan O'Sullivan** asked the Minister for Foreign Affairs his views on the political situation in Ethiopia where recent elections have led to a situation whereby all but one parliamentary seat is held by the political party which has held power since 1991 [36110/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The development of Ethiopia as a stable and democratic State is of great importance to Ireland and to the European Union. Ethiopia is one of the priority countries within our official development cooperation programme and is an important and influential country in the Horn of Africa region. Elections to the House of Representatives and the State Councils took place in Ethiopia in May 2010. The

EPRDF party, together with six political parties that are affiliated to it, won 545 of 547 seats in Parliament in a first past the post electoral system.

The European Union Election Observation Mission (EU EOM), which included a number of Irish Election Observers, noted the high turn-out, the peaceful, orderly nature of the polling as well as the generally competent organisation of the elections. However, while welcoming this positive feature of the elections, I am concerned to note the assessment by the EU Mission in its preliminary report that the process was marred by narrowing political space, an electoral playing field that was insufficiently balanced, and that overall the process failed to gain the confidence of opposition political parties. I look forward to receiving the final report on the full findings of the EU Election Observer Mission that is due to be published shortly.

When I visited Ethiopia in early July, I had the opportunity to discuss these issues with leading Ethiopian Government figures, including Prime Minister Meles Zenawi, as well as with representatives of the main opposition parties. A further theme during all of these meetings was how best political dialogue and engagement with civil society can be developed in the post-electoral period and how the international community can support the process of democratisation. I urged that positive steps be taken to build confidence in the democratic institutions.

Another issue that I raised during my visit was that of the detention of opposition leader Ms Birtukan Mideksa. I have followed closely her case since her re-arrest and return to prison in December 2008. I very much welcome that she has been released in recent days.

We will continue to monitor closely developments in the political situation in Ethiopia and we will avail of every opportunity both bilaterally and with our EU partners to encourage further progress in its process of democratisation.

International Investigations

105. **Deputy Róisín Shortall** asked the Minister for Foreign Affairs if on foot on previous questions, he will outline the current position towards advancing his call for an independent international investigation into events surrounding the Freedom Flotilla to Gaza; if he is working to ensure that a credible investigation will take place; and if he will make a statement on the matter. [36102/10]

Minister for Foreign Affairs (Deputy Micheál Martin): In the wake of the events of 31 May, I echoed the call of the President of the UN Security Council on 1 June for a “prompt, impartial, credible and transparent investigation conforming to international standards”, and I spoke in support of the efforts of Secretary General Ban to establish a panel along these lines. On 2 August the Secretary General announced the setting up of a 4-person Panel of Inquiry led by former New Zealand Prime Minister Geoffrey Palmer, and crucially including members nominated by the Turkish and Israeli Governments, whose participation had been secured by the Secretary General. The Panel commenced work in August, and submitted a procedural report in mid September. In that report, Mr. Palmer stated that the Panel was operating successfully, and the members were working collegially and cooperatively.

The work of the Panel is fourfold:

- To receive and review reports of the national investigations being conducted by Israel and Turkey
- To request as necessary further information and clarifications from Israel and Turkey,
- To examine the facts, circumstances and context of the events, and

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- To consider and recommend ways to avoid similar incidents in the future.

The Panel is free to decide for itself how it will conduct its business and carry out these tasks. It is likely to be some months yet before the Panel will be in a position to submit a substantive report.

A separate Fact Finding Mission established by the UN Human Rights Council reported on 22 September. I would expect that this report will also be taken into consideration by the Panel of Inquiry.

Overseas Elections

106. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs his views on the outcome of the recent presidential election in Brazil and the impact these elections will have internationally [36100/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Presidential and legislative elections took place on 3 October in Brazil. The results of the Presidential election gave 46.9% of the vote to Workers' Party (PT) candidate Dilma Rousseff, 32.6% to José Serra of the Brazilian Social Democratic Party (PDSB), and 19.3% to Marina Silva of the Green Party (PV). As no candidate achieved more than 50% of the votes cast, a second round in the Presidential election will be held on Sunday 31 October, in a runoff between Ms Rousseff and Mr Serra.

Millennium Development Goals

107. **Deputy Liz McManus** asked the Minister for Foreign Affairs if he will explain Ireland's decision to abstain from the UN resolution making water a human right in particular given Ireland's previously stated commitment to millennium development goal seven which pledges to half the proportion of persons without access to safe drinking water and basic sanitation [36103/10]

110. **Deputy Joan Burton** asked the Minister for Foreign Affairs, on foot of the UN Human Rights Council declaring the right to water and sanitation to be legally binding, to outline Ireland's position in this matter and the positive steps the Government will take to ensure universal vindication of this right [36090/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Question Nos. 107 and 110 together.

Ireland is committed to the full realisation of all human rights, and to the achievement of the Millennium Development Goals, including the seventh Millennium Development Goal of reducing by half, by 2015, the proportion of people without sustainable access to safe drinking water and sanitation.

Through the Government's development programme Ireland is working with central and local Government in our Programme Countries, with civil society groups and with multilateral organisations to contribute to the achievement of this Goal.

Ireland recognises that sustained and equitable access to water is not only a life-saving intervention in humanitarian responses but is critical in addressing the complex and multi-dimensional nature of poverty, especially in relation to child mortality, food security and gender equality. Last year, through the aid programme, Ireland provided €12.6 million in direct support to water and sanitation activities through our Programme Countries and civil society organisations. In addition, significant funding was provided to multilateral organisations, including

UNICEF, which have a strong focus on water and sanitation in their programmes. As I informed the Joint Committee on Foreign Affairs last week, Ireland was pleased to co-sponsor a Resolution on ‘Human rights and access to safe drinking water and sanitation’ at the 15th Session of the United Nations Human Rights Council in Geneva last month. That Resolution was adopted by consensus.

Two years ago, in 2008, the UN Human Rights Council adopted by consensus a Resolution which recognised the existence of human rights obligations relating to access to safe drinking water and sanitation. Ireland supported and co-sponsored that Resolution. The Human Rights Council appointed for a period of three years an independent expert, Ms. Catarina de Albuquerque, whose mandate includes the clarification of the content of human rights obligations, including non-discrimination, in relation to access to safe drinking water and sanitation, in cooperation with and reflecting the views of Governments and relevant United Nations bodies, and in further cooperation with the private sector, local authorities, national human rights institutions, civil society organisations and academic institutions. This process being conducted by Ms. de Albuquerque, which Ireland supports, has already produced some valuable insights into the issues involved. The process is based on inclusiveness and aims at allowing the emergence of a consensus within the international community.

On 28 July 2010, the United Nations General Assembly adopted a Resolution on the human right to water and sanitation. The Resolution was adopted following a recorded vote of 122 in favour to none against, with 41 abstentions. Ireland closely followed the negotiations on the draft Resolution sponsored by Bolivia and supported suggestions put forward by the EU that, in our view, would have resulted in a better and more balanced text and allowed the General Assembly to reach consensus on this very important issue. Unfortunately many of the EU suggestions were not taken into consideration. The final Bolivian text bypassed the Human Rights Council process and, arguably, prejudiced the outcome of that process, introducing division where consensus should have been sought.

Following careful consideration within my Department and with other Departments, we did not feel that we could support in its entirety the final Bolivian text presented to the General Assembly. Ireland, along with seventeen of our European Union partners, took the decision to abstain from voting on this issue.

Ireland remains convinced that the only way to achieve real progress on access to safe drinking water and sanitation is to maintain consensus within the international community and we are committed to continuing to work in that direction with EU partners and the wider international community.

EU Meetings

108. **Deputy Ciarán Lynch** asked the Minister for Foreign Affairs to report on the recent Asia Europe meeting, ASEM8, hosted in Brussels by the Belgian Presidency of the European Union; if he will outline the agenda and any positions and input made by Ireland to deliberations [36094/10]

Minister for Foreign Affairs (Deputy Micheál Martin): As the Deputy will be aware, the Taoiseach, Brian Cowen T.D., attended the 8th Asia-Europe Meeting (ASEM) Summit in Brussels from 4 to 5 October. The overarching theme of the meeting was ‘Quality of Life’. The ASEM Summit brought together the leaders of 46 countries, representing half of the world’s GDP, two thirds of the world’s population and almost two thirds of global trade. New Zealand, Australia and Russia also formally acceded to ASEM at the summit.

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The Brussels meeting provided a valuable opportunity for the Taoiseach to engage informally with the leaders of all of Ireland's leading export markets in Asia, including China, Japan, Malaysia, Singapore, Australia, Korea and India.

The Taoiseach addressed the summit session entitled "Global Issues in Focus", at which leaders discussed a number of challenges including the fight against terrorism, piracy at sea and non proliferation. In his remarks at the summit, the Taoiseach highlighted Ireland's important role in promoting disarmament and the non-proliferation of nuclear weapons, referring to the high priority which Ireland attaches to its work in this area. He welcomed the successful review conference of the Non-Proliferation Treaty in May of this year. Ireland chaired the body on the sensitive issue of the 1995 resolution calling for the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East. He also referred to Ireland's key role in helping to secure a prohibition on cluster munitions that cause unacceptable harm to civilians, and commended the achievement of the entering into force of the Convention on Cluster Munitions. He also welcomed the First Meeting of States Parties which will take place in November in the Lao People's Democratic Republic, a country which has suffered greatly from the effects of cluster munitions.

There was also a discussion on human security issues, disaster prevention and relief together with reform of the UN system. Other sessions discussed global economic and financial governance, sustainable development, global and regional political issues and issues specific to ASEM.

The Summit had a strong business focus, with dialogue between the leaders on the global financial and economic crisis. The Taoiseach had a meeting on Tuesday, 5 October with leading European and Asian business people, together with a briefing on the Asia Europe Business Forum which was held in parallel in Brussels on 3 and 4 October. While in Brussels, the Taoiseach also attended an event organised by Enterprise Ireland targeting the healthcare sector in Belgium and the Netherlands. Information technology in healthcare represents one of the fastest growing export sectors within the Irish economy and a number of Irish companies have successfully launched their products and services in the Belgium and the Netherlands.

I believe that the Asia-Europe Meeting is a valuable initiative, facilitating as it does high-level discussions and co-operation between Asian and European leaders on areas of common interest. Ireland is actively involved in the ASEM process and contributes to the ongoing dialogue and programmes, including those organised by the Asia-Europe Foundation, the sole physical institution of ASEM.

I would like to take this opportunity to congratulate our Belgian colleagues on their successful hosting of the ASEM Summit and the wide range of parallel events. The quality of the Chair's agreed statement and summit declaration, in the drafting of which Ireland was actively involved, was very high. The tone of the political aspects of the statement was very constructive, with agreement being reached on difficult subjects such as Burma/Myanmar, North Korea, the Middle East and Afghanistan.

Overseas Elections

109. **Deputy Jim O'Keeffe** asked the Minister for Foreign Affairs his views on the oppressive efforts of the current regime in Burma to secure false electoral respectability and the steps that will be taken at EU and UN level to support the position of the democratic leader (details supplied); and if he will make a statement on the matter. [36127/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Government remains closely engaged at both European Union and international level in monitoring the situation in Burma

and in supporting the Burmese people in their struggle for democracy and human rights. In relation to the upcoming elections scheduled to be held in November, the electoral laws published in March indicate that the regime intends to control every aspect of the election's preparation, outcome and the ensuing future government. Instead of a free, fair and inclusive process, the elections, in my view, are likely to lack any real credibility. In their current form they seem intended only to maintain the regime's grip on the country.

Among the serious consequences of these laws are the restrictions placed on the registration of political parties and individuals, which have effectively forced Aung San Suu Kyi and her National League for Democracy party, which has done much to promote justice, democracy and reconciliation in Burma, to disband as a political organisation.

Notwithstanding the difficult position in which ethnic minorities and political parties have been placed by the actions of the regime, I note that some ethnic groups are working to try to take advantage of the possible opportunity afforded by the elections to secure representation in local and national legislatures. However, in spite of this sign of good faith by such groups, I am most concerned at reports that the regime has moved to stifle further the rights of minorities in the lead-up to the elections.

At the recent ASEM summit, which the Taoiseach attended there was an agreed statement on Burma/Myanmar. ASEM leaders called on the Burmese government to take necessary measures to ensure that the November elections were free, fair and inclusive and marked a step towards a legitimate, constitutional, civilian system of government. They also sought the release of political prisoners and called on the regime to engage and cooperate with both the UN good offices mission and the international community. The statement was a significant, positive step forward for this particular forum, which includes many neighbours and associates of Burma.

I believe that a crucial element in the national reconciliation and democratisation process is the release without delay of all political prisoners, including Aung San Suu Kyi. This could contribute to a new atmosphere in advance of the elections, allowing space for the initiation of a process of national dialogue and reconciliation, involving all opposition and ethnic groups.

We also continue to support the good offices mission of the UN Secretary General and I call on the Burmese authorities to cooperate constructively with the mission and with his Special Envoy, Thomas Ojea Quintana.

As the poll date draws nearer, I will continue to work closely with our European and international partners in support of human rights and democracy in Burma.

Question No. 110 answered with Question No. 107.

Millennium Development Goals

111. **Deputy Willie Penrose** asked the Minister for Foreign Affairs if he will comment on Ireland's commitment towards those with disabilities with regard to the millennium development goals [36105/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): Ireland played an important role in the negotiation of the Outcome Document for the MDG Review Summit which I attended at the United Nations in New York last month. I am very pleased that the Outcome Document, which was adopted unanimously by the UN General Assembly, recognises that development policies and actions must focus on those living in the most vulnerable situations, including persons with disabilities. It recognises that people living with disabilities must benefit from progress towards achieving the Millennium Development Goals. It also high-

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lights the need to provide more equitable access to economic opportunities and social services for persons with disabilities, including access to employment.

The Government's approach to dealing with the issue of disability in the context of international development is guided by the 2006 White Paper on Irish Aid. The White Paper recognises the inter-relationship between poverty and disability. Disabled people are vulnerable to poverty and its effects. At the same time, poor people are at risk of becoming disabled as a result of unsafe living environments, undernutrition, lack of access to immunisation, exposure to communicable diseases, and unsafe birthing services which endanger both mothers and babies. Our development cooperation programme, which is managed by Irish Aid in the Department of Foreign Affairs, embraces the World Health Organisation's concept of disability as a complex phenomenon, which requires action across a diverse range of activities. The aim is to ensure that disability is effectively prevented and that disabled people are not excluded or exploited.

Since 2007, Ireland has provided over €100 million annually for assistance in the areas of health, HIV and AIDS and communicable diseases. We have focused this assistance on the world's poorest countries and communities, especially in sub-Saharan Africa. We are making a very substantial contribution to the prevention of disability and to access to care through the provision of essential first-line services, vaccines and commodities.

Ireland's support to basic education in developing countries also emphasises increased access for disabled and marginalised people. We are also working in our Programme Countries to promote greater participation in politics and society by marginalised and excluded groups, including disabled people and those caring for the disabled.

Ireland also provides significant direct support to development Non-Governmental Organisations working with disabled people and their carers. These include Concern, Goal, Trócaire, Christian Aid and Self Help Africa, all of which undertake significant health and human rights work that benefits disabled people.

In addition, Irish Aid has established an important partnership with the International Labour Organisation which focuses on assisting people with disability and promoting legislation in relation to disability in Africa.

Human Rights Issues

112. **Deputy Alan Shatter** asked the Minister for Foreign Affairs the action he will take within the European Union and in the United Nations following publication by Amnesty International Ireland of its report *From Protest to Prison: Iran One Year after the Election*; and if he will make a statement on the matter. [35744/10]

119. **Deputy Kathleen Lynch** asked the Minister for Foreign Affairs his views on the present situation in Iran, especially with reference to the status of political prisoners, in particular concerning the Government's policy of targeting human rights activists, women's rights activist and members of Iran's religious and ethnic minorities. [36111/10]

123. **Deputy Mary Upton** asked the Minister for Foreign Affairs his views on the sentencing of an Iranian Internet blogger (details supplied) to 19 years in prison; and if Ireland has condemned such restrictions on free speech [36098/10]

394. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will report on the ongoing situation regarding human rights abuses in Iran; and if he will make a statement on the matter. [36424/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Question Nos. 112, 119, 123 and 394 together.

The human rights situation in Iran has deteriorated significantly, from an already poor position, since the Presidential election in 2009. I am gravely concerned about the widespread, arbitrary and sometimes politically-motivated use of the death penalty in Iran, the possibility of execution by stoning, the execution of minors and the execution of members of minority communities. I am also extremely concerned about the continued repression of civil and political rights in Iran, including in relation to freedom of expression and assembly, arbitrary arrest and torture in detention. This highly targeted repression has been particularly stringent against members of Iran's religious and ethnic minorities, political activists, journalists and bloggers, human rights defenders and members of the legal profession in Iran who represent clients detained by the authorities. These actions are in clear violation of Iran's international obligations under the International Covenant for Civil and Political Rights, of which Iran is a signatory. Many of these violations are described in detail in Amnesty International's report "From Protest to Prison: Iran One Year after the Election."

I drew attention to the deteriorating human rights situation in Iran in my address to the UN General Assembly on 27 September. In my remarks, I called upon Iran to respect and fulfil the international obligations it has undertaken in the field of human rights, in both law and practice. I referred to some profoundly disturbing recent instances of human rights abuses, including the appalling sentencing of Ms Sakineh Mohammadi Ashtiani to death by stoning for adultery. The case has also been raised with the Iranian Ambassador to Ireland by officials in my Department. Another case causing serious concern is the reported sentencing of Canadian-Iranian blogger Hossein Derakhshan to 19 years in prison for exercising his right to freedom of expression. I join the Canadian Government's calls for the Iranian authorities to respect Mr Derakhsan's legal rights, to allow him consular access and to release him and other dual nationals who have been unjustly detained.

I have also made clear our concerns about the treatment of human rights in Iran in contacts with members of the Iranian Government, most recently at a meeting which I had with Foreign Minister Mottaki in Dublin on 9 June. I have written to Foreign Minister Mottaki on a number of occasions to express my concerns about, and to raise specific aspects of, the human rights situation in Iran.

Ireland has also been active in raising issues relating to human rights in Iran within the specific UN bodies which deal with human rights. Along with our EU partners, we have traditionally supported the annual Resolution on the human rights situation in Iran which is adopted by the General Assembly. In our national intervention at the just concluded UN Human Rights Council session in Geneva on 17 September, we raised concerns relating to the death penalty in Iran. I urge the Iranian authorities to introduce a moratorium on executions pending the abolition of the death penalty in accordance with UN General Assembly resolutions 62/149 and 63/168.

The EU has also been pressing at the highest levels for Iran to abolish the practice of stoning and to meet its international human rights obligations. High Representative Ashton has issued a number of statements which criticised the treatment of human rights in Iran. A detailed démarche was delivered on behalf of the EU in Tehran on 29 August in relation to several specific human rights cases and other human rights issues.

Ireland will continue to raise our concerns on the human rights situation in Iran, both bilaterally and at multilateral organisations.

EU Meetings

113. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he has had dialogue with his EU and UN colleagues regarding the follow up operations at the various natural disaster locations throughout the world in recent years with particular reference to Pakistan, Haiti and Chile and or other locations; the extent to which comparisons have been made to determine the most effective procedures in such circumstances; the lessons if any learned and decisions taken arising therefrom; and if he will make a statement on the matter. [36120/10]

382. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the degree to which he in conjunction with his EU and UN colleagues have monitored the worldwide community response to the various natural disasters; if any lessons have been learned with particular reference to early and coordinated response; and if he will make a statement on the matter. [36412/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I propose to take Question Nos. 113 and 382 together.

The number and frequency of disasters such as floods, drought, landslides and earthquakes has grown over the past decade and will increase further as a result of climate change and global warming. It is estimated that over 90 percent of disaster-related deaths occur in developing countries and it is the poorest who are typically worst affected. Ireland has played a central role in efforts to reform and improve the effectiveness of the international humanitarian system since the Asian tsunami of 2004. The inability of the international community to more adequately and effectively cope with the scale of that disaster and its aftermath led to a comprehensive review of the response to humanitarian crises and the development of new coordination and funding mechanisms under the United Nations system. Ireland has been prominent in this process in both policy and financial terms and has been one of the main supporters of the UN's Central Emergency Response Fund (CERF), a funding reservoir which can be drawn upon within hours of a disaster. Ireland has contributed €76m to this fund since 2006. Ireland also strongly supported the development of a *Cluster System* within the UN, which ensures that humanitarian agencies responding to a crisis do so in a coordinated fashion. More recently, as chair of the Good Humanitarian Donorship Initiative Ireland encouraged greater cooperation between national governments as a means to ensure a more effective approach overall.

The Government has also comprehensively reformed its own internal mechanisms since 2004 in order to better respond to humanitarian emergencies. Through the Irish Aid Rapid Response Initiative, Ireland can immediately deploy highly-skilled personnel and emergency supplies to a disaster zone within a relatively short time-frame following a crisis. We have also pre-positioned funding with a number of significant humanitarian NGOs such as Concern, Goal and Trocaire which can be immediately released to support a crisis response. In the days following the tragic earthquake in Haiti I attended an emergency meeting of Development Ministers and the February meeting of the Foreign Affairs Council. On each occasion I stressed to my EU colleagues the importance of an effective EU response to the situation in Haiti, within the overall coordination role of the UN. I subsequently attended an international conference on the reconstruction of Haiti in New York in March, at which I pledged €12 million on behalf of the Irish people for the relief and reconstruction of Haiti. I also held talks with the then UN Humanitarian Coordinator, Sir John Holmes, on a number of ongoing humanitarian crises, such as Haiti, Chile and others and the lessons to be drawn from each.

I witnessed the plight of the Haitian people at first hand when I visited the country in July of this year and held talks with Prime Minister Bellerive and UN officials. During the visit I visited a number of projects funded by the Irish taxpayer which are providing essential shelter and sanitation to thousands of destitute Haitians. We can all be proud of the contribution made by these projects and the many Irish people working with the UN and other agencies in Haiti.

Ireland was also one of the first countries to respond to the ongoing flooding in Pakistan and to date the Government has committed nearly €2.6m to the relief effort — one of the largest per capita international contributions to date. This included our largest ever airlift to date of humanitarian supplies, providing shelter and water and sanitation equipment for 33,000 people. I met the Ambassador of Pakistan to Ireland, Mrs Naghmana Hashmi, to discuss Pakistan's needs and also convened an emergency meeting of Irish humanitarian agencies responding to the crisis to ensure a seamless Irish response.

The reform of the international humanitarian system continues to be a work in progress and with each crisis lessons are drawn and systems refined or improved. Ireland has been central to this process and we will continue to work to maximise both the impact of our humanitarian aid for beneficiaries and value for money for the Irish taxpayer.

United Nations Reform

114. **Deputy Eamon Gilmore** asked the Minister for Foreign Affairs his views on the ongoing need for meaningful United Nations reform regarding, *inter alia*, to areas pertaining to climate change and disarmament [36088/10]

Minister for Foreign Affairs (Deputy Micheál Martin): As I outlined in my address to the United Nations General Assembly on 27 September, Ireland believes strongly in the need for reform of the United Nations. Ireland has actively championed the reform agenda at the UN in recent years and will continue to do so. In terms of the UN's development architecture, Ireland is particularly supportive of the 'Delivering as One' approach at country level and has provided over €6 million to date in support of UN System Wide Coherence and the Delivering as One programme. Under Ireland's co-chairmanship (with Tanzania) at the close of the 2007-2008 UN General Assembly, a consensus resolution was passed which gave broad support to the Delivering As One approach and helped to advance its agenda.

The 'Delivering as One' approach is yielding significant positive results, including greater coherence in UN development activities and improved delivery of services at the country level. It has also directly contributed to the establishment of the new, consolidated UN agency promoting gender equality, UN Women, which I warmly welcome. Ireland is committed to supporting this important new body within the UN system, as it works to enhance the rights and well-being of women worldwide.

As regards the Security Council, Ireland is supportive of reform of the Council so that it better reflects twenty-first century realities and in order to improve its effectiveness and transparency. Ireland supports the constructive ongoing work of the intergovernmental deliberations currently taking place in the General Assembly on Security Council reform. I have called for these deliberations to be intensified with a view to identifying whether there is a model for Security Council reform which can command broad consensus.

The UN itself needs to exert stronger budgetary controls over all its operations and this is something which Ireland and our EU partners are actively promoting. There is a particular need to review the current methodology for apportioning UN expenses in order to make it more properly reflective of capacity to pay. This is an issue which Ireland and its EU partners have highlighted in recent years and which we will continue to follow closely. I look forward to

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positive results emerging from the review of the existing Scale methodology which the General Assembly has been mandated to carry out.

On disarmament, there is growing international concern that the global disarmament machinery is not working as it should, and this is a concern I fully share. Last month I participated in a High Level Meeting in New York, convened by the UN Secretary-General, to examine how the work of the Conference on Disarmament could be revitalised. The meeting also looked at the workings of other bodies with disarmament responsibilities, principally the UN Disarmament Commission, and the First Committee of the General Assembly. In March, I addressed the Conference on Disarmament in Geneva and expressed my deep disappointment that the Conference has not managed to engage in substantive work for almost 15 years. I made clear in New York that this state of affairs cannot be allowed continue. This view is widely shared by our EU partners and other Western States, but I have to say that it is not universally shared. Secretary General Ban is now to ask his Advisory Board on Disarmament Matters to undertake a thorough review of the issues raised at the High Level Meeting, with a view to considering what further actions may be necessary.

In terms of reform of UN structures pertaining to climate change, the Governing Council of the United Nations Environment Programme decided to establish, at its 11th Special Session in February 2010, a consultative group of ministers or high level representatives whose mandate is to consider the broader reform of the international environmental governance system. Ireland supports the ongoing reform process and I look forward to the group's final report to be presented to the Governing Council's 26th session in February 2011.

I also look forward to a successful outcome to the negotiations on climate change at the 16th Conference of the Parties later this year and to the discussion on the institutional framework for sustainable development, one of the main themes of the United Nations Conference on Sustainable Development to be held in Rio de Janeiro in 2012.

Undocumented Irish

115. **Deputy Paul Connaughton** asked the Minister for Foreign Affairs the position regarding the undocumented Irish in the United States; the official contact he and other relevant Ministers have had with the U.S. administration in the past three months regarding this issue; and if he will make a statement on the matter. [34663/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Finding a solution for our undocumented citizens in the United States remains an important priority for this Government. The Government is also committed to working with our friends in Congress to enhance Ireland's bilateral visa arrangements with the US through the establishment of an E-3 type reciprocal visa facility. This would be a two year renewable working visa scheme. In addition, I look forward to the continued development of the new working holiday programme. I am very much aware of the difficulties confronting undocumented Irish citizens in the United States and the distress which both they and their families in the US and Ireland experience arising from their situation. I would urge anybody who might be tempted to follow in the footsteps of the undocumented to take account of their plight.

My Department, and the Embassy in Washington in particular, continues to work proactively with the US Administration, Congressional leaders and Irish immigration reform advocates, to make positive progress on this important issue. Immigration reform legislation requires the approval of both Houses of Congress in the US — it is not merely a matter of bilateral engagement between the two Governments.

Immigration reform is a very sensitive political issue. Most recently, in September, the Congress considered a bill concerning young people brought to the United States by their elders and who remain undocumented. That bill [the so-called DREAM Act] failed to advance in the Senate when the bill to which it was attached did not achieve sufficient votes.

President Obama has repeatedly reiterated his commitment to resolving this issue, urging Congress to “work together to fix our broken immigration system”. In his comprehensive speech on the issue delivered in Washington in July, he signalled his willingness to move forward and shape a “practical, common-sense approach”.

Earlier in the year, President Obama welcomed what he described as the strong outline proposal for reform presented at the end of April by senior Democratic Senators Harry Reid, Charles Schumer, and Robert Menendez. Following active engagement with our friends in Congress, this proposal, based on previous bi-partisan co-operation, included provision for a path towards the regularisation of the status of the undocumented, including the Irish. The outline proposal also specifically included provision for an E-3 visa arrangement for Irish citizens.

On 30 September, prior to the current Congressional recess, Senator Robert Menendez published an immigration reform bill that includes an E-3 provision for Ireland. Although the publication of this bill is only the first step in a long process, the inclusion of an E-3 scheme at this stage is an important achievement for the Government and the Irish community. While I am encouraged by these developments, very considerable political challenges remain, particularly in an election year.

The Government will continue to maintain very close contact with the US Administration and Congress, as well as with Irish community advocates, to address this issue in the period ahead. We are also providing practical assistance to support the efforts of organisations working for emigrant reform in the US. Emigrant Support Programme funding of \$40,000 was allocated to Irish Lobby for Immigration Reform in 2010 to support their activities, taking their total ESP funding since 2006 to \$325,000. Funding of \$10,000 was also allocated in 2010 to the Chicago Celts for Immigration Reform bringing the total received by that organisation to \$20,000.

Millennium Development Goals

116. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs if the Irish Government is on track to meet its commitment to spend 0.7% of national income on overseas development aid by 2015 as promised as part of our commitment to the millennium development goals [36134/10]

130. **Deputy Jan O’Sullivan** asked the Minister for Foreign Affairs if he will provide an up to date position on Ireland’s solemn pledge to commit 0.7% of national income towards overseas development aid; what the current percentage is; the stage at which, given the current trend, he expects we will fulfil our promise to the poorest of the poor; and if he will make a statement on the matter. [36109/10]

135. **Deputy Emmet Stagg** asked the Minister for Foreign Affairs if the Government will make its pledge to reach 0.7% of GDP spending on overseas development aid real by ring-fencing ODA from spending cuts, as the UK Government has done; and if he will make a statement on the matter. [36115/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I propose to take Question Nos. 116, 130 and 135 together.

Ireland played an important international role at the Millennium Development Goals Review Summit in New York last month in cooperation with our EU partners, with the US Administration and with our partner countries in the developing world. The Government is committed to working in close cooperation with our partners in order to achieve the ambitious development goals established by the international community for the period 2000 to 2015. We are committed to the UN target to provide 0.7% of Gross National Product to Official Development Assistance (ODA) by 2015. The EU has committed to collectively meeting the UN target by 2015, and has set an interim target of 0.51% for Ireland and other Member States in 2010.

This year, the Government is providing a total of €671 million for ODA. On current projections, this will amount to at least 0.52% of GNP, exceeding the EU interim target. Last year, Ireland was the seventh most generous aid donor in the world in per capita terms. We are ahead of most other EU Member States in our progress towards the achievement of the international ODA target in 2015.

The economic crisis of the past two years has required very difficult decisions across all areas of public expenditure, including the allocations for ODA. The sole motivation for these decisions has been the need to restore stability to the public finances, in order to create the conditions for a resumption of economic growth. Stable public finances and sustained growth in our own economy are the indispensable bases for the resumption of sustainable growth in the aid programme. Deputies are aware of the extent of the challenge facing the Government in framing the Budget for 2011. Decisions in relation to ODA will be taken in the light of our commitment to restoring growth to the Irish economy and to playing our part in the effort to achieve the MDGs.

The Government's aid programme is the Irish people's aid programme. We can be justifiably proud that it continues to receive strong international recognition for its quality and effectiveness and for its sharp focus on the poorest countries and communities in sub-Saharan Africa.

ODA is an essential element, but not the sole element, in a country's contribution to international development and the achievement of the MDGs. The global economic crisis has simultaneously increased the needs of the poorest countries and the pressure on aid budgets across the developed world. In these circumstances, it is clear that we must focus rigorously on the effectiveness of the aid we provide, and on key priorities. In Ireland's case, we are taking an international lead on the global hunger crisis and have been recognised by the OECD as champions in making aid more effective and working in a spirit of genuine partnership with our Programme Countries. Just last week, the influential Centre for Global Development in Washington recognised Ireland as among the best donors in the world across all measures of quality of aid provided. The Government is committed to maintaining the high quality of Ireland's aid programme, and its focus on the fight against global poverty and hunger, so that we make a strong national contribution to the achievement of the Millennium Development Goals by 2015.

EU Membership

117. **Deputy Jim O'Keefe** asked the Minister for Foreign Affairs if he supports the accession of Turkey to the European Union and, if so, to give a timeframe for same [36126/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The European Union enjoys a long and close relationship with Turkey. Accession negotiations were opened in 2005 and Ireland continues to make a constructive input to on-going negotiations. As a beneficiary of a past enlargement, and on the experience of more recent accessions, Ireland is broadly supportive of enlargement. The prospect of enlargement bolsters economic and political reform processes and helps to promote stability, security and prosperity in Europe. The process includes rigorous conditionality and must take into account the capacity of the EU to integrate new members. Enlargement has to be negotiated and, as in any negotiation, the eventual outcome and time-frame cannot be predicted.

These factors shape Ireland's approach to Turkey's candidacy. There are, in addition, potential gains to the single market and to trade through the accession of a country of Turkey's size. The Union's reach and influence in the Middle East and Central Asia could be enhanced through Turkish accession.

However, Turkey still has substantial work ahead in meeting the established criteria and conditions for membership, in particular, acceptance of the terms of the Ankara Protocol. Progress in the negotiations has been disappointingly slow. Successive European Councils have highlighted Turkey's continued non-compliance with its obligations under the Ankara Protocol by continuing to refuse to open its ports and airports to vessels and aircraft from the Republic of Cyprus. The Council decided in 2006 that eight chapters of the accession framework could not be opened and no further chapters would be provisionally closed until Turkey fulfils its commitments in this regard. These measures remain in place. The matter is kept under review by EU Ministers in the Council, most recently at their meeting last December. We will do so again before the end of this year. An Intergovernmental Conference with Turkey at Ministerial level was held in June, where enlargement was reviewed. At the bilateral level I met with Turkish Foreign Minister Ahmet Davutoglu, in Dublin on 10 March 2010. In the course of that meeting, Minister Davutoglu outlined the progress Turkey has made on reforms in a number of areas as it has sought to bring Turkey more in line with the EU *acquis*. He explained how the accession negotiations provide a strong incentive for Turkey to pursue reforms, strengthen democracy and human rights and further modernise the country. While much has been achieved in Turkey in these areas, the challenge is now for Turkey to maintain and accelerate the progress on reforms.

I reiterated to Minister Davutoglu Ireland's support for the Turkish candidacy. At the same time, I noted the Council's deep regret at Turkey's continued non-compliance with its obligations under the Ankara Protocol and I highlighted the need for Turkey to make progress towards normalisation of its relations with the Republic of Cyprus.

When I met with Minister Davutoglu more recently, in the margins of the UN General Assembly in New York in September, I again stressed the importance of making progress on the Cyprus issue and emphasised once more the need for Turkey to comply with its obligations under the Ankara Protocol.

Minister for EU Affairs and Chief Negotiator, Mr. Egemen Bagis, plans to visit Dublin in November and we look forward to discussing further the progress Turkey has made in reforms following passage of the recent referendum on constitutional reform, and the challenges which still lie ahead.

EU Meetings

118. **Deputy Joanna Tuffy** asked the Minister for Foreign Affairs if he will report on the most recent meetings hosted by the Belgian Presidency of the European Union [36092/10]

Minister for Foreign Affairs (Deputy Micheál Martin): On 16 September I accompanied the Taoiseach to a meeting of the European Council in Brussels which was convened by President Van Rompuy to consider the EU's approach to external relations and its engagement with strategic partners. The meeting confirmed the lead role of the European Council in defining the EU's strategic interests and objectives. Issues highlighted at the meeting included the need for improved coordination between EU Member States regarding relations with third countries; the identification of key objectives in advance of high level meetings with strategic partners; and the role of the European External Action Service. Over lunch President Van Rompuy briefed Heads of State and Government on progress of discussions in the Task Force on enhanced economic governance.

The European Council also agreed on the approach to take at the EU summit with China. They decided that the key messages to bring to the G20 summit in Seoul and the EU-US Summit in November would be discussed at the October European Council.

Question No. 119 answered with Question No. 112.

Diplomatic Relations

120. **Deputy Arthur Morgan** asked the Minister for Foreign Affairs if there have been any developments regarding Israeli attempts to lobby the EU to unfreeze proposals dating back to 2008 for increased diplomatic co-operation and Israeli integration with the single market [36132/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Government looks forward to the further development of the EU's relations with Israel, as with all our Mediterranean partners. I have, however, made very clear, both in the Dáil and at EU level, my firm view that it is not appropriate to proceed with the proposed "upgrade" of EU-Israel relations at this time. The proposed upgrade has been suspended. Substantial progress in the negotiations, which have recently begun, could help to create a context in which this matter could be re-assessed. A significant relaxing of the blockade on Gaza would also make a positive contribution.

Foreign Conflicts

121. **Deputy Arthur Morgan** asked the Minister for Foreign Affairs if he has had any contact with the Spanish Government either directly or at an EU level regarding the recently announced Basque peace initiative by ETA; if he will use his influence to encourage the Spanish Government to seize this initiative for peace in the Basque country [36133/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I have regular contact with the Spanish Foreign Minister, Miguel Angel Moratinos, including at Foreign Affairs Council meetings in Brussels. Our bilateral discussions have covered a range of issues relevant to our valued bilateral and historic relationship with Spain, including in the EU context. I would be supportive of measures that could contribute to the permanent ending of violence by ETA.

The assessment of what would be most useful in this context is in the first instance a matter for the Spanish authorities.

I have noted the statements by the Spanish Government and indeed by other political parties and groups in Spain on the latest ETA ceasefire announcements, including their disappointment that the announcements by ETA do not imply a permanent cessation of violence.

I also note that the President of the Basque Government announced last Friday 8 October an initiative for a new series of political consultations among all democratic parties on the search for peace. This is to be welcomed.

Northern Ireland Issues

122. **Deputy Pat Breen** asked the Minister for Foreign Affairs in view of the increased dissident activity in Northern Ireland as highlighted by the recent explosion in Derry, if he is satisfied that sufficient structures for effective cooperation are in place with the recently elected Conservative-Liberal Government in the UK to ensure that these dissidents are unable to undermine the peace process. [36124/10]

129. **Deputy Ciarán Lynch** asked the Minister for Foreign Affairs his views on the recent bomb explosion in the City of Derry and if he will provide an update regarding recent developments in Northern Ireland [36093/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Question Nos. 122 and 129 together.

I utterly condemn the incident which took place on 5 October. As I noted in my subsequent public statement, this futile, destructive attack on the economic infrastructure in Derry took place at a time when the community is working hard to attract jobs, tourism and investment into the region. I know that great disruption was experienced by local residents and by many throughout the city who struggled to get to work and school the next morning. I would like to extend my best wishes for a quick and full recovery to the PSNI officers who sustained injuries while carrying out their duties in the area, protecting the local residents and serving the community.

The British and Irish Governments and An Garda Síochána and the PSNI have, over many years, developed strong and effective cooperation methods to combat the threat from those misguided few who would seek to disrupt the future for all our young people.

The devolution of policing and justice powers to Stormont, which itself sent a powerful message to such self-delusionists that progress would not be impeded by their actions, has consolidated the good cooperation on these issues, not only between the police services, but also between other areas of our respective criminal justice systems.

A number of high-level meetings have taken place in recent weeks which give a good indication of the ongoing joint efforts being made by the British and Irish Governments and the devolved administration to tackle those who would seek to undermine the peace. I held useful discussions with the Secretary of State, Owen Paterson in Belfast on 11 October and also in Dublin on 19 September. The Minister for Justice, Equality and Law Reform, Dermot Ahern, hosted the first trilateral meeting with his counterparts from Northern Ireland and Scotland, Minister of Justice, David Ford and Cabinet Secretary for Justice, Kenny MacAskill in Dundalk on 27 September, which was followed swiftly by the Eighth Annual Organised Crime Cross Border Seminar, held in Belfast earlier this month and attended by Minister Ahern and Minister Ford, the Garda Commissioner and the Deputy Chief Constable of the PSNI.

All these meetings have been in addition to regular ongoing liaison between our respective officials, including through the British Irish Intergovernmental Secretariat in Belfast and our Embassy in London and also directly between the two police services. I would assure the Deputies that we remain united in our determination to ensure these activities by so-called dissident republican elements are countered at every turn.

Question No. 123 answered with Question No. 112.

Human Rights Issues

124. **Deputy Joan Burton** asked the Minister for Foreign Affairs his views on the present situation in Sri Lanka [36089/10]

136. **Deputy Pat Breen** asked the Minister for Foreign Affairs if his attention has been drawn to the inhumane treatment that has been meted out to the defeated candidate (details supplied) in this year's presidential election in Sri Lanka; and if he will, in cooperation with his EU counterparts pressurise the Sri Lankan Authorities to ensure that the persons human rights are respected [36125/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Question Nos. 124 and 136 together.

The Government remains concerned about the political and human rights situation in Sri Lanka. In August, the Member States of the European Union, including Ireland, decided to suspend special duty-free access given to Sri Lankan exports under the Generalised System of Preferences — the so-called GSP plus. This suspension came after the Sri Lankan authorities failed to deliver a written undertaking on three human rights conventions dealing with torture, children's rights and civil and political rights. The estimated cost of the suspension to Sri Lanka is €360 million a year.

At the same time Ireland supports the continuation of a constructive dialogue with Sri Lanka about the particular steps which Sri Lanka must take to implement the three conventions to allow GSP plus to be re-instated.

A critical issue in the dialogue has been the treatment of members of the Tamil population. The most recent EU humanitarian report, issued in June on the subject, indicated that there were 56,825 Internally Displaced Persons (IDPs) in the Vavuniya camp and 10,500 former Liberation Tamil Tigers of Ealam (LTTE) fighters held in closed rehabilitation camps. The report stated that 246,967 individuals had been released from these camps and that, although the remaining IDPs now enjoy greater freedom of movement within the camps, conditions were understood to be deteriorating. Concerns had been raised that conditions could push refugees out of the camps and force them to return to unsafe areas. More broadly, the question of national reconciliation remains of the utmost importance as there is a possibility the conflict could resume if the grievances of the Tamil population are not addressed. A key question relates to the autonomy of the northern Tamil province. The Sri Lankan Government has consistently stated that the basis for future arrangements will be the 13th Amendment of the Constitution, which sets out a model for devolved administration to the provincial level. However, the Sri Lankan Government has said that the process of establishing devolved government in the North cannot begin until certain pre-conditions have been met, including, *inter alia*, the clearance of all land mines and the return of Internally Displaced Persons.

Since the fighting ended, there have also been allegations of war crimes and human rights abuses levelled at both parties to the conflict. In 2010, UN Secretary General Ban Ki-moon appointed an expert panel to investigate the allegations and report back to the UN with their findings. The panel is chaired by Marzuki Darusman, the UN's special rights investigator to North Korea. The other two members are Yasmin Sooka, a South African and former member of the commission which investigated apartheid atrocities, and Steven Ratner, a US lawyer. I have called upon the Sri Lankan Government to cooperate fully with this UN panel.

I note that in September the President, Mr. Mahinda Rajapakse, sanctioned the imprisonment for three years of Mr. Sarath Fonseka, a former army commander and defeated candidate in the 2010 presidential election, on charges of committing military offences. The charges included engaging in politics while on active duty and of corruption related to arms procurement contracts. Fonseka, who had led the army's campaign against the LTTE, claims the charges are politically motivated. I have asked my officials to continue to monitor this case carefully.

125. **Deputy Jack Wall** asked the Minister for Foreign Affairs his views on the pressure the Irish Government has brought on the Cambodian authorities to allow for democratic practices; if in view of reports of mistreatment of opposition MP's admonitory action is being proposed by the international community, for example in the area of development aid contributions [36107/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Notwithstanding some progress, Cambodia's compliance with international civil and political human rights standards and norms continues to be a cause for concern. This concern has heightened in recent years with the trend of prosecution on defamation charges of representatives of the opposition, media, trade unions and human rights organisations. The opposition leader, Sam Rainsy, has been the target of efforts to suppress his activities and those of his party. In 2005, he was forced to leave the country after being stripped of his immunity from prosecution and was found guilty, in absentia, on defamation charges. In October 2009, the National Assembly approved laws that restrict the freedom of assembly and expression. Authorities in Phnom Penh have outlawed demonstrations except at the officially designated "Freedom Park". In March 2010, under pressure from foreign donors, the lower house approved an anti-corruption law, fifteen years after it was first proposed, that has resulted in the anti-corruption council and other bodies becoming answerable to the officials they are supposed to be monitoring.

At the same time, Cambodia has undoubtedly made progress in addressing some of the critical issues from its past, not least regarding the work of the Extraordinary Chambers of the Courts in Cambodia (ECCC) better known as the Khmer Rouge Tribunal. The tribunal's first conviction was in July 2010 when "Comrade Duch" was sentenced to 35 years in prison for crimes against humanity in the murder of 14,000 Cambodians.

Support has been provided by the EU for legal reform and governance in Cambodia in addition to EU programmes in agriculture and rural development, basic education, culture, environment, gender, health, infrastructure, public financial management, tourism, trade and private sector development. We will continue, together with our European Union counterparts, to monitor developments in Cambodia carefully and at the same time will work closely together to support the implementation of a comprehensive agenda of reform. This must include protections for civil and political rights in accordance with accepted international standards.

Ireland was actively involved in the drafting of the resolution on Cambodia at the UN Human Rights Council in Geneva. The resolution covers a number of issues related to Cambodia's adherence to international civil and political human rights standards.

Question No. 126 answered with Question No. 87.

Drugs Policy

127. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the introduction of a mechanism to coordinate transnational impact assessments of drug policy regimes as advocated by the international drug policy consortium; if so the international arena

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in which he thinks this could best be anchored; and if he will make a statement on the matter. [36129/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The International Drug Policy Consortium, an NGO which deals with drug policy, published a briefing paper in March 2010 entitled ‘Time for an Impact Assessment of Drug Policy’. Under the heading ‘Who should carry out an Impact Assessment?’, the paper states: “Ideally national governments should commission IAs [Impact Assessments] of their drug policies at national level, and the EC (or other regional government entities) and UN should commission international studies”.

I am not aware that the proposals in this briefing paper have been raised to date in any relevant international forum.

Question No. 128 answered with Question No. 95.

Question No. 129 answered with Question No. 122.

Question No. 130 answered with Question No. 116.

EU2020 Strategy

131. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the position taken by Irish representatives on the appropriate poverty reduction target indicator during the negotiations around and formulation of the EU2020 strategy; if he is concerned that member states may cherry pick from the indicators to allow for minimal poverty reduction effort in real terms and to make a statement on the outworkings of the EU2020 strategy [36128/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I welcome the new Europe 2020 Strategy which was adopted by the European Council on 17 June and the Government fully support the core elements. I believe that the Strategy will provide an essential framework for action by the EU and Member States to achieve higher levels of sustainable jobs and growth as economic recovery is secured. As the Deputy is aware, the European Council has agreed five headline targets in the areas of: employment; research and development, including innovation; climate change and energy; education; and social inclusion, in particular poverty. The target envisaged under the new Europe 2020 Strategy which aims 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 June European Council agreed a numerical target to lift 20 million people out of the risk of poverty and exclusion by 2020. The population ‘at risk of poverty and exclusion’ is defined by three indicators: at-risk-of-poverty; material deprivation; and low work intensity. This gives a total figure for the EU of 122 million people at risk of poverty and exclusion. This numerical target places the focus firmly on lifting people across the EU out of poverty and exclusion. Such a focus greatly lessens the possibility of any statistical ambiguities.

In support of the EU-wide target, Member States are required to set national targets using appropriate indicators which take into account national circumstances and priorities. This approach allows each Member State to reflect national policy priorities and/or to build on national targets, if these are already in place. Each Member State will consider how their national targets will contribute to the achievement of the EU target in dialogue with the Commission. As the Deputy is aware, Ireland already has a national poverty target which is set out

in the *National Action Plan for Social Inclusion 2007- 2016* . The target is based on the consistent poverty indicator, which is the combination of both at-risk-of-poverty and material deprivation. The aim is to reduce poverty to between 2 — 4 per cent by 2012 and to eliminate it by 2016. The Irish approach aims to target those who experience multiple forms of poverty and exclusion in order to ensure that policies are focused on improving the living conditions of the most vulnerable.

Work is ongoing to set an Irish national poverty target that will build on the Government target in the *National Action Plan for Social Inclusion 2007-2016* and will contribute to the *Europe 2020 Strategy*. The Minister for Community, Equality and Gaeltacht Affairs, Pat Carey, T.D, has sought the advice of an expert group, including representatives of the Social Partners, on how best the Irish national target can contribute to the attainment of the EU target by 2020. Proposals on the national poverty target will shortly be brought to Government.

Work on the identification of each of Ireland's national targets under each of the five EU headline targets is well underway. Officials from the European Commission visited Ireland on 27-28 September to discuss national targets and potential bottlenecks. A follow-up meeting in Brussels between Irish and Commission officials took place on 5 October. Following these most constructive bilateral exchanges, work is progressing on the finalisation of national targets under each of the five EU headline targets. These national targets will serve as an important element in the preparation of an initial draft of Ireland's National Reform Programme, which is to be prepared by mid-November 2010. It is currently anticipated that final agreement on our National Reform Programme will be reached by April 2011. It is expected that the European Council will take stock of progress under this Strategy at its meeting in December.

Middle East Peace Process

132. **Deputy Martin Ferris** asked the Minister for Foreign Affairs the action taken by the Government to support Palestinian and international demands that Israel re instate its freeze on settlement building to facilitate the development of the middle east peace process [36131/10]

Minister for Foreign Affairs (Deputy Micheál Martin): In my address to the UN General Assembly on 27 September, I regretted that Israel had not renewed the limited freeze on settlement construction which had been a key element in allowing the direct negotiations to begin on 2 September. The renewal of settlement construction has threatened the continuation of those talks, which should be the first priority of both Israelis and Palestinians, and I urge that it be renewed by the Israeli Government. I would further refer the Deputy to my replies to Priority Question 80 and Question 84 on this subject on today's Order Paper.

Overseas Development Aid

133. **Deputy Joanna Tuffy** asked the Minister for Foreign Affairs the assistance Ireland has offered to those affected by mudslides in both Colombia and Mexico [36091/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): Natural disasters of the type recently seen in the mudslides in Colombia and Mexico are hugely challenging events for the populations affected on the ground. Families lose their homes and livelihoods, children lose their schools and, with them, their vital access to education and essential services like hospitals and transport links are disrupted. In this case, sadly, thirty people lost their lives in Colombia. On many occasions, countries have the capacity to respond themselves. In others,

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they seek outside assistance from the international community. To date, neither Colombia nor Mexico has requested international assistance in the context of the current mudslides.

Ireland provides pre-positioned support with a range of partner humanitarian organisations giving them the flexibility to respond quickly when such emergencies occur. This includes support for the UN Central Emergency Response Fund (CERF), to which Ireland has contributed €76 million since 2006, and the International Red Cross' Disaster Relief Emergency Fund. Ireland also provides standby funds to a number of NGOs to enable them, in turn, to provide a response to particular sudden-onset emergencies.

Ireland keeps its Rapid Response Corps on standby at the disposal of international organisations like the UN and NGOs which can call on the support of individual Corps members where their skills are required. Ireland has pre-positioned stockpiles of emergency humanitarian supplies for delivery as needed in response to emergencies, as has been done on a significant scale in 2010 in relation to Haiti and Pakistan. We keep in close contact with our contacts in the UN, Red Cross movement and NGO partners in the context of deciding which situations require our assistance.

In the longer term, Ireland is involved in significant efforts at an international and local level to integrate disaster risk reduction approaches to our work in development assistance. Such approaches stand the best chance of equipping local populations with the capacity to withstand such natural disasters and the skills to cope when they strike. International studies show that for every €1 spent on disaster risk reduction, €7 is saved in emergency relief responses.

Millennium Development Goals

134. **Deputy Liz McManus** asked the Minister for Foreign Affairs his views on the contributions Ireland has made towards the progress of the 3rd millennium development goal regarding gender equality, in view of the fact that evidence shows that gender inequality is a driver of poverty [36104/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): The Government is committed to the achievement of the Millennium Development Goals (MDGs), the third of which is to promote gender equality and empower women. We recognise that achieving equality between men and women is crucial to poverty reduction, and to international development. Of the 1.3 billion people living in poverty across the world, 70% are women. Women work two-thirds of the world's working hours. They produce over half of the world's food, and yet they earn only 10% of the world's income and own less than 1% of the world's property.

In recent months, Ireland made a strong contribution to the negotiation of the Outcome Document of the Millennium Development Goals Review Summit, which was adopted unanimously by the UN General Assembly last month. I welcome its strong affirmation that achieving gender equality and empowerment of women is both a key development goal in itself and an important means for achieving all of the other MDG. In this context, the establishment of UN Women, the new United Nations body for the promotion of gender equality and the empowerment of women, is particularly important. Ireland played an active role in the inter-governmental negotiations to establish UN Women, and I welcome the appointment of the former Chilean President, Michelle Bachelet, to head it up. The Government's aid programme is informed by the Irish Aid Gender Equality Policy, approved in 2004, which focuses on the achievement of gender equality as an essential component of sustainable human development. We are working in partnership with Governments in our Programme Countries, with communi-

ties and civil society organisations and with the main multilateral agencies in order to advance gender equality in developing countries.

I would cite a number of important examples from our partner countries. In Zambia, the primary school enrolment rate for girls increased to over 92% in 2008 as a result of policies implemented by the Ministry of Education with support from Irish Aid and other donors. In Sierra Leone, Irish Aid is supporting centres which help survivors of domestic violence and sexual assault. Since 2003, more than 6,000 women have been assisted at these centres. In Timor Leste, during the 2007 national elections, we worked with the UN to support women's electoral participation, and women now hold 30% of seats in the national parliament. As a key element in our focus on the global hunger crisis, we are also working to increase the productivity of smallholder farmers in sub-Saharan Africa. 80% of farm work in the region is carried out by women. In Uganda, for instance, we have worked with the Government to ensure that the land law which is being developed protects and promotes women's access to land. As an element in Ireland's contribution to the achievement of the third MDG, a National Action Plan on UN Security Council Resolution 1325, on Women, Peace and Security, is currently being developed, in consultation with civil society. The Resolution calls for an increase in the participation of women in peace-making and peace-building processes. It focuses on the protection of women and girls in armed conflict, and it calls for the incorporation of a gender perspective into peacekeeping and peace-building. Through the Conflict Resolution Unit of the Department of Foreign Affairs, Ireland has also developed an innovative cross-learning initiative on women, peace and security involving participants from Northern Ireland, Liberia and Timor-Leste.

The Government will continue to place a high priority on gender equality and women's empowerment as we work with our partners towards the achievement of the Millennium Development Goals.

Question No. 135 answered with Question No. 116.

Question No. 136 answered with Question No. 124.

Middle East Peace Process

137. **Deputy Alan Shatter** asked the Minister for Foreign Affairs with regard to the speech delivered by him on Monday, 27 September 2010 at the 65th session of the UN General Assembly the reasons in his reference to the Middle East peace process and to Gaza no reference of any nature whatsoever is made by him to the strident opposition of Hamas and other Palestinian groups to continuing peace talks and a two state solution; the reason in addressing Iran no reference is made to that State's similar opposition to the Middle East peace process, the threats made by its President to wipe the State of Israel off the map and its continuing funding of Hamas and other militant groups opposed to the peace process, intent on sabotaging it and threatening the lives of Palestinians participating in it [35745/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The annual General Debate at the UN General Assembly is a valuable opportunity for each Member State to address the wide range of issues and concerns facing the UN and its members. In my address to the Assembly this year, I raised a broad range of issues of concern to Ireland and the international community, including the ongoing requirement for UN reform; the need for decisive international action to combat hunger and poverty (in which connection I co-hosted a successful event focusing on improving child nutrition with Secretary of State Clinton on 21 September); and nuclear

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disarmament and non-proliferation, following on the important role played by Ireland in ensuring a successful outcome to last May's NPT Review Conference.

In terms of regional issues, I addressed the situations in Sudan and Burma, as well as that in the Middle East Peace Process. In relation to the Middle East, I chose to address in a positive manner the real chance for a lasting peace which now exists, and to commend, encourage and support the Israeli and Palestinian leaders in their current negotiations to that end. My remarks on Iran covered both the nuclear issue and the deteriorating human rights situation in that country. As has been customary, I also informed the General Assembly of recent developments in Northern Ireland, including the successful devolution of policing and justice powers to the Northern Ireland Assembly earlier this year.

As Ministers are asked by the President of the General Assembly to restrict themselves to speeches of no more than fifteen minutes lengths, my remarks on these subjects were necessarily brief. The additional matters mentioned by the Deputy are, however, issues I have addressed before and which I will no doubt have the opportunity to address again.

138. **Deputy Martin Ferris** asked the Minister for Foreign Affairs if the Government have protested to the Israeli Government following the deportation of Irish Nobel laureate and peace campaigner (details supplied) from Israel while they were attempting to lead a delegation of women peace activists on a tour of the Israeli and Palestinian territories [36130/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Ms. Mairead Maguire was refused entry to Israel on 28 September on arrival at Ben Gurion Airport on a flight from Frankfurt. The basis for refusal was that she had been previously deported from Israel, most recently in June 2010 following her detention at sea on board the *Rachel Corrie*. She appealed this decision to the Central District Court and subsequently to the Supreme Court of Israel. Both Courts explored the possibility of a compromise solution, but no formula acceptable both to the Interior Ministry and to Ms. Maguire could be agreed. The Irish Embassy in Tel Aviv extended full consular assistance to Ms. Maguire during this period, making contact with her, with her lawyers and her family and other concerned parties, visiting her on a number of occasions in detention, and attending both the District and Supreme Court hearings.

Both courts found that she had been previously deported, and should not therefore have attempted to re-enter Israel without applying for the lifting of the barring order resulting from this deportation. On this basis, the refusal of entry was confirmed, and she was put on a plane leaving Israel on 5 October. It appears that the courts in both instances did not wish this episode to be regarded as a further deportation, and no costs were awarded against her.

The Embassy has followed this case carefully, and it is clear that due process was correctly observed, and that both courts considered the case carefully. However, I have previously made clear, both here in the Oireachtas and to the Israeli authorities, my view that any accusation of entering Israel illegally in relation to the flotilla episode was unjustified, as neither she nor the other participants had entered Israel voluntarily on that occasion. Should Ms. Maguire now apply for permission to enter Israel, I would therefore urge the Israeli authorities to allow her to do so.

Human Rights Issues

139. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs if he will provide an update

on incidents of repressive anti-homosexuality legislation in several African states; and if he will make a statement on the matter. [36118/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Globally, there are seventy eight countries where individuals may still face criminal sanctions on the basis of their sexual orientation or gender identity. A significant number, though not all, of these, are in Africa. Ireland is among those countries that have been active at the United Nations and internationally in promoting recognition of lesbian, gay, bisexual and transgender rights, and most recently on 17 September 2010 we co-organised a High-Level event at the Human Rights Council in Geneva entitled “Ending Criminal Sanctions on the Basis of Sexual Orientation”. Speaking at the event, the UN High Commissioner for Human Rights, Ms Navi Pillay, said that ending criminalisation on the basis of sexual orientation or gender identity is an important step towards countering discrimination and homophobia. UN Secretary General Ban Ki-Moon and Archbishop Emeritus Desmond Tutu sent messages calling for an end to human rights violations directed against lesbian, gay, bisexual and transgender people.

The Deputy will recall that in recent months there were two specific high profile cases which arose in Malawi and Uganda. In Malawi the Government is carrying out a thorough review of the entire penal code and all laws, including those on homosexuality, are being examined. The review will assess compatibility with the Constitution of Malawi and the country’s international treaty obligations. Ireland, together with its EU partners, will continue to seek the repeal of legislation which discriminates against homosexuality.

In Uganda the draft Anti Homosexuality Bill 2009 is still at committee level in the Ugandan Parliament and has not been enacted into law. Members of the Uganda Human Rights Commission visited Ireland recently and discussed this and other issues with officials. The Commission is mandated with the function of recommending to Parliament effective measures to promote human rights and to monitor government’s compliance with international convention obligations on human rights, and it is also engaged on this issue.

Our Embassies in Malawi and Uganda, and our other Embassies in Africa, will continue to monitor developments in this area and to make known the views of the Irish Government on the need to respect international obligations and vindicate fundamental human rights.

EU Meetings

140. **Deputy Pat Rabbitte** asked the Minister for Foreign Affairs If he will give details of all recent discussions he has held with Baroness Ashton, High Representative for Foreign Affairs and Security Policy of the European Union [36113/10]

Minister for Foreign Affairs (Deputy Micheál Martin): As the Deputy will be aware, Cathy Ashton was appointed as High Representative for Foreign Affairs and Security Policy in December last year. Since that time, I have met the High Representative regularly, including at meetings of the monthly Foreign Affairs Council and at informal ‘Gymnich’ meetings of EU Foreign Ministers. I have also spoken with HR Ashton directly by telephone on a number of issues of importance to Ireland and officials from my Department are in regular contact with her Office. Most recently, I met HR Ashton at the Gymnich meeting in Brussels on 10 — 11 September, which focussed on the EU’s relations with its strategic partners, the humanitarian crisis in Pakistan and the EU’s cooperation on foreign policy with Turkey. HR Ashton then attended the European Council on 16 September for a session focussed on EU strategic

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relations, which built on discussions at the Gymnich. I accompanied the Taoiseach to the Council meeting, and participated in that session.

In addition, I was in New York for Ministerial week at the UN General Assembly last month, and met HR Ashton on several occasions, including in the context of EU-US and EU-Russia Ministerial meetings.

Human Rights Issues

141. **Deputy Eamon Gilmore** asked the Minister for Foreign Affairs if he will provide an update on the present situation in Ecuador following a reported kidnapping of the country's President in recent weeks [36087/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The events to which the Deputy refers occurred on Thursday 30 September in Quito, when President Correa was assaulted by police officers demonstrating against a proposed law relating to their benefits and salaries. The President was subsequently confined by a group of police demonstrators in a Quito hospital until released through the intervention of the Armed Forces. Five persons were reportedly killed in the course of these altercations, and 38 people were wounded. A State of Emergency was instituted for seven days which has now expired in all areas except the capital. As soon as the disturbances broke out, a special session of the Permanent Council of the Organization of American States (OAS) was convened, and a statement was issued in support of constitutional government in Ecuador. On 1 October, an extraordinary session of the Union of South American Nations (UNASUR) was held in Buenos Aires, and a statement was issued in support of President Correa and his administration.

I understand the situation has now returned to normal.

Question No. 142 answered with Question No. 90.

Cabinet Sub-committees

143. **Deputy Michael Creed** asked the Taoiseach the number of meetings held by the Cabinet Sub-committee Foth-Coiste Na Gaeilge; the members in attendance at these meetings. [35727/10]

The Taoiseach: The Cabinet Committee on Irish and the Gaeltacht, which I chair, has met four times since May 2008.

The membership of the Committee has been set out in the reply to Parliamentary Question Number 32334/10 on 29 September, 2010. It is not the practice to give details about the attendance of Ministers at meetings of the Cabinet or of Cabinet Committees.

Job Creation

144. **Deputy Michael Creed** asked the Taoiseach the reason Údarás Na Gaeltachta which has statutory responsibility for employment creation in the Gaeltacht was not invited to attend the recent Government initiative on job creation involving all State, semi-State and statutory agencies in this area; and if he will make a statement on the matter. [35731/10]

The Taoiseach: Implementing the Government's strategy to sustain and create jobs is the central focus of the Cabinet Committee on Economic Renewal and Jobs which I chair.

The Heads of a number of the Agencies with key responsibility for implementing the Jobs Strategy were invited to meet with members of the Cabinet Committee on 22 September to review their plans to support job creation and help the unemployed.

A wide range of organisations are involved in delivery of our Jobs Strategy at local and national level and only a limited number were invited to this particular meeting. However, the Department of Community, Equality and Gaeltacht Affairs was represented. I also meet with the Heads of different State Agencies on a regular basis and in different fora, as do my Ministerial colleagues. My colleagues in Government and I will continue to work closely with all of the State development and training Agencies to listen to their ideas, to support them in their crucial work and to ensure that there is the sharpest possible focus on job creation across all parts of Government.

Census of Population

145. **Deputy Jimmy Deenihan** asked the Taoiseach if he will bring forward the publication of the 1926 census to boost the ancestry tourism sector by increasing by one third the amount of records available; and if he will make a statement on the matter. [35775/10]

Minister of State at the Department of the Taoiseach (Deputy John Curran): The Censuses of Population between 1926 and 1991 were taken under the Statistics Act 1926, which prohibited the release of any data collected under the Act. The Statistics Act 1993 repealed the 1926 Act and allowed for the release of information collected on census forms 100 years after the date of the relevant Census.

The retrospection entailed by the introduction of the 100 years exemption was seen by some as undermining the original confidentiality guarantee. However, it was generally accepted as a reasonable compromise between guaranteeing statistical confidentiality and giving access for genealogical research given that relatively few persons would still be alive 100 years after being enumerated in the relevant census.

It would be totally inappropriate to reduce the 100 year threshold to 85 years as suggested by the Deputy as this would entail releasing the personal details of approximately 50,000 living persons aged 85 years and over who would have been enumerated in 1926 census.

As the guarantee of statistical confidentiality is the cornerstone of all CSO surveys it is important that it is strictly observed. Otherwise there would be a high likelihood of a negative impact on response rates, not alone to the forthcoming census in April 2011 but also to other surveys covering households and businesses.

Consequently, the Government does not have any plans to amend the Statistics Act 1993 through the reduction of the 100 years threshold.

Unemployment Levels

146. **Deputy Noel Ahern** asked the Taoiseach if he will provide details of the trend in rate of unemployment, the percentage of work force unemployed since 1980; the year which had the highest rate; the rate in that year; and if he will make a statement on the matter. [35673/10]

Minister of State at the Department of the Taoiseach (Deputy John Curran): The official source of unemployment estimates for the State is the Quarterly National Household Survey (QNHS). Estimates from the QNHS are available for each quarter since the first quarter of 1998, prior to that annual estimates of unemployment were available from the LFS on an annual basis. These estimates are based on internationally recognised standards for the

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measurement of the labour market status of individuals. These standards were developed by the International Labour Office (ILO) and allow comparison of key indicators in relation to the labour market for different countries. They also ensure that the measurement of unemployment is done on a consistent basis over time and thus an accurate trend is presented. Within the ILO framework a person is regarded as unemployed if they have not undertaken any paid work in the reference period and are actively seeking and available for employment.

As the ILO standards were only established in 1982 estimates of unemployment on an ILO basis are only available from 1983 on. Prior to 1983 estimates were based on respondents self-reported principle economic status (PES).

The highest unemployment rate recorded since 1980 was 17.1% in 1986.

Dáil Reform

147. **Deputy Finian McGrath** asked the Taoiseach his plans for Dáil Reform and if speaking time for Independent Deputies will be part of that reform [36197/10]

Minister of State at the Department of the Taoiseach (Deputy John Curran): As the Deputy will be aware, the Government established a Working Group on Dáil Reform in 2009, comprising Minister Dempsey, Minister Ahern, Senator Dan Boyle and my predecessor as Government Chief Whip, Pat Carey. Following a number of meetings, this Group submitted a set of proposals to Cabinet for discussion and agreement.

The proposals agreed at Government were brought before the relevant forum of the Dáil Committee on Procedure and Privileges Sub-Committee on Dáil Reform. I believe that those proposals put forward by the Government represent an honest effort to make the working of this House more relevant and more efficient. They set out a new Dáil schedule which would better reflect the normal working day and they accommodate some of the key concerns set out by the Opposition in the various policy documents which they have released on this issue.

As you will be aware, a general agreement and consensus was not possible on the proposals brought forward by Government. It is in this context that I am continuing my engagement with the various Party representatives on the Sub-Committee with a view to achieving the highest possible level of cross-party consensus in relation to proposals for the reform of Dáil procedures.

Of course, I do recognise the ongoing calls by Deputy Finian McGrath and others in relation to the availability of speaking time in the Dáil for Independent Deputies. I would welcome the Deputy submitting any proposals he may have in this regard for consideration by the Sub-Committee on Dáil Reform.

FÁS Training Programmes

148. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Education and Skills the electoral divisions designated to each FÁS office in Dublin for the purposes of delivering employment services [35798/10]

149. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Education and Skills the electoral divisions designated to each Local Employment Service in Dublin [35799/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): I propose to take questions 148 and 149 together.

FÁS Employment Services provides a range of services and supports to all jobseekers who can register at one of the 63 local FÁS Employment Service Offices nationwide for on-site career guidance and job placement services. For administration purposes, FÁS divides Employment Services in Dublin into three regions: Dublin Central; Dublin North; Dublin South.

FÁS contracts for the delivery of the Local Employment Service (LES) with Partnership Companies in 24 designated disadvantaged areas. The LES forms one strand of the dual stranded national employment service, which comprises FÁS Employment Services, operating through a network of offices nationwide, and the LES. Attached are tables of the FÁS Employment Services and LES Offices located within the Dublin Region:

FÁS Employment Services

Dublin Central	<p>FÁS Employment Services, Baggot Court, 27/33 Upper Baggot Street, Dublin 4.</p> <p>FÁS Employment Services, D'Olier House, D'Olier Street, Dublin 2.</p> <p>FÁS Employment Services, 197-199 Parnell Street, Dublin 1.</p> <p>FÁS Employment Services, Ballyfermot Hill, Ballyfermot, Dublin 10.</p> <p>FÁS Employment Services, Bannow Road, Cabra, Dublin 7.</p>
Dublin North	<p>FÁS Employment Services, FÁS Baldoyle Training Centre, Baldoyle Industrial Estate, Baldoyle, Dublin 13.</p> <p>FÁS Employment Services, LinnComm House, Stephenstown Industrial Estate, Balbriggan, Co Dublin.</p> <p>FÁS Employment Services, 34 Main Street, Swords, Co Dublin.</p> <p>FÁS Employment Services, West End House, Snugboro Rd., Extension, West End Retail Park, Blanchardstown, Dublin 15.</p> <p>FÁS Employment Services, Northside Civic Centre, Bunratty Road, Coolock, Dublin 17.</p> <p>FÁS Employment Services, Unit 14C Finglas Shopping Centre, Finglas, Dublin 11.</p>
Dublin South	<p>FÁS Employment Services, Nutgrove Enterprise Centre, Enterprise Park, Nutgrove Way, Rathfarnham, Dublin 14.</p> <p>FÁS Employment Services, 45 Crumlin Road, Crumlin, Dublin 12.</p> <p>FÁS Employment Services, Social Services Centre, Square Complex, Tallaght, Dublin 24.</p> <p>FÁS Employment Services, Main Street, Clondalkin, Dublin 22.</p> <p>FÁS Employment Services, 14 Cumberland Street, Dun Laoghaire, Co. Dublin.</p>

Local Employment Service Offices

<p><i>Dublin Central</i></p> <p>Ballyfermot LES</p>	<p>4 Drumfinn Park, Ballyfermot, Dublin 10</p>
<p>Dublin City LES, Dublin Employment Pact, 1st Floor Strand House, 22 Great Strand Street, Dublin 1</p>	<p><i>Four office locations:</i> South West Inner City, Unit D Digital Court, Ramsford Street, Dublin 8</p> <p>Inner City Renewal Group 57 Amiens Street, Dublin 1</p> <p>North West Inner City 42 Manor Street, Dublin 7</p> <p>St Andrews Resource Centre 114 Pearse Street, Dublin 2</p>

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Local Employment Service Offices

BIIKR LES (Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto)	Goldenbridge Integrated Complex, St Vincent St. West, Inchicore, Dublin 8
Dublin 12 LES	17A St Agnes Road, Crumlin Village, Dublin 12
<i>Dublin North</i> Northside LES	Northside Partnership, Bunratty Drive, Coolock, Dublin 17
Ballymun LES	Ballymun Job Centre, Ballymun Shopping Centre, Dublin 9
Tolka Area LES	Rosehill House, Finglas Road, Dublin 11
Blanchardstown LES	Unit 106 Dillon House, Coolmine Industrial Estate, Dublin 15
<i>Dublin South</i> CPLN LES (Clondalkin, Palmerstown, Lucan and Newcastle)	Unit 3, Oakfield Industrial Estate, Clondalkin, Dublin 22
Southside LES	137 Oliver Plunkett Road, Monkstown Farm, DunLaoghaire, Co Dublin
Tallaght LES	Brookfield Enterprise Centre, Tallaght, Dublin 24

150. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills if he will provide details of the number of persons in County Meath who have finished FÁS training courses in the past 12 months; the number of persons who have yet to be awarded qualification certificates since they finished their training; and if she will make a statement on the matter. [36263/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The information requested by the Deputy is being researched. I will reply substantively to her regarding this matter as soon as possible.

151. **Deputy Kathleen Lynch** asked the Tánaiste and Minister for Education and Skills the number of apprentices registered with FÁS that are currently unemployed; the initiatives that are in place or are planned by FÁS to assist these apprentices in completing their apprenticeships; and if she will make a statement on the matter. [36506/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): At end September 2010, 7,614 of a total 18,380 apprentices were registered by FÁS as being redundant. Of this number, 4,320 can progress in their apprenticeship having reached the minimum qualifying standard at the relevant training phase while 3,294 must first successfully pass their outstanding assessment(s) to permit similar progression. FÁS has introduced a number of measures to date which have assisted over 4,000 redundant apprentices with on and off-the-job training.

- The rules for off-the-job training have been amended to permit redundant apprentices to progress to their next off-the-job training phases. Of those apprentices registered as redundant at end September, 2,439 had completed off-the-job training and 955 are currently attending off-the-job training.
- The Redundant Apprentice Placement Scheme was introduced in April 2010 to provide opportunities to redundant apprentices to complete on-the-job training at Phase 3, 5 and 7. The scheme provides a weekly subsidy of €250 to the employer towards employment costs. At end September 2010, 258 had commenced their on-the-job training phase, of whom 17 had completed the relevant phase.
- ESB Networks are providing on-the-job training to 252 eligible redundant electrical and motor mechanics apprentices in 2010. At end September 2010, 189 redundant apprentices had completed the training with 63 currently in training with ESB Networks.
- FÁS has also developed Phase 7 Equivalent off-the-job assessments for redundant apprentices for the trades of Carpentry & Joinery, Electrical, Plumbing, Brick & Stonelaying and Cabinet Making, where Phase 7 assessments cannot be undertaken on-the-job. At end September 2010, 91 redundant apprentices had completed the assessments and a further 52 are scheduled to take the assessments.
- Redundant apprentices may also avail of existing specific skills training courses and evening courses available at FÁS Training Centres to enhance their employable skills. At end September 2010, some 1,133 course places have been availed of by redundant apprentices to date in 2010.
- Under the EU Leonardo Da Vinci III Life Long Learning Programme, Léargas in collaboration with FÁS, has supported 25 redundant apprentices to complete on-the-job training overseas. Eighteen redundant apprentices are currently in on-the-job training overseas and 17 redundant apprentices will be scheduled for on-the-job training in the first half of 2011.
- At end September, 9 redundant apprentices formerly employed by S.R. Technics had commenced Phase 5 and 7 on-the-job training with the Air Corps and a further 9 are scheduled to commence in November. FÁS, in consultation with the Department, continues to examine further potential measures to facilitate the progression and completion of apprenticeships including possibilities for on-the-job placements with public sector employers.

Schools Admissions

152. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Education and Skills with regard to admissions policies of community colleges, if these admissions policies have to be agreed or approved by the relevant Vocational Education Committee and if the VEC has the power to intervene to require schools in adjoining or overlapping areas to co-ordinate their

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admissions policies or agree a common policy; and if she will make a statement on the matter. [36569/10]

184. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Education and Skills with regard to admissions policies of community colleges, if these admissions policies have to be agreed or approved by the relevant Vocational Educational Committees; if the VEC has the power to intervene to require schools in adjoining or overlapping areas to co-ordinate their admissions policies or agree a common policy; and if she will make a statement on the matter. [35842/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take questions 184 and 152 together. It is the responsibility of the Board of Management of schools to implement an enrolment policy in accordance with the Education Act, 1998. In the case of community colleges, the board of management is a sub-committee of the relevant Vocational Educational Committee (VEC). The acts of any subcommittee of a VEC are subject to confirmation by the VEC concerned. In accordance with section 15 (2) (d) of the Education Act 1998, a function of a board of management in a VEC school is to publish, in such manner as the board and the VEC considers appropriate, the policy of the school concerning admission.

Higher Education Grants

153. **Deputy Tom Hayes** asked the Tánaiste and Minister for Education and Skills if clarification could be given to a person (details supplied) in County Tipperary in relation to a refusal of a higher education grant by the Vocational Education Committee; and if she will make a statement on the matter. [35686/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant grant awarding authority, i.e. the applicant's local authority or VEC. An applicant may appeal the decision to the relevant local authority or VEC. Where an awarding authority rejects an appeal, the student may appeal this decision to my Department by submitting an appeal form clearly outlining the grounds for the appeal. Unless and until, an applicant makes an appeal to my Department, it would not be aware of the grounds for a refusal, however, the grant awarding authority provides this information to an applicant when issuing him/her with the outcome of his/her grant application. The applicant in question has not made an appeal to my Department. The Deputy will appreciate that, given my Department's role in the appeals procedure, direct liaison with the grant awarding authority on the details of an individual case would not be appropriate.

Schools Building Projects

154. **Deputy Billy Timmins** asked the Tánaiste and Minister for Education and Skills the position regarding a school (details supplied) in County Wicklow [35690/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 1.2 rating. There are four band ratings under the prioritisation criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website. Information in respect of the current school building programme along

with all assessed applications for major capital works, including this project, is available on the Department's website at www.education.ie. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. 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 a project at the school in question at this time. In the meantime, it is open to the school authority to apply to my Department for funding for temporary accommodation to meet its immediate needs.

Special Education Needs

155. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills her policy regarding the provision of speech therapy services within the education system; the obligations the Health Act 2004 has for her Department and the wider education system with regard to these services; her plans to alter the extent to which the State is obliged to provide these services under the Education Act 1998; and if she will make a statement on the matter. [35692/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Speech and language support therapy is provided by the Health Service Executive (HSE) to school children who have been assessed as having communication difficulties. The Education (Amendment) Bill 2010 provides for an amendment to the Education Act 1998 to clarify the position in relation to the delivery of speech therapy and other health and personal services to students of school-going age. The proposed provisions will not impact on the availability of speech therapy services for children with special educational needs through the HSE. The Department of Education and Skills commitment to support the co-ordinated delivery of services to families of children with special educational needs is not diminished and the Department will continue to work with service providing partners in the health and disability sectors. Additional funding of €7.2 million for disability was provided to the HSE in Budget 2009 for the provision of 90 additional therapy posts. These posts are targeted to support children with disabilities of school-going age and include speech and language therapists, occupational therapists, physiotherapists and psychologists. Recruitment for these posts is ongoing. The HSE will continue to work with funded specialist providers and in co-operation with the education sector to address the health related needs of children with special educational needs in the context of the resources available.

Further Education

156. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills if her attention has been drawn to the concerns that courses offered through the Labour Market Activation Fund (details supplied) will jeopardise the highly reputable profession of Adult Education Guidance Counsellors and Service Staff; if she has satisfied herself that these courses will educate students to a sufficient standard so that they are aware of the complexities and responsibilities that are involved in the provision of meaningful career guidance; and if she will make a statement on the matter. [35693/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The Labour Market Activation Fund is designed to assist in the creation of innovative training and education provision by private, not-for-profit and public sector providers. It is targeted at specific priority groups among the unemployed, namely the low skilled, and those formerly employed in declining sectors — construction, retail and manufacturing sectors — with particular emphasis on the under 35s and the long-term unemployed. Following an open tender

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competition in which 370 tenders were received, offers of funding were initially made to 26 organisations across the private, not-for-profit and public sectors to support specific training and education programmes for the priority groups. An additional allocation of €12 million has been made available to the Fund, raising it to €32 million in all. This has enabled the Department of Education and Skills to offer funding to 33 additional projects. This will bring to almost 60 the number of projects throughout the country being supported by the Fund. The commitment of additional monies to the Fund recognises the quality and diversity of the programmes tendered, and the overall level of demand evident for these programmes, and will bring to 12,000 the total number of places available to the unemployed supported by the fund. Tenders to the Fund were assessed by an independent evaluation committee who scored each tender under a number of selected criteria. Those tenders that scored the highest in relation to the criteria were offered contracts. To ensure that programmes who receive funding are meaningful and will offer a qualification to individuals, programmes financed under the Labour Market Activation Fund are accredited by FETAC/HETAC or a recognised industry certification body. Participants who successfully complete the programmes will receive recognised certification. These programmes will provide an opportunity for unemployed individuals to enhance their career prospects in a meaningful and realistic way and will provide a stepping stone for these people to pursue a career in their chosen profession.

Schools Building Projects

157. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the progress that has been made in relation to building works in respect of a school (details supplied) in County Tipperary; and if she will make a statement on the matter. [35700/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The project referred to by the Deputy is at an advanced stage of architectural planning. Authorisation was given earlier this year for tender documents to be prepared. The design team are currently working on stage 2(b) which includes applications for Planning Permission, Fire Certificate and Disability Access Certificate (DAC) and the preparation of tender documents. The school have indicated that they expect the design team to shortly submit their stage 2(b) report to my Department for technical review. Assuming no issues arise, it is envisaged that the project will progress subsequently to tender and construction.

158. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the status of an application for building works by a school (details supplied) in County Tipperary; when a decision will be made; and if she will make a statement on the matter. [35701/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is 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 phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

159. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the position regarding a school building project (details supplied) in County Tipperary; the reason for the delay in processing this application; the reason that the project has been put on hold; and if she will make a statement on the matter. [35702/10]

164. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the position regarding an application for a refurbishment and extension project in respect of a school (details supplied) in County Tipperary; the timeframe for completion of works; the works to be carried out; and if she will make a statement on the matter. [35711/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take questions 35702/10, 35711/10 together. I can confirm that the school to which the Deputy refers made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.1 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is 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 phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

160. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the status of an application for building works by a school (details supplied) in County Tipperary; when a decision will be made; and if she will make a statement on the matter. [35703/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm to the Deputy that my Department received an application for large scale capital funding to provide accommodation to cater for the amalgamation of the two primary schools in the town to which he refers. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 1.4 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is 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

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project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

Institutes of Technology

161. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the situation regarding the merger of Tipperary Institute and Limerick Institute of Technology; the timeframe for same; the new title for the Thurles campus; and if she will make a statement on the matter. [35707/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The position is that discussions are continuing between the Tipperary Institute and Limerick Institute of Technology (LIT) with a view to institutional merger. The proposed merger has the support and agreement of the Governing Boards of both institutions and an inter-institutional group has now been formed which is working to a target of September 2011 for completion of the arrangements for a formal merger. I understand that the Boards of both institutions have also agreed that the new title for the Tipperary campuses will be LIT (Tipperary).

Schools Building Projects

162. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the position regarding the reopening of a primary school (details supplied) in County Tipperary; her views on the need for a school in the area; and if she will make a statement on the matter. [35709/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Forward Planning Section of my Department has carried out a study of the country to identify the areas where, due to demographic changes, there may be a requirement for significant additional school provision at both primary and post-primary levels over the coming years. This study has been conducted using data from the Central Statistics Office, the General Register Office and the Department of Social Protection and with reference to recent schools' enrolment data. School accommodation requirements in the area referred to by the Deputy have been considered as part of this study and initial analysis indicates there will be no requirement for significant additional accommodation in the short to medium term. It is not envisaged that the school referred to will be re-opened.

163. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the position regarding an application for building works in respect of a school (details supplied) in County Tipperary; when she expects a decision to be made; and if she will make a statement on the matter. [35710/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.4 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is 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 phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

Question No. 164 answered with Question No. 159.

165. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the position regarding a school (details supplied) in County Tipperary which has applied for major capital funding; the timeframe for completion of works; the works to be completed; and if she will make a statement on the matter. [35713/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 3.1 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is 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 phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

166. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the progress that has been made in relation to building works in respect of a school (details supplied) in County Tipperary; and if she will make a statement on the matter. [35714/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The project to which the Deputy refers is currently out to tender. When the tender report is received and assuming that there are no issues arising, the project will progress to construction.

Schools Building Projects

167. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the status of an application for building works for a school (details supplied) in County Tipperary; when she expects a decision to be made; and if she will make a statement on the matter. [35715/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The project referred to by the Deputy is at an advanced stage of architectural planning; authorisation was given earlier this year for tender documents to be prepared.

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The design team are currently working on stage 2(b) which includes applications for Planning Permission, Fire Certificate and Disability Access Certificate (DAC) and the preparation of tender documents. On receipt of the necessary statutory approvals the design team will complete and submit their stage 2(b) report to my Department for technical review. Assuming no issues arise, it is envisaged that the project will progress subsequently to tender and construction.

168. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the status of an application for building works for a school (details supplied) in County Tipperary; when she expects a decision to be made; and if she will make a statement on the matter. [35716/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I am pleased to inform the Deputy that the major capital project for the school to which he refers, was included in the Ministerial announcement earlier this year for the appointment of a design team.

The Department will be in contact with the school authority at the appropriate time in relation to the steps to be taken to enable the design team appointment.

169. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the status of an application for building works for a school (details supplied) in County Tipperary; when she expects a decision to be made; and if she will make a statement on the matter. [35717/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 2.4 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is 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 phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

170. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the number of north Tipperary schools that have applied for and are waiting on capital funding for school building projects; the band rating and stage of these projects; the works that are to be carried out and the date of first application; and if she will make a statement on the matter. [35718/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Information in respect of the current school building programme along with all assessed applications for major

capital works is available on my Department's website at www.education.ie. For the Deputy's convenience, I attach details of the particular schools to which he refers.

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.

Those projects which have been approved to proceed to tender and construction will do so in the coming months. The progression of all other large scale building projects 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 individual school projects at this time.

171. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills when works will be carried out to a school (details supplied) in Dublin 24 to deal with the ongoing problems faced by the staff, students and parents; and if she will make a statement on the matter. [35728/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department is aware of the difficulties that have arisen between the school in question, the building contractor and the Consultant Architect that has resulted in delaying the satisfactory conclusion of this project.

The bulk of the funding due for payment under the terms of the contract between the school and the contractor for this project has issued to the school on foot of appropriate certification that certain works have been completed. This is a normal requirement before funding can be provided in relation to school projects.

The dismissal of the Consultant Architect by the school authority has created difficulties in relation to final certification of the satisfactory completion of the project and, consequently, payment of the balance of funding due. Officials from my Department have visited the school and my Department will be in contact with the school management authorities again shortly to invite them to a meeting to discuss their ongoing difficulties.

172. **Deputy Michael McGrath** asked the Tánaiste and Minister for Education and Skills the position regarding the planned development of a new school (details supplied) in County Cork [35738/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Deputy will be aware that planning permission for the proposed new school was granted in May and the acquisition of the site was completed by the Patron in recent weeks.

Discussions are currently underway with the preferred bidder. When these discussions have concluded, the implications for the project will then be examined.

My Department will continue to liaise with the patron and the school authorities regarding the proposed project.

Home-School Liaison Scheme

173. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills the

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position regarding a home school tuition application in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [35742/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Deputy will be aware that the home tuition scheme provides funding to parents to provide education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement and also to provide early educational intervention for pre-school children with autism.

The application referred to by the Deputy has been refused as a school placement is available for the child in question.

Higher Education Grants

174. **Deputy John Deasy** asked the Tánaiste and Minister for Education and Skills if her attention has been drawn to the fact that applicants for third level grants who apply as mature students can have difficulties in obtaining the proof required by the local authority as a result of shared accommodation, hence no utility bills and the lack of registration of tenants by the landlord; if she will consider alternative forms of confirmation such as sworn affidavits; and if she will make a statement on the matter. [35747/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department has reviewed the requirements for establishing independent residency and is satisfied that the current practice in this regard is both reasonable and appropriate. In this regard, the documentary evidence normally required by a local authority or VEC to establish independent residence for mature students includes utility bills, such as telephone, gas or electricity bill, evidence of registration with the Private Residential Tenancies Board or official documentation received at the address, for example, from a Government Department.

In exceptional circumstances, where it is not possible to produce such proofs of residence in the relevant period for demonstrable reasons, the awarding authority may, at its discretion, agree to accept other documentary evidence that provides an acceptable degree of proof of independent living in the relevant period. For example, while an affidavit, if accompanied by other supporting documentation, may be considered as evidence of independent living, an affidavit in isolation is not considered acceptable as sole proof of residency. Individual circumstances should be discussed by an applicant with his/her grant awarding authority.

175. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Education and Skills the grants that are available for a person in receipt of jobseeker's allowance payment and attending a part-time level seven course at night to ensure availability for work; and if she will make a statement on the matter. [35751/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Higher Education Grants Schemes operate under the Local Authorities (Higher Education Grants) Acts, 1968 to 1992.

Under the Higher Education Grants Scheme an approved course is defined as a full-time undergraduate course of at least two years duration or a full-time postgraduate course of not less than one year duration pursued in an approved institution.

There are no plans at present to extend the scope of the student grant schemes to part-time courses.

Special Educational Needs

176. **Deputy Brendan Howlin** asked the Tánaiste and Minister for Education and Skills if she will review the case of a person (details supplied); and if she will make a statement on the matter. [35764/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy maybe aware, the National Council for Special Education (NCSE) is an independent agency with responsibility for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in all mainstream and special schools. This includes determining the level of Special Needs Assistant (SNA) support in schools. The NCSE operates within my Department's policy in allocating this support.

The NCSE is committed to exercising its role in relation to the allocation of teaching hours and Special Needs Assistants to schools to support the education of children with special educational needs in a way that is fair, consistent and transparent. The NCSE has introduced an appeals procedure which can now be viewed in full on its website — www.ncse.ie. It is open to a school to appeal a SENO's decision under this appeals process.

177. **Deputy Jack Wall** asked the Tánaiste and Minister for Education and Skills when a Special Needs Assistant will be appointed in respect of a person (details supplied); and if she will make a statement on the matter. [35778/10]

178. **Deputy Jack Wall** asked the Tánaiste and Minister for Education and Skills when a person (details supplied) will be issued with a laptop in view of the fact that they urgently need such a device for their educational needs; and if she will make a statement on the matter. [35779/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take Questions Nos. 177 and 178 together.

As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENO) for allocating resource teachers, Special Needs Assistants and assistive technology to schools to support children with special needs. The NCSE operates within my Department's criteria in allocating such support. On 20 July 2010, my Department sanctioned a grant to the pupil's school for computer software for the pupil in question. Once the pupil can use this software effectively, an application for access to a laptop may be reconsidered.

I have arranged for the details supplied by the Deputy to be forwarded to the NCSE for their attention.

School Transport

179. **Deputy Ulick Burke** asked the Tánaiste and Minister for Education and Skills the reasons for the delay in publishing the review of school transport scheme, which has now been completed; and if she will make a statement on the matter. [35790/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): As the Deputy is aware, School Transport was approved by Government as a topic for inclusion as part of the 2009-2011 round of Value for Money Reviews. This review looked at the original objectives of the scheme, whether these objectives remain valid today, the extent to which the objectives are being achieved, and whether there are possibilities for economies or efficiencies that would improve the value for money of the scheme. In this context, the review also looked

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at fundamental issues such as eligibility criteria and catchment boundaries, with a view to achieving efficiencies and value for money in the Scheme.

The report of the Value for Money Review of the School Transport Scheme is currently being finalised.

Schools Building Projects

180. **Deputy Noel J. Coonan** asked the Tánaiste and Minister for Education and Skills the progress that has been made in relation to building works in respect of a school (details supplied) in County Tipperary; and if she will make a statement on the matter. [35792/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department recently received the Tender Report for the school to which the Deputy refers.

When the Tender Stage is complete, assuming no issues arise, it is envisaged that the contract will be awarded and that the project will progress to construction.

Institutional Child Abuse

181. **Deputy Alan Shatter** asked the Tánaiste and Minister for Education and Skills the new provision to be made for the victims of institutional abuse as a consequence of the completion of the audit of the assets of religious orders; and if she will make a statement on the matter. [35801/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Government announced its intention to use €110m of the offers of contributions to be made by the religious Congregations over the next few years to establish a Statutory Fund to support the needs of survivors of residential institutional child abuse on 15th April last. This proposal is in keeping with the all party Motion passed by Dáil Éireann, supporting the proposal for a Trust to be set up and managed by the State for the support of victims and for other education and welfare purposes.

My Department has undertaken a wide ranging consultation process, meeting with groups representing survivors of institutional abuse, the religious Congregations and other interested parties. Press advertisements also invited views and submissions as to the exact nature of the fund, how it will operate and the uses to which it will be put. The views expressed in the responses together with the views from the Department's engagement with groups and other interested parties are being considered and my Department expects to report to Government shortly on the matter.

Higher Education Grants

182. **Deputy Enda Kenny** asked the Tánaiste and Minister for Education and Skills the number of applications for the higher education grant to Mayo County Council for the past four academic years; the number of applications for the higher education grant to Mayo Vocational Education Committee for the past four academic years, the number of applications approved and rejected by both bodies for the past four academic years; and if she will make a statement on the matter. [35802/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The information requested by the Deputy is as follows and provides the number of new applications awarded and refused over the past four academic years. This information has been supplied to my Department by Mayo County Council and Mayo VEC.

Awarding Authority	Mayo County Council				Mayo VEC			
	2006/07	2007/08	2008/09	2009/10	2006/07	2007/08	2008/09	2009/10
New Applications Received	593	488	546	753	857	726	913	988
New Applications Awarded	431	337	406	519	773	552	672	773
New Applications Refused	46	66	63	109	54	120	141	138

“New applications received” includes applications that were subsequently withdrawn/cancelled or transferred to another grant awarding authority.

Schools Refurbishment

183. **Deputy Enda Kenny** asked the Tánaiste and Minister for Education and Skills the schools in County Mayo that have been awarded funding under the summer works scheme for 2010; the level of funding and nature of works that have been awarded to schools in County Mayo under the 2010 scheme; the number of applications that were received from County Mayo and the number which were subsequently approved; and if she will make a statement on the matter. [35803/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I am pleased to inform the Deputy that details of the successful applicants under the 2010 Summer Works Scheme were announced on 19 April, 2010 and published on my Department’s website, www.education.ie. A list of successful applicants from Mayo is set out for the Deputy’s convenience. There was a total of 79 applications received for the Summer Works scheme from schools in Mayo. Out of the 79 applications, 68 schools, 51 at primary level and 17 at post primary level, were successful in their applications for funding for works to be carried out. The Planning and Building Unit of my Department has contacted all schools approved for grant aid with details and instructions on how to proceed. There are 10 categories in total under the Summer Works scheme. The following list outlines the works applicable to each category:—

Category 1: Gas Works:

Category 2: Electrical Works:

Category 3: Mechanical works:

Category 4: Projects to facilitate inclusion and access for special needs pupils:

Category 5: Toilet facilities:

Category 6: Roof works:

Category 7: Window projects:

Category 8: Curricular requirement projects:

Category 9: Other structural improvements

Category 10: External environment projects

The Deputy will understand that the Department does not publish information on the value of the grant aid awarded to schools as to do so could prejudice the tendering process.

[Deputy Mary Coughlan.]

Summer Works Scheme 2010 Successful Applications (Co. Mayo)

County	School No.	School Name	Works
Mayo	07054L	Cullens N S Knockduff	Windows
Mayo	07075T	St Feichin's Ns, Claremorris, Co. Mayo	External Environment
Mayo	09658H	Glenisland N S Castlebar	External Environment
Mayo	11725I	Beheymore Ns, Ballina, Co. Mayo	External Environment
Mayo	12206M	Sn Naomh Padraig, Knockmore, Ballina, Co. Mayo	External Environment
Mayo	12350T	S N Na Haille Ballinrobe	Windows
Mayo	12373I	S N Eachleime Beal An Atha	Mechanical
Mayo	12568A	Sn Inbhear Barr Na Tra	Roofs
Mayo	13222P	Sn Gleann A Chaisil Bun Na Habhna	Structural Improvements
Mayo	13225V	Cormaic Nfa Garranard P O	Roofs
Mayo	13383Q	S N An Tsraith Bun Na Habhann	Structural Improvements
Mayo	13389F	St Joseph's Ns, Midfield, Swinford, Co. Mayo	Mechanical
Mayo	14188A	Barnatra N S Ballina	External Environment
Mayo	14193Q	S N Dubh Thuama Gaoth Saile	External Environment
Mayo	14195U	An Gleanna Mhoir S N Crossmolina	Mechanical
Mayo	14290O	Scoil Naomh Brid Ballycastle	Structural Improvements
Mayo	14400S	S N Cill Mhuire Crossmolina	Structural Improvements
Mayo	14418O	Bofield Mixed N S Attymass	Roofs
Mayo	14866S	Sn Beal A Bhulain Bun An Chorraigh	Structural Improvements
Mayo	15032U	S N Muire Gan Smal Ceathru Thaidgh	Structural Improvements
Mayo	15257V	Quignamanger Ns, Ballina, Co. Mayo	Structural Improvements
Mayo	16122D	Knock N S Claremorris	Structural Improvements
Mayo	16170O	Cloghans N S Ballina	Windows
Mayo	16173U	Kinaffe N S Swinford	External Environment
Mayo	16269K	Killasser Ns, Swinford, Co. Mayo	Mechanical
Mayo	16618J	Myna N S Westport	External Environment
Mayo	16630W	Ceara N S Bonniclonlon	External Environment
Mayo	16904K	Lankill Ns, Liscarney, Westport, Co. Mayo	Structural Improvements
Mayo	17129W	S N Naomh Padraig Rath Na Mbeach	Roofs
Mayo	17176I	S N Realt Na Mara Mulranny	Toilets
Mayo	17209U	Cooneal N.S. Cooneal	External Environment
Mayo	17483R	Carraholly N S Peadar O Cearnaigh - Principal	Mechanical
Mayo	17562N	S N Oilean Eadaigh Caislean A Bharraigh	External Environment
Mayo	17585C	S N Beal Caradh Belcarra	Windows
Mayo	17922R	Cloghans Hill N S Tuam	External Environment
Mayo	18003F	S N Athracht Nfa Buach Charlestown	Structural Improvements
Mayo	18070U	Convent Of Mercy N.S. Claremorris	Windows
Mayo	18542M	S N Naomh Padraig Castlebar	Toilets
Mayo	18561Q	S N Naomh Ioseph Raithini	External Environment
Mayo	18594I	S N Achaidh An Ghlaisin Beal An Mhuirthead	Toilets
Mayo	18818E	S N Naomh Iosaf Leitir	Windows
Mayo	18848N	S N Peadair Agus Pol Straide	Mechanical
Mayo	19248R	St Anthonys Special Sc Humbert Way	External Environment
Mayo	19903A	Kiltimagh Central Kiltimagh	Roofs
Mayo	19911W	St Patricks Central Ns Kilmaine	Windows

County	School No.	School Name	Works
Mayo	19914F	Scoil Naisiunta Thola Both Thola	Windows
Mayo	19916J	St Peters Ns Snugboro	Electrical
Mayo	19951L	Swinford Ns Swinford	Roofs
Mayo	19972T	S N Uileog De Burca Clar Chlainne Mhuiris	Mechanical
Mayo	20125I	Crossmolina N.S. Crossmolina	External Environment
Mayo	20230F	Scoil Pdraig, Westport, Co. Mayo	Mechanical
Mayo	64510J	St Muredachs College Sligo Road	Mechanical
Mayo	64570E	Our Lady's Secondary School, Belmullet, Co. Mayo	Windows
Mayo	64590K	Naomh Iosaef Clochar Na Trócaire	Curricular Requirements
Mayo	64600K	St Josephs Secondary School Charlestown	Toilets
Mayo	64640W	St Joseph's Secondary School Foxford	Roofs
Mayo	64691Q	Coláiste Mhuire Tuar Mhic Éadaigh	Windows
Mayo	64700O	Rice College Castlebar Road	Structural Improvements
Mayo	64710R	Sacred Heart School Westport	Roofs
Mayo	64610N	St Colman's College, Claremorris, Co. Mayo	Roof Works
Mayo	72020L	Moyne College Ballina	Structural Improvements
Mayo	72070D	Mchale College Achill Sound	Windows
Mayo	72100J	St. Tiernan's College Crossmolina	Toilets
Mayo	72160E	Carrowbeg College Westport	Toilets
Mayo	76060U	Davitt College Springfield	Toilets
Mayo	91461C	Ballyhaunis Community School Knock Road	External Environment
Mayo	91462E	Ballinrobe Community School Convent Road	Windows
Mayo	91494R	St Louis Community Sch, Kiltimagh, Co. Mayo	External Environment

Question No. 184 answered with Question No. 152

School Transport

185. **Deputy Billy Timmins** asked the Tánaiste and Minister for Education and Skills the position regarding a matter (details supplied) [35844/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Under the terms of my Department's Post Primary School Transport Scheme, a pupil is eligible for school transport if s/he resides 4.8 kilometres or more from her/his local post primary education centre. Children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside, may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area — otherwise known as catchment boundary transport. However, the pupil referred to by the Deputy, in the details supplied, resides less than 4.8 kilometres from his local post primary centre and is therefore not eligible for school transport.

Telecommunications Services

186. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Education and Skills the number of primary schools here that have access to broadband and have speeds of more than 10Mbit/sec; and if she will make a statement on the matter. [35846/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): There is a total of 3,261 primary schools which have access to broadband through the schools broadband programme. The broadband connections are broken down as follows:

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ADSL: 1833;

Wireless: 549;

Satellite: 879.

There are 19 primary schools which awaiting connection and 38 schools which have refused connection to the schools broadband network. 57 schools are in receipt of a broadband connection that provides for bandwidth speeds up to 24Mbps depending on the distance from the exchange and quality of the copper line. 2 schools are in receipt of a technology solution that provides for bandwidth speeds up to 10Mbps depending on the distance from the exchange and quality of the copper line. 13 schools are in receipt of a technology solution that provides for bandwidth speeds up to 12Mbps depending on the distance from the exchange and quality of the copper line.

Third Level Courses

187. **Deputy Billy Timmins** asked the Tánaiste and Minister for Education and Skills the position regarding a person (details supplied) in County Wicklow who appealed a decision in relation to their higher education access route application; and if she will make a statement on the matter. [35861/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Higher Education Access Route (HEAR) is a third-level admissions scheme for students from socio-economically disadvantaged backgrounds. The scheme is operated by a number of higher education institutions and not by my Department. Admissions to the institutions are regulated by the institutions themselves. The Deputy may wish to contact the Irish Universities Association in this instance.

School Staffing

188. **Deputy Billy Timmins** asked the Tánaiste and Minister for Education and Skills the position regarding a matter (details supplied); and if she will make a statement on the matter. [35864/10]

189. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Education and Skills if the moratorium on assistant principals in large primary schools has been alleviated and whether or not the two vacant posts lost since 2009 at a school (details supplied) in County Wicklow will be re-instated; and if she will make a statement on the matter. [35888/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take Questions Nos. 189 and 188 together.

When the moratorium was introduced the Government exempted Principal and Deputy Principal posts in all primary and post-primary schools and these continue to be replaced in the normal manner. The impact of the moratorium is therefore limited to the Assistant Principal and Special Duties allowances payable to teachers on promotion. Vacancies at Assistant Principal and Special Duties level arise due to retirements in these specific grades and typically also from the knock on effect of filling Principal and Deputy Principal posts. What the school loses is the capacity to make a promotion by awarding the extra pay allowance to another teacher. The position whereby around 50% of all teachers have promotion allowances is simply not sustainable. Some further limited alleviation was announced in July for schools that are acutely

affected by the impact of the moratorium at Assistant Principal level. The alleviation arrangements are set out in the published Department Circular 42/2010. Applications for alleviation have also been received from over 110 primary schools and these are currently being examined and prioritised and the schools will be advised of the outcome in the coming weeks.

Third Level Fees

190. **Deputy Thomas Byrne** asked the Tánaiste and Minister for Education and Skills if she will respond to a query (details supplied) [35897/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): A former worker of a company who is deemed eligible for EGF is not required to pay any fees or charges for participation on accredited education and training courses during the period covered by EGF funding. The Higher Education Authority is providing all relevant third level institutions with guidance in relation to EGF issues. The individual should therefore contact the institution concerned directly with any queries in relation to EGF funding for a third level course. An EGF information event will be run on 20 October 2010 to further inform redundant S R Technics workers of EGF co-funded services being made available. All eligible redundant workers will be contacted directly in this regard.

Schools Building Projects

191. **Deputy Billy Timmins** asked the Tánaiste and Minister for Education and Skills the position regarding a school (details supplied) in County Carlow; and if she will make a statement on the matter. [35899/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): A project for the school referred to by the Deputy is currently at an advanced stage of architectural planning. Contrary to the information provided, the design team are currently working on completing a revised stage 2(b) submission which will be submitted to my Department for technical review when completed. The school have recently advised my Department that the design team anticipate forwarding the submission later this month. Following receipt and review of the stage 2(b) submission, the further progression of this project will be considered in the context of my Department's multi-annual School Building and Modernisation Programme for 2011 and subsequent years. However, it is not possible to give a more indicative timeframe for the progression of the project to tender and construction at this time.

School Staffing

192. **Deputy Michael Noonan** asked the Tánaiste and Minister for Education and Skills if her attention has been drawn to the fact that a school in Limerick (details supplied) which had three caretakers to look after the building and 40 acres of grounds, has now been reduced to one caretaker; if her Department will provide the school with the additional funding necessary to employ a second caretaker; and if she will make a statement on the matter. [35949/10]

194. **Deputy Michael Noonan** asked the Tánaiste and Minister for Education and Skills if she will make provision to provide additional secretarial assistance to a school (details supplied) in Limerick; and if she will make a statement on the matter. [35951/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take Questions Nos. 192 and 194 together.

Circular 0023/2009, which is available on my Department's website, outlines the impact on Community and Comprehensive schools of the Government decision to implement a recruit-

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ment and promotion moratorium in the public sector. As the Deputy will be aware, positions other than teacher and special needs assistant posts in schools and VECs, including the posts to which the Deputy refers, are comprehended by this decision.

Schools Refurbishment

193. **Deputy Michael Noonan** asked the Tánaiste and Minister for Education and Skills if her attention has been drawn to a submission by a school in Limerick (details supplied) for a total phased upgrade of its accommodation; if she will sanction the master plan and provide the necessary funding for its phased implementation; and if she will make a statement on the matter. [35950/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that the school to which the Deputy refers made an application to my Department for capital funding for major capital works in September 2010. This application is currently being assessed and it will be assigned a band rating in accordance with the published prioritisation criteria for large scale building projects. The school's application was accompanied by a submission and consultants' reports. My Department is considering this submission with a view to formulating the most effective accommodation solution to meet the school's long term needs. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

Question No. 194 answered with Question No. 192.

School Staffing

195. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Education and Skills if she will respond to representations (details supplied); and if she will make a statement on the matter. [35957/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The appointment of teachers to fill teaching posts is a matter for the individual school authority subject to agreed procedures. It is the policy of my Department that only qualified personnel should be employed by schools. This policy is reflected in Circular 40/2010 which my Department issued earlier this year. Under its terms, schools are directed to ensure that teachers proposed for appointment to publicly paid teaching posts are registered with the Teaching Council and have qualifications appropriate to the sector and suitable to the post for which they are proposed. Where an employer can satisfactorily demonstrate that every reasonable effort has been made to recruit an appropriately qualified and registered teacher, an unqualified and/or unregistered person may be recruited pending the recruitment of an appropriately qualified and registered teacher and this provision must be inserted in the employment contract. The employer must repeat the process to recruit an appropriately qualified and registered teacher within the period of any such contract and in any event within the school year. In addition, the recently published Education (Amendment) Bill contains an amendment to section 30 of the Teaching Council Act 2001. This amendment confers on the Minister the power to regulate the limited and exceptional circumstances in which a person who is not a registered teacher may be employed and the conditions attaching to that person's employment.

Social Insurance

196. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills if she will expedite an application for a PRSI refund in respect of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [35966/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Officials in my Department are making arrangements to issue the PRSI refund to the person referred to by the Deputy as soon as possible. I am pleased to inform the Deputy that my Department has introduced an automated system to deal with PRSI for maternity benefit in respect of teaching and non teaching staff paid on my Department's payrolls. This system ensures that PRSI regulations regarding Maternity Benefit are applied to teaching and non teaching staff currently absent on maternity leave.

Vocational Education Committees

197. **Deputy John O'Donoghue** asked the Tánaiste and Minister for Education and Skills if she is aware of media reports whereby the representative of the Church of Ireland was excluded by means of a vote by the majority party on Cork County Council, Fine Gael, from membership of County Cork Vocational Education Committee which resulted in a statement of major concern by the Bishop of Cork, Cloyne and Ross (details supplied) and the amendments to the legislation she now proposes in order to guarantee equality for all trustees in education partnerships nationally [35973/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I am aware of the media reports and the statement of the Bishop of Cork, Cloyne and Ross to which the Deputy refers. The Deputy will be aware that I intend to seek the approval of the Government for a re-structuring of the VEC system, and I anticipate that such re-structuring will require legislative change. Issues of the type raised by the Bishop can be considered in the context of such legislation.

Schools Building Projects

198. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills of the 18 contracts awarded under the school building programme to companies based outside the State over the past three years, the amount each contract was worth; the names and location of the company concerned; where the contract was carried out; and if she will make a statement on the matter. [36000/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The information requested by the Deputy is contained in the following tabular statement.

Year Contract was Awarded	Amount	Company Details	Location of Building Project
	€m		
2008	3.43	The McAvoy Group Ltd., Dungannon, Co. Tyrone.	Phibblestown, Dublin
2008	7.28	Glasgiven Contracts Ltd., Newry, Co. Down.	Balbriggan, Dublin
2008	2.70	Glasgiven Contracts Ltd., Newry, Co. Down.	Swords, Dublin
2008	3.14	Glasgiven Contracts Ltd., Newry, Co. Down.	Lucan, Dublin
2008	3.03	Glasgiven Contracts Ltd., Newry, Co. Down.	Skerries, Dublin
2008	5.72	Western Building Systems, Coalisland, Co. Tyrone.	Mullingar, Co. Westmeath.
2008	5.71	Western Building Systems, Coalisland, Co. Tyrone.	Greysones, Co. Wicklow.

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Year Contract was Awarded	Amount	Company Details	Location of Building Project
	€m		
2008	2.72	Western Building Systems, Coalisland, Co. Tyrone.	Mulhuddart, Dublin
2008	4.05	Western Building Systems, Coalisland, Co. Tyrone.	Lusk, Dublin
2008	1.65	Western Building Systems, Coalisland, Co. Tyrone.	Belmayne, Dublin
2008	3.00	Western Building Systems, Coalisland, Co. Tyrone.	Macroom, Co. Cork
2008	2.49	Louerne Construction Ltd., Strabane, Co. Tyrone.	Clonmany, Co. Donegal
2008	2.45	Louerne Construction Ltd., Strabane, Co. Tyrone.	Moville, Co. Donegal
2009	4.04	Western Building Systems, Coalisland, Co. Tyrone.	Balbriggan, Dublin
2009	2.40	McCann Brothers, Omagh, Co. Tyrone.	Ballivor, Co. Meath
2009	6.70	Graham Projects Ltd., Dromore, Co. Down.	Laytown, Co. Meath
2010	Commercially Sensitive	Glasgiven McAvoy JV Ltd., Dungannon, Co. Tyrone.	Swords, Dublin
2010	Commercially Sensitive	Francis Haughey Builders, Keady, Co. Armagh.	Wilkinstown, Co. Meath

Pupil-Teacher Ratio

199. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills the number of classes in each of the following schools (details supplied) that have more than 30 pupils; the number of pupils in each class size range in a tabular format; and if she will make a statement on the matter. [36002/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Statistics Section of my Department's website contains information relating to class size ranges for each mainstream primary school. The criteria used for the allocation of teachers to schools is also published annually on my Department's website. While the staffing schedule allocates on the basis of an average number of pupils each individual school decides on how to arrange its classes.

State Examinations

200. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 86 of 30 September 2010, to provide a breakdown of the number of students who fell within each category of exemption from Irish and to specifically indicate the number of students who received an exemption from Irish who sat an exam in a foreign language; and if she will make a statement on the matter. [36193/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I have asked my officials to compile the information and forward it to the Deputy as soon as it is available.

Schools Building Projects

201. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the position regarding the recent planning application submitted by the Office of Public Works for a primary school building (details supplied) in County Dublin; and if she will make a statement on the matter. [36201/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As part of the contract exchange between the OPW and the vendor, an outline planning application for the school referred to by the Deputy was submitted to South Dublin County Council by the OPW

recently. The purpose of this application is to ensure that the site to be purchased will be deemed suitable for land usage purposes to accommodate this school. Once the proposed acquisition is concluded, the proposed building project will be considered in the context of the capital budget available to my Department for school buildings generally.

Higher Education Grants

202. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Education and Skills the reasons students doing a course (details supplied) are not eligible for the maintenance grant; if her attention has been drawn to the fact that the students are unhappy with the current state of affairs as they believe themselves to be the only level eight students in the state not eligible [36214/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The course referred to by the Deputy is an approved course under the terms and conditions of the Maintenance Grants Scheme for Students attending Post Leaving Certificate Courses. This grants scheme is administered by the Vocational Education Committees on behalf of my Department. Under the terms of the scheme, grant assistance is awarded to students who meet prescribed conditions of funding including those which relate to age, residence, means, nationality and previous academic attainment.

The decision on eligibility for a student grant is a matter, in the first instance, for the relevant assessing authority, which in this case is the applicant's VEC. An applicant may appeal the decision to the relevant VEC. Where the assessing authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form clearly outlining the grounds for the appeal.

Schools Building Projects

203. **Deputy Simon Coveney** asked the Tánaiste and Minister for Education and Skills the position regarding a school (details supplied) in County Cork; if previous assurances in respect of the timescale and the commencement of construction are accurate; when a builder will be appointed; when building work will commence; and if she will make a statement on the matter. [36243/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): This project is currently at an advanced stage of the tender process. Assuming no issues arise, it is anticipated that the project will progress to construction in quarter 4 of this year.

204. **Deputy Simon Coveney** asked the Tánaiste and Minister for Education and Skills the position regarding a school (details supplied) in County Cork; if previous assurances in respect of the timescale and the commencement of construction are accurate; when building work will commence; and if she will make a statement on the matter. [36244/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Deputy will be aware that planning permission for the proposed new school was granted in May and the acquisition of the site was completed by the Patron in recent weeks. Discussions are currently underway with the preferred bidder. When these discussions have concluded, the implications for the project will then be examined. My Department will continue to liaise with the patron and the school authorities regarding the proposed project.

Schools Recognition

205. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Education and Skills the

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reason for the delay in recognising a school (details supplied) in County Meath and funding this school; and if she will make a statement on the matter. [36255/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Forward Planning Section of my Department has carried out a study of the country to identify the areas where, due to demographic changes, there may be a requirement for significant additional accommodation in future years. Following this detailed analysis it appeared prudent to plan for the establishment of new schools to commence operation in September 2010 to meet increasing demand in certain identified areas. There was detailed consultation during 2009 with all patrons in relation to the areas under consideration.

There was a specific application for the establishment of a new gaelscoil in the area referred to by the Deputy. However, after detailed analysis of the increase in pupil numbers for September this year and of the capacity in existing schools it was not necessary to establish a new school to cater for the demographic increase. My Department was satisfied that the existing schools could cater for the projected increase in demographics in September 2010. This situation in relation to the requirement for the additional school provision in the area will be reviewed for September 2011 in light of needs and consultation with the patron bodies.

Schools Building Projects

206. **Deputy Willie Penrose** asked the Tánaiste and Minister for Education and Skills the position regarding the building of a new school (details supplied); her plans for the development of a school in the geographical area of Curraghmore; if same can be expedited; if she will outline the steps her Department is taking to help the board of management advance these plans; and if she will make a statement on the matter. [36304/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Management of the school referred to by the Deputy has recently written to my Department advising that, following meetings with Department Officials and Senior Officials of the County Council, the Patron acquired a site, subject to planning, to facilitate the construction of a new school building. My Department will be responding in due course to the issues raised in the correspondence from the school.

In accordance with the published criteria for large scale building projects, the project for this school has been assigned a Band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at www.education.ie.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. 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 a project at the school in question at this time.

Early School Leavers

207. **Deputy John Deasy** asked the Tánaiste and Minister for Education and Skills to examine the possibility of funding a project (details supplied) in Waterford which provides alternative provision for children who have left the school system early and return to complete their education; if she will consider the system they apply as a response to early school leavers nationally in view of the success of their project; and if she will make a statement on the matter. [36306/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The Youthreach programme funded by my Department provides an integrated programme of education, training and work experience to young people who have left school early without any qualifications or vocational training. There are almost 6,000 places available nationwide. Almost 3,700 of these are operated by VECs in around 100 Youthreach centres and the majority of the remainder are operated by FÁS in around 30 Community Training Centres (CTCs). Participants are paid a training allowance and are eligible for a range of additional allowances (meal, travel, long-term unemployment bonus). They are also eligible for child care support.

The Youthreach programme aims to provide early school leavers (15-20 years) with the knowledge, skills and confidence required to participate fully in society and progress to further education, training and employment. Youthreach offers learners an opportunity to undertake learning at various levels including:

- Junior Certificate;
- Leaving Certificate Applied;
- Leaving Certificate;
- FETAC Levels 3 and 4;
- Pre-apprenticeship programmes.

The total funding provided to FÁS and VECs in 2009 under the Youthreach umbrella was of the order of €120 million. This includes the cost of participant allowances, staff costs and other non-pay costs, including the current level of rents.

The project referred to by the Deputy receives funding from my Department through the Back to Education Initiative (BTEI) programme. Funding has been approved each year commencing in 2002. The Project provides a Leaving Certificate programme to learners that includes English, Maths, History, Geography, Art and Music. A total of €35,677 was provided to the project in 2009 for its activities which provided a service to 42 participants. Funding in the current year is being maintained at this level.

Pension Provisions

208. **Deputy Jim O’Keeffe** asked the Tánaiste and Minister for Education and Skills if progress is being made in respect of the transferability of pension entitlements arising from years of teaching service North and South; and if she will make a statement on the matter. [36308/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department will shortly be in a position to publish details of arrangements in this regard applying to teachers serving in the north or the south of Ireland.

Third Level Fees

209. **Deputy Olivia Mitchell** asked the Tánaiste and Minister for Education and Skills the reason a mature student (details supplied) now attending a full-time degree course was obliged to pay fees in full for the first year of their course on the basis that they had completed one year of an evening course level eight undergraduate bachelor’s degree in a college but had in fact paid in full €2,500 for the course and had not been in receipt of their entitlement to free third level education before entering the full-time course; and if she will make a statement on the matter. [36312/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Under the terms of my Department's Free Fee Initiative the Exchequer meets the cost of tuition fees in respect of eligible students who are pursuing full-time undergraduate courses of study which are a minimum of two years duration in an approved institution. Under the scheme rules students, who have previously pursued but have not completed a course of third level study and subsequently resume third level studies, are not eligible for free fees for the equivalent period of time spent on the first course of study where the course concerned has attracted exchequer funding, including tax relief on course fees, subsidy towards course costs etc. Part-time and evening students are comprehended by this rule. Where undergraduate students do not meet the eligibility criteria of the Free Fees initiative such students must pay the appropriate tuition fee as determined by the third level institution. However, tax relief, can be claimed for tuition fees paid in respect of approved undergraduate courses at approved colleges of higher education in the State and any other E.U. Member State.

Teaching Qualifications

210. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Education and Skills if she will establish with the Teaching Council the reason a course (details supplied) has not received formal recognition; the reason for this delay and if she will intervene in the case of a person (details supplied) who has been unable to secure a teaching post without this formal recognition [36328/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy may be aware, the recognition of teacher qualifications in this State is now a matter for the Teaching Council, the body with statutory responsibility for establishing and maintaining standards in the teaching profession. Accordingly, I am sure you will appreciate that it would not be appropriate for me to intervene in individual cases. I have forwarded your correspondence to the Teaching Council and I have asked them to respond to you directly.

Special Educational Needs

211. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Education and Skills if she will consider the case of a person (details supplied) in County Dublin whose educational needs are not being met; if she will investigate the reason and consider more tuition [36359/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I wish to advise the Deputy that the enrolment of a child in a school is a matter in the first instance for the parents of the child and the Board of Management of a school. My Department has no role in relation to processing applications for enrolment in schools. The National Educational Welfare Board (NEWB) is the statutory agency which assists parents who are experiencing difficulty in securing a school place for their child. The NEWB will try to help parents to find an alternative school placement if their child has been unable to secure a placement to date.

Under the Education (Welfare) Act, 2000, the NEWB is charged with ensuring that every child receives an education. As part of this remit it must ensure the registration of children who receive their education through home settings. This requirement exists in order to support parents in their right to home educate and to safeguard a child's right to a minimum education. I am informed by the NEWB that the parent of the child in question has applied to the NEWB to have the child registered as being in receipt of home education.

The Deputy may also be aware that the National Council for Special Education (NCSE) is responsible for the provision of a range of educational services at local and national level for students with special educational needs. In particular, its network of Special Education Needs

Organisers (SENOs) co-ordinates special needs education provision at local level and arranges for the delivery of special educational services. They act as single points of contact for parents of students with special educational needs. The NCSE operates within my Department's criteria in allocating educational support.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Adult Education

212. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Education and Skills the number of the 6589 training places that have been filled under the labour market activation fund 2010; and if she will make a statement on the matter. [36527/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Following an open tender competition in which 370 tenders were received, I announced in June details of the first call of the Labour Market Activation Fund to support 26 different organisations across the private, not-for-profit and public sectors. This has resulted in 6,589 additional training and education places in programmes for priority groups of the unemployed.

Overall indications of interest and applications from would-be programme participants to date confirm the popularity of courses on offer. I am therefore reassured of the success of this initiative as a whole. A number of programmes from the first call of the Fund are still in the process of recruiting participants and it is expected that these programmes will be up and running before the end of the year. Until all programmes are up and running it is extremely difficult to assess accurately the exact number of places that have been filled.

Fiscal Policy

213. **Deputy Joan Burton** asked the Minister for Finance if he will provide a net figure on the difference between the overall indebtedness of the State to the banks covered by the guarantee scheme, by reason of their purchasing of Government debt, and the overall indebtedness of the covered banks to the State; and if he will make a statement on the matter. [35753/10]

Minister for Finance (Deputy Brian Lenihan): The Central Bank of Ireland publishes data on domestic institutions (note that this includes both institutions covered by the guarantee schemes and other domestic institutions). This data states that the total securities issued by general government held by these domestic institutions totalled €9.3 billion at end August 2010. With regard to the indebtedness of credit institutions, I assume that the Deputy is referring to monies which the covered institutions will pay back to the State.

In the case of Bank of Ireland, a substantial portion of the initial €3.5bn preference share investment has been converted into ordinary equity and there are €1,837m preference shares remaining. The terms on which the preference shares were issued provide for full repayment to the Government. In the case of AIB, the Government retains its €3.5bn holding in preference shares. In my recent statement on the capital position of Allied Irish Banks, I announced that the NPRFC will underwrite a placing and open offer of €5.4bn. If necessary, the NPRFC's underwriting commitment will be satisfied by the conversion of up to €1.7bn of its existing preference shares in the bank into ordinary shares along with a new cash investment for the balance of €3.7bn in ordinary shares. This transaction structure assumes the sale of AIB's stake

[Deputy Brian Lenihan.]

in M&T Bank and disposal of other assets in due course. In the event that the bank's residual capital requirement is not met through asset sales by 31 March 2011, any shortfall will be met by the conversion of a proportion of the remaining €1.8bn of preference shares.

In relation to the EBS, the Society is in discussion with a number of parties about its future and any adjustment in its capital need that arises will be accommodated in the outcome of those discussions in due course. The injections into Anglo Irish Bank and the Irish Nationwide Building Society are classified as capital transfers and as such are not a directly returnable investment.

The table below outlines the cost of assistance to each of the institutions.

Capitalisation of Credit Institutions, September 2010

Credit Institution	Cost of Share Acquisition	Cost of Preference Shares	Value of Promissory Notes Issued	Capital Provided to 30 September 2010	Projected Future Assistance	Return on Investment to date	Projected Total Assistance
	€bn	€bn	€bn	€bn	€bn	€bn	€bn
Anglo Irish Bank	4.00	—	18.88	22.88	6.4		29.28
Allied Irish Banks	0.28	3.5	—	3.78	3.7		7.48
Bank of Ireland	1.95	1.8	—	3.75	—	-0.49	3.26
Irish Nationwide Building Society	0.10	—	2.60	2.70	2.7		5.40
EBS Building Society	0.10	—	0.25	0.35	—		0.35
Total	6.43	5.3	21.75	33.48	12.8	-0.49	45.74

Notes

1. All investments to date and projected for AIB and Bank of Ireland is to be provided through the NPRFC.
2. Promissory Notes — An amount equal to 10% of the principal amounts outstanding will be paid annually from the central fund, the full cost of the Promissory Notes will impact on the GGB in 2010.
3. In 2010, Allied Irish Banks (€280 million) and Bank of Ireland (€250 million) paid the State dividends due on preference shares in the form of ordinary shares of the banks. These are included in the States investment at the value when the shares were acquired by the State.
4. The State received €491 million in cash through the buyback of warrants by Bank of Ireland in April 2010.
5. Initial investments in Anglo (€4bn), INBS (€100m) and EBS (€100m) were paid in cash from the Central Fund.

Credit Review Office

214. **Deputy Ulick Burke** asked the Minister for Finance the number of businesses that have requested a review of their loan applications from the Credit Review Office since its inception; the number of loan applications which were upheld by the Credit Review Office; the number of loan applications which failed to qualify for loan assistance; and if he will make a statement on the matter. [35789/10]

Minister for Finance (Deputy Brian Lenihan): While attending at the Joint Committee on Enterprise, Trade and Innovation on 21 September, Mr Trethowan informed the Committee that “Approximately 20 applications have been sent to the office for review, of which we have dealt with about ten, of which five have been upheld.” It is important to be clear that Mr Trethowan does not offer loan assistance, he can only make a recommendation after his review and the bank is not obliged to follow it. However as Mr Trethowan told the Committee, the banks have followed his recommendations to date. These figures have not significantly changed since then.

The Credit Review Office has also formalised the internal review process within the two main banks and a number of refusals are being overturned by this process without ever going

for review. The number of applications for review is disappointing and I would encourage any business which is refused credit to seek an internal review followed if necessary by the Credit Review Office.

National Solidarity Bond

215. **Deputy Michael McGrath** asked the Minister for Finance the amount of money invested to date in the national solidarity bond; the number of persons who have made investments; and if he will make a statement on the matter. [35820/10]

234. **Deputy Michael McGrath** asked the Minister for Finance the way the money invested in the national solidarity bond is managed and to provide details of the way the money is used [36251/10]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 215 and 234 together. In Budget 2010, I announced the Government's intention to launch a National Solidarity Bond, the purpose of which is to allow citizens an opportunity to invest and provide money to the State to stimulate economic recovery and to assist in the maintenance and creation of employment. The necessary legislative basis was provided in this year's Finance Act and the Bond was launched on Tuesday 4 May. I am informed by the National Treasury Management Agency that, at close of business on Friday, 8 October, a total of some €255 million had been invested in the Bond by almost 11,500 customers. The Bond is part of the Government's State Savings schemes managed by the National Treasury Management Agency. The proceeds of the Bond are used to fund the Exchequer and form part of the National Debt.

Tax Collection

216. **Deputy Leo Varadkar** asked the Minister for Finance the estimated yield from the income levy, employees and class S PRSI and the health levy in 2010 and 2011 assuming no policy change; and if he will make a statement on the matter. [35852/10]

Minister for Finance (Deputy Brian Lenihan): The Income Levy is collected by the Revenue Commissioners as a component of Income Tax. In Budget 2010, it was forecast that Income Tax receipts of €11,530 million would be collected in 2010 and it was projected that the yield from the Income Levy would account for about €1½ billion of the overall amount forecast for Income Tax. The 2010 Budget and Revised Estimates for Public Services 2010 provided for the following receipts: PRSI €7,072 million and Health Levy €2,431 million.

As I announced earlier this month in relation to the end-September Exchequer Returns, Income Tax receipts remain behind target, reflecting labour market developments, which may also be affecting PRSI and Health Levy receipts. The implications of a shortfall in receipts for the end year position are currently being examined. Projections for 2011 are currently being compiled in the context of the formulation of the Government's four-year budgetary strategy, which will be published in the first half of November.

Tax Code

217. **Deputy Leo Varadkar** asked the Minister for Finance the amount that would be raised by increasing corporation profit tax to 15%; and if he will make a statement on the matter. [35853/10]

Minister for Finance (Deputy Brian Lenihan): The full year gain to the Exchequer from increasing the current standard rate of corporation tax from 12.5 per cent to 15 per cent is tentatively estimated to be about €590 million. The gain includes the effect of increasing the standard rate for manufacturing companies from 12.5% to 15%, with the termination of the 10% rate of corporation tax for these companies taking effect from 31st December 2010. While this estimate is technically correct it does not take into account any possible behavioural change on the part of taxpayers as a consequence of such an increase which is likely to be very significant and could cancel out any potential increase in the overall yield.

It should also be noted that Ireland's low Corporation Tax (CT) rate plays an important role in attracting foreign direct investment to Ireland thereby increasing employment here. We also must consider Ireland's place in the new enlarged EU where CT rates are low in some new member states. Ireland must continue to remain competitive in this environment. For these reasons it is essential that we maintain our present low CT rate.

218. **Deputy Leo Varadkar** asked the Minister for Finance the amount that would be raised by imposing a profit tax of 12.5% on financial institutions on top of the existing corporation profit tax; and if he will make a statement on the matter. [35854/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that the basis for any estimate of the corporation tax yield from the action suggested by the Deputy would be the corporation tax returns filed for the year 2008 (the latest year for which such information is available). Assuming that the proposed additional tax rate would apply to the same taxable income of financial institutions to which current corporation tax rates apply, it is tentatively estimated that the full year yield to the Exchequer from imposing an additional tax rate of 12.5% could be of the order of €1.6 billion.

While this estimate is technically correct, it does not take into account any behavioural change on the part of taxpayers as a consequence of such a measure which would be a significant factor given the scale of the increase suggested in the question. The mobile nature of financial services is such that it is very likely that much, if not all, of the international activity, in particular, being undertaken here would take flight. It should also be noted that corporate profitability in the financial sector is likely to have fallen since 2008 to the extent that the estimated yield from this measure in current terms would be lower than the figure given by reference to 2008 profits. I have already highlighted, in separate replies to questions from the Deputy and others relating to the 12.5% rate, the huge importance to Ireland's international competitive position of maintaining this rate.

219. **Deputy Leo Varadkar** asked the Minister for Finance the way the €50 million from the carbon tax promised by him in the budget to assist persons at risk of fuel poverty has been allocated and used; if he will provide a detailed breakdown of same; and if he will make a statement on the matter. [35855/10]

Minister for Finance (Deputy Brian Lenihan): I stated in my Budget speech that the revenue from the carbon tax will, amongst other things, be used to boost energy efficiency, to support rural transport and to alleviate fuel poverty. I would point out that the lowest income households tend to be more dependent on solid fuels such as coal and peat. In that regard the carbon tax has yet to be applied to those products. There is ongoing progress by the relevant agencies under the remit of the Department of Energy, Communications and Natural Resources to target low income households for energy efficient investment.

Fiscal Policy

220. **Deputy Joan Burton** asked the Minister for Finance the date on which he will publish the 2011 pre-budget outlook [35895/10]

Minister for Finance (Deputy Brian Lenihan): The Pre-Budget Outlook is usually published in late October each year in advance of the Budget. As the Deputy is aware, work is currently under way on the preparation of a four-year budgetary plan that will set out the measures required to restore order to the public finances and bring our deficit below 3% of GDP by end 2014. The information normally contained in the Pre-Budget Outlook will be incorporated into the budgetary plan. The four-year plan will be published in the first half of November taking account of the latest economic and fiscal data.

Budget Submissions

221. **Deputy Joe McHugh** asked the Minister for Finance his views on the Keynesian 1936 precept that expectation of change affects consumer behaviour more than the change itself; to acknowledge in this context the affect of the 2009 McCarthy report on consumer spending in 2009; to acknowledge in this same context the affect on current consumer behaviour of the Government's declared intention, Minister for Finance, 30 September 2010, to make a minimum €3 billion savings in budget 2011; if he will allay consumer fears and allow consumer spending to resume by immediately outlining the specific cuts that will be introduced or if he will allow consumer spending to suffer until the introduction of budget 2011; and if he will make a statement on the matter. [35901/10]

Minister for Finance (Deputy Brian Lenihan): My view is that creating certainty is of utmost importance; if consumers are clear as to their future income prospects then the need for precautionary saving will be reduced. As it stands there is no doubt that the savings rate is relatively high, thus displaying an element of caution by some in society.

As has been previously stated, this Government remains fully committed to bringing the deficit below 3% of GDP by end-2014, and in so doing sustainability will be achieved. As part of this process a four-year plan is being prepared and will be published in the first half of November. This plan will set out the revised annual headline targets and the necessary annual adjustment, and in this regard help create greater levels of certainty for all.

The Government has reacted in a timely fashion to the deterioration in the public finances and the worsening global economic environment. Since July 2008, five sets of consolidation measures have been implemented. This approach is designed to ensure that the public finances remain on a sustainable path and, as a result, consumers have greater certainty regarding future income prospects. This timely and decisive approach has contributed to improving consumer confidence. The Report of the Special Group on Public Service Numbers and Expenditure Programmes remains a key point of reference for the Government in considering its overall approach to consolidation.

Tax Code

222. **Deputy Brian O'Shea** asked the Minister for Finance the action he proposes to take regarding vehicle registration (details supplied); and if he will make a statement on the matter. [35912/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that on the introduction of vehicle registration tax (VRT) on 1 January 1993, there was a requirement for all vehicles to be presented for examination prior to registration. However, by the early years of this decade, the Revenue Commissioners had adopted a risk-based approach to the registration of vehicles, thus eliminating the need for all vehicles, save those that posed a serious risk of loss to the Exchequer, to be examined prior to registration. While this risk-based approach proved satisfactory to protect the VRT yield, it meant that a significant number of the used vehicles entering the State were being registered in the State without prior examination.

The Deputy will be aware that Revenue, as the registration authority for the State, also has a responsibility to ensure that all vehicles presented for registration are registered correctly. This responsibility became more onerous with the transposition into Irish law in March 2009 of EU Directive 2007/46/EC, which laid down minimum European vehicle standards as a precondition for registration. While the Directive impacts only on new passenger cars at present, its scope will be extended to all vehicles by 2014. Additionally, other EU Directives will extend obligations on the registration authorities of all Member States to examine all vehicles prior to registration.

In addition to the EU vehicle inspection requirements mentioned above, concerns were raised by members of the Oireachtas, An Garda Síochána and the Road Safety Authority regarding the provenance and safety of some of the used vehicles presented for registration. To address these concerns, the Government decided to make legislative provision to allow for the appointment of a competent person to carry out a pre-registration examination on all vehicles presented for registration. The intention of the relevant law was to ensure that all the conditions necessary for the registration of a vehicle and the proper administration of VRT are complied with before a vehicle may be registered in the State.

Thus, section 131 of the Finance Act 1992 (as amended by section 104 of the Finance Act 2010) provided for the appointment of a “*competent person*” to carry out certain functions relating to the registration of vehicles in the State on behalf of the Revenue Commissioners, while section 109 of the Finance Act 2010 provided for the authorisation of such competent person in respect of the collection and payment of the tax to the Revenue Commissioners.

The requirement to have all used vehicles presented for pre-registration examination has presented some new challenges for both Revenue and the competent person appointed to carry out these functions, namely, the NCTS. In consultation with other stakeholders, e.g. the Society of the Irish Motor Industry (SIMI), the Farm Tractor & Machinery Trade Association Ltd.(FTMTA), Revenue and the NCTS are facing these challenges and have implemented some revised procedures to speed up the registration process. For example, the NCTS have recently put procedures in place to provide additional capacity in their centres, including extending the opening times in some centres and the configuration of two additional centres for registration purposes in order to address current delays. Revenue are examining the possibility of providing electronic facilities for the registration of used vehicles that have been subjected to a pre-registration examination.

Revenue is confident that with the implementation of these and other similar initiatives, an efficient user-friendly service will be available to all persons requiring vehicle registration, notwithstanding the fact that the vehicle will, in all cases as provided for in legislation, have to be presented for examination prior to registration.

Tax Collection

223. **Deputy Jack Wall** asked the Minister for Finance the way a person (details supplied) in County Kildare can claim back any tax due to them; and if he will make a statement on the matter. [35927/10]

Minister for Finance (Deputy Brian Lenihan): I have been advised by the Revenue Commissioners that the taxpayer should complete a Form P50 and forward this, with Part 2 & 3 from his form P45, to East & South East Region, PAYE Mail Centre, PO Box 1, Rosslare Harbour, Co Wexford. Form P50 is available on the revenue website — www.revenue.ie. Form P45 is available from the person's employer on cessation of employment.

Decentralisation Programme

224. **Deputy Charles Flanagan** asked the Minister for Finance the payment of rent by his Department in respect of public servants re-allocated to Portlaoise in the context of the decentralisation programme, together with details of the location of such offices; the numbers of civil servants in such offices; the duration of each lease; and if he will make a statement on the matter. [35929/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): Details of the premises leased in connection with the Decentralisation Programme to Portlaoise are shown on the following table. A total of 317 Department of Agriculture Fisheries and Food staff are accommodated at the locations shown, while 8 Equality Tribunal Staff and 12 NCCA staff are accommodated at the premises indicated.

Location	Annual Rent	Commencement	Term
	€		
<i>Department of Agriculture Fisheries and Food</i>			
Eircom Building, Knockmay Ind Estate, Floors 2 & 3	191,000.00	25/4/05	4 years 9 months
Grattan Business Centre, Blocks A&B	264,640.00	20/1/06	5 years
Grattan House, Ground and 1st Floors, Grattan Business Centre	75,000.00	30/11/07	5 years Next exit option 29/11/2010
Gandon Court, Fairgreen Units 242, 247, 248 & 254-256	70,050.00	3/2/09	20 years Next exit option 13/11/2010
Gandon Court, Fairgreen, Unit 257	76,050.00	24/3/09	20 years Next exit option 21/02/2011
Gandon Court, Fairgreen, Unit 261	67,245.00	1/7/09	20 years Next exit option 31/12/2010
Clonminham Industrial Estate, Unit 11	98,133.16	10/12/07	20 years Next exit option 9/12/2017
<i>NCCA & Equality Tribunal</i>			
James Fintan Lawlor Avenue, 1st Floor	60,961.50	1/7/2008	4 years 11 months Exit option 30/6/11

225. **Deputy Charles Flanagan** asked the Minister for Finance the position regarding of the proposed new decentralised offices at Portlaoise with particular reference to whether there is in existence an agreement with the Industrial Development Agency in respect of the lands, or whether or not a building contract has been completed; when is it expected that building on the site will commence; when it will be completed; and if he will make a statement on the matter. [35931/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The site for the proposed decentralisation of the Department of Agriculture, Fisheries and Food in Portlaoise has been purchased by the Office of Public Works from the Industrial Development Agency.

It was originally planned to procure these offices as part of three offices at Portlaoise, Carlow and Mullingar under a PPP contract known as The Midlands Bundle. It was decided not to proceed with the Midlands Bundle project and to advance the Portlaoise element as a stand alone project to be procured on a traditional basis (Non-PPP). The various options open to the Commissioners to proceed in this way are currently under consideration. Until a decision is taken on the best method of procurement, it is not yet possible to say when the tendering process might commence.

Banking Sector Regulation

226. **Deputy Thomas Byrne** asked the Minister for Finance the deposit protections available to retail depositors in an organisation (details supplied) [35953/10]

Minister for Finance (Deputy Brian Lenihan): All retail depositors (including depositors of the named institution) are covered by the Deposit Guarantee Scheme which covers all deposits per person, per institution indefinitely to a maximum of €100,000.

Eligible deposits in banks which have joined the Eligible Liabilities Guarantee Scheme are fully guaranteed to the end of December 2010 under that scheme. The Deputy should also note that fixed term deposit accounts are covered for up to five years as long as the deposit is made before 31 December 2010 and the institution is a member of the scheme on the date the deposit is made. Further details, including a list of participating institutions, can be found on the National Consumer Agency's dedicated website at www.itsyourmoney.ie

National Asset Management Agency

227. **Deputy Joan Burton** asked the Minister for Finance if loans scheduled for transfer to National Asset Management Agency (NAMA) are to be limited to those where the borrower owes in excess of €20 million, an increase on the original €5 million limit; the nominal value of loans scheduled for transfer to NAMA and the total value of the senior and subordinated NAMA bonds he expects to issue in lieu of these loans; when he expects the final tranche of loans to be transferred to NAMA; the aggregate discount on these loans and the discount per institution; and if he will make a statement on the matter. [35955/10]

Minister for Finance (Deputy Brian Lenihan): In my statement on banking on the 30th of September I set out a number of measures which are intended to reduce uncertainty in relation to the remaining transfers of bank assets to NAMA. The Government has decided after consultation with the Central Bank, the Financial Regulator, the European Commission and the NAMA Board that loans scheduled for transfer from AIB and Bank of Ireland are to be limited to debtors whose total exposure is above a threshold of €20 million. It is considered that smaller loans below this threshold would be better managed through the banks' branch networks and through local banking relationships. This change should also facilitate the completion of all NAMA transfers by year end. I have been advised by NAMA that there are 650 debtors with property-related debts of between €5m and €20m in these two banks accounting for €6.6 billion of NAMA eligible loans. As a result, NAMA now estimates that total loans with a nominal value of €73.6 billion will transfer for a consideration of €30.7 billion.

With the detailed loan-by-loan data available to NAMA from the transfer of the first two tranches and supplemented by information now available to it on the remaining loans, NAMA has been able to refine to a reasonable degree of accuracy its estimates of the discounts on the

remaining loans to be transferred. NAMA has provided me with the estimated discount per institution on the remaining loans, as included in the following table.

	Remaining Loans	Total Loans		
	Discount on remaining loans	Nominal Value	NAMA Consideration	Final Discount
AIB	60%	19.3	8.6	55%
BOI	40%	10.0	6.1	39%
ANGLO	67%	35.0	13.0	63%
INBS	70%	8.5	2.6	69%
EBS	60%	0.8	0.4	56%
TOTAL		73.6	30.7	58%

228. **Deputy Joan Burton** asked the Minister for Finance the breakdown of the non-NAMA loan book of the soon-to-be-nationalised Allied Irish Banks by geography, by sector, by loan type (details supplied); the extent to which each of these segments of the bank's loan book are already subject to write-downs; the extent these loan books are in arrears; and if he will make a statement on the matter. [35956/10]

Minister for Finance (Deputy Brian Lenihan): Many of the details sought, by the Deputy, are contained in the bank's published Half Year Financial Report as at end June 2010. The relevant references in the financial statements are contained in the section entitled "Notes to the Interim Financial Statements" at Note numbers 22 and 23 (pages 72 to 80 inclusive) and Note number 26 (pages 82 — 84 inclusive). Some of the data requested is commercially sensitive and, as the Deputy will appreciate, is not available publicly for reasons of confidentiality and the relevant rules and regulations which apply to a listed company. The representation of AIB as a "soon-to-be-nationalised" institution is inaccurate. It is expected that, as a consequence of the decisions taken regarding the bank recently, the State may acquire a majority shareholding in AIB. It is intended that this recapitalisation will be undertaken in such a way that the bank will retain its market listing, with further details to be provided in due course in the prospectus.

Fiscal Policy

229. **Deputy Joe McHugh** asked the Minister for Finance further to Parliamentary Question Nos. 439 of 29 September 2010 and 151 of 05 October 2010, if his Department is in fact engaged in official discussion with the British Chancellor of the Exchequer and the Northern Ireland Minister for Finance and Public Service in the context of budget 2011; and if he will make a statement on the matter. [35959/10]

Minister for Finance (Deputy Brian Lenihan): As the Deputy is aware, I have met with the Minister for Finance and Personnel in Northern Ireland, Sammy Wilson, on a number of occasions, generally on the margins of North South Ministerial Council meetings, and we have discussed matters of mutual interest, including NAMA and the significant economic and public finance challenges facing both jurisdictions. My Department officials also have ongoing contact with officials in HM Treasury and the Department of Finance and Personnel in Northern Ireland in relation to a range of matters. The Deputy will also be aware that Budget 2011 is a matter for the Irish Government.

Tax Code

230. **Deputy John O'Donoghue** asked the Minister for Finance if his attention has been drawn to recent newspaper articles (details supplied) where the use of patent schemes for paint tin lids were used for tax avoidance or evasion purposes; if he will have the matter investigated; if he will bring in amending legislation if this is found to be necessary; and if he will make a statement on the matter. [35972/10]

Minister for Finance (Deputy Brian Lenihan): The newspaper articles referred to in the question deal with the concerns raised by certain shareholders in a company about aspects of a royalty payment apparently made in respect of a patent. The Deputy raises the issue of possible tax avoidance or evasion. I am not in a position to comment on that aspect or on the tax affairs of the company in question which are confidential to it and the Revenue Commissioners. I have, however, brought the Deputy's question to the attention of the Revenue Commissioners. Section 234 Taxes Consolidation Act (TCA) 1997 provides for a tax exemption for income received by an individual or company from a qualifying patent subject to an annual limit of €5 million and certain conditions. Section 141 TCA provides a tax exemption for distributions paid by companies from tax-exempt patent income, subject also to certain limits and conditions. The patent income exemption scheme has been in place for over 30 years and the rationale behind the scheme is to encourage research and development and to stimulate inventive activity to the benefit of the economy. Royalty payments qualifying for relief under the scheme must not exceed that which would be payable on an arm's length commercial basis. The relief is also subject to restrictions on the use of tax reliefs by high-income individuals which were introduced in the Finance Act 2006. The ability of high-income individuals to avail of tax reliefs was further restricted in this year's Finance Act.

Changes have been made to the scheme over the years to counter attempts to use the scheme for tax avoidance purposes. If any abuses come to the attention of the Revenue Commissioners which they are not in a position to deal with under existing legislation, I will have no hesitation in changing the legislation governing the scheme to bring such abuses to an end.

Departmental Correspondence

231. **Deputy Phil Hogan** asked the Minister for Finance the number of occasions that he has met and the number of contacts made by telephone, or otherwise, with a person (details supplied) since he was appointed a member of Government since 2007; and if he will make a statement on the matter. [35988/10]

Minister for Finance (Deputy Brian Lenihan): I have met the person to whom the Deputy refers in his question on three occasions since my appointment as a member of the Government in 2007. I met him twice in 2008/2009 to discuss the future of a major employer in the State and I met him once socially this year. I have no record of any other contacts with this person.

Tax Code

232. **Deputy Mattie McGrath** asked the Minister for Finance if registered charities are to be expected to pay full VRT and VAT in purchasing vehicles or equipment specifically required to carry out their charitable work [36149/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that with regard to vehicle registration tax (VRT), Section 131 of the Finance Act 1992 requires that vehicles used by State residents must be registered in the State. However, there are a number of occasions where an exemption or relief from the payment of VRT tax may apply.

One such relief in respect of VRT and VAT, subject to certain conditions, is provided for in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations. Statutory Instrument No. 353 of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations, 1994 (Regulation 12) sets out the medical criteria, certification procedures and repayment limits under this Scheme.

Representatives of charitable organisations may wish to examine the above Regulations in order to ascertain whether or not their organisation is eligible under this Scheme. In that regard, such representatives should contact Revenue's Central Repayments Office, M: TEK II Building, Armagh Road, Monaghan (Telephone 047 62100). The Deputy may also wish to note that comprehensive information relating to the Disabled Drivers and Disabled Passengers relief provisions is set out in an information leaflet entitled *Drivers and Passengers with Disabilities — Tax Relief Scheme* which is available in the VRT section on the Revenue website at www.revenue.ie

VAT is chargeable on most vehicles and equipment. Where a charity is engaged in economic activities and its turnover from these activities exceeds certain thresholds it must register for VAT. VAT-registered persons are entitled to claim credit for VAT charged on their inputs that relate to their economic activities, subject to some exceptions. A specific exception is that VAT-registered persons cannot claim the VAT charged to them on the purchase of a motor vehicle designed or constructed for the conveyance of 16 or less persons (inclusive of the driver) by road.

There is no general provision for relief for VAT charged to charities that are not registered for VAT. However, given the broad nature of the Deputy's query he may wish to give specific details to facilitate a detailed reply.

233. **Deputy Michael Moynihan** asked the Minister for Finance if he will clarify the tax treatment of proceeds received by milk suppliers for shares allocated during a recent takeover bid (details supplied) [36155/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that they are not in a position to determine the appropriate tax treatment of the transactions referred to by the Deputy until the full facts and circumstances have been established and made available to them. If any of the milk suppliers involved wishes to obtain clarification of the matter, I suggest he or she arranges for full details of the transactions to be provided to the Revenue office dealing with his or her affairs and Revenue will endeavour to provide the necessary clarification as soon as possible.

Question No. 234 answered with Question No. 215.

Tax Yield

235. **Deputy Michael McGrath** asked the Minister for Finance to provide a profile, using the latest available information, of the State's income tax revenue in terms of the percentage of the overall take being paid by persons in different income brackets [36252/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that the latest available information is a distribution of personal income derived from income tax returns filed for the income tax year 2008. On this basis, the information requested by the Deputy is set out in the following table.

[Deputy Brian Lenihan.]

Income Tax 2008

Range of Gross Income €	Totals					
	Number of Tax cases	% of Total	Income €'m	% of Total	Tax €'m	% of Total
— 10,000	420,279	18.01	1,910.82	2.10	3.24	0.03
10,001 — 12,000	80,502	3.45	888.63	0.98	2.22	0.02
12,001 — 15,000	118,496	5.08	1,599.47	1.76	5.95	0.05
15,001 — 17,000	80,637	3.46	1,291.01	1.42	5.49	0.04
17,001 — 20,000	135,456	5.81	2,508.12	2.76	16.45	0.13
20,001 — 25,000	224,087	9.60	5,039.17	5.55	118.17	0.97
25,001 — 27,000	84,220	3.61	2,189.31	2.41	82.49	0.67
27,001 — 30,000	117,185	5.02	3,340.13	3.68	154.54	1.26
30,001 — 35,000	169,059	7.25	5,483.09	6.04	316.82	2.59
35,001 — 40,000	146,695	6.29	5,492.72	6.05	408.64	3.34
40,001 — 50,000	218,984	9.39	9,777.66	10.76	1,004.40	8.20
50,001 — 60,000	146,275	6.27	8,000.25	8.81	1,035.83	8.46
60,001 — 75,000	142,648	6.11	9,542.35	10.50	1,423.34	11.62
75,001 — 100,000	122,761	5.26	10,518.69	11.58	1,871.54	15.28
100,001 — 150,000	79,399	3.40	9,451.44	10.40	2,063.97	16.86
150,001 — 200,000	21,660	0.93	3,695.72	4.07	935.96	7.64
200,001 — 275,000	11,695	0.50	2,707.38	2.98	724.69	5.92
Over 275,000	13,185	0.57	7,400.57	8.15	2,070.61	16.91
Totals	2,333,223	100	90,836.52	100	12,244.37	100

The information on incomes is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 95 per cent of all returns expected.

It should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

National Monuments

236. **Deputy Dinny McGinley** asked the Minister for Finance his plans to carry out repairs or maintenance works on a building (details supplied) including the provision of a gate and the general upkeep of the facility; and if he will make a statement on the matter. [36271/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): Old Ray Church, Falcarragh, Co. Donegal, lies within the Dromohair National Monuments District. The maintenance issues at Old Ray Church and other monuments in the area are being addressed within the context of revised budget and resource allocations.

Tax Code

237. **Deputy Róisín Shortall** asked the Minister for Finance the recommendations in the Commission on Taxation report that he has so far accepted as policy and which of these he has implemented [36345/10]

Minister for Finance (Deputy Brian Lenihan): The Commission on Taxation was established in 2008 to carry out a comprehensive review of the tax system. It submitted its report in

September 2009. The report has a total of 250 individual recommendations covering income tax, capital, corporation, property and carbon taxes. A comprehensive overview of the Commission's recommendations was prepared by my Department for the Tax Strategy Group which is available on www.finance.gov.ie/documents/tsg/2009/09.05.pdf.

Of the total of 250 recommendations some simply set out general principles of policy while 51 recommended no change to the current situation. A number of recommendations have been implemented such as those relating to further restriction of tax reliefs for high earners, changes to remittance, a windfall CGT rate on rezoned lands, corporate tax holiday for new businesses and a carbon reduction orientated car scrappage scheme to name but a few. Other recommendations will be kept under review on an ongoing basis. I would draw the Deputy's attention to two areas.

Firstly the Deputy will be aware that the report of the Commission on Taxation made 111 recommendations on tax expenditures. The Report recommended that 23 expenditures should be abolished or otherwise modified; five of these were subsequently abolished in the 2010 Budget. The yield from this abolition amounts to €40m in a full year, the majority of which relates to service charges (€23m) from 2011 onwards. Further abolition of expenditures will be considered in the context of Budget 2011.

The measures that were abolished were:

- Capital Allowances for child-care facilities
- Income Tax relief on service charges
- Tax relief provided for long term care policies
- BIK relief relating to the loan of certain art objects
- Modification of residence requirements for donors of property to the State

A further 31 recommendations made by the Commission proposed changes to the existing tax treatment of certain schemes.

The remaining 51 recommendations propose that there be no change in the current tax treatment of the expenditures concerned at the time of the Commission's Report.

Secondly, I announced in Budget 2010 that a carbon tax at a rate €15 per tonne would be introduced on fossil fuels. It should be noted that a carbon tax came into effect on 10 December 2009 in respect of petrol and auto-diesel and from 1 May 2010 to kerosene, marked gas oil (also known as 'green diesel' or 'agricultural diesel'), liquid petroleum gas (LPG), fuel oil and natural gas.

National Lottery

238. **Deputy Liz McManus** asked the Minister for Finance when the licence to operate the national lottery will be put out to tender; and if he will make a statement on the matter. [36366/10]

Minister for Finance (Deputy Brian Lenihan): The National Lottery Licence expires at the end of 2011. A decision has not yet been taken regarding the timing of a process for the award of a new licence.

Health Services

239. **Deputy Ulick Burke** asked the Minister for Health and Children the reasons a person

[Deputy Ulick Burke.]

(details supplied) in County Galway has not received support; when will they be given the necessary support; and if she will make a statement on the matter. [36294/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have asked the Health Service Executive to investigate and to respond directly to the Deputy.

240. **Deputy Billy Timmins** asked the Minister for Health and Children the position on a matter (details supplied); and if she will make a statement on the matter. [35688/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service direct reply.

Health Service Staff

241. **Deputy Noel J. Coonan** asked the Minister for Health and Children further to Parliamentary Question No. 286 of 8 July 2010 her plans to reinstate the Borrisoleigh community welfare officer to Borrisoleigh as the officer is currently operating from Templemore; the timeframe for the move; the reason this has not happened; and if she will make a statement on the matter. [35697/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Ambulance Service

242. **Deputy Noel J. Coonan** asked the Minister for Health and Children the status of a proposed new ambulance base in a town (details supplied) in County Tipperary; the reason for the delay in progressing the project; the date in 2010 when this project will progress as planned; the timeframe for the completion of the new facility; and if she will make a statement on the matter. [35720/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

243. **Deputy Noel J. Coonan** asked the Minister for Health and Children the average length of time it takes for a decision to be made on a medical card application; the number of medical card applications currently awaiting processing; the number of these that are from North Tipperary; and if she will make a statement on the matter. [35721/10]

Minister for Health and Children (Deputy Mary Harney): As the information sought by the Deputy is not provided by the Health Service Executive to my Department as a matter of routine, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Health Services

244. **Deputy Noel J. Coonan** asked the Minister for Health and Children the number of dental practitioners who have ceased business to date in 2010; her view on whether cutbacks to the dental treatment benefit scheme and dental treatment services scheme have been primarily

responsible for many of these closures; if she will consider reversing the measures; and if she will make a statement on the matter. [35722/10]

Minister for Health and Children (Deputy Mary Harney): I have no information on the number of private dental practices which have ceased business this year. Private dental practitioners provide dental treatment under contract through the Dental Treatment Services scheme (DTSS) operated by the Health Service Executive (HSE) and the Dental Treatment Benefit Scheme (DTBS), which is the responsibility of the Minister for Social Protection. In 2009 there was a net increase of 233 dentists contracted to provide services under the DTSS and a net increase of 116 dentists contracted to provide services under the DTBS. During the period January to September 2010 an additional 104 dentists were contracted to provide services under the DTSS and 26 dentists terminated their contracts. In the DTBS an additional 91 dentists have been contracted to provide services this year and 93 have terminated their contracts.

The Government's decision to limit the funding available to the 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. While the HSE has introduced measures to contain DTSS expenditure at the 2008 level of approximately €63 million it is projected that expenditure on the DTSS will reach €79 million by the end of the year. There are no plans to reverse these measures.

Changes were also made to the DTBS, which is the responsibility of the Minister for Social Protection, to save money as the Social Insurance Fund, which funds the scheme, was running a deficit for the first time in a number of years. It is expected that dentists will receive payments of €105 million (DTSS: €79m; DTBS €26m) this year from the two schemes. It should be noted that the income derived from state schemes does not represent the total income received by dentists, as many have private practices.

245. **Deputy Billy Timmins** asked the Minister for Health and Children the position regarding a matter (details supplied); and if she will make a statement on the matter. [35726/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

246. **Deputy Michael McGrath** asked the Minister for Health and Children if she will provide information regarding public hospital waiting lists for surgery (details supplied). [35736/10]

247. **Deputy Michael McGrath** asked the Minister for Health and Children if she will provide information regarding public hospital waiting lists (details supplied). [35737/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 246 and 247 together.

The management of waiting lists generally is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply.

248. **Deputy Mary Upton** asked the Minister for Health and Children if persons attending psychiatric clinics at their local health centres will no longer be entitled to a free prescription for their necessary medication; if local pharmacies will no longer provide this medication free of charge; and if she will make a statement on the matter. [35740/10]

Minister for Health and Children (Deputy Mary Harney): Medical card holders are required to pay a 50c charge for medicines and other prescription items supplied to them by community

[Deputy Mary Harney.]

pharmacists, subject to a cap of €10 per month for each person or family. Administrative arrangements in relation to mental health clinics are a service matter and the Deputy's question has been referred to the Health Service Executive for direct reply.

Vaccination Programme

249. **Deputy Denis Naughten** asked the Minister for Health and Children if she will make a decision on the recommendations of the vaccine damage steering group; and if she will make a statement on the matter. [35755/10]

Minister for Health and Children (Deputy Mary Harney): My Department is currently examining the report of the Vaccine Damage Steering Group and expects to have recommendations for my decision shortly.

Health Services

250. **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. [35756/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

251. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [35759/10]

Minister for Health and Children (Deputy Mary Harney): The HSE launched the 2010 Seasonal Flu Vaccination Campaign on 6th October. Based on advice from the World Health Organisation (WHO), this year the seasonal flu vaccine contains three common flu virus strains, including the Pandemic H1N1 (Swine Flu) strain which is still circulating this year and is expected to be the most common strain this winter.

The National Immunisation Advisory Committee has recommended that those in the “at-risk” categories should receive the seasonal influenza vaccine. In addition, healthy pregnant women and women up to six months after giving birth who have not previously received the swine flu vaccine are urged to get the seasonal flu vaccination this year as they are at a higher risk of complications from swine flu. Pregnant women who have a long-term medical condition such as diabetes, heart or lung disease need to get the seasonal flu vaccine, even if they already have had the swine flu vaccine.

This year's seasonal flu vaccine can be given at any stage of pregnancy and will also protect the baby. The vaccine is also safe for breast-feeding mothers and their babies. Pregnant women will be interested to know that the annual flu vaccine does not contain the adjuvant (aluminium) or thiomersal (mercury based preservative) which were part of one of the swine flu vaccines during last year's pandemic.

Since 1st October 2010, medical card holders are required to pay a 50 cent charge for medicines and other prescription items supplied to them by community pharmacists. The charges are subject to a cap of €10 per month for each person or family.

Should a person or family pay more than €10, the HSE will issue refunds automatically on a quarterly basis based on the information received from the dispensing pharmacy. However, if a person considers that they have not received the refund due to them there is a refund claim

form available through the HSE and an on-line version of the form is available at www.medical-card.ie or www.hse.ie

252. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied) in Dublin 3. [35762/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

253. **Deputy Joanna Tuffy** asked the Minister for Health and Children if she will expedite an application for a medical card in respect of persons (details supplied) in County Dublin; the reason for the delay; and if she will make a statement on the matter. [35765/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Waiting Lists

254. **Deputy Joanna Tuffy** asked the Minister for Health and Children if a person (details supplied) in County Dublin can be supplied with an urgent appointment date for a surgical procedure; the reason for the delay; and if she will make a statement on the matter. [35766/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Services

255. **Deputy Dan Neville** asked the Minister for Health and Children if she will confirm that the full services available at the pathology unit in Limerick Regional Hospital will continue and that there will be no changes to operation of same. [35774/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

256. **Deputy Joan Burton** asked the Minister for Health and Children if she will expedite an appeal against a decision to refuse a medical card in respect of a person (details supplied) in County Dublin; the reason for the delay; and if she will make a statement on the matter. [35791/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy. End of Take

Mental Health Services

257. **Deputy Dan Neville** asked the Minister for Health and Children the total number of children and adolescents on mental health waiting lists for assessment and treatment in tabular form; the total number waiting between three and six month; six and 12 months; 12 and 24 months; 24 months and more; and if she will make a statement on the matter. [35793/10]

277. **Deputy Dan Neville** asked the Minister for Health and Children the total number of child and adolescent inpatient bed for the treatment of mental health; and if she will make a statement on the matter. [36136/10]

278. **Deputy Dan Neville** asked the Minister for Health and Children the total number of child and adolescent inpatient units planned; the location of these projects; the number of beds per unit; the current status of these projects; when they will be completed; and if she will make a statement on the matter. [36137/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 257, 277 and 278 together.

As this is a service matter the question has been referred to the HSE for direct reply.

Health Services

258. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding the implementation of the recommendations of the Health Service Executive's diabetes expert advisory group report, April 2008 and if she will provide details of the progress being made to improve podiatry services around the country in line with the recommendations of the report, including the rollout of a national foot screening programme. [35794/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Aids and Appliances

259. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding a request for a medical device for a person (details supplied) in County Cork [35795/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Warnings

260. **Deputy James Reilly** asked the Minister for Health and Children further to Parliamentary Questions of the 11 November 2009, 3 February 2010, 25 May 2010 and 9 June 2010 the identity of the individual relevant stakeholders referred to in her answers concerning the continuing delay in introducing pictorial warnings on cigarette packs; if she or her officials have contacted these stakeholder; the nature of that contact; when that contact occurred for each stakeholder and if they have replied to that contact; and if she will make a statement on the matter. [35818/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): My Department is working with the Office of the Parliamentary Counsel to finalise the necessary regulations to provide for combined text and photo warnings on tobacco products. Officials will meet with the companies who import tobacco products into this jurisdiction when the drafting is finalised to discuss arrangements for the changeover to new packaging. However, I would emphasise that the decision on the implementation date will rest with me.

Health Services

261. **Deputy Pat Breen** asked the Minister for Health and Children when an application will

be processed in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [35821/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Inter-country Adoptions

262. **Deputy Mary O'Rourke** asked the Minister for Health and Children the position regarding Russian adoptions [35827/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Adoption Act, 2010 gives 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 Act, 2010, once commenced.

The Russian Government has made it clear that if adoptions are to continue, they wish to see have bilaterals put in place with countries wishing to proceed with the adoption of Russian children. I am aware that the US and New Zealand Governments are currently negotiating bilaterals with Russia. I intend to pursue the matter of a bilateral with the Russian Ambassador in Dublin in the coming weeks and establish whether it is possible to put in place a bilateral agreement with Russia that provides safety around the issues of consent and the financial costs of effecting an adoption.

It should be noted that the Adoption Act, 2010, contains a special provision that will enable prospective adoptive parents to proceed with an adoption from a non-Hague or non-bilateral country, if prior to the establishment date, they have been issued with a Declaration of Eligibility and Suitability to adopt. This is significant in that it allows applicants to adopt from Russia if the Declaration has been issued by the Adoption Board prior to commencement of the legislation. The provision requires that the Adoption Authority (to be set up under the Act) would be satisfied that the particular adoption meets all the standards of the Hague Convention.

The Russian embassy have indicated to the OMCYA that, during a recent visit to Ireland, the Russian Deputy Foreign Minister confirmed that Ireland was not blacklisted as regards to inter country adoption.

Although the Russian Embassy in Dublin advised the Department that prospective adoptive parents can still proceed in applying to the Russian consulate for documents for visas and adoptive dossiers for registration, I am aware of queries received recently indicating concerns regarding delays in appointments for visas. Officials in my Department have been in contact with the Russian Embassy on this matter.

Long-Term Illness Scheme

263. **Deputy David Stanton** asked the Minister for Health and Children the reason rheumatoid arthritis is not one of the qualifying medical conditions under the long term illness scheme; and if she will make a statement on the matter. [35843/10]

Minister for Health and Children (Deputy Mary Harney): There are no plans to extend the list of eligible conditions covered by the Long Term Illness Scheme.

[Deputy Mary Harney.]

Under the Drugs Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme is easy to use and significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Hospital Services

264. **Deputy Martin Ferris** asked the Minister for Health and Children if she will ensure that the necessary funding is made available for three replacement facilities to replace St. Finan's Hospital, Killarney [35862/10]

272. **Deputy John O'Donoghue** asked the Minister for Health and Children if funding will be provided in 2010 or 2011 so that alternative and new facilities can be made available to facilitate the closure of St. Finan's Hospital, Killarney [35980/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Question Nos. 264 and 272 together.

As this is a service matter the question has been referred to the HSE for direct reply.

Medical Cards

265. **Deputy Olwyn Enright** asked the Minister for Health and Children when a medical card application will be processed in respect of a person (details supplied) in County Offaly; and if she will make a statement on the matter. [35886/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

266. **Deputy Olwyn Enright** asked the Minister for Health and Children when a medical card application will be processed in respect of a person (details supplied) in County Offaly; and if she will make a statement on the matter. [35887/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Staff

267. **Deputy Jan O'Sullivan** asked the Minister for Health and Children her plans to introduce regulations to add to the categories of health and social care professionals that are included under the Health and Social Care Act (2004) to specifically include music therapists; and if she will make a statement on the matter. [35893/10]

Minister for Health and Children (Deputy Mary Harney): The Health and Social Care Professionals Act was passed by the Oireachtas in 2005 and provides for the establishment of a system of statutory registration for 12 health and social care professions. The 12 professions to be regulated under the Act are clinical biochemists, dieticians, medical scientists, occupational

therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers, and speech and language therapists.

The structure of the system of statutory registration will comprise a registration board for each of the professions to be registered, a Health and Social Care Professionals Council with overall responsibility for the regulatory system and a committee system to deal with disciplinary matters. The first step in the implementation of the system of statutory registration was the establishment of the Health and Social Care Professionals Council in March 2007, for the purpose of protecting the public and promoting high standards of professional conduct, education and competence among these professions. The Council is now being established on a phased basis and has already carried out considerable work on developing Governance arrangements, financial management systems, fitness to practice procedures, ICT requirements and other such issues that will be needed to support the establishment and functioning of all Registration Boards. The Council has already examined which professions from within the designated twelve are most suitable for early registration, the first of which, the Social Workers Registration Board, was established recently. It is envisaged that further progress in bringing additional registration boards on-stream will be made over the coming months. While the proposed system of statutory registration applies, in the first instance, to twelve health and social care professions, the legislation empowers the Minister for Health and Children to include, on the basis of specific criteria, additional health and social care professions in the regulatory system over time, as appropriate. Section 4 of the 2005 Act sets out the criteria governing the subsequent addition of any further professions into the regulatory system at a later date, including:

- (a) the extent to which the profession has a defined scope of practice and applies a distinct body of knowledge;
- (b) the extent to which the profession has established itself, including whether there is at least one professional body representing a significant proportion of the profession's practitioners;
- (c) the existence of defined routes of entry into the profession and of independently assessed entry qualifications;
- (d) the profession's commitment to continuous professional development;
- (e) the degree of risk to the health, safety or welfare of the public from incompetent, unethical or impaired practice of the profession;
- (f) any other factors that the Minister for Health and Children considers relevant.

The priority for the Health and Social Care Professionals Council is to establish statutory registration for the twelve designated health and social care professions in the first instance. The issue of inclusion of other grades, such as music therapists, within the scope of statutory registration will be considered after the initial designated twelve professional grades have been fully dealt with.

268. **Deputy Joe McHugh** asked the Minister for Health and Children to acknowledge that Co-operation and Working Together has approved €2.3 million funding for a consultant urologist at Letterkenny General Hospital; to acknowledge that the Health Service Executive recruitment embargo is blocking the appointment of the consultant urologist even though the CAWT funding is available; if she will derogate the embargo to facilitate a quick appointment; and if she will make a statement on the matter. [35896/10]

Minister for Health and Children (Deputy Mary Harney): Cooperation And Working Together (CAWT) has been appointed by the Department of Health, Social Services and Public Safety, Northern Ireland and the Department of Health & Children as Delivery Agent for the INTERREG IV (Health) Programme. A number of projects are being taken forward under the Programme including the development of existing Urology Services in Letterkenny Hospital. This includes the appointment of a Consultant Urologist and support team.

Under the Employment Control Framework for the Health Sector, there are a number of conditions whereby specified grades, including medical consultants, are exempted from the moratorium on recruitment and promotion. Replacement posts can be filled and new posts may be created once the overall target reduction in numbers of 1,520 in 2010 is being met.

Detailed discussions are ongoing between the Hospital Manager and both the Regional Director of Operations and the Assistant National Director of Human Resources, HSE to progress the appointment of the Consultant Urologist.

Patient Private Property Fund

269. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 228 of 6 July 2010 the value of payments made to date in 2010; the number of payments which have been issued; when repayments will commence in the western region; the timetable for the completion of this process; the reclaim procedure for the next of kin; and if she will make a statement on the matter. [35908/10]

Minister for Health and Children (Deputy Mary Harney): Payment in respect of retained interest on previously invested PPP funds has yet to be made in 2010. The HSE will identify the remaining recipients of these payments from records retained at each Care Centre nationally. There is no requirement on clients or next of kin to make an application for this payment.

Medical Cards

270. **Deputy Joanna Tuffy** asked the Minister for Health and Children the position regarding a medical card in respect of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [35965/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

National Lottery Funding

271. **Deputy Maureen O'Sullivan** asked the Minister for Health and Children the lottery funding that has been given to special projects for youths; the reason there has been a decrease in the lottery funding to SPY; the amount of lottery funding being allocated to SPY for 2011 and the way the rest of lottery funding is allocated [35967/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Children and Youth Services Development Unit (CYSDU) of my Office supports the delivery of a range of youth work programmes and services for all young people including those from disadvantaged communities through grants in aid, which are part-funded by the National Lottery. The Special Projects for Youth Scheme (SPY) is one such initiative supported and funding of €19.5m has been allocated to this Scheme in 2010 through resources made available under Subhead G of Vote 41, which is part funded by the National Lottery. The overall funding provision does not differentiate between the Exchequer and National Lottery element of the

allocation. Funding allocations for 2011 for the youth sector will be considered and finalised following on the budget.

Funding is also made available to national youth organisations under the Youth Service Grant Scheme, local youth clubs, youth information services, collaborative programmes on health and youth arts, Gaisce — the President's Award scheme and Léargas, the body established to administer international exchange programmes.

During the years 2004 to 2008, funding to the youth sector increased from €35.5 million to €52 million. The grant-in-aid budget, under Subhead G, decreased by 3% in 2010. In determining the 2010 allocations to initiatives and schemes, every effort has been made to minimise the impact of the reduction in the 2010 budget on front line youth work services and to treat each stakeholder in an equitable manner. The emphasis in 2010 has been on consolidating, in so far as practicable, the progress made in recent years.

Question No. 272 answered with Question No. 264.

Hospitals Building Programme

273. **Deputy John O'Donoghue** asked the Minister for Health and Children when funding will be made available for the construction of a new community hospital at a location (details supplied) in County Kerry; the stage it is at presently [35981/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

274. **Deputy John O'Donoghue** asked the Minister for Health and Children when a hospital (details supplied) in County Kerry will open. [35982/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): The Health Information and Quality Authority issued the Certificate of Registration for Ospidéal Pobail Chorca Dhuibhne (West Kerry Community Hospital) in Dingle, Co Kerry, on 11 October 2010. This will allow the Health Service Executive to proceed with the transfer of residents from St Elizabeth's into the new facility. The HSE propose to proceed with the first phase of the opening of the new Centre on 27 October 2010.

Mental Health Services

275. **Deputy Dan Neville** asked the Minister for Health and Children the amount spent per annum on the implementation of *A Vision for Change* since its publication in 2006 in tabular form; and if she will make a statement on the matter. [35997/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): The estimated additional cost of the implementation of '*A Vision for Change*' the Report of the Expert Group on Mental Health Policy is €150m over 7 — 10 years. Development funding totalling €51.2m was allocated to the HSE in 2006 and 2007. Additional funding of €2.8m was provided in 2009 for the recruitment of 35 therapy posts for the child and adolescent mental health service. There are, however, also substantial resources tied up in institutions and their release is also required to fund the new model of care.

In relation to annual expenditure on the implementation of '*A Vision for Change*' this question has been referred to the HSE for direct reply.

276. **Deputy Dan Neville** asked the Minister for Health and Children the date on which the Government is required to halt the admission of children to adult psychiatric wards; and if she will make a statement on the matter. [36135/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): The Mental Health Commission has issued a code of practice relating to the admission of children under the Mental Health Act 2001 which outlines arrangements and facilities that should be put in place to ensure the protection and safety of such children. An addendum to this code of practice was issued by the Commission in June 2009 and provides that;

- (a) No child under 16 years is to be admitted to an adult unit in an approved centre from 1st July 2009;
- (b) No child under 17 years is to be admitted to an adult unit in an approved centre from 1st December 2010; and
- (c) No child under 18 years is to be admitted to an adult unit in an approved centre from 1st December 2011.

If, in exceptional circumstances, a young person is admitted to an adult unit, the approved centre is obliged to submit a detailed report to the Mental Health Commission outlining why the admission has taken place. The Commission reviews any such notifications received and follows up as appropriate. The HSE has prioritised the development of mental health services for children and adolescents. During 2009, bed capacity for children and adolescents almost doubled, bringing the total number of in-patient beds to 30. In addition, two new 20 bed units at Bessboro, Cork and Merlin Park, Galway are due to open before the end of the year, and this will increase capacity to 52 beds. A child should of course only be admitted as a psychiatric in-patient as a last resort and should as far as possible receive the necessary treatment in the community. To this end there are now 55 consultant led child and adolescent teams in place throughout the country and a further 8 teams are in development. In addition, work commenced recently on the Linn Dara, Child and Adolescent Facility at Cherry Orchard, Dublin, which will provide a day hospital as well as accommodation for mental health teams and administrative staff, and training and library facilities. It is anticipated that these developments will greatly reduce the need to admit young people to adult units.

Questions Nos. 277 and 278 answered with Question No. 257.

Eating Disorders

279. **Deputy Dan Neville** asked the Minister for Health and Children the number of public beds in the health service that are devoted to the treatment of adults with eating disorders; and if she will make a statement on the matter. [36138/10]

280. **Deputy Dan Neville** asked the Minister for Health and Children the number of public beds in the health service devoted to the treatment to persons under 18 years of age with eating disorders; and if she will make a statement on the matter. [36139/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Question Nos. 279 and 280 together.

As this is a service matter the question has been referred to the HSE for direct reply.

Departmental Agencies

281. **Deputy Olivia Mitchell** asked the Minister for Health and Children the structures and staffing of each of the corporate functions within the Health Service Executive; and if she will make a statement on the matter. [36141/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Service Reform

282. **Deputy David Stanton** asked the Minister for Health and Children if she has received the Irish Heart Foundation's recent publication in relation to the cost of stroke in Ireland; her views on this report in particular the cost saving potential of the report recommendations; and if she will make a statement on the matter. [36146/10]

Minister for Health and Children (Deputy Mary Harney): The Irish Heart Foundation's (IHF) report, 'Cost of Stroke in Ireland', has been received in my Department and is currently being examined. I will be meeting with the IHF very shortly to discuss its contents.

Hospital Services

283. **Deputy David Stanton** asked the Minister for Health and Children the number of stroke centres in the Cork region; her plans to establish a centre of excellence for stroke victims in the Cork region and the progress in relation to same; and if she will make a statement on the matter. [36147/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Departmental Staff

284. **Deputy James Reilly** asked the Minister for Health and Children the total number of staff employed in the Department of Health and Children for the years 2003, 2004, 2005, 2006, 2007, 2008, 2009 and to date in 2010 in tabular form; and if she will make a statement on the matter. [36150/10]

285. **Deputy James Reilly** asked the Minister for Health and Children if she will provide details of any measures to reduce the number of staff in the Department of Health and Children; and if she will make a statement on the matter. [36151/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Question Nos. 284 and 285 together.

The information requested by the Deputy is set out as follows in tabular format. As can be seen, the numbers employed at my Department have been falling steadily over the period concerned with overall numbers decreasing by 173 or 27%. This reduction has been achieved as a result of a number of developments including:

- the establishment of the HSE & HIQA and the transfer of certain functions from the Department to these bodies;
- the transfer of the General Register Office from the Department to the Department of Social Protection;
- the Incentivised Scheme of Early Retirement;

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- the Incentivised Career Break scheme and
- the moratorium on the filling of vacancies in the public service.

It should also be noted that my Department took on a number of additional responsibilities and functions during this period. Responsibility for Youth Affairs transferred into my Department and three agencies have been subsumed under the Government's rationalisation of agencies programme.

In line with the Employment Control Framework (ECF) setting out Government policy on numbers employed in the public service, my Department must further reduce its staffing complement to 450 by 2012. We will use all appropriate mechanisms such as re-organisation and re-allocation of work, including redeployment where necessary, to meet this target.

Year	No. of Staff Employed (WTE)*
2003**	656
2004**	630
2005	641
2006	628
2007	592
2008	529
2009	487
2010 (end Sept)	477

*The figures quoted relate to whole-time equivalents employed at the end of December each year (unless otherwise stated) and are rounded to a whole number. It includes staff working in the core Department, the Adoption Board, the Office of the Ombudsman for Children, the Disability Appeals Office and the Health Repayment Scheme Appeals Office.

**The figures for 2003 and 2004 do not include staff seconded in to the Department.

Hospital Services

286. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a permanent bed at a hospital can be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [36153/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Services for People with Disabilities

287. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if she will ensure the provision of the adequate and necessary range of facilities and support services to meet the requirements of children with special needs; if she will particularly seek to protect such children's support services at all costs notwithstanding the current economic difficulties; and if she will make a statement on the matter. [36154/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy is aware, under the Health Act 2004, the responsibility for the allocation of resources for the provision of health and social services is a matter for the Health Service Executive. In the current economic climate, all sectors of the health services are required to operate within existing available resources including support services for children with special needs. The HSE together with the 'non statutory organisations' who provide services on behalf of the HSE, will

continue to review how these services are provided in order to protect the delivery of front line services as much as possible.

Hospital Services

288. **Deputy Pat Breen** asked the Minister for Health and Children if she will report on the plans for a service (details supplied); and if she will make a statement on the matter. [36164/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Aids and Appliances

289. **Deputy Jack Wall** asked the Minister for Health and Children if there is a grant available towards the purchase of a hearing aid; and if she will make a statement on the matter. [36167/10]

Minister for Health and Children (Deputy Mary Harney): Community Audiology Services provided by the Health Service Executive (HSE) offer assessment and rehabilitation for medical card holders and for children. Children and young people up to 18 years are entitled to access HSE audiology services free of charge at the point of delivery. This covers screening, assessment, diagnostic and related investigations, treatment, habilitation, rehabilitation, hearing aids and cochlear implants. All adults can access acute-based ENT services and associated audiology assessments free of charge. If hearing aids are required, those with medical cards are entitled to be referred to HSE audiology services for the hearing aids, which are provided free of charge.

The Treatment Benefit Scheme, which is the responsibility of the Minister for Social Protection, provides aural services to insured workers and retired people who have the required number of PRSI contributions. Under this Scheme hearing aids may be provided by suppliers who have a contract with the Department of Social Protection. The Department pays half the cost of a hearing aid subject to a fixed maximum of €760 for each hearing aid every two years.

Preschool Services

290. **Deputy Pat Breen** asked the Minister for Health and Children the reason a person (details supplied) in County Clare has not been facilitated; and if she will make a statement on the matter. [36188/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I have responsibility for implementing the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which was introduced in January of this year.

Children qualify for the free pre-school year when they are aged between 3 years 3 months and 4 years 6 months in September of the relevant year. Based on the information provided by the Deputy, the child in question is not within the qualifying age range for the scheme in the current school year but will be eligible in September 2011. It is accepted that the child in question will not be able to avail of the free pre-school year in September 2011 if he commences primary school at that time, at the age of 4 years and 3 days.

Exceptions are allowed to the upper age limit for the scheme in certain circumstances, for example, where a child is developmentally delayed and would benefit from participating in the pre-school year at a later age. Exceptions to the lower age limit are not provided for. This is because the objective of the free pre-school year is to make early learning in a formal setting available to all children in the year before they commence primary school and services partici-

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pating in the pre-school year are expected to provide appropriate age related activities and programmes to children within a particular age cohort.

It is necessary, therefore, to target the pre-school year at a particular age cohort and to set minimum and maximum limits to the age range within which children participate in the scheme. The age range of almost 17 months which is provided for under the scheme is extensive and takes account of a number of factors including the variation in school admission policies and the fact that the majority of children commence primary school between the ages of 4 years 6 months and 5 years 6 months. Arrangements for the 2010/2011 pre-school year are now finalised.

Child Care Services

291. **Deputy Finian McGrath** asked the Minister for Health and Children her views on the principles in this amendment (details attached) to the Child Care Amendment Bill [36206/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): Aftercare is a key element to achieving positive outcomes for young people leaving care. Aftercare services have been developed in Ireland to assist young people in care in bridging the transition from care to independent adult life in the community.

Aftercare is provided for under Section 45 of the Child Care Act, 1991, which states:

“45.—(1) (a) Where a child leaves the care of a health board, the board *may*, in accordance with subsection (2), assist him for so long as the board is satisfied as to his need for assistance and, subject to paragraph (b), he has not attained the age of 21 years.

(b) Where a health board is assisting a person in accordance with subsection (2)(b), and that person attains the age of 21 years, the board *may* continue to provide such assistance until the completion of the course of education in which he is engaged.

Consideration has been given to the legal position with regard to the provisions of aftercare services, having regard to the existing legislative provisions of the Childcare Act 1991. Calls have been made to place Aftercare on a statutory footing, i.e. to amend Section 45 of the Child Care Act, 1991 from a “may” to a “shall”. The legal advice is that the Act creates a statutory power and the HSE, as recipient of this power, must put itself in a position where it can exercise the power should the need arise. There is therefore no need to amend the Act as suggested.

Section 45(4) of the Child Care Act allows the Minister to inform the HSE and instruct it in this or in any other regard. In order to ensure that there was no doubt about the matter, and to emphasise the importance of aftercare services, I wrote to the HSE in June clarifying the issue and directing the HSE to formulate and implement aftercare policies.

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

292. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if it is normal practice for a community welfare officer to request photographs of the home of an applicant for an emergency payment [36209/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Preschool Services

293. **Deputy Terence Flanagan** asked the Minister for Health and Children if he will support the case of a person (details supplied); and if she will make a statement on the matter. [36217/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I have responsibility for implementing the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which provides for a free pre-school year to eligible children in the year before they commence primary school.

Children qualify for the free pre-school year where they are aged more than 3 years 2 months and less than 4 years 7 months in September of the relevant year. This means that children born between 2 February 2006 and 30 June 2007 are eligible for the free pre-school year which commenced in September 2010. There is no provision under the scheme to enrol children that are below the qualifying age.

The objective of the ECCE scheme is to make early learning in a formal setting available to all children in the year before they commence primary school. Services participating in the pre-school year are expected to provide appropriate age related activities and programmes to children within a particular age cohort. It is necessary, therefore, to target the pre-school year at a particular age cohort and to set minimum and maximum limits to the age range within which children participate in the scheme.

In setting the minimum and maximum age limits, account was taken of a number of factors, including the variation in school admission policies and the fact that the majority of children commence primary school between the ages of 4 years 6 months and 5 years 6 months. I understand that the person referred to by the Deputy has a child who will qualify for the ECCE scheme in September 2011 but is outside of the lower age limit for qualification in September 2010.

I also have responsibility for implementing the Community Childcare Subvention (CCS) scheme which provides funding to community childcare services to enable them to charge reduced childcare fees to disadvantaged and low income families. Parents can qualify for support with their childcare costs through the CCS scheme which is open to community not for profit childcare services. Some 950 services throughout the State are participating in the CCS scheme and receive funding which is passed on to qualifying parents in the form of reduced childcare fees.

Eligibility for a GP visit card is based on net income and takes account of outgoings such as rent and mortgage repayments and other expenses including childcare costs and travelling expenses. As a result, parents with substantial gross incomes can qualify under the CCS scheme. Parents who do not qualify for subvention are charged the cost price for their childcare service.

Parents who consider that they qualify for support under the CCS scheme should contact their local City and County Childcare Committee to establish exactly what participating community facilities are available in their area.

Clinical Indemnity Scheme

294. **Deputy John Perry** asked the Minister for Health and Children the full cost to the State of funding obstetric claims met by the clinical indemnity scheme for each year since it was first established; the costs incurred by the State meeting claims against obstetricians engaged exclusively in public practice and those with a mix of public/private patients for each of the past three years; the contributions that the State has received from third parties in respect of

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these liabilities; the provisions for all obstetric claims covered by the scheme for each of the next three years; and if she will make a statement on the matter. [36231/10]

Minister for Health and Children (Deputy Mary Harney): The information sought by the Deputy, where available, is set out below.

The full cost to the State of funding obstetric claims met by the Clinical Indemnity Scheme for each year since it was first established are as follows:

Year	Paid Amount
2004	2,547,123.50
2005	1,514,557.34
2006	3,113,547.98
2007	5,630,002.60
2008	18,900,550.97
2009	15,110,461.40
2010 (To Date)	26,738,770.47
Total	73,555,014.26

The costs incurred by the State meeting claims against obstetricians engaged exclusively in public practice and those with a mix of public/private patients for each of the past three years cannot be quantified as the State Claims Agency does not gather its claims data by reference to a breakdown between consultant obstetricians with a public only practice and consultant obstetricians with a public/private mix.

The State Claims Agency has received €1,468,130 from third party contributions on obstetric claims from 2007 to 2010 (to date). However, medical defence organisations frequently agree apportionment of liability with the Agency in obstetric cases and make their payments directly to Plaintiffs. Details of these payments are not recorded.

The contingent liability in respect of obstetric claims for each of the next three years is estimated to be €170 million cumulatively. The contingent liability is the State Claims Agency's best current estimate of the ultimate cost of resolving each claim less any payments that have already been made: it includes all foreseeable costs such as settlement amounts, plaintiff legal costs and defence costs (such as fees payable to counsel, consultants etc.). Estimated Liabilities may be revised on a regular basis in light of any new information received.

Medical Cards

295. **Deputy John Deasy** asked the Minister for Health and Children the number of persons in Waterford city possessing medical cards in each of the years from 2002 to 2009 and the current number in Waterford city in possession of such cards; if she will provide a breakdown of the number between full medical cards, general practitioner only cards and over 70s cards; and if she will make a statement on the matter. [36237/10]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE) has the operational and funding responsibility for the medical card and GP visit card benefits. It collates medical card and GP visit card data by county, age and gender. Therefore, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Health Services

296. **Deputy John Deasy** asked the Minister for Health and Children the number of home help hours allocated in Waterford city for each year since 2005 and to date in 2010; the number of persons benefiting in each year; the budget allocation in each year in Waterford city; if the allocation was used in each year; and if she will make a statement on the matter. [36238/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

297. **Deputy John Deasy** asked the Minister for Health and Children her plans to restore the dental treatment benefits withdrawn from medical card holders; and if she will make a statement on the matter. [36239/10]

Minister for Health and Children (Deputy Mary Harney): 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. There are no plans to reverse these changes.

Under the new measures the range of treatments available are being prioritised. Other than emergency care, the remaining care provision is subject to prior approval by a clinician in the HSE, who will prioritise for:

- High risk and exceptional patients,
- Those requiring emergency care, and
- Patients who are considered to have greater clinical urgency and/or necessity in receiving care.

The HSE will monitor the ongoing effect of these changes from a clinical and budgetary perspective and will continue to engage with dental professionals to ensure clarity and consistency in implementing these changes. The dental and oral health services currently provided through the HSE Public Dental Service for high risk groups will not be affected by these changes to the DTSS.

298. **Deputy Pat Breen** asked the Minister for Health and Children when an application will be processed in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [36249/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

299. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding the renewal of a medical card in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [36250/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Nursing Homes Support Scheme

300. **Deputy Pat Breen** asked the Minister for Health and Children when payment will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [36256/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Prescription Charges

301. **Deputy Pat Breen** asked the Minister for Health and Children if her attention has been drawn to the anomaly (details supplied) which now exists following the introduction of a 50 cent prescription charge per item for medical card holders and if she has any plans to exempt these groups from this charge [36258/10]

Minister for Health and Children (Deputy Mary Harney): Prescription charges do not apply to items supplied to patients under the Long Term Illness Scheme. Medical card holders are required to pay a 50c charge for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €10 per month for each person or family. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme. There are no plans to exempt any other products or categories of patients from the charge.

Health Services

302. **Deputy Joe Costello** asked the Minister for Health and Children if she will outline the origin and purpose of a centre (details supplied); if it is entirely funded by the Health Service Executive; if she has concerns about its operation; and if she will respond to the enclosed letter [36266/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As this is a service matter it has been referred to the HSE for direct reply.

Nursing Home Subventions

303. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if a person (details supplied) in County Cork is in receipt of the maximum rate of payment under the fair deal nursing home scheme; and if this rate can be increased in view of the substantial shortfall to be paid [36276/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Departmental Expenditure

304. **Deputy Charles Flanagan** asked the Minister for Health and Children the amount her Department has spent on legal fees associated with child care cases in each of the years 2005, 2006, 2007, 2008, 2009 and to date in 2010 in tabular format; and if she will make a statement on the matter. [36278/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The figures relate to costs borne by the Department of Health and Children arising from child care judicial review proceedings at High Court level. These proceedings usually relate to the provision of particular therapies and supports for at-risk children. Legal proceedings may involve

a number of Government Departments or agencies, e.g. the Department of Education and Skills, the HSE etc. The amounts set out represent this Department's contribution to overall legal costs.

2005	2006	2007	2008	2009	2010*
€28,393.27	€83,075.17	Nil	€60,190.23	Nil	€36,350.68

*To date, 12th October 2010.

Departmental Staff

305. **Deputy Charles Flanagan** asked the Minister for Health and Children the number of lawyers employed by her Department and the Health Service Executive to advise on issues related to child care [36279/10]

Minister for Health and Children (Deputy Mary Harney): There are three legal advisors employed in my Department, each designated to different areas of the Department. One legal advisor is designated to the Office of the Minister for Children. In relation to the Health Service Executive, as this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Child Care Services

306. **Deputy Charles Flanagan** asked the Minister for Health and Children the number of child care cases her Department and the Health Service Executive was involved in at District Court level in 2009; the cost of legal fees paid by her Department and the HSE in a typical case; and if she will make a statement on the matter [36280/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Department's records indicate that it was not a respondent in any child care case at District Court level during 2009.

The Department has referred to the HSE, for direct reply to the Deputy, the section of the question relating to the number of childcare cases in which it was involved.

Medical Cards

307. **Deputy Willie Penrose** asked the Minister for Health and Children if, in the context of the recently imposed prescription charges for medical card holders at 50 cent per item up to a maximum of €10 per month, it is the position whereby a person who is the holder of a medical card has to pay the 50 cent charge whilst similar medicine as required by a person is available free on the long term illness scheme; and if she will make a statement on the matter. [36298/10]

Minister for Health and Children (Deputy Mary Harney): Prescription charges do not apply to items supplied to patients under the Long Term Illness Scheme. Medical card holders are required to pay a 50c charge for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €10 per month for each person or family. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme. There are no plans to exempt any other products or categories of patients from the charge.

Health Services

308. **Deputy John McGuinness** asked the Minister for Health and Children if a procedure

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will be arranged in respect of a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [36314/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

309. **Deputy James Bannon** asked the Minister for Health and Children when a person (details supplied) will be given an appointment; and if she will make a statement on the matter. [36318/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Accommodation

310. **Deputy Olivia Mitchell** asked the Minister for Health and Children the position regarding the promised facility for cystic fibrosis sufferers at St. Vincent's Hospital; the reason for the delay in construction; the expected completion date; the estimated opening time; the number of rooms provided for isolation purposes; and if she will make a statement on the matter. [36327/10]

Minister for Health and Children (Deputy Mary Harney): A new ward block to replace existing accommodation is being developed at the hospital. This facility will provide single room en-suite inpatient accommodation (100 rooms) and a dedicated day unit for people with Cystic Fibrosis, including 10 single day treatment rooms with en-suite sanitary facilities.

St Vincent's University Hospital and the HSE are committed to this project and are taking every possible step to resolve all issues in order to ensure earliest possible delivery of the new ward block. St Vincent's University Hospital has advised my Department that the signing of the contract is imminent.

The site has been cleared and is ready for construction to begin and the contract, once awarded, will require 18 months for construction of the new facility.

Child Care Services

311. **Deputy Seán Sherlock** asked the Minister for Health and Children the number of child care employment and training support scheme places available to parents returning to approved courses in Mallow, County Cork; the designated child care facilities operating under this scheme in the town; and if she will make a statement on the matter. [36331/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The new Childcare Education and Training Supports (CETS) scheme was introduced in September of this year and is being implemented by my Office, on behalf of FÁS and the Vocational Educational Committees (VECs) under the Department of Education and Science.

The CETS scheme replaces the previous childcare support schemes implemented by FÁS and the VECs under which qualifying students and trainees were given a weekly Childcare Allowance of up to €63.50 per child as a contribution to their childcare costs. Under the new CETS scheme, qualifying students and trainees can avail of childcare places free of charge. The eligibility criteria are unchanged and continue to be determined by FÁS and the VECs.

Information in regard to the number and location of childcare places claimed in the 2009/2010 academic year was compiled by FÁS and the Department of Education & Skills earlier this

year and provided to my Office in order to put the new arrangements in place and allocate CETS places to services which were accepted into the scheme. Some adjustments to the initial allocations have since been made to take account of the actual demand in each area as students and trainees with childcare requirements commence courses.

Based on the information provided to this Office, 9 full time places are being allocated to two childcare services participating in the scheme in Mallow town with a further 10 full time and 5 part-time places allocated to four services operating in the general vicinity of the town. The two services located within Mallow town, Youthreach Training Centre creche and Rising Stars Childcare, made late applications to this Office in recent weeks to enter the scheme and, as a result, are still in the process of going to contract. However, I am informed that this will be completed shortly.

Grant Payments

312. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding a review by Health Service Executive south of a domiciliary care application case (details supplied) [36334/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Departmental Staff

313. **Deputy Terence Flanagan** asked the Minister for Health and Children if she will provide a breakdown of the staff in the internal audit departments of the Department of Health and Children and in the Health Service Executive; if she will provide details of the work undertaken and the hospitals and health centres audited; how often these audits take place; and if she will make a statement on the matter. [36336/10]

Minister for Health and Children (Deputy Mary Harney): The staff of the Internal Audit Unit of my Department comprises 1 Assistant Principal (Head of Internal Audit), 1 Higher Executive Officer and 1 Clerical Officer.

The Internal Audit Unit's function is to identify and bring to the attention of senior management (MAC members) and line managers (Principal Officers and equivalents), as appropriate, any problems, weaknesses and strengths in the Department's internal control procedures. In addition, the Unit makes recommendations for improvement in the internal control procedures and monitors the implementation of such recommendations.

The information requested by the Deputy in respect of the internal audit function of the HSE has been referred to the Executive for direct reply.

Medical Cards

314. **Deputy Olivia Mitchell** asked the Minister for Health and Children if she will award a medical card to a person (details supplied); and if she will make a statement on the matter. [36337/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

315. **Deputy Seán Sherlock** asked the Minister for Health and Children her policy regarding

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a person in need of prosthetics; the average waiting period in the Health Service Executive south region for medical card holders awaiting new prosthetics; and if she will make a statement on the matter. [36338/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): The Deputy may be aware the Department of Health and Children and the Health Service Executive (HSE) established a Working Group to develop a national policy and strategy for the provision of neuro-rehabilitation services. Its terms of reference include the development of an appropriate policy framework for neuro-rehabilitation and a preferred model of care for the provision of neuro-rehabilitation services.

The policy development has been informed at all stages by the integrated delivery structures being developed by the HSE. In its considerations, the Working Group found clear evidence of the value of assistive technologies, aids and appliances, including prosthetics and orthotics, to persons with neurological or physically disabling conditions and identified the importance of timely access to these services.

As the specific issue raised by the Deputy regarding the waiting period in the HSE South is a matter for the HSE, I have arranged for the question to be referred to the Health Service Executive for direct reply.

Medical Cards

316. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Longford has been refused a medical card; and if she will make a statement on the matter. [36340/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy. End of Take

Health Service Staff

317. **Deputy Mattie McGrath** asked the Minister for Health and Children the number of staff involved in the planning of the reconfiguration of the health services, specifically in the south Tipperary area and the costs involved; and if she will make a statement on the matter. [36344/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Hospital Procedures

318. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if she will request the Health Service Executive to expedite surgery in respect of a person (details supplied); and if she will make a statement on the matter. [36346/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

319. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if she will consider correspondence (details supplied); and if she will make a statement on the matter. [36347/10]

Minister for Health and Children (Deputy Mary Harney): Under the Health Act 2008, higher income thresholds are used for persons aged 70 years and over applying for a medical card. The Health Service Executive (HSE) does not finalise assessments for medical card eligibility on the higher income thresholds until the applicant has reached his/her 70th birthday. The HSE has advised that in this case the medical card application was processed and approved on the date the person reached 70 years of age (4th October 2010) and the card issued very shortly thereafter.

The HSE has informed me that its Primary Care Reimbursement Service (PCRS) has processed 211,801 medical card applications over the last 18 months and currently meets the 15 working day turnaround target in respect of all complete applications.

Services for People with Disabilities

320. **Deputy Denis Naughten** asked the Minister for Health and Children if the national review of adult day services has been completed by the Health Service Executive; if it will be submitted for the consideration of the national disability steering group by the end of January 2009 as envisaged; when the findings of the review will be published; and if she will make a statement on the matter. [36354/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): The report of the HSE review of Adult Day Services has been completed. Its referral to the National Steering Group and publication is a matter for the HSE and I have referred this to the HSE for direct reply.

I wish to advise that the Department of Health and Children is currently carrying out a Value for Money and Policy Review on HSE funded Disability Services.

The report of the HSE review of Adult Day Services is being considered by the Expert Reference Group which is currently finalising proposals on the policy element of the VFM review for submission to the VFM Steering Group.

321. **Deputy Denis Naughten** asked the Minister for Health and Children the progress that the working group on rehabilitation services in the Health Service Executive has made in the development of a strategic plan for regional rehabilitation services; the discussions or meetings she has had with the HSE in relation to same; when she expects the working group and her Department to be in a position to develop and implement a policy in this regard; and if she will make a statement on the matter. [36355/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy may be aware, the Department of Health and Children and the Health Service Executive (HSE) established a Working Group to develop a national policy and strategy for the provision of neuro-rehabilitation services. Its terms of reference include the development of an appropriate policy framework for neuro-rehabilitation and a preferred model of care for the provision of neuro-rehabilitation services.

The policy development has been informed at all stages by the integrated structures being developed by the HSE. It is hoped to formally publish the report in the coming months.

322. **Deputy Maureen O'Sullivan** asked the Minister for Health and Children if she will address the situation of a person (details supplied) in County Dublin whose needs are not being addressed by the health service with the result that their health, educational and social needs are not being met [36358/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have asked the Health Service Executive to investigate and to respond directly to the Deputy.

Grant Payments

323. **Deputy John McGuinness** asked the Minister for Health and Children if she will review an application for funding submitted by a person (details supplied) in County Waterford; and if she will make a statement on the matter. [36362/10]

Minister for Health and Children (Deputy Mary Harney): My Department has no record of an application from the Group referred to by the Deputy. If the organisation wishes to make an application for National Lottery Funding they should send in a formal application. Detailed procedures, and copies all application forms are set out on my Department's website — www.dohc.ie

Services for People with Disabilities

324. **Deputy Pat Breen** asked the Minister for Health and Children when a person will be facilitated (details supplied); and if she will make a statement on the matter. [36367/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have asked the Health Service Executive to investigate this matter and to respond directly to the Deputy.

Medical Cards

325. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [36408/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Social Welfare Benefits

326. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when back to school clothing and footwear allowance will be granted to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [36409/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Services

327. **Deputy Bernard Allen** asked the Minister for Health and Children when a person (details supplied) will receive an appointment for surgery [36508/10]

Minister for Health and Children (Deputy Mary Harney): The management of out-patient waiting lists is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply.

Health Service Staff

328. **Deputy Kathleen Lynch** asked the Minister for Health and Children the out of hours

social worker services available in the Cork area; and if she will make a statement on the matter. [36528/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Government and the HSE remain committed to the development of a comprehensive needs-based service for children at risk. In this context, the HSE established the Emergency Place of Safety Service in June 2009. This service makes provision for gardaí to access an appropriate place of safety for children found to be at risk out of hours under Section 12 of the Child Care Act 1991. The provision of this service, which conforms with relevant regulations and standards, aims to ensure that children presenting as ‘at risk’ outside of normal working hours are provided with an appropriate emergency place of safety thereby reducing or eliminating social admissions of children in an acute hospital setting. The Emergency Place of Safety service provides a standardised response across the country for children who can be appropriately placed in a family setting. This service applies outside the Dublin, Kildare and Wicklow areas where such services are already provided. The on-going operation of the service is under review by a joint HSE/Garda Committee. I am informed by the HSE that since the Emergency Place of Safety Service was established there have been 309 phone calls from an Garda Síochána with 172 children and young people having been provided with placements through the service as of 15th September, 2010.

In addition, and instead of developing a stand alone social work out of hours service, it has been agreed to develop alternative proposals based on a more integrated approach which builds on the HSE’s existing out of hours services including GPs, acute hospital services and mental health services. This should provide a more effective and integrated service by using existing resources and strengthening the links between services such as mental health and social work to appropriately address incidents occurring outside usual working hours. The aim is to ensure that persons seeking personal social services outside normal working hours can be provided with appropriate advice, information, support and, in emergency situations, access to specialist staff, such as staff working in the areas of mental health and suicide prevention. The Government’s Implementation Plan for the recommendations of the Commission to Inquire into Child Abuse also committed to the piloting of two out of hours projects. The sites of these two pilot sites are now being finalised and discussions are ongoing to commence the pilots as soon as possible.

As the specific matter referred to by the Deputy is a service matter this aspect has been referred to the HSE for direct reply.

Road Network

329. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport the length of the A5 from Aughnacloy to Derry; if in these economic times a saving on the initial expected cost is anticipated; where the project stands at this time; its expected date of completion and any other salient details; and if he will make a statement on the matter. [35689/10]

Minister for Transport (Deputy Noel Dempsey): Under the agreement of March 2007 between the Irish and British Governments on a funding package to support the restored Northern Ireland Executive, the Irish Government made a commitment to provide funding of £400/€580 million in a roads investment package for Northern Ireland which will contribute to the upgrading of the A5 road from Aughnacloy to Derry/Londonderry to dual-carriageway status. The Irish Government’s contribution will be made on the basis of actual expenditure incurred during the development and construction phases. In this context drawdown of funding

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depends on the achievement of agreed project milestones and clearance by the Cross-Border Roads Steering Group and North-South Ministerial Council.

The A5 project is being implemented by the Roads Service of Northern Ireland (RSNI). I understand that work is currently progressing well to meet the next key project milestone — Publication of Draft Orders — in late 2010. The expected completion date of the project is July 2015.

Marine Safety

330. **Deputy Michael Creed** asked the Minister for Transport if, in view of the costs involved in the code of practice survey for fishermen, particularly the owners of vessels fewer than 18 m which were excluded from the decommissioning scheme, if he will contact the marine survey office with a view to introducing a reasonable timeframe for works identified under the code of practice survey which do not impact on marine safety; and if he will make a statement on the matter. [35776/10]

Minister for Transport (Deputy Noel Dempsey): The development of safety regulations for fishing vessels dates back to the Fishing Vessel Safety Review group, which reported in 1996. One key recommendation made by that group was for the establishment of a safety regime for fishing vessels covering stability, strength, hull and machinery. Following several fishing vessel tragedies in 2007 efforts focused on the development of a scheme for the fishing vessels in the 15 to 24 m length category. My Department developed regulations for such vessels based on international standards and these regulations were subject to extensive public consultations, following which the regulations entered into force in September of that year. A phased approach was adopted in implementing the regulations, with all new fishing vessels to comply by the 1 October 2007, the following October fishing vessels up to ten years old had to comply and from 1 October 2009 fishing vessels up to 20 years old had to comply. This October the remainder of the fleet have to comply.

Among the safety provisions now being introduced are rules governing the integrity of the hull and stability of the vessel. While I understand that some owners are reluctant to submit their vessels for survey because of concerns about meeting the hull and stability standards, I have to stress that these rules in particular are critical to ensuring the safety of fishing vessels. It is only through the implementation of such internationally accepted safety standards can we hope to avoid many of the fishing vessel tragedies in the past.

I am glad to say that the majority of owners in the fishing vessel class in question have already made application for inspection to the Marine Survey Office (MSO) of my Department. The surveyors are continuing to work with these owners to ensure that vessels can progressively be brought up to compliance standards as quickly as possible. I would, therefore, encourage any vessel owner who has yet to apply to do so now and to engage with the MSO on progressing his / her vessel towards compliance.

As these are key safety regulations and as there has been extensive consultation with the fishing industry and engagement by the majority of vessel owners in the class it is better not to extend the deadline for compliance.

Road Network

331. **Deputy Michael Creed** asked the Minister for Transport the function and responsibility of the National Roads Authority as referred to in the national planning guidelines regarding their responsibility to cater for both local and national traffic; his views on a recent An Bord

Pleanála decision regarding a proposed residential development adjacent to the Dunkettle junction Cork and the manner in which the NRA's failure to abide by the regional planning guidelines, to design and implement improvements at the Dunkettle junction is clearly prejudicial to this and other developments including a park and ride facility which has also been turned down by An Bord Pleanála when both developments which are compliant with the Cork Area Strategic Plan (CASP) and the Cork County Development Plan; and if he will make a statement on the matter. [35777/10]

Minister for Transport (Deputy Noel Dempsey): There are a number of Government policies that address the interface between development and national roads. Where the National Roads Authority participates in the planning process — through consultation with planning authorities on the content of their Development Plans or by way of comments, including appeals to An Bord Pleanála as necessary on planning applications — the Authority seeks to have the objectives of these official policies upheld. Underlying these policies is the recognition that national roads are primarily intended to cater for long-distance inter-urban and inter-regional traffic, rather than short, locally generated trips that should more appropriately be accommodated on local roads or by public transport. Government policy objectives include:

- protecting the substantial investment being made by Government in upgrading national roads;
- maintaining the intended transport function, traffic carrying capacity and efficiency of the network of national roads;
- ensuring high standards of safety for road users and that these standards are not compromised by risks arising from traffic movements associated with multiple access points to the network, and
- extending service life of the national road network, thereby deferring to the longer term the need to reinvest in further road improvements and the construction of new roads which would have implications for landowners, local communities, the environment and public expenditure.

Conflicts can and do occur between development proposals and the broader public interest in maintaining the safety and capacity of the national roads. Such matters fall to be determined by An Bord Pleanála as the body designated to determine the acceptability of individual proposals from proper planning and sustainability perspectives as well as their consistency with relevant official policies.

The National Roads Authority is a statutory consultee under planning legislation and planning authorities must, accordingly, refer to the Authority all planning applications that may impact on national roads. In that capacity, the Authority is entitled to participate in the planning and development process, to make submissions to the planning authority concerned and, in the event of a decision to appeal a planning authority decision, to pursue the matter through An Bord Pleanála.

Under section 17 of the Roads Act 1993, as amended, the statutory remit of the NRA is to secure the provision of a safe and efficient network of national roads. Under section 10 of the Act, local authorities are the statutory authorities responsible for local and regional roads. The NRA has no statutory remit, functions or responsibilities in relation to such regional and local roads, including traffic thereon.

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It is clear from long established national policies that national roads are intended primarily to cater for strategic inter-regional and inter-urban traffic. While national roads can and indeed do accommodate some local traffic, it is essential that the volumes of such traffic are not such that would undermine the primary intended function of national roads in catering for strategic inter-regional and inter-urban traffic.

Best practice in relation to development proposals is that the traffic/ trip implications should be assessed and the appropriate manner to cater for such traffic/trips determined as part of the planning application process. Such responses may entail public transport, walking, cycling and/or the upgrade of the local and regional road network such that any residual trips to cater for national roads do not undermine the strategic function of national roads. This approach has most recently been set out in the Guidelines for Planning Authorities which were issued for public consultation in June, 2010, by the Department of Environment, Heritage and Local Government.

Rural Transport Services

332. **Deputy Joanna Tuffy** asked the Minister for Transport the level of funding that he will allocate to the rural transport programme for 2011; if he will restate the Government's commitment to continue funding this scheme into the future; and if he will make a statement on the matter. [35930/10]

Minister for Transport (Deputy Noel Dempsey): There are commitments to the Rural Transport Programme (RTP) in the National Development Plan, Towards 2016 and the Department's Sectoral Plan under the Disability Act 2005. The development of rural transport is also a key objective in the Government's sustainable travel and transport plan Smarter Travel — A Sustainable Transport Future. The renewed Government Programme contains a commitment to explore the provision of a full-scale transport system in rural areas using the network expertise of Bus Éireann and the resources of the school and health transport systems.

€11 million is being provided for the RTP this year. Consideration of further funding for the Programme will be considered by the Government in the context of the Budget for 2011 and later years.

Severe Weather

333. **Deputy Seán Sherlock** asked the Minister for Transport the emergency response procedures in place to deal with severe weather conditions this winter should such conditions arise; if sufficient supplies of grit will be in place; and if he will make a statement on the matter. [36168/10]

Minister for Transport (Deputy Noel Dempsey): As part of its role on the Government Emergency Task Force, my Department has reviewed the transport-related response to the severe weather events last winter. The Task Force is working on putting in place additional measures should similar events occur in the future. In relation to transport issues, my Department and its agencies are engaged in the development and implementation of these actions. In this regard my Department has issued a Circular to all local authorities requesting them to forward their Winter Maintenance Plans to the Department of Transport and National Roads Authority by 12 November 2010. Plans should identify the lengths (in km) of national, regional

and local roads that are scheduled for regular winter treatment and, in the event of severe weather, the prioritised routes that will be maintained.

The NRA is also finalising its updated “Winter Maintenance Guidelines” which I understand will also address the response to severe weather events. The Guidelines will be launched to all local authorities this Thursday, 14 October.

The NRA has also been tasked with ensuring adequate salt supplies are available in future to maintain a prioritised road network. To achieve this, the NRA advertised a framework contract in August 2010 for the supply of de-icing salt for the coming winter.

The contract is for the supply of 80,000 tonnes with an initial call off of 50,000 tonnes to be imported and distributed by mid December and a further 30,000 tonnes in January 2011. This supply will be in addition to the 20,000 tonnes of salt stock currently available.

The NRA is also investing €6million this year in additional dry storage facilities for de-icing salt and a further €2.5million for grit spreaders/snow blades etc for local authorities.

My Department has also asked its agencies to liaise with local authorities to ensure access to their services are included in the relevant Local Authority priority routes being provided to my Department.

Rail Network

334. **Deputy Joanna Tuffy** asked the Minister for Transport if he will provide details of the work that is being undertaken by his Department to deliver the European Rail Traffic Management System project; and if he will make a statement on the matter. [36199/10]

Minister for Transport (Deputy Noel Dempsey): There is no mandatory requirement to deploy the European Rail Traffic Management System (ERTMS) on the Irish rail network. Decisions regarding the deployment of ERTMS on the Irish rail network are a matter for Irish Rail. I understand from Irish Rail that any decision on the deployment of ERTMS will be considered and planned on an asset renewal basis into the future having regard, inter alia, to the carrying out of a cost benefit analysis on each route as the occasion arises.

Road Network

335. **Deputy Simon Coveney** asked the Minister for Transport the arrangements that have been made between his Department and Cork County Council regarding a road (details supplied); the total cost of this project and the timescale involved. [36246/10]

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 and are supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority. Officials from my Department met with the County Manager from Cork County Council, earlier this year, to discuss options for progressing this project. My Department has written to the Council confirming its commitment to part fund the land acquisition for this project, which will allow the land acquisition to proceed in the near future. The estimated cost of this project is €14.4 million.

EU Directives

336. **Deputy Jim O’Keeffe** asked the Minister for Transport the details of the three EU

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directives in his Department which are overdue for transposition; to give details of the infringement proceedings notified by the EU to his Department in respect thereof; and if he will make a statement on the matter. [36310/10]

Minister for Transport (Deputy Noel Dempsey): Details of the infringements on these 3 overdue EU Directives are outlined below.

1 Infringement Number 2010/0513 (relating to Directive 2009/149/EC amending Directive 2004/49/EC regarding Common Safety Indicators and common methods to calculate accident costs). Proceedings were notified to the Department on 15 July 2010. The draft regulations covering the Directive are being finalised to reflect comments received in my Department’s consultation with interested parties. A copy of the draft regulations was sent to the European Commission on 9 September 2010.

2 and 3. Infringement Number 2010/0673 and 2010/0675 (relating to Directives 2008/57/EC and 2009/131/EC on the interoperability of the rail system within the Community). Proceedings were notified to the Department on 17 September 2010. Draft regulations transposing both Directives have been forwarded to the Railway Safety Commission for their advice on technical aspects, in advance of finalising the regulations.

Headshop Closures

337. **Deputy Seán Barrett** asked the Minister for Justice and Law Reform the reason headshops have not been closed down as promised; and if he will make a statement on the matter. [36161/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): As of 7th October 2010, only 11 so called headshops remained open for business. None of these outlets, to date, have been found or are suspected to be involved in the sale or supply of harmful psychoactive products. I am informed by the Garda authorities that the Criminal Justice (Psychoactive Substances) Act, 2010, which came into effect on 23 August, 2010, has had an immediate positive effect in vastly reducing the number of ‘headshop’ outlets open for business throughout the country. This compares to an equivalent figure provided to me earlier this year by the Garda authorities in May this year to the effect that 102 headshops were operating in the State at that time.

The above Act is part of the Government’s multi-pronged approach to targeting the activities of headshops and the sale of unregulated psychoactive substances. It works in tandem with the ongoing controlling as appropriate of identified harmful substances by the Department of Health and Children through the Misuse of Drugs legislation and also links in with the HSE’s current National Drugs Awareness campaign which is highlighting the dangers of the use of psychoactive substances.

Finally, I can assure the Deputy that the situation will continue to be closely monitored by senior Garda management.

Garda Vetting

338. **Deputy Noel J. Coonan** asked the Minister for Justice and Law Reform the number of applications currently waiting to be processed in Thurles vetting unit; the average waiting time for vetting; his plans to tackle the backlog if one exists; the consequences of a lengthy waiting time for those who apply; and if he will make a statement on the matter. [35706/10]

Minister for Justice 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. 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. At present, there are approximately 60,000 vetting applications in the course of being processed.

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. 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. Registered organisations have been advised to take account of this in their recruitment and selection process. 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 current average processing time for vetting applications received at the GCVU is in the region of ten to 12 weeks, given that demand is particularly high at present.

The allocation of Garda resources, including personnel, is a matter for the Garda Commissioner. Due to the high volume of applications, an additional ten persons have recently been recruited to the Vetting Unit on a temporary basis. In addition, overall staffing arrangements at the Unit are under review at present, in the light of the increasing demands being made upon it.

Garda Recruitment

339. **Deputy Noel J. Coonan** asked the Minister for Justice and Law Reform the Government's policy regarding recruitment to the Garda Síochána; the number of students currently undergoing training in Templemore Garda College; the number of students expected to commence training by the end of 2010 and the number expected for 2011; to outline any changes made to the Garda training programme; the number of applications received under the present programme of recruitment; and if he will make a statement on the matter. [35724/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The general moratorium on recruitment and appointments in the Public Service continues to apply to An Garda Síochána. The purpose of initiating a Garda recruitment campaign at this time is to establish a panel of approved candidates who will be available to meet future Garda recruitment needs in line with Government policy. I was happy to obtain the approval of my colleague the Minister for Finance for this. This forward planning is necessary given the lead time involved both in establishing such a panel and in training recruits to the point of attestation. The Garda recruitment process is managed by the Public Appointments Service on behalf of the Commissioner and I have no function in that matter.

I am informed by the Garda authorities that, on the latest date for which figures are readily available, there were 7 students undergoing training in Templemore Garda College. The recent review on Training in An Garda Síochána found significant strengths in the wide diversity of training provided in the Garda Síochána, both to student Gardaí and to serving members and civilian staff. It also identified areas where the organisation, management and delivery of training could be further enhanced, with considerable benefits for the Garda Síochána and the

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public it serves. The Commissioner will progressively implement these significant and wide-ranging improvements in Garda training, and he will have my full backing and support in that process.

Citizenship Applications

340. **Deputy Joe Behan** asked the Minister for Justice and Law Reform if he will support the case of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [35763/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Section of my Department in July 2010. On examination of the application submitted, it was determined that the application be returned to her in its entirety for further attention on 5 July, 2010. In order to be fair to all applicants, only valid applications can be considered. It is open to the person in question to re-submit the application to the Citizenship Section of my Department at any time.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

341. **Deputy John O'Mahony** asked the Minister for Justice and Law Reform when a decision will be made in relation to the application for long-term residency in respect of a person (details supplied) [35781/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): An application for long term residency from the person referred to by the Deputy was received in my Department on 16 June 2010. Officials in the section that processes such applications have informed me that applications received in February 2010 are currently being processed. It is likely, therefore, that further processing of the application from the person concerned will commence in the near future with a decision expected early next year.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Proposed Legislation

342. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will support a matter (details supplied) [35829/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Criminal Law (Sexual Offences) Act 1993 makes it an offence to solicit in a street or public place for the purpose of prostitution. The offence can be committed by the prostitute, the client or a third party — a pimp, for example. The Act also provides for offences such as organising prostitution, coercing

or compelling a person to be a prostitute, knowingly living on the earnings of a prostitute, or keeping or managing a brothel. In addition, the Criminal Law (Human Trafficking) Act 2008 makes it an offence to knowingly solicit or importune a trafficked person, in any place, for the purpose of prostitution.

Currently under the criminal law in Ireland, it is not an offence, in itself, to sell sex. In general, it is not an offence to purchase sex either. The matter is currently being examined. Any proposal to amend the law in terms of criminalising the purchase of sex would require very careful consideration. During the Summer, the Swedish Government completed an evaluation of its 1999 legislation criminalising the purchase of sex. Sweden was the first country in the world to introduce such legislation and, more recently, Norway and Iceland have introduced similar bans.

The Dignity Project recently arranged a visit to Sweden to learn more about the evaluation and the delegation included representation from my Department. Dignity is an EU funded research project examining services provided to victims of human trafficking, with a view to replicating best practice models in partner countries, and is led by the Dublin Employment Pact and the Immigrant Council of Ireland. My Department's Anti-Human Trafficking Unit and the Garda National Immigration Bureau are partners with observer status. It is an inter-agency and inter-jurisdictional initiative with partners in Scotland, Spain and Lithuania.

The visit to Stockholm took place from 14 to 16 September and my officials are preparing a report of the visit, including an assessment of the Swedish legislative provisions. I will examine the report in due course.

Ministerial Transport

343. **Deputy Simon Coveney** asked the Minister for Justice and Law Reform the number of official cars in use in 2008, 2009 and to date in 2010; the annual cost since 2008 to date in 2010 of replacing these cars; and if he will make a statement on the matter. [35836/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Office Holder cars are provided, pursuant to a long standing arrangement, for the President, Taoiseach, Ministers, Chief Whip, Ceann Comhairle, Minister of State for Children and Youth Affairs, Attorney General, Chief Justice, D.P.P. and former Taoisigh & Presidents. I have been informed by the Garda authorities that the number of official cars in use for the periods requested was as follows:

2008 — 27 cars;

2009 — 26 cars;

2010 — 27 cars.

Office Holder cars are considered for replacement when, due to age and/or mileage, they are no longer economic to maintain. The cost of providing Office Holder vehicles in the period requested was as follows:

2008 — €509,675.85;

2009 — Nil;

2010 — Nil.

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I am advised by the Garda authorities that the milage on each of the current Office Holder cars is as follows:

Office Holder	Kilometres
President	150,905
Taoiseach	132,800
Tánaiste and Minister for Education and Skills	222,155
Minister for Finance	131,883
Minister for Health and Children	227,500
Minister for Enterprise, Trade and Innovation	210,800
Minister for Justice and Law Reform	266,320
Minister for the Environment, Heritage and Local Government	139,134
Minister for Foreign Affairs	127,350
Minister for Transport and the Marine	202,900
Minister for Defence	283,823
Minister for Tourism, Culture and Sports	130,413
Minister for Social Protection	277,500
Minister for Agriculture, Fisheries and Food	222,283
Minister For Community, Equality and Gaeltacht Affairs	234,510
Minister for Communications, Energy and Natural Resources	140,000
Ceann Comhairle	293,037
Chief Whip	224,897
Minister of State for Children and Youth Affairs	113,700
Attorney General	143,700
Ex Taoiseach B Ahern	186,450
Ex Taoiseach A Reynolds	307,296
Ex Taoiseach J Bruton	200,171
Ex Taoiseach G Fitzgerald	44,860
Ex Taoiseach L Cosgrave	101,950
Chief Justice	182,000
D.P.P.	326,297

344. **Deputy Simon Coveney** asked the Minister for Justice and Law Reform the cost of the provision of State cars for former Taoisigh in 2009; and if he will make a statement on the matter. [35837/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Office Holder cars are placed at the disposal of Government Office Holders, including former Presidents and Taoisigh, pursuant to a long standing arrangement. I am advised by the Garda authorities that the cost in 2009 for the provision of Office Holder vehicles for former Taoisigh, including fuel and maintenance was €33,867, exclusive of salaries.

345. **Deputy Simon Coveney** asked the Minister for Justice and Law Reform the number of gardaí involved in driving official State cars; the salary cost incurred for this annually since 2008 to date in 2010; and if he will make a statement on the matter. [35838/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Garda personnel are assigned to the Office Holder fleet as Garda Protection Officers. I am advised by the Garda authorities

that there are currently 54 Gardaí assigned to drive and protect Office Holders, including the President, members of the Government, the Attorney General, Chief Justice, D.P.P. and former Presidents and Taoisigh.

I am informed by the Garda authorities that the salary costs associated with Office Holder drivers for the last two years were as follows:

2008 — €4.6 million;

2009 — €4.2 million.

The Deputy will appreciate that it is not possible to provide the salary costs for 2010 at this stage.

346. **Deputy Simon Coveney** asked the Minister for Justice and Law Reform the cost of fuel, car depreciation and maintenance of State cars annually since 2008 to date in 2010; and if he will make a statement on the matter. [35839/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am advised by the Garda authorities that the information requested by the Deputy, in relation to the years 2008 and 2009 is as follows:

	2008	2009
	€	€
Fuel	218,677	183,493
Maintenance	139,602	147,339
Depreciation	331,142	541,045

It is not possible to provide the Deputy with the costs for 2010 at this stage.

347. **Deputy Simon Coveney** asked the Minister for Justice and Law Reform the number of vehicles that are provided to senior civil servants by the State; the number of additional cars not in regular use but available to Government when required; and if he will make a statement on the matter. [35840/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): A very small pool of vehicles is available to the Department for use in transporting official post, documents and other materials. It is also used on occasion to transport officials where otherwise a taxi may be required. There are no surplus or additional vehicles attached to my Department so the question of additional vehicles not in regular use does not arise.

Money Laundering Legislation

348. **Deputy Leo Varadkar** asked the Minister for Justice and Law Reform if there has been any change of policy with regard to the gardaí certifying copies of a person's passport for the purposes of or setting up an account with a financial institution in compliance with the Criminal Justice (Money Laundering) Act 2010; and if he will make a statement on the matter. [35847/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): There has been no change in policy in relation to the practice of certifying copies of a person's identification documentation by An Garda Síochána in the context of opening an account with a financial institution. When requested members of An Garda Síochána continue to certify identities of per-

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sons against identification documents provided to financial institutions. This has been the practice since the enactment of the Criminal Justice Act 1994. In light of the enactment of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 which repeals and re-enacts certain provisions of the Criminal Justice Act 1994, the practice will be kept under review.

Garda Operations

349. **Deputy Charlie O'Connor** asked the Minister for Justice and Law Reform the action he will take in respect of crime and vandalism in an estate (details supplied) in Dublin 24 which is currently served from Garda stations in Clondalkin and Tallaght; and if he will make a statement on the matter. [35874/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the area referred to is within the Tallaght and Clondalkin Garda Sub-Districts. Local Garda management is aware of difficulties being experienced by residents.

The area is subject to regular patrols by uniform and plain-clothes personnel, including the Community Policing and Mountain Bike Units and the District Detective and Drug Units, supplemented as required by the Divisional Crime Task Force and Traffic Corps personnel. District and Divisional Drug Unit personnel conduct regular patrols in the area, including searches and seizures and intelligence-led initiatives. The provisions of the Road Traffic Acts are strictly enforced. Liaison is maintained with the local authority in relation to the collecting and stockpiling of materials before Halloween.

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, current structures in place meet the requirements of the delivery of an effective and efficient policing service and the best possible Garda service is provided to the public.

Current policing policy is predicated on the prevention of crime, including crimes of violence against persons and property, and public order offences. This approach will promote an environment conducive to the improvement of the quality of life for residents. Community policing is a central feature and core value of Garda policing policy.

350. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will support a matter (details supplied) [35892/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the area referred to is within the Clontarf Garda Sub-District. Local Garda management is aware of incidents of anti-social behaviour in the area.

The area is subject to regular patrols by uniform and plain-clothes units, including the Community Policing and Garda Mountain Bike Units, local Detective and Drug Unit personnel, supplemented as required by the Divisional Crime Task Force and Traffic Corps personnel.

Local Garda Management closely monitors such patrols and other operational strategies in place, in conjunction with crime trends and policing needs of communities, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public. The situation is kept under review.

Current policing plans in the area are designed to address issues of crime and public order offences, including the prevention of public order offences, the prevention of crime including

crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of the quality of life of the residents of the area. Community policing is a central feature and core value of Garda policing policy, which will continue in the delivery of a policing service to the area in question.

Garda Vetting

351. **Deputy Billy Timmins** asked the Minister for Justice and Law Reform the position in relation to a person (details supplied); if this can be dealt with as a matter of urgency; and if he will make a statement on the matter. [35898/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that a vetting application was received by the Garda Central Vetting Unit in respect of the person to whom the Deputy refers. A response to the application was returned to the registered organisation involved on Thursday, 7th October, 2010.

Asylum Applications

352. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for citizenship by naturalisation processed by his Department between 1 July 2009 and 30 June 2010; the number of applications that were approved; the number refused; and if he will make a statement on the matter. [35940/10]

353. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for Irish citizenship by naturalisation were granted between 1 July 2009 and 30 June 2010, disaggregated by the applicants' previous nationalities, age and sex; and if he will make a statement on the matter. [35941/10]

354. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for Irish citizenship by naturalisation refused between 1 July 2009 and 30 June 2010 disaggregated by the applicants' nationalities, age and sex; and if he will make a statement on the matter. [35942/10]

355. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for Irish citizenship by naturalisation refused between 1 July 2009 and 30 June 2010, disaggregated by the reasons for the refusal; and if he will make a statement on the matter. [35943/10]

356. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for Irish citizenship by naturalisation refused between 1 July 2009 and 30 June 2010 on the basis that the applicant had come to the adverse attention of the Garda Síochána; and if he will disaggregate the data by the applicants nationalities; and if he will make a statement on the matter. [35944/10]

357. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for Irish citizenship by naturalisation were refused between 1 July 2009 and 30 June 2010 on the basis that the applicant had come to the adverse attention of a member of the Garda Síochána in situations where the applicant has not had a conviction recorded against them; and if he will disaggregate the data by the applicants nationalities; and if he will make a statement on the matter. [35945/10]

358. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of applications for Irish citizenship by naturalisation approved between 1 July 2009 and 30 June

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2010 in cases where the applicants had come to the adverse attention of a member of the Garda Síochána; if he will disaggregate the data by the applicants previous nationalities; and if he will make a statement on the matter. [35946/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 352 to 358, inclusive, together.

Between 1 July, 2009 and 30 June, 2010 there were approximately

- 12,900 invalid applications for certificates of naturalisation returned to the applicant (by virtue of improper and/or incomplete filling out of the application form.)
- 6,200 valid applications for a certificate of naturalisation deemed ineligible as the applicant did not meet the statutory requirements
- 5,700 valid applications for a certificate of naturalisation approved
- 1,400 valid applications for a certificate of naturalisation refused

Each application for a certificate of naturalisation is examined on its own merits and the Minister decides, in his absolute discretion, whether to grant or refuse the application based on all the information provided. As a result, statistics are not compiled in such a manner as to provide data on the reasons for refusal or granting of applications for certificates of naturalisation. However, I can advise the Deputy that the main negative factors contributing to refusal of naturalisation applications are where I cannot be satisfied that applicants are of good character and/or have not demonstrated that they are in a position to support themselves and their dependants into the future.

In terms of age and gender of those applications approved in the period in question, approximately 1,100 were minors and the remainder were aged 18 and over: 2,700 were female and 3,000 were male.

The information in respect of those valid applications which were refused over the same period is as follows; 600 were female, 800 were male, approximately 500 were minors with the balance aged 18 and over.

Applications for naturalisation for the period in question were received from nationals of over 130 countries.

Visa Applications

359. **Deputy John Deasy** asked the Minister for Justice and Law Reform his plans to ease the visa requirements for those entering the State for the purpose of assisting in developing an existing business and who are here at no cost to the Exchequer; and if he will make a statement on the matter. [36140/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Irish visa requirements are kept under constant review having regard to the current economic needs of the State and the orderly management of immigration generally.

At present, my Department is examining ways to further facilitate foreign entrepreneurs and their families who wish to travel to the State for the purpose of establishing businesses. In addition, as part of the five year strategy ‘Trading and Investing in a Smart Economy’, which was launched by the Taoiseach in September this year, my Department has undertaken to ensure that the visa regime here supports the priorities set out in the Strategy. This new regime

will be designed to ensure that entrepreneurial, business and tourist travellers to Ireland who can be clearly identified as such are specifically facilitated, and that businesses promoting trade, tourism and investment are not placed at a competitive disadvantage. Work is already underway in my Department to deliver on this commitment.

Free Legal Aid Scheme

360. **Deputy Terence Flanagan** asked the Minister for Justice and Law Reform the amount paid out in free legal aid by the State in the years 2005, 2006, 2007, 2008 2009 and to date in 2010; and if he will make a statement on the matter. [36190/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that the costs for criminal legal aid for the years 2005 to 2009 are contained in the Revised Estimates volume for each of the years concerned. As the Deputy will be aware, copies of these documents are available at www.finance.gov.ie and in the Oireachtas Library. The cost of criminal legal aid to date in 2010 is €40.81m.

Asylum Applications

361. **Deputy Phil Hogan** asked the Minister for Justice and Law Reform the reason for the delay in deciding an application for naturalisation in respect of a person (details supplied) in County Kilkenny [36208/10]

Minister for Justice 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 March 2006.

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. However, I understand that the person concerned is a refugee. In accordance with the Government's obligations under the United Nations Convention relating to the Status of Refugees, every effort is made to ensure that applications from persons with refugee status are dealt with as quickly as possible. Officials in the Citizenship Division inform me that processing of the application is ongoing and the file will be submitted to me for a decision in due course.

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.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process. End of Take

Residency Permits

362. **Deputy Joe Carey** asked the Minister for Justice and Law Reform the reasons for the invocation of the one year residency clause under the Irish Nationality and Citizenship Act

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2005 when two EU citizens, one Irish are married and live in another EU member state; and if he will make a statement on the matter. [36213/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister for Justice and Law Reform may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. In the case of a non-Irish national applicant who is the spouse of an Irish citizen those conditions are that the applicant must: be of full age; be of good character; be married to the Irish citizen for at least 3 years; be in a marriage recognised under the laws of the State as subsisting; be living together as husband and wife with the Irish spouse; have had a period of one year's continuous residency in the island of Ireland immediately before the date of the application and, during the four years immediately preceding that period, have had a total residence in the island of Ireland amounting to two years; and have made, either before a Judge of the District Court in open court or in such a manner as the Minister, for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

It is open to the person in question to lodge an application for a certificate of naturalisation with the Citizenship Division of my Department if and when they are in a position to meet the statutory requirements.

Crime Prevention

363. **Deputy Joanna Tuffy** asked the Minister for Justice and Law Reform the steps being taken by gardaí to stop the recent escalation of thefts in the areas surrounding Cullmullen, County Meath; and if he will make a statement on the matter. [36297/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that the area referred to is in the Dunshaughlin Garda Sub-District.

The area is subject to regular patrols by Gardaí attached to Dunshaughlin Garda Station with additional support available, if required, from Ashbourne Garda District personnel, including the District Detective Unit and the Divisional Traffic Corps. A crime prevention initiative which includes additional high-profile uniformed patrols, supplemented by plain-clothes armed personnel, is currently in place in Ashbourne Garda Division, targeting theft-related offences.

Local Garda management closely monitor crime trends which are kept under constant review and, where necessary, dedicated initiatives targeting specific crime types are implemented to prevent, detect and reduce such incidents.

Visa Applications

364. **Deputy Billy Timmins** asked the Minister for Justice and Law Reform the position regarding a matter (details supplied); and if he will make a statement on the matter. [36303/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am not aware of any problems in processing applications for study visas as referred to by the Deputy. It is difficult to know specifically which countries the Deputy has in mind based on the information provided in the question. However, I can assure the Deputy that each visa application received by my Department is assessed on an individual basis and on its own merits no matter where in the world the application is submitted and no matter which country the applicant comes from.

Detailed information and the documentation necessary for consideration of this type of application is provided on the website of the Irish Naturalisation and Immigration Service (www.inis.gov.ie). Compliance with all the necessary requirements should normally result in a visa being granted to the prospective student.

Cross-Border Projects

365. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the nature of the cooperation he envisages between the forensic science services in this State and Northern Ireland; the areas in which there has been co-operation to date and the further initiatives, if any that arise following the trilateral meeting of Justice Ministers that took place on the 27 September 2010 in Dundalk [36360/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): A strand of the Intergovernmental Agreement on Co-operation on Criminal Justice Matters provides for North/South co-operation in the area of forensic science with the aim of identifying areas of mutual support and promoting the exchange of expertise and best practice between the Forensic Science Laboratory and Forensic Science Northern Ireland.

Current priorities for cooperation are set out in the Criminal Justice Co-operation Work Programme 2010-2011 which Northern Ireland Justice Minister David Ford MLA and I agreed and published in July 2010. Specifically, the forensic science priority under the current work programme is to develop a Memorandum of Understanding between the Forensic Science Laboratory and Forensic Science Northern Ireland to provide for mutual support in the event of sudden loss or damage to facilities.

At my recent meeting with Minister Ford and Scottish Cabinet Secretary for Justice Kenny MacAskill MSP on 27 September 2010 I took advantage of the opportunity presented by the meeting to discuss with Minister Ford plans to develop the Memorandum of Understanding, the preparation of which is being progressed by the Director of the Forensic Science Laboratory and her Northern Ireland counterpart.

Co-operation with the Scottish Government in the area of forensic science was also discussed and, following on from my meeting with Ministers Ford and MacAskill, representatives of the Forensic Science Laboratory, Forensic Science Northern Ireland and Scottish Forensic Services will meet later this month to explore further possibilities for enhanced operational co-operation and the sharing of expertise and data between the three forensic science services.

366. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the new initiatives to be taken to tackle organised crime on a cooperative basis with the Northern Ireland Minister for Justice arising out of the trilateral meeting held in Dundalk on the 27 September 2010 [36361/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): On 27 September at the Stephenstown Pond Conference Centre, Dundalk I hosted the first trilateral meeting with my counterparts in Northern Ireland and Scotland, Minister of Justice, Mr David Ford, MLA, and Cabinet Secretary for Justice, Mr. Kenny MacAskill, MSP.

The meeting focused primarily on issues of common interest relating to human trafficking, organised crime, forensic science, DNA databases, police training and approaches to reducing offending. We reviewed measures being taken in each jurisdiction to deal with human trafficking and the cooperation of the law enforcement authorities in coping with a crime which respects no borders. It was recognised that there already is a high level of cooperation taking

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place between the three jurisdictions and we expressed our determination that this be continued and intensified.

The possibility of including human trafficking as a discrete area of cooperation under the Intergovernmental Agreement was discussed and arrangements are currently being made in this regard. It was agreed that there would be a joint awareness raising campaign in both jurisdictions in relation to human trafficking. It is expected that this will take place in early 2011. In addition, arrangements are in train for a meeting to take place in December between officials of my Department and the Scottish Government with a view to enhancing existing cooperation arrangements in the field of human trafficking.

I also took this opportunity to brief my colleagues on developments here in relation to organised crime and the intensive measures, including substantial and wide-ranging changes in the law, which had been undertaken here.

Finally I understand that a senior official from the Organised Crime Unit of the Scottish Government attended the North South Organised Crime Seminar which was held in Belfast last week. Officials from the three jurisdictions met in the margins of the seminar for initial discussion on how to move forward with such joint cooperation.

I look forward to achieving further progress in this area in the coming months.

367. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform if he will detail the new initiatives proposed or the action to be taken in relation to human trafficking as a consequence of the meeting that recently took place in Dundalk between the Northern Ireland Minister for Justice and the Scottish Cabinet Secretary for Justice [36364/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The possibility of including human trafficking as a discrete area of cooperation under the Intergovernmental Agreement was discussed at the meeting with the Northern Ireland Minister of Justice and the Scottish Cabinet Secretary for Justice on 27 September 2010. Arrangements are currently being made in this regard. It was also agreed that there would be a joint awareness raising campaign in both Northern Ireland and in this jurisdiction. It is expected that this will take place in early 2011.

Arrangements are in train for a meeting to take place in December between officials of my Department and the Scottish Government with a view to enhancing existing cooperation arrangements in this field.

Citizenship Applications

368. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding an application for family naturalisation in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [36404/10]

Minister for Justice 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 April 2010.

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. However, I understand that the person concerned is a refugee. In accordance with the Government's obligations under the

United Nations Convention relating to the Status of Refugees, every effort is made to ensure that applications from persons with refugee status are dealt with as quickly as possible.

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. I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

369. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding an application for residency in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [36405/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to my Reply to Parliamentary Questions No. 970 and 1090 of Wednesday, 29 September, 2010.

Since my Reply to those Parliamentary Questions, the person concerned was notified, by letter dated 6 October 2010, of his entitlement to apply for Subsidiary Protection within a 15 working day period.

The 15 working day period referred to in my Department's letter of 6 October 2010 expires on 28 October 2010. It is open to the person concerned to make further representations and/or apply for Subsidiary Protection within that period. In any event, the case of the person concerned will not be further processed until the 15 working day period referred to has elapsed. I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Asylum Applications

370. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding an application for leave to remain and subsidiary protection in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [36407/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): 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 30 November 2007, that the Minister proposed to make Deportation Orders in respect of her and her child. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why Deportation Orders should not be made against her and her child. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

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The person concerned submitted an application for Subsidiary Protection and this application will be considered first. 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.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Operations

371. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform if he will support the matter (details supplied) [36511/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Garda Adult Cautioning Scheme enables the processing of a minor offence committed by a person, over 18 years of age, with no previous convictions who admits to the offence. It provides the option of dealing with such an offence, in those circumstances, by the administration of a caution by a senior Garda officer, as an alternative to prosecution in the District Court, where prosecution is not required by the public interest and it is determined that a caution would be an effective response. The list of offences in respect of which a caution may be administered has been drawn up in consultation with the Director of Public Prosecutions. The Scheme is kept under review by An Garda Síochána and the Director of Public Prosecutions.

Prior to administering the caution, the public interest is taken into account. The views of the victim are also, if reasonably possible, sought.

Ports of Entry

372. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of persons refused leave to land at various entry points; the specific number at each entry point; the reasons leave to land was refused in each case; the ages and nationalities of the persons refused; the countries they were returned to; if persons refused were given access to a translator and legal advice; and if he will make a statement on the matter. [36518/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to this Question in the time available. The information sought by the Deputy is currently being compiled and will be provided as soon as possible.

373. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the representations from Non Governmental Organisations or other bodies regarding the independent monitoring of entry points; and if he will make a statement on the matter. [36519/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): My Department receives representations from time to time from Non Governmental Organisations with regard to various aspects of the immigration system and these have included representations regarding independent appeals at points of entry.

With regard to the question of an ‘independent’ appeal of an immigration decision at the point of entry it must be remembered that the nature of immigration is that it is ultimately, unless provided otherwise, a matter for the discretion of the Minister for Justice and Law Reform exercising our national sovereignty to decide whether or not a foreign national is permitted to enter the State. In such circumstances, appeal to an independent body would not be appropriate.

Firearms Licences

374. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of handguns currently licensed here; and if he will make a statement on the matter. [36522/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have requested from the Garda authorities the information sought and I will write to the Deputy when it is available.

Crime Levels

375. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of victims of human trafficking identified here in the years 2006, 2007, 2008, 2009 and to date in 2010; and if he will make a statement on the matter. [36526/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Criminal Law (Human Trafficking) Act 2008 came into effect on 7 June 2008. Consequently there are no figures for victims of human trafficking identified in the years 2006, 2007 or 2008 prior to 7 June as the crime of human trafficking did not exist in this jurisdiction. No person was identified as a victim of trafficking under the Administrative Immigration Arrangements for the Protection of Victims of Human Trafficking in 2008. 11 persons were identified as victims of human trafficking under the Administrative Immigration Arrangements in 2009 and 5 have been identified in 2010 to date. The remainder of persons alleging human trafficking had existing permissions to remain in the State based on their application for asylum pursuant to the Refugee Act, 1996 or on other forms of residence permissions and accordingly the Administrative Immigration Arrangements did not apply.

Human Rights Issues

376. **Deputy Alan Shatter** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that there has been a cut of 25% in the funding of the Northern Ireland Human Rights Commission; if the Commission has been prohibited from receiving funding from Atlantic Philanthropy; that there is growing concern that the Commission will be unable to discharge its functions in relation to human rights under the Good Friday Agreement; and to ask that these issues be raised as a matter of urgency with the British Government [35937/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Northern Ireland Human Rights Commission is a very important part of the institutional architecture of the Good Friday Agreement. It sends a clear message to all communities in Northern Ireland that their fundamental rights will be protected. I met most recently with Professor Monica McWilliams, Chief Commissioner of the Northern Ireland Human Rights Commission, in Dublin on 9 September. At that meeting, we discussed a number of issues relating to the work of the Commission, including

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proposed budget cuts in the context of the UK government's forthcoming comprehensive spending review. The question of funding from Atlantic Philanthropies was also raised. Atlantic Philanthropies have a strong track record of funding a range of initiatives in Ireland and in Northern Ireland relating to rights, social justice and reconciliation. When I met with the Secretary of State for Northern Ireland, Owen Paterson, on 19 September, I raised the concerns of the Commission in relation to budget cuts, and in relation to funding from Atlantic Philanthropies and expressed the hope that he could look again at this issue. I also underlined the importance that the Government attaches to the Commission and its ongoing work and responsibilities as an institution of the Good Friday Agreement.

Foreign Conflicts

377. **Deputy Seán Barrett** asked the Minister for Foreign Affairs his views on the lack of progress in talks between the Dalai Lama and the Government of China; and if he will make a statement on the matter. [35889/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I have on many previous occasions expressed concern at the lack of results of the dialogue between the Dalai Lama and the Government of China. It is deeply regrettable that reports following the ninth round of dialogue, held in January 2010, indicate that very little progress has been made in achieving a resolution to the situation in Tibet. As stated on many previous occasions in this House, I am of the view that dialogue between the Chinese Government and the Dalai Lama is the best way to address differences and tensions in Tibet over issues of culture, language, religion and identity. While the Irish Government firmly adheres to the 'One China' policy, I believe that dialogue on Tibet is as much in the interests of China, its stability and its harmony as it is of Tibetans. We avail of every appropriate opportunity to convey these views to the Chinese authorities, along with our concerns about aspects of the situation in Tibet.

After the collapse of the previous talks in November 2008 following the rejection of a proposal for greater autonomy by the Chinese authorities, the two sides agreed to hold a ninth round of dialogue. However, in a statement issued following the January 2010 meeting, Vice Minister Zhu Weiqun of the Chinese United Front Work Department expressed sentiments similar to those he had voiced after the previous round. In essence, he contended that the Dalai Lama's call for greater autonomy for his homeland was in reality a call for Tibetan independence; that it represented a threat to China's territorial integrity and national dignity; that the Chinese Government sees no room for negotiation or concession on this issue; and that the Dalai Lama must 'redress his mistakes' and renounce his calls for 'independence'.

For their part, the Tibetan envoys, while insisting that the 'baseless accusations' against the Dalai Lama must cease, have reiterated the Tibetan commitment to continuing the dialogue with the Chinese Government. They have at the same time argued that this dialogue must begin to show some results. I very much wish to see a continuation of this dialogue which represents the best hope of securing a lasting resolution acceptable to both parties.

International Agreements

378. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the reason that the treaty amending the treaties establishing the European Communities and protocol (details supplied) was only laid before the Houses of Oireachtas in September 2010, more than 25 years after it had come into force; and if he will make a statement on the matter. [35909/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Article 29.5 of the Constitution requires that international agreements to which the State becomes a party, with the exception of agreements of a “technical and administrative character”, be laid before Dáil Éireann. The policy of my Department is that all agreements, including those of a technical or administrative character, should be laid before Dáil Éireann as a matter of best practice and in the interest of transparency. This laying procedure is distinct and separate from the requirement in Article 29.5.2 that agreements whose terms impose a charge on public funds be approved by the Dáil before the State may become party thereto.

The obligation in the Constitution to lay all agreements that enter into force for the State before Dáil Éireann is primarily for the purpose of providing information to the Dáil both as to the fact that the State has become party to a particular agreement and as to the terms of the agreement in question. The Constitution does not specify a timeframe in which agreements must be laid, although it is desirable that they be laid promptly. However, a backlog of international agreements for laying before the Dáil built up over the years, largely due to a lack of resources. For this reason, it was decided not to prioritise agreements about which information was already widely available. EU treaties, including the Treaty amending, with regard to Greenland, the Treaties establishing the European Communities, were not given priority, as information on these treaties was already well known to the Dáil and accessible. Prior to its ratification, the text of the Greenland Treaty had been sent to the Oireachtas library and had been the subject of debate in the Dáil during the passage of European Communities (Amendment) Act 1985, which gave effect in Irish law to the Treaty.

In recent years the Department has sought to ensure that all international agreements that have entered into force for the State since 1937 are identified and laid before the Dáil in a timely manner. Currently, the Department seeks to lay all international agreements before the end of the calendar year following the year in which they enter into force for the State. On 31 January 2006, the then Minister for Foreign Affairs, Deputy Dermot Ahern, informed the Dáil, in reply to a parliamentary question (3159/06), of plans to identify and lay before the Dáil all international agreements to which the State had become party since 1937. To date, some 317 such agreements dating from as far back as 1948 have been identified. Of these, 65 were laid before the Dáil in 2006, 217 in 2007, 10 in 2008, 19 in 2009 and 6 in 2010.

I am confident that the vast majority of international agreements which entered into force since 1937 have now been laid before the Dáil, but it is possible that a small number of further agreements will be identified and any such agreements will be laid before the Dáil in due course. Once international agreements are laid before the Dáil they are made publicly available on my Department’s website, in the electronic Irish Treaty Series.

Oireachtas Committee Reports

379. **Deputy Eamon Gilmore** asked the Minister for Foreign Affairs his plans to implement the recommendations of the report published by a sub-committee of the European affairs and European scrutiny committees in so far as they relate to his role; and if he will make a statement on the matter. [32328/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Lisbon Treaty provided for the strengthening of the role of national parliaments, as set out in Article 12 of the Treaty on European Union and in Protocols No 1 and 2 appended to the Treaty. This was part of the significant measures contained in the Treaty to enhance the democratic legitimacy of the Union. Last year I introduced to this House legislation which gave effect to a number of these provisions and the European Union Act 2009 was duly enacted by the Oireachtas last October. The Joint Sub-Committee has since then elaborated further recommendations to give full effect

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to the provisions of the Lisbon Treaty in this area. I want to thank the members of the Joint Sub-Committee for the commitment and seriousness which they brought to their work in drawing up a report that will make a valuable contribution to enhancing the role of the Oireachtas in European Affairs.

I was pleased to have the opportunity to appear before the Sub-Committee on 19th May last and I believe that we had a useful exchange of views. The Sub-Committee's report puts forward a range of interesting suggestions for changes and improvements. I understand that the report is now the subject of a motion before both Houses and it would not be appropriate for me therefore to comment further on its content at this stage.

Diplomatic Representation

380. **Deputy Joanna Tuffy** asked the Minister for Foreign Affairs the position regarding diplomatic relations between Ireland and Transnistria; the plans and intentions for diplomatic relations with Transnistria from both the Irish and European level; the proposals, if any, to provide post-conflict assistance to the people of Transnistria; and if he will make a statement on the matter. [36191/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Transnistria is an area of the Republic of Moldova between the Dniester/Nistru River and the Ukrainian border inhabited mainly by Russian and Ukrainian speakers. In the course of the break-up of the Soviet Union, it unilaterally declared independence from the Republic of Moldova, due mainly to fears over a possible reunification of Moldova with Romania. Transnistria's independence has not been recognised by any member of the United Nations and, consequently, Ireland does not have diplomatic relations with Transnistria, nor are there any plans to establish diplomatic relations. This is also the case for other EU member states.

Ireland recognises the sovereignty and territorial integrity of the Republic of Moldova and supports the efforts of the Government of Moldova and the Organisation for Security and Cooperation in Europe (OSCE) to resolve the conflict in Transnistria. Ireland will assume the Chairmanship in Office of the OSCE in 2012 and will carry forward efforts to resolve the conflict in Transnistria, in the event that no progress has been achieved in the meantime. Transnistria is not currently receiving any post conflict assistance from Ireland. A request for assistance would only be considered in the context of a comprehensive resolution of the conflict.

Human Rights Issues

381. **Deputy Alan Shatter** asked the Minister for Foreign Affairs if he will take an international initiative to have stoning condemned as a crime against humanity and to call on all states, including Iran, to end this medieval and barbaric punishment; and if he will make a statement on the matter. [36363/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Ireland is completely opposed to the use of stoning, a practice which has no place in the twenty-first century. Stoning is a particularly cruel method of execution which amounts to torture. I have made clear Ireland's concerns about human rights in Iran and our abhorrence of the practice of stoning in contacts with members of the Iranian Government, most recently at a meeting which I had with Foreign Minister Mottaki in Dublin on 9 June. I have written to Foreign Minister Mottaki on a number of occasions to express my concerns about, and to raise specific aspects of, the human rights situation in Iran.

In my remarks to the United Nations General Assembly on 27 September, I drew attention to the human rights situation in Iran including profoundly disturbing recent human rights abuses. These include the appalling sentencing of Ms Sakineh Mohammadi Ashtiani to death by stoning for adultery in Iran which has been the subject of an international outcry in recent months. The case of Ms Ashtiani has been raised with the Iranian Ambassador to Ireland by officials in my Department.

Ireland has also been active in raising issues relating to human rights in Iran within the specific UN bodies which deal with human rights. Along with our European Union partners, we have consistently supported the annual Resolution on the human rights situation in Iran which is adopted by the UN General Assembly. In our national intervention at the fifteenth session of the UN Human Rights Council in Geneva on 17 September, we raised concerns relating to the death penalty in Iran. I urge the Iranian authorities to introduce a moratorium on executions pending the abolition of the death penalty in accordance with UN General Assembly resolutions 62/149 and 63/168.

In my view, stoning, even where it is not fatal, amounts to torture. The prohibition against torture is a fundamental norm of international law. We would continue to urge Iran and any other country which so provides in its laws to abolish the practice of stoning in line with international law. Iran is party to the International Covenant for Civil and Political Rights (ICCPR) which contains an absolute prohibition on torture. I would also strongly urge Iran to become a party to the International Convention Against Torture.

Question No. 382 answered with Question No. 113.

Foreign Conflicts

383. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will report on the various conflict or famine locations throughout the African continent; the degree to which the international community continues to intervene in a positive and supportive manner; the extent to which the various UN or EU supportive missions have been effective; and if he will make a statement on the matter. [36413/10]

Minister for Foreign Affairs (Deputy Micheál Martin): There are several countries in Africa which are suffering from conflict or food shortages. I do not propose to go into details on each of them individually. The international community continues to intervene to address these issues on the African continent, whether on a bilateral or multilateral basis.

With regard to the issue of hunger and famine, it is estimated that more than a billion people today do not have enough food. Ireland is responding to this challenge, working bilaterally in our programme countries with our EU partners and other donors, and at a global level through the UN agencies. Since the publication of the report of the Hunger Task Force in September 2008, Ireland's focus on hunger reduction has become a cornerstone of Irish Aid's development programme.

With regard to Africa, efforts are concentrated on the three priority areas identified in the report, namely: increasing smallholder agricultural productivity in Africa; targeting under-nutrition (especially maternal and infant); and promoting governance and leadership action on tackling global hunger. Nowhere is this work more challenging than in African countries affected by conflict where it is critically important to move quickly with large-scale emergency food assistance in order to save lives.

Yet we know that more can be done to address the causes of hunger and famine. To this end, at the Millennium Development Goals Summit last month in New York, I hosted a meet-

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ing with the US Secretary of State, Hillary Clinton, to accelerate action against hunger. At this meeting, Ireland and the US came together to highlight the urgency of tackling undernutrition in pregnant women and children under the age of two and to build new partnerships with global political, business and civil society leaders. Our two countries launched the “1,000 Day” initiative to focus on the period from pregnancy to a child’s second birthday and to galvanise international action on this issue. We were both very encouraged by the support that we received by the international community, including the UN Secretary General Ban Ki Moon, EU Commissioner Georgieva, the World Food Programme, UNICEF and the World Health Organisation. Irish officials are working with their US officials to galvanise action in this regard.

With regard to security, UN and EU peacekeeping missions in Africa have a role in stabilising former and current conflict zones. Members of the Irish Defence Forces have participated in numerous UN and EU peacekeeping missions in Africa, including in the Congo, Eritrea, Liberia and most recently in Chad. In developing a sustainable approach which properly addresses the root causes of conflict and famine, and other problems, African leadership and responsibility are crucial. This is recognised by the EU and UN, which are both working to build the capacities of African States and the African Union to respond to these challenges. Ireland is committed to playing its part in this work, and I believe that our comprehensive and inclusive approach to these challenges stands the best chance of facilitating real and positive change in the lives of millions of people in Africa.

384. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he and his EU colleagues have applied themselves to the situation in the western Balkans with a view to ensuring that the various entities involved are encouraged to respect each other’s position in the context of continued peace and tolerance; the extent to which the EU continues to engage and positively influence the issues; and if he will make a statement on the matter.

[36414/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Ireland, together with our EU partners, is committed to enhancing stability in the Western Balkans region. The EU perspective for the countries in the region, agreed at the June 2003 Thessaloniki European Council, is essential in helping to build and maintain this stability. The EU’s Stabilisation and Association process provides the framework for cooperation on economic, political and legal matters aimed at bringing countries in the region towards EU standards and principles.

The Western Balkans remains a priority area for the EU and is discussed frequently by Foreign Ministers, most recently at the Foreign Affairs Councils in June and July 2010. These discussions followed on from the high-level meeting on the Western Balkans in Sarajevo on 2 June which was organised by the Spanish EU Presidency. The meeting in Sarajevo was attended by all EU and Western Balkans countries. Minister of State Mansergh represented Ireland. The meeting took place in a positive and constructive atmosphere and served to build on the positive developments we have seen in the region recently.

Meetings with my Western Balkans counterparts were a priority in my schedule at the UN General Assembly in New York last month. I had very useful discussions with the Foreign Ministers of Croatia, Serbia and Bosnia-Herzegovina. I also had the opportunity to discuss developments in the region with the Turkish Foreign Minister while in New York. In addition, the region was discussed during the EU-Russia and EU-US meetings in the margins of the General Assembly. My visit to Romania and Bulgaria last week, meanwhile, provided a further opportunity to hear the perspective of some of those closer to the region on recent devel-

opments. This followed on from discussions I had with my Austrian and German counterparts in early September.

The most significant developments in the Western Balkans region in recent months relate to the judgement by the International Court of Justice (ICJ) on the declaration of independence by Kosovo, and subsequent joint EU-Serbia UN resolution, and the elections in Bosnia-Herzegovina on 3 October. In July, the ICJ ruled that Kosovo's declaration of independence did not violate international law. Serbia put forward a draft UN General Assembly resolution on the matter which would have been unacceptable to the EU. Ultimately, however, Serbia and the EU reached a compromise on the resolution, and a joint EU-Serbia text was adopted by consensus in the General Assembly in September. The EU-Serbia resolution included an offer by the EU to facilitate a dialogue between Belgrade and Pristina. Discussions are ongoing at official level as to the form and scope of such a dialogue.

Provisional results for the elections in Bosnia-Herzegovina indicate gains for moderates in the Bosniak-Croat Federation, while the ruling party, the Alliance of Independent Social Democrats, did well in the Republika Srpska. In its preliminary assessment, the OSCE-led election observation mission (to which Ireland contributed nine observers) reported that the elections were conducted generally in line with OSCE and Council of Europe commitments and represented further progress for Bosnia-Herzegovina. It is important that now, after the general election, fresh impetus is given to domestic reforms to ensure Bosnia-Herzegovina moves forward on the path towards the EU. The EU is ready to play its part by encouraging political leaders in Bosnia-Herzegovina to engage in constructive dialogue and by assisting with the reform process. However, the key to progress lies with the political parties themselves.

Overall, there has been a marked improvement in the regional dynamic over the past year. In December 2009, the EU granted the citizens of Serbia, Montenegro and Macedonia visa-free access to the Schengen area. This was a significant boost for the region, and it is expected that it will be extended to Bosnia-Herzegovina and Albania at the end of this year. Other positive steps towards regional reconciliation include: the appointment by Bosnia-Herzegovina of an ambassador to Belgrade after a three-year hiatus; the declaration by the Belgrade Parliament last March condemning the Srebrenica massacre; Serbia's handing over of the wartime notebooks of Ratko Mladic to the ICTY in May; and the joint visit by the Serbian and Croatian Presidents to Bosnia for the Srebrenica commemoration this July. I welcome these forward-looking gestures, which are a testament to how far the Western Balkans region has come over the past 15 years. The EU will remain engaged in assisting the countries in the region to undertake the reforms necessary to move forward in their path to the EU.

Middle East Peace Process

385. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which he and his EU colleagues continue to engage in the Middle East peace process with particular reference to the need to establish and promote tolerance and observance of human rights on all sides; and if he will make a statement on the matter. [36415/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Along with my EU colleagues, I continue to give a very high priority to supporting efforts to reach a comprehensive peace agreement in the Middle East. The issue is discussed very frequently at the Foreign Affairs Council, and I have made a number of visits to the region myself, to meet with the leaders, learn about the issues, and encourage their efforts. I have reported in more detail about the current direct negotiations in reply to other Questions on today's Order Paper.

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The issues of tolerance and human rights are of course at the heart of the conflict in the Middle East, which was characterised for many years by mutually exclusive claims and refusal to accept the rights of the other community. Broadly speaking, the resolution of the political issues is the essential step if greater mutual respect and toleration are to be achieved, and so our main efforts are focussed on the resolution of the overall conflict. But Ireland also supports NGOs working for toleration and mutual engagement between the parties, including visits to Ireland by groups from both sides, and faith leaders. Ireland and our EU partners also engage in an active human rights dialogue with most countries in the Middle East, including Israel and the Palestinian Authority.

There is a concern in this area and in the wider Middle East about growing radicalisation and intolerance, and also about the pressure this puts on minority groups such as the small but ancient Christian communities. At the same time, many agencies and groups in the region are actively promoting toleration and mutual understanding. I would point, in particular, to the work of UNWRA in this regard.

Question No. 386 answered with Question No. 102.

Question No. 387 answered with Question No. 95.

Rapid Response Initiative

388. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent if any to which he and his EU colleagues propose to improve the EU rapid response programme with particular reference to early intervention and the necessary back-up support; and if he will make a statement on the matter. [36418/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): Ireland and other European Union Member States have actively participated in efforts to reform and improve the effectiveness of the EU's humanitarian response capacity, in particular since the Asian tsunami of 2004. This process is an ongoing exercise which involves drawing lessons from the response to major humanitarian crises and assessing how the EU can improve the effectiveness and coherence of its action, in close cooperation with the United Nations, which has overall responsibility for the coordination of humanitarian affairs worldwide.

Ireland is presently participating actively in a Lessons Learned exercise being carried out by the EU following a number of recent large scale humanitarian crises such as the Haiti earthquake. One important element of this process will be an assessment of how the response of individual Member States can be better coordinated. A number of EU States possess significant rapid response capacity which complements those within the United Nations and NGO systems. In Ireland we have the Rapid Response Corps managed by my Department — a system which is mirrored in a number of other Member States. The Rapid Response Corps is a roster of highly skilled and experienced volunteers who make themselves available to deploy to humanitarian operations worldwide.

Ireland supports efforts to improve cooperation and coordination between national mechanisms. We have encouraged the European Commission to base any future proposal for changes to EU arrangements on a thorough review of existing systems, so as to avoid duplication or overlap. Any future proposals should also be made in close consultation with the UN given the latter's pre-eminent role in the humanitarian sphere.

Human Rights Issues

389. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the outcome of the various EU and UN interventions-discussions in the matter of a person (details supplied), an Iranian academic who was arrested in Iran on 9 July 2008; and if he will make a statement on the matter. [36419/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I refer the Deputy to the answers I gave on 27 April and 6 July to his questions on the matter. Dr Kian Tajbakhsh is a dual US-Iranian national, arrested in July 2009. Dr. Tajbakhsh's case was heard by an appeals court on 10 February and his sentence was set at five years for a variety of charges linked to the post-election disturbances in Iran. These charges have been strenuously denied by the US government, which has called for his release. I understand that Dr. Tajbakhsh was released on bail on 13 March for the Iranian New Year and allowed to return to his family. There have also been unconfirmed reports that Dr. Tajbakhsh was only released after payment of a substantial bail. Dr. Tajbakhsh's release period was further extended in early April. It remains to be seen whether he will be permitted to leave the country.

In a strong statement on Dr. Tajbakhsh's case on 1 December 2009, the EU Presidency reiterated its concerns and described the reports of Dr. Tajbakhsh facing additional charges as "deeply worrying". The EU statement urged Iran to comply with all international and regional human rights instruments which it had ratified, and not least with the relevant articles of the International Covenant on Civil and Political Rights regarding the right to a fair trial, which is also enshrined in the Constitution of the Islamic Republic of Iran. The case of Dr. Tajbakhsh, as an American citizen, continues to be dealt with actively by the Swiss Embassy in Tehran, which represents US interests in Iran. Our Embassy in Tehran also continues to monitor closely the case. I join the US Government's calls for the Iranian authorities to allow Dr. Tajbakhsh to leave Iran.

Humanitarian Assistance

390. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the extent to which the International community plans to make further positive intervention in the Sudan; and if he will make a statement on the matter. [36420/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The north-south peace process in Sudan is at a critical juncture as the country prepares for a referendum on self-determination for the South and a separate referendum on the status of the district of Abyei in January 2011. The referenda are envisaged by the 2005 Comprehensive Peace Agreement (CPA) between the National Congress Party (NCP) and the Sudanese People's Liberation Movement (SPLM), which brought an end to the north-south conflict in Sudan. Ireland and the EU believe that full implementation of the CPA is fundamental to securing peace and stability in Sudan as a whole and in the wider region. This is a position shared by a wide range of countries, including the United States and the Member States of the African Union.

In view of the importance attached to a peaceful and orderly referendum process in Sudan, the international community is paying close attention to developments in the country. On 24 September, UN Secretary General Ban Ki-moon hosted a high level meeting in New York on Sudan at which representatives of the Government of Sudan and the Government of South Sudan were joined by twelve Heads of State and Government, including US President Obama, as well as representatives of the EU, African Union and other interested parties in reaffirming the importance of full implementation of the CPA. Last week the members of the UN Security Council visited Sudan to review preparations for the referendum and also to assess the situation

[Deputy Micheál Martin.]

in Darfur. The Intergovernmental Authority on Development, which groups six East-African states including Sudan, will hold a conference on Sudan next month.

The EU Special Representative to Sudan, Rosalind Marsden, is playing an active role in encouraging both sides to fulfil their obligations under the CPA to put in place the necessary arrangements and to create the conditions to allow a free and fair referendum next January which produces a credible result that is accepted by all. The EU will deploy an Election Observation Mission to Sudan, to cover both the voter registration process and the referendum and preparations for this mission have already begun. Nationally, Ireland attaches considerable importance to a peaceful and orderly referendum process. This was one of the pressing issues I highlighted in my address to the UN General Assembly last month and personnel from our Embassy have also recently visited South Sudan to review the situation on the ground.

The continuing conflict in Darfur and the associated tensions with the international community over the ICC arrest warrant against President Bashir also impinge on the north south peace process. The CPA calls for a settlement to the conflict in Darfur with the Doha peace process the focal point for international efforts to bring an end to the conflict there. The negotiations are being led by the joint AU-UN chief mediator, Djibril Bassolé, whose work Ireland fully supports. While the Doha process suffered a serious setback in May when the Justice and Equality Movement (JEM), one of Darfur's biggest rebel groups, withdrew from the negotiations, following efforts by AU-UN chief mediator Bassolé, they have agreed to return to the negotiating table.

The aim of mediation efforts remains a comprehensive resolution to the conflict in Darfur which brings peace, security and development to the people of this region, and Ireland, with its EU partners, will continue to support the ongoing efforts of the AU-UN chief mediator to achieve progress in the Doha talks. I also welcome the commitment of other regional and international stakeholders to securing peace in Darfur. At the same time, I believe that it is essential that a unified and coherent international approach is taken. This approach will continue to inform EU policy on Darfur. Ireland will also continue through its humanitarian aid programme in the region, which totalled almost €3.5 million since 2008, to provide assistance to the large numbers of people displaced by the conflict.

Ireland, the EU and the broader international community are strongly committed to support the development of a democratic, peaceful and prosperous Sudan and believe that only through an agreed approach which is inclusive of all Sudanese, can these objectives be met. Taking into account the interdependent and complex nature of the political challenges facing Sudan, the Union will remain engaged during this pivotal period for Sudan.

Foreign Conflicts

391. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs if he will provide an update on the situation in Mozambique with particular reference to the evolution of the democratic process; and if he will make a statement on the matter. [36421/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Mozambique is an important partner for both Ireland and the European Union in Africa, and a priority country within Ireland's official development cooperation programme. Notwithstanding considerable economic and social progress since the conclusion of its civil war in 1992, Mozambique remains one of the poorest countries in the world, dependent on external resources. Ireland, together with EU and other donor partners, maintains an ongoing dialogue with the Government of Mozambique on political, economic and social developments in that country. Our dialogue concentrates on how donors and the Government of Mozambique can work most effectively to tackle such

major challenges as the need to improve standards of governance and human rights, to continue to improve health and education outcomes, to strengthen agricultural productivity and improve access to food and nutrition, and how to most effectively mitigate the effects of natural disasters and other emergencies.

With regard to the democratic process, in October 2009 the European Union sent an Election Observation Mission (EOM) to Mozambique to monitor Presidential, legislative and provincial assembly elections. A number of Irish observers took part in that mission. The monitors found that the election day was very well managed and the electoral campaign was constructive. However, transparency shortcomings and a degree of constraint with regard to political activity and voter choice at a local level were noted, as were certain irregularities which occurred during the tabulation process. Twenty-five key recommendations to improve the electoral process were set out in the report of the monitors for consideration by the Government of Mozambique, the Electoral Commission and other stakeholders.

Based on the key recommendations the European Union and other donors have agreed a Governance Action Plan with the Government of Mozambique which will see measures introduced in accordance with an agreed timetable to improve the electoral process and the operation of parliamentary accountability in the country. The implementation of the agreed Governance Action Plan has begun, with proposals for reform of the Electoral Commission under active consideration, including formal consultation with civil society. Opposition members of the National Assembly have been given access to resources in parliament. Provincial level assemblies have been established, and the number of municipalities has been increased by around 50%. In addition, greater responsibilities and resources are being devolved to provincial and district levels, notably in the areas of health and education, sectors in which Ireland is particularly active.

Ireland played a key role in driving agreement of the Governance Action Plan, as a member of the leadership troika which led the discussions with the Government of Mozambique. Ireland, together with other donors, is supporting the change process and actively monitoring the implementation of the Governance Action Plan. In addition, we continue to work closely with the Government of Mozambique and other partners on wider governance issues.

Urban poverty and anger over price rises were among the catalysts of two days of civil unrest in Mozambique's capital, Maputo, in early September, which saw at least 13 people killed and around 300 injured. The disturbances illustrate the ongoing potential for instability in Mozambique, a consequence of poverty. Amongst other things, the violence underlines the need for greater transparency, accountability and the proper functioning of democratic institutions including the Parliamentary and local Government systems. Ireland, along with our EU partners, has been monitoring developments in the aftermath of these incidents closely, and will continue to do so.

Debt Relief

392. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the total amount of debt written off by the international community, IMF and World Bank in the past 10 years in respect of developing or other countries; and if he will make a statement on the matter. [36422/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): In 2005, the leaders of the G8 countries, at their Summit in Gleneagles, agreed to establish the Multilateral Debt Relief Initiative (MDRI), with a focus on the cancellation of the heavy debt burden on developing countries. It was intended to supplement the Heavily Indebted Poor Countries

[Deputy Peter Power.]

(HIPC) initiative which was launched in 1996 to reduce the debt burden of qualifying countries to sustainable levels. The MDRI came into effect on 1 July 2006, and provides for cancellation of eligible debt from the World Bank, the African Development Fund and the IMF for many of the world's poorest and most indebted countries, most of them in Africa. In 2007, the Inter-American Development Bank agreed to provide similar debt relief to the five poorest countries in Latin America and the Caribbean. The overall aim is to relieve these countries from the burden of servicing debt and assist them in making progress on the UN Millennium Development Goals.

To date, the total debt relief provided by the international community to eligible countries under both of these international initiatives has been \$106.7 billion, of which \$ 30.3 billion has been provided through MDRI and \$ 76.4 billion through the HIPC initiative.

Ireland is recognised internationally for the role we are playing in focusing on the reduction of global poverty and hunger and making international aid more effective for developing countries. We have strongly supported initiatives to ease or cancel the debt burden. Importantly, Ireland's bilateral assistance to the developing world is exclusively in the form of grants rather than loans. Ireland's share of the total cost of debt relief provided by the World Bank under the MDRI is €58.64 million. The Government contributed this amount in full in 2006. Ireland has also contributed over €20 million towards the cost of implementing the HIPC initiative.

In the wake of the devastating earthquake in Haiti earlier this year the Government contributed almost €1 million towards the cancellation of Haiti's debt to the World Bank. This money is in addition Ireland's contribution to both the HIPC and MDRI initiatives. The debt cancellation was implemented through a dedicated debt relief trust fund established at the World Bank's Development Association.

Overseas Development Aid

393. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the ongoing progress in the campaign to combat AIDS in Africa; and if he will make a statement on the matter.
[36423/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): AIDS remains a leading cause of death in many developing countries, especially in sub-Saharan Africa where over 22 million people are infected with HIV. Addressing HIV and AIDS is essential to the reduction of global poverty.

Recent data from the UNAIDS World Report is encouraging in that global HIV prevalence and death rates are now declining. Success in a number of African countries offers hope that, with international support, it will be possible to get ahead of this infection. In Mozambique for example, where Ireland partners effectively with the Clinton Foundation, over 200,000 people are now on HIV treatment, up from less than 2,000 people at the end of 2002.

These gains represent major steps to overcome AIDS. However, for every two persons put on treatment five others become newly infected. There is clearly a need to improve prevention and Ireland is focused on this challenge. For example, we are strong supporters of research into the development of an effective AIDS vaccine. Irish support for actions to combat HIV, AIDS and communicable diseases will continue to prioritise those most affected by the pandemic in sub-Saharan Africa. This year, under the aid programme managed by the Department of Foreign Affairs, the Government will spend approximately €100 million combating HIV and AIDS and communicable diseases. This support clearly illustrates the seriousness of

our commitment to tackle HIV and AIDS and communicable diseases, in particular in sub-Saharan Africa where our programme is focussed.

Question No. 394 answered with Question No. 112.

EU Enlargement

395. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs the current situation regarding discussions on EU enlargement; and if he will make a statement on the matter. [36425/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The issue of enlargement features regularly on the agenda of the General Affairs Council which I attend and in my bilateral discussions with EU Ministerial colleagues. The December 2009 Council adopted detailed conclusions, subsequently endorsed by the European Council, regarding enlargement generally and in relation to the position of various aspirant member states. It underlined that enlargement is based on consolidating commitments, fair and rigorous conditionality and the EU's capacity to integrate new members, and that each country is assessed on its own merits. The Council plans to discuss enlargement again in detail at the European Council in December. Prior to this, the European Commission is due to publish their annual progress reports on candidate countries, in November. These reports will provide a basis for further discussion and conclusions at the December Council.

Negotiations with Croatia are well advanced and work on most chapters will be completed by the end of the year. Currently, 22 of the 35 negotiating chapters have been closed and the work of the Accession Treaty Drafting Group is well underway. Issues that still require effort concern measures to combat corruption and organised crime, and cooperation with the International Criminal Tribunal for the former Yugoslavia.

Progress in the negotiations with Turkey has been slow (only 13 of 35 negotiating chapters opened to date). Turkey's failure to fulfil its obligations under the Ankara Protocol and to normalise its relations with Cyprus remains a key obstacle and these issues are likely again to dominate discussions on enlargement at the December Council. The European Council in 2006 decided that eight relevant negotiating chapters could not be opened and no further chapters may be closed until Turkey's compliance with the Protocol is verified by the Commission. September's successful referendum approving constitutional reforms was seen by the Commission as a step in the right direction in general terms, although the Commission stressed that there is much progress still required.

An intergovernmental conference with Iceland on 27 July marked the formal opening of negotiations and the negotiations are proceeding. Despite significant concerns regarding domestic opinion towards EU accession, the government is still very much in favour.

In October 2009, the Commission recommended formally opening accession negotiations with the Former Yugoslav Republic of Macedonia. The December Council welcomed progress made in a number of important areas but stopped short of endorsing the Commission's recommendation to open negotiations. The key obstacle is a bilateral dispute with Greece regarding the use of the name "Macedonia." No breakthrough was reached at the June General Affairs Council and major progress is not expected over the next six months. Serbia's application for membership (made in December 2009) has yet to be fully considered by the Council. The June Foreign Affairs Council agreed that the ratification process for Serbia's Stabilisation and Association Agreement with the EU could begin. Although Council stopped short of referring Serbia's application to the Commission for an avis, the conclusions welcomed Serbia's commitment to EU integration" and indicated that the Council would "return to the membership

[Deputy Micheál Martin.]

application”. The matter is expected to be considered at a General Affairs Council in the near future.

The Commission will continue its work on opinions on Albania’s and Montenegro’s applications for membership made in December 2008 and April 2009, respectively. No applications have yet been received from Bosnia & Herzegovina or from Kosovo.

It is important to note that enlargement is a negotiated process and, as in any negotiation, the eventual outcome and timeframe cannot be predetermined.

As a beneficiary of past enlargement, and on the experience of more recent accessions, Ireland is broadly supportive of enlargement. The prospect of enlargement bolsters economic and political reform processes and helps to promote stability, security and prosperity in Europe. Ireland takes an active role in discussions on the issue, both at Council meetings and in bilateral discussions with existing and aspirant member states.

Question No. 396 withdrawn.

Social Welfare Benefits

397. **Deputy James Bannon** asked the Minister for Social Protection the reason a person (details supplied) has been refused a back to education grant; and if he will make a statement on the matter. [36326/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): In order to qualify for the Back to Education Allowance scheme a person must, among other criteria, be commencing the first year of an approved course of study. The person concerned is attending the third year of a three-year Bachelor of Arts degree, therefore did not satisfy this condition and the application was disallowed.

Question No. 398 withdrawn.

Money Advice and Budgeting Service

399. **Deputy Noel J. Coonan** asked the Minister for Social Protection the percentage increase in the number of person’s in the constituency of Tipperary North who have availed of money advice and budgeting services to date in 2010; the number seen in total in 2009; and if he will make a statement on the matter. [35712/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The number of people in north Tipperary who have availed of the services of the Money Advice and Budgeting Service up to the 30th September 2009 (Quarter 3) and 30th September 2010 (Quarter 3) is outlined in the table.

Year	New Clients in North Tipperary MABS
Quarter 3 2009	226
Quarter 3 2010	285

This represents a 26% increase in new clients to the end of the third quarter of 2010 compared with the same period in 2009. In 2009 as a whole, a total of 277 new clients, and 34 information only clients, were seen by the service. As you are aware, an additional part-time money advisor was appointed in North Tipperary MABS on 23 November 2009. I am satisfied that the

additional resources provided to North Tipperary MABS will assist them to meet the demand for their services.

Employment Support Services

400. **Deputy Bernard Allen** asked the Minister for Social Protection the position regarding a situation in County Cork whereby applicants for payment under the technical assistance and training scheme are being told that the scheme is now suspended; and if he will make a statement on the matter. [35734/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Technical Assistance and Training Scheme allows the Department of Social Protection to provide support to Back to Work Enterprise Allowance recipients who are engaging in self employment projects, to enhance their chances of success to become independent of the social welfare system. This is a discretionary scheme and there is not an entitlement to the Technical Assistance and Training Scheme as of right. Where appropriate, the fund can also be used to provide support to other social welfare customers who may require assistance in accessing the labour market or are trying to establish an enterprise and need training or other supports. Take up of the Technical Assistance and Training Scheme has been very positive in 2010. The Department has reviewed funding for the scheme for the remainder of the year and the allocation has been increased by over 30%.

Social Welfare Benefits

401. **Deputy Noel J. Coonan** asked the Minister for Social Protection the average time it is currently taking for a decision to be made regarding carer's allowance appeal; if there is a backlog in the section at present and the number of appeals awaiting decision; if an appeal is lodged in mid September 2010 the approximate date of decision; and if he will make a statement on the matter. [35746/10]

427. **Deputy Joanna Tuffy** asked the Minister for Social Protection his plans to deal with the current five month backlog of appeal cases for domiciliary allowance; and if he will make a statement on the matter. [36260/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I propose to take Question Nos. 401 and 427 together.

I am informed by the Social Welfare Appeals Office there are currently 20,781 appeals being processed, of which 1,970 are in respect of Carer's Allowance. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal must be sought in each case. On the return of the papers and comments to the Social Welfare Appeals Office the case is referred to an Appeals Officer who will either make a decision summarily based on the documentary evidence or, if s/he considers it necessary, will list the case for oral hearing. Dealing with a case by oral hearing adds, on average, 11 weeks to the processing time. Given the volume of appeals and the foregoing factors, it is not possible to estimate the length of time before a case is determined. There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, the vetting of appeals and the arranging of oral hearings are being dealt with in chronological order.

[Deputy Éamon Ó Cuív.]

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

Employment Support Services

402. **Deputy John Deasy** asked the Minister for Social Protection the number of person's continuously signing on the live register for jobseeker's allowance for five years or more, ten years or more, and 20 years or more; and if he will make a statement on the matter. [35748/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The information requested by the Deputy is set out in the tabular statement.

Jobseeker's Allowance by Duration at week ending 3 October 2010

Duration	Customers
5-10 years	14,165
10-20 years	3,980
>20 years	518

403. **Deputy Róisín Shortall** asked the Minister for Social Protection when a decision will issue on an application for jobseeker's allowance in respect of a person (details supplied) in County Meath and if he will expedite a decision in this case as access to a job training course is dependent on this [35758/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned applied for jobseeker's allowance from 4 September 2010.

His file is currently with a Social Welfare inspector in order for an assessment of his means to be carried out. On completion of the assessment his file will be forwarded to a Deciding Officer for a decision and he will be advised of the outcome. The person concerned should contact his social welfare office local about the training course and they will assist him.

Social Welfare Appeals

404. **Deputy Joanna Tuffy** asked the Minister for Social Protection if he will expedite an appeal against a decision not to award carers allowance in respect of a person (details supplied) in County Dublin; if he will grant an early oral hearing; the reason in the delay; and if he will make a statement on the matter. [35767/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Payment of illness benefit, to the person concerned, was disallowed by a Deciding Officer following an examination by a Medical Assessor of the Department who expressed the opinion that she was capable of work. An appeal was opened on 10 August 2010 and the Social Welfare Appeals Office has advised me 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.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals.

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

405. **Deputy Joanna Tuffy** asked the Minister for Social Protection if he will expedite an appeal against a decision not to award one parent family payment in respect of a person (details supplied) in County Dublin; if he will grant an early oral hearing; the reason for the delay; and if he will make a statement on the matter. [35769/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 17 June

[Deputy Éamon Ó Cuív.]

2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. As part of this consideration, the Appeals Officer will decide if an oral hearing is appropriate in this case.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July. I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

406. **Deputy Joanna Tuffy** asked the Minister for Social Protection if he will expedite an appeal against a decision not to award carers allowance in respect of a person (details supplied) in County Dublin; if he will grant an early oral hearing; the reason for the delay; and if he will make a statement on the matter. [35770/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, disallowed the appeal of the person concerned by way of summary decision. The legislation provides that an Appeals Officer may decide a case before him/her on the basis of the documentary evidence. This course of action was taken in the case of the person concerned as it was considered that an oral hearing was not warranted.

Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts.

The Appeals Officer has reviewed this case following the submission of further correspondence from the person concerned. However, the Appeals Officer considered that the corre-

spondence contained no new facts or fresh evidence which would warrant a revision of his decision. The person concerned has been notified of the Appeals Officers review. 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.

Social Welfare Benefits

407. **Deputy Richard Bruton** asked the Minister for Social Protection if a decision has been made regarding the payment of a Christmas bonus to social welfare recipients in 2010; and if he will make a statement on the matter. [35780/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Supplementary Budget of April 2009 provided for the discontinuance of the Christmas Bonus. No provision has been made for the payment of a Christmas Bonus in the 2010 Estimates.

Social Welfare Appeals

408. **Deputy Michael D. Higgins** asked the Minister for Social Protection if he will expedite an appeal against a decision not to award jobseeker's in respect of a person (details supplied) in County Dublin; if he will grant an early oral hearing; the reason for the delay; and if he will make a statement on the matter. [35784/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 30 March 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received back in the Social Welfare Appeals Office on 7 October 2010 and the appeal will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

[Deputy Éamon Ó Cuív.]

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

409. **Deputy Mary Upton** asked the Minister for Social Protection if a disability payment will be put in place for a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [35785/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case. The person concerned will be informed when arrangements have been made.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

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In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

Social Welfare Benefits

410. **Deputy Michael Ring** asked the Minister for Social Protection when a person (details

supplied) in County Galway will be approved and granted the one parent family allowance [35822/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned applied for a one-parent family allowance payment on 16 September, 2010 and her entitlement is currently being examined. When all enquiries are completed a decision will be made as soon as possible and she will be notified of the outcome.

411. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if his attention has been drawn to the fact that he failed to provide the cost of extending eligibility for the back to school clothing and footwear allowance to include all those families in receipt of family income supplement as requested in a Parliamentary Question of 29 September 2010; and if he will do so now [35828/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The BSCFA scheme provides a one-off payment to eligible families to assist with the extra clothing and footwear costs when their children start school each autumn. A person may qualify for payment of back to school clothing and footwear allowance if they are in receipt of a social welfare or Health Service Executive payment, are participating in an approved employment scheme or attending a recognised education and training course and have household income at or below certain set levels.

Family Income Supplement is a qualifying payment for back to school clothing and footwear purposes. People in receipt of FIS qualify, subject to the standard means test and any income received by an applicant in the form of family income supplement is not assessable.

There were approximately 28,000 claimants in receipt of FIS at the end of September 2010. Based on an average claim value of €485 the cost of extending the BSCFA scheme to all FIS recipients in 2010 would be approximately €13.6m maximum. However, given that FIS is a qualifying payment for BSCFA a number of the 2010 FIS recipients may already have received BSCFA payment in 2010.

As there are no statistics available in the Department on the numbers that were paid BSCFA in 2010 who are also in receipt of FIS it is not possible to estimate the actual cost of extending the BSCFA scheme to all FIS recipients.

Any improvements to the BSCFA scheme, including automatic entitlement for those getting family income supplement, would need to be considered in the context of the Budget and in the light of resources available to me for improvements in social welfare payments generally.

412. **Deputy Róisín Shortall** asked the Minister for Social Protection the reasons for the decision to disallow an application in respect of a person (details supplied) in County Mayo and where it is set down that applicants who switch courses cannot be accommodated under the back to education allowance scheme. [35865/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Progression in education is a fundamental and constant element of the back to education allowance (BTEA) programme. The operational guidelines for BTEA specify that a participant who fails to complete, or drops out of a course will not be permitted on to the scheme to pursue a different course unless the Department is satisfied that certain circumstances pertain.

The person concerned availed of the BTEA programme in 2007 to pursue a one-year FETAC level 5 course in graphic design. In 2008 she was further approved for BTEA to pursue a three year course at level 7 in tourism. She dropped out of that course in October 2009 having completed year one.

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She again applied for BTEA in September 2010 to pursue a course at level 7 in applied social studies. This course did not represent progression from the course from which she had dropped out a year earlier and consequently her application was disallowed. This decision was reviewed by a reviewing officer and the disallowance was upheld.

Social Welfare Appeals

413. **Deputy Michael Ring** asked the Minister for Social Protection the outcome of an appeal for carers allowance in respect of a person (details supplied) in County Mayo [35877/10]

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 was referred to an Appeals Officer for consideration. The Appeals Officer has referred the case to the Deciding Officer for clarification on certain matters. Every effort will be made to have this appeal dealt with as quickly as possible.

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.

414. **Deputy Olwyn Enright** asked the Minister for Social Protection when a decision will be made on an appeal for mortgage interest supplement in respect of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [35881/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the persons concerned were refused mortgage interest supplement as, in the opinion of the HSE, they were not in a position to meet the repayments when the loan agreement was entered into. The HSE Appeals Office has advised that there is no record of an appeal from the persons concerned.

415. **Deputy Olwyn Enright** asked the Minister for Social Protection when an appeal for rent allowance will be processed in respect of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [35885/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned was refused rent supplement as her rent was in excess of the maximum rent limit for her family size. The person concerned appealed the decision to the HSE Appeals Office but no decision has been made on her appeal to date. The HSE Appeals Office will contact the person concerned directly when a decision has been made.

Social Welfare Benefits

416. **Deputy Lucinda Creighton** asked the Minister for Social Protection the number of applicants who have been accepted on the education, training and development option of the back to education scheme; the total cost to the State and if he will provide a breakdown of the types, locations and duration of courses, in the past year [35890/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The back to education programme provides a wide range of second chance education opportunities for unemployed people, lone parents and people with disabilities. The Department's objective in this area is to facilitate people of working age on welfare payments to return to education in order to gain qualifi-

cations which will help to enhance their employment prospects. The back to education programmes were introduced to provide a comprehensive range of options from which an unemployed person can choose, or be directed to, the most appropriate for his/her needs. These options range from basic courses of education, training or development through to third level postgraduate courses of study.

The education, training and development (ET&D) courses are generally short term courses such as personal development courses, literacy classes or general training courses. It must be clear that the course will enhance the person's employment prospects, be approved by a departmental Facilitator, and be wholly or partially approved by a state agency or area partnership or a voluntary or community group. The person is deemed to be available for employment for the duration of the course. To qualify, a person must be over 21 years and getting a jobseeker's payment for at least six months or aged 18 to 20 years if out of formal education for at least two years.

Under the ET&D option, a person in receipt of a jobseeker's payment may continue to receive the jobseeker payment while attending certain courses provided specific conditions are satisfied. Where those conditions are satisfied, people who qualify for the ET&D option continue to be paid jobseeker's allowance or jobseeker's benefit at the appropriate rate and payment only continues for the duration of the jobseeker's claim.

ET&D claims are not recorded as a separate scheme, therefore such statistical information is not collated centrally and comprehensive data is not, moreover, available on the number of applications approved for this option of the scheme nor is there a breakdown of course profiles in the past year.

417. **Deputy Michael D. Higgins** asked the Minister for Social Protection the position regarding an application for disability allowance in respect of a person (details supplied) in County Dublin [35906/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 08 May 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received back in the Social Welfare Appeals Office on 12 August 2010 and the appeal will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

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.

418. **Deputy Terence Flanagan** asked the Minister for Social Protection if he will deal with a matter (details supplied); and if he will make a statement on the matter. [35924/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): In the time frame available, I regret that my Department is not in a position to reply to this question. My Department will be in contact with the Deputy over the coming days and will reply in full to the question raised.

Social Welfare Appeals

419. **Deputy Joanna Tuffy** asked the Minister for Social Protection if he will expedite an appeal against a decision not to award disability allowance in respect of a person (details

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supplied) in County Dublin; if he will grant an early oral hearing; the reason for the delay; and if he will make a statement on the matter. [35962/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case. The person concerned will be informed when arrangements have been made.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

420. **Deputy John O'Donoghue** asked the Minister for Social Protection the reason for the delay on an appeal in respect of a person (details supplied) [35975/10]

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.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in

the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

Social Welfare Benefits

421. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if he will review the habitual residency decision in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [36152/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned originally applied for disability allowance on 26 February 2008. His claim was assessed by a medical assessor who was of the opinion that he was not medically suitable for disability allowance. The deciding officer accepted that medical opinion and further decided that the person in question was not habitually resident in the State. As he failed to satisfy the medical and habitual residence conditions, his claim was refused. A letter issued to him on 7 August 2008 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office. The person applied again for disability allowance on 27 November 2008. While the medical assessor gave the opinion that the medical condition was satisfied on the basis of the medical evidence supplied with that application, it was decided that he was not entitled to disability allowance as he did not satisfy the habitual residence condition. A letter issued to him on 29 January 2009 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office.

The person subsequently appealed this decision. The appeals officer decided that the person was not habitually resident in the State and the appeal was disallowed on 12 August 2009. An appeal's officer's decision is final and conclusive in the absence of any fresh facts or evidence and, therefore, will not be reviewed.

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However, it is open to the person concerned to re-apply for disability allowance and his claim will be examined to see if he currently satisfies the medical, means and habitual residency conditions for receipt of disability allowance.

422. **Deputy Jack Wall** asked the Minister for Social Protection the grants, if any available to a person in receipt of a social welfare payment for a hearing aid; and if he will make a statement on the matter. [36166/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Medical Appliance scheme is a PRSI based scheme available to all who satisfy certain PRSI conditions. While it is possible for someone currently in receipt of a Social Welfare payment to qualify, qualification is based on the person's previous employment records.

For qualified people, the Department will pay up to half the cost of a hearing aid, subject to a fixed maximum contribution of €760 for one aid or €1520 for two aids. Anyone in receipt of a Medical Card can apply for assistance under the Department of Health and Children's Medical Appliance scheme. Questions relating to the Medical Card scheme should be addressed to my colleague the Minister for Health and Children.

423. **Deputy Jack Wall** asked the Minister for Social Protection if the medical condition of autism is being considered as a qualifying condition for domiciliary care; and if he will make a statement on the matter. [36170/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): In order to qualify for Domiciliary Care Allowance a child must have a disability so severe that it requires the child needing care and attention and/or supervision substantially in excess of another child of the same age. This care and attention must be given by another person, effectively full-time so that the child can deal with the activities of daily living. The child must be likely to require this level of care and attention for at least 12 months.

Eligibility for Domiciliary Care Allowance is not based primarily on the impairment or disease, but on the resulting lack of function of body or mind necessitating a degree of extra care and attention required. As such it is not possible to say in advance if a child diagnosed with autism or indeed any other condition will qualify for a payment under the scheme. Every application is assessed by one of the Departments Medical Assessors and an individual medical opinion, based on the information submitted by the applicant in support of their claim, is offered in each case. The deciding officer then makes a decision having considered the medical opinion provided and all the other information available.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within 21 days.

Pension Provisions

424. **Deputy Róisín Shortall** asked the Minister for Social Protection the number of persons contributing to compulsory pension schemes [36204/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): There is no legal obligation on an employer to establish an occupational pension scheme in Ireland. However many choose to do so and such schemes are normally established under trust or on a statutory basis.

Certain employers may include membership of an occupational pension scheme as part of the terms and conditions of employment which makes membership of such schemes compulsory for all staff members. However, my Department does not have any information on the numbers of schemes established in this manner, nor on the number of employees in such schemes.

Parliamentary Questions

425. **Deputy Michael Ring** asked the Minister for Social Protection the reason incorrect information was given in a parliamentary question reply (details supplied) [36245/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am advised by the Social Welfare Appeals Office that, as stated in my reply to Parliamentary Question reference number 32793/10, it is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. As part of this process in the case in question the Deciding Officer made a revised decision in favour of the appellant. This decision was registered on the Social Welfare Appeals Office recording system on 1 October 2010. The reply to the previous PQ was prepared on 20/9/10 at a time when the status of the case, as recorded on the appeals system, was that it was still with the line section.

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.

Social Welfare Benefits

426. **Deputy Joanna Tuffy** asked the Minister for Social Protection the position regarding a domiciliary care allowance appeal in respect of a person (details supplied); and if he will make a statement on the matter. [36259/10]

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.

Question No. 427 answered with Question No. 401.

428. **Deputy Joanna Tuffy** asked the Minister for Social Protection the average time, per case, from the receipt of a domiciliary allowance application to when a decision is issued on the application; the average time, per case, from the receipt of a domiciliary allowance application to when an application is rejected to the receipt of an appeal and an appeal decision issued [36261/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Applications for Domiciliary Care Allowance are processed by date of receipt and it currently takes approximately seven weeks to process an application.

In the case of an application which is refused, the applicant may appeal the decision directly to the Social Welfare Appeals Office within 21 days. It is at the discretion of the Appeals office to accept an appeal outside of this timeframe. I am advised by the Chief Appeals Officer that

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the average duration for Domiciliary Care Allowance appeals during 2009 was fifteen and a half weeks. Cases requiring an oral hearing took approximately 22 weeks to finalise.

429. **Deputy John Perry** asked the Minister for Social Protection the position regarding a rent allowance in respect of a person (details supplied) in County Sligo [36269/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive has advised that the person concerned had been in receipt of rent supplement of €44.80 based on the household income from maternity benefit and jobseeker's allowance. Following a review of her rent supplement claim she has been awarded rent supplement of €68.30 per week based on the household income from illness benefit and jobseeker's allowance and this rate issued to the person concerned on 7 October 2010.

430. **Deputy John Perry** asked the Minister for Social Protection the position regarding a rent allowance in respect of a person (details supplied) in County Sligo; and if he will make a statement on the matter. [36270/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned was refused basic SWA and rent supplement as she did not furnish the documentation and information requested by the community welfare officer for the purposes of deciding entitlement to basic SWA and rent supplement. If the person concerned is not satisfied with the decision of the HSE she can appeal to the HSE Appeals Office.

431. **Deputy James Bannon** asked the Minister for Social Protection when a person (details supplied) in County Longford will be awarded invalidity pension; and if he will make a statement on the matter. [36319/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person in question was awarded invalidity pension with effect from 01 May 2008. He is currently in receipt of invalidity pension at the maximum weekly rate of € 201.50 and an increase of € 14.90 weekly for one qualified child. Arrears of invalidity pension for the period 01 May 2008 to 18 November 2009 amounting to €135.01 issued to the customer on 18 February 2010. The total amount of arrears due was € 19,029.60. A total of € 18,894.59 was deducted for overlapping illness benefit already paid during the period and the balance of two outstanding overpayments of jobseeker's allowance and illness benefit, which amounted to € 3,737.04.

432. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application to transfer from a disability allowance to an invalidity pension in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [36320/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Invalidity Pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions. Entitlement to Invalidity Pension is determined on receipt of a completed application form. An application form for Invalidity Pension was sent directly to the customer in question on Thursday 7 October 2010. On receipt of the completed application form, the customer's eligibility will be determined and she will be notified directly of the outcome.

433. **Deputy James Bannon** asked the Minister for Social Protection the position regarding the restoration of a carer's allowance in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [36321/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The claimant, who was in receipt of carers allowances for two carees, had her payment reduced as a result of a medical review of her claim. The payment was reduced with effect from 1 July 2010 as it was found that the caree no longer satisfied the conditions for full time care. An appeal was subsequently lodged with the Department and this was forwarded to the Social Welfare Appeals Office on 8 October 2010. The person concerned will be notified in writing of the outcome when the appeal process is completed.

434. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an application for domiciliary care allowance in respect of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [36323/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): An application for Domiciliary Care Allowance (DCA) was received on the 21st June 2010 from the person in question. This application was referred to one of the Departments Medical Assessors who found that her child was not medically eligible for DCA. A letter issued to the person in question on the 3rd September 2010 where she was advised of the decision to refuse DCA. In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within 21 days. The applicant in this case has not sought to have the decision reviewed and has not registered an appeal as yet.

435. **Deputy James Bannon** asked the Minister for Social Protection the reason for the delay in processing an application in respect of a person (details supplied) in County Longford for illness benefit; and if he will make a statement on the matter. [36325/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned against the disallowance of Disability Allowance was registered in that office on 16 June 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received back in the Social Welfare Appeals Office on 26 August 2010 and the appeal will be referred in due course to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard:

- 2 additional Appeals Officers were assigned to the Office in 2009,
- A number of additional staff were assigned to the administration area of the Office,
- The organisation of the Appeals Officer's work has been changed so as to increase productivity,
- A project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented, and
- Significant enhancements have been made to the office's IT and phone systems.

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In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

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.

436. **Deputy James Bannon** asked the Minister for Social Protection the reason a person (details supplied) in County Longford failed to be awarded a disability allowance on appeal; the reason the medical reports from their general practitioner and consultant were not taken into account; and if he will make a statement on the matter. [36341/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned applied for disability allowance on 17 February 2009. He was examined by a medical assessor who was of the opinion that he was not medically suitable for disability allowance. The deciding officer accepted that opinion and refused his claim and a letter issued to the person on 18 June 2009 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office.

The person subsequently appealed this decision to the Social Welfare Appeals Office. Based on the evidence before him, which included all medical reports furnished by the person, the appeals officer was of the opinion that the person had not suffered an illness, injury or disease which has continued, or may be expected to continue, for a period of at least one year and the appeal was disallowed. He was notified of this decision by the Social Welfare Appeals Office on 21 April 2010.

The person subsequently sent further medical evidence to the Social Welfare Appeals Office and his file was re-examined by an appeals officer. The Social Welfare Appeals Office wrote to him on 31 August 2010 stating that the appeals officer's original decision remained unchanged. An appeal's officer's decision is final and conclusive in absence of any fresh facts or evidence. The person concerned reapplied for disability allowance on 11 June 2010. His claim was assessed by a medical assessor who was of the opinion that he was not medically suitable for disability allowance. The deciding officer accepted that opinion and refused his claim and a letter issued to the person on 6 September 2010 advising him of this decision and of his right of appeal to the Social Welfare Appeals Office.

Pension Provisions

437. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the full entitlement to retirement or old age pension in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [36410/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned has reached pension age and has been sent a claim form. On receipt of the completed claim form, her entitlement to pension will be fully examined and she will be notified of the outcome without delay.

Safety at Sports Grounds

438. **Deputy Olivia Mitchell** asked the Minister for Tourism, Culture and Sport if she will

take responsibility for requiring improved crowd control measures at a stadium (details supplied) following repeated reports of potentially dangerous crush situations for patrons leaving the stadium; and if she will make a statement on the matter. [35917/10]

439. **Deputy Olivia Mitchell** asked the Minister for Tourism, Culture and Sport if she will take responsibility for either design changes or improved crowd control to ensure crowd safety in the potentially dangerous crush situations reported at a stadium (details supplied); and if she will make a statement on the matter. [35918/10]

441. **Deputy Olivia Mitchell** asked the Minister for Tourism, Culture and Sport if she will respond to complaints of allegedly potentially dangerous and life threatening crowd situations for persons leaving a stadium (details supplied); and if she will make a statement on the matter. [35921/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Question Nos. 438, 439 and 441 together.

Issues related to crowd safety in general are governed by legislative provisions operating under the aegis of my colleagues including the Ministers for the Environment, Heritage and Local Government; Health and Children; and Justice and Law Reform as well as the relevant statutory authorities.

While all aspects of the operation of the Aviva Stadium are the responsibility of the management company, Aviva Stadium Ltd, I can assure the Deputy that the Stadium has been designed to the highest international specifications in terms of safety, comfort, sightlines, player, media and spectator facilities etc. The Stadium meets all the requirements of the codes in relation to health and safety.

I am aware that there have been some teething problems in relation to spectators leaving the stadium after recent matches. However, I have been assured by the management company that the safety of the spectators was under control at all times and was monitored by CCTV and the Gardaí. I have been advised that new measures were put in place for last week's international soccer match to address the concerns identified and these arrangements worked well with no reoccurrence of previous problems. The management company will continue to monitor all issues relating to crowd safety, both inside and outside the stadium, in conjunction with the relevant statutory authorities.

Sports Capital Programme

440. **Deputy Michael McGrath** asked the Minister for Tourism, Culture and Sport the position regarding the drawdown of certain sports capital grants to an organisation (details supplied) in Cork [35800/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Under the Sports Capital Programme, which is administered by my Department 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.

The organisation in question was awarded grants under the 2006 and 2007 Sports Capital Programme of €175,000 and €70,000 respectively. The organisation also received a RAPID top-up in 2006 of €52,500. The grant allocation was subject to the terms and conditions of the Programme, which includes the execution of a deed of covenant and charge.

A deed of covenant and charge provides, inter alia, for a refund of the grant in the event of the facility not continuing to be used for the purpose for which the grant was allocated. The Department's legal adviser, the Chief State Solicitor's Office — CSSO — deals with the gran-

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tee's solicitor in ensuring that these issues are satisfactorily resolved before grants can be paid. The current position is that the Chief State Solicitor's Office is awaiting for documents to be submitted by the grantee's solicitor.

Question No. 441 answered with Question No. 438.

Tourism Promotion

442. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport the progress made implementing the report of the London 2012 Olympic task force; and if she will make a statement on the matter. [36524/10]

443. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport her plans to use the London 2012 Olympics as an opportunity to boost Irish tourism; the specific actions she has taken; the way in which the London 2012 Olympics are likely to benefit Irish tourism; and if she will make a statement on the matter. [36525/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): I propose to take Question Nos. 442 and 443 together.

A high-level coordinating group, chaired by my Department, is looking at the opportunities that may arise for Ireland, across the sports, tourism and cultural sectors, from the London 2012 Olympic and Paralympic 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. The discussions of the group are taking into account the current economic situation and the findings of the London 2012 Olympics and Paralympics Task Force Report which was published last year.

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.
- 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 UK 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 their launch as a potential Olympic Training camp venue and also supported the European Triathlon Championships this year in Athlone.

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.

One of the issues that the London 2012 coordinating group is looking at is Ireland's potential to attract international teams and athletes for training camps in the lead up to London 2012. The Deputy may be aware that the American Olympic Synchronised Swimming Squad has chosen the National Aquatic Centre as its pre-Olympic Training Base for the London Games. The squad of over 20 swimmers and team officials will be based in Dublin for three separate periods and will be joined in Ireland by family members and friends at various stages during their stays.

My Department is also producing a CD which will contain the details of a number of Irish elite sports facilities which are suitable as pre-London training camps. This CD will be promoted through the network of National Olympic/Paralympic Committees and the Irish Embassies abroad in the coming months.

These are some of the practical areas of work that are underway. The high-level coordinating group will continue to meet on an ongoing basis over the next two years to maximise opportunities from the London 2012 Games.

The Arts Council and Culture Ireland is developing proposals for a cultural programme which would include participation in the Cultural Olympiad of Irish culture groups and the organisation of a cultural programme in Ireland targeted at those of Irish descent living in the UK.

Local Authority Charges

444. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the provision that has been made for persons living abroad who are unaware of the non-principal private residence tax and are facing penalties on top of the €200 tax; and if he will make a statement on the matter. [36339/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Local Government (Charges) Act 2009, which introduced the non-principal private residence charge, places the onus on individual property owners to assess their liability for the charge in the first instance. A person who is ordinarily resident abroad and owns a property in the State which is not his or her main residence would be liable for the charge in the same manner as a person resident in the State.

On the charge's introduction in 2009, radio and newspaper campaigns were run by my Department to ensure public awareness of the charge. Local authorities have also undertaken advertising campaigns this year, both locally and nationally. In addition, a number of local authorities have separately sent reminders to property owners registered with the Private Residential Tenancies Board (PRTB). In this regard, every effort has been made to ensure that property owners are aware of the charge and any potential liability arising therefrom.

Proposed Legislation

445. **Deputy John O'Mahony** asked the Minister for the Environment, Heritage and Local Government when the Climate Change Bill will be debated in the Dáil; and if he will make a statement on the matter. [36563/10]

448. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding a matter (details supplied) [36832/10]

459. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government when he intends to bring forward a Climate Change Bill [36203/10]

460. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the position regarding the long overdue Climate Change Bill; when the heads of the Bill will go before Cabinet for its approval [36216/10]

461. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the status of the Climate Bill; when he expects the legislation to be finalised and published; and if he will make a statement on the matter. [36235/10]

463. **Deputy Olivia Mitchell** asked the Minister for the Environment, Heritage and Local Government when the Climate Change Bill will come before the Dáil in view of the fact that the Bill is still on list C of the Government's legislative programme and that no progress appears to have been made since the outcome of the climate change conference in Copenhagen last December; if he will provide an outline of the contents of the Bill; and if he will make a statement on the matter. [36333/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): I propose to take Questions Nos. 445, 448, 459, 460, 461 and 463 together.

While completion of the Heads of the Climate Change Bill has taken somewhat longer than anticipated, my priority is to ensure that we get the structure and proposed provisions right. I intend this Bill to be both ambitious and progressive, providing a robust basis for effective transition to a low-carbon future that is both environmentally and economically sustainable.

Drafting of the Heads of the Bill is now at an advanced stage and I expect the draft Heads to be ready for consideration by Government shortly. Following approval, the Heads will provide the basis for stakeholder consultation on the proposed structure and provisions of the Bill.

Waste Management

446. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No 1413 of 29 September 2010 stating that Ireland is currently awaiting a response from the European Commission addressing Ireland's current position on the regulatory status of a site (details supplied); if a reply has been received and the date on which it was received [36643/10]

447. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if he will confirm that the European Commission has issued a final written warning for Ireland's non-compliance with the 2005 Court of Justice waste ruling and cited the site (details supplied) as requiring a licence irregardless of any committee's deliberations as to the future use of the site [36646/10]

455. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if the Government has received a formal letter of notice from the European Commission in relation to the possible imposition of fines for its failure to sufficiently clean up the toxic waste at the former Irish Ispat site at Haulbowline, County Cork; and if he will make a statement on the matter. [36142/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 446, 447 and 455 together.

A complaint was received from the European Commission in May 2009, through the EU Pilot Pre-Infringement process, concerning the regulatory status of the former Irish Ispat site at Haulbowline. Ireland wrote to the Commission in October 2009 setting out the current position and a response from the Commission is still awaited. The Commission has recently forwarded to the Government an additional letter of formal notice, dated 30th September 2010, relating to the 2005 judgement of the Court of Justice of the European Communities in Case C-494/01. While it is the case that this letter references the former Irish Ispat site, this site did not form part of original judgement. The reference in the Commission's letter relates to the issue of ensuring that the site is covered by a valid waste authorisation and my Department will arrange for this issue to be addressed in the reply to be sent to the Commission within the two month period provided for under article 260(2) of the EU Treaty.

In June 2009, the Government decided that the Office of Public Works (OPW) would chair a working group to develop a structured and coherent approach to the further management and development of the former Irish Ispat site. The group is now established and has held a number of meetings.

The Terms of Reference of the OPW Working Group include looking at the regulatory requirements for the site and advising the Government on the most beneficial future use of the site. The future use will in itself determine the levels and extent of further works and/or remediation required, as well as helping to clarify the further regulatory requirements which may fall to be met. It is also understood that the EPA has been in contact with the OPW in relation to the regulatory requirements applicable to the site.

Question No. 448 answered with Question No. 445.

Planning Issues

449. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government the status of the regional planning guidelines and the democratically adopted Cork county development plan and Cork area strategic plan in the context of a recent An Bord Pleanála decision regarding development of park and ride facilities at a location (details supplied); and if he will make a statement on the matter. [35725/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): The statutorily-based South West Regional Authority Regional Planning Guidelines 2010 to 2022, which were adopted by the South West Regional Authority in July this year, replace the 2004 Regional Planning Guidelines and set a strategic planning framework for development plans within the area of the authority over the 12-year period. The Cork Area Strategic Plan, adopted jointly by Cork County Council and Cork City Council, provides the strategic framework for the development of the Gateway city within the regional and national policy context. The Cork County Development Plan 2009-2015 was adopted by the Council on 9 January 2009.

Following a public consultation process during which thirty six submissions were received, my Department is currently reviewing and finalising the Guidelines for Planning Authorities on Spatial Planning and National Roads. These Guidelines, which are aimed at ensuring that roads planning and policy, and development planning and management processes are appropriately and effectively aligned, encourage a collaborative approach and early engagement, in line with international best practice, between planning authorities and the National Roads Authority with the aim of ensuring that transport and land use planning considerations are taken into account at the early stages of both development plan and development management processes. This is to ensure that future development at locations on, or in the vicinity of, national roads is guided to the most suitable location and that work on Ireland's national roads network is planned for and managed in a complementary and integrated manner.

[Deputy Ciarán Cuffe.]

Under planning legislation, the decision as to whether to grant a planning application, with or without conditions, is a matter for the relevant planning authority and An Bord Pleanála on appeal. In making decisions on planning applications, planning authorities and the Board must consider the proper planning and sustainable development of the area, having regard to the provisions of the development plan, any submissions or observations received, and relevant Ministerial or Government policies, including any guidelines issued by the Minister.

Local Authority Funding

450. **Deputy Eamon Gilmore** asked the Minister for the Environment, Heritage and Local Government when his Department will release funds to the Dún Laoghaire-Rathdown County Council to enable them to upgrade works on the Maretimo stream, Blackrock; and if he will make a statement on the matter. [35879/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in the Dun Laoghaire/Rathdown County Council area. The Dun Laoghaire Sewerage Scheme Phase 1 (Carysfort — Maretimo Stream Contract) is included in the Programme with the list of contracts in the county to start in the period 2010-2012, at an estimated cost of €5.9m.

In the course of assessing tenders for the contract, Dún Laoghaire/Rathdown County Council advised a contractor that the tender submitted by that company was non-compliant. In accordance with the terms of the tendering process the contractor exercised the right to have the matter referred to my Department for review. This review is in progress and will be concluded as speedily as possible.

Separately the council submitted a request to my Department seeking confirmation that funding is available to allow the contract to be awarded. As this request does not take account of the tender review process currently in train it is deemed premature. I will make the necessary funding available to allow the contract proceed when the procurement process has been satisfactorily completed.

Planning Issues

451. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the date on which he will publish the national audit report in respect of unfinished housing estates; and if he will make a statement on the matter. [35894/10]

462. **Deputy Jan O'Sullivan** asked the Minister for the Environment, Heritage and Local Government the obligations on local authorities to ensure that services and infrastructure are provided in estates where the developers either cannot or will not complete works; his plans to address the problems that arise in these estates; and if he will make a statement on the matter. [36309/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): I propose to take Questions Nos. 451 and 462 together.

I refer to the replies to Question Nos. 364, 365 and 372 of 5 October, 2010.

Together with my colleague, Minister of State Finneran, I will, as soon as possible, publish the results of a national inventory to quantify, classify and map the various types of unfinished or unoccupied estates so as to facilitate a better understanding of the scale and extent of the problem, along with proposed measures to address difficulties on specific sites in a co-ordinated

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.

In relation to taking-in-charge of estates, section 59 of the Planning and Development (Amendment) Act 2010, which was commenced on 5 October 2010, amends section 180 of the Principal Act and includes a number of provisions related to unfinished estates. In particular, it introduces a new provision to provide that a planning authority may take in charge an unfinished estate, at the request of the owners of the housing units, at any time after the expiration of the planning permission, in situations where enforcement actions have commenced or where the planning authority consider that enforcement action will not result in the satisfactory completion of the estate by the developer. Planning authorities have also been empowered to take in charge part of an estate or some, but not all, of the facilities in an estate.

Housing Aid for the Elderly

452. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government if he will review the application in respect of a person (details supplied) in County Roscommon [35960/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): My Department's involvement with the Housing Adaptation Grant Schemes for Older People and People with a Disability relates primarily to the recoupment of a proportion of local authority expenditure on the payment of individual grants. The grant schemes, introduced in November 2007, are funded by 80% recoupment available from my Department together with a 20% contribution from the resources of the local authority.

It is a matter for each local authority to decide on the specific level of funding to be directed to each of the various grant measures from within the allocations notified to them by my Department and to manage the operation of the schemes in their areas from within their allocation. It is the responsibility of the local authority to determine the eligibility of applicants for assistance under the grant schemes and the amount of grant to be paid to individual applicants.

Local Authorities

453. **Deputy John O'Donoghue** asked the Minister for the Environment, Heritage and Local Government his plans for local town councils [35977/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): A dedicated Cabinet Committee has been engaged in finalising the policy decisions for inclusion in the White Paper on Local Government, including future policy in relation to town government. I intend to publish the White Paper as soon as possible following completion of the Government's deliberations.

Turbary Rights

454. **Deputy Noel J. Coonan** asked the Minister for the Environment, Heritage and Local Government the position regarding the purchase of boglands (details supplied) in County Tipperary; the reason for the delay in processing this application; and if he will make a statement on the matter. [35989/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Contracts of Sale in this case were executed on my behalf in October 2008 and the purchase monies were sent to the Chief State Solicitor's Office along with the finalised contracts.

[Deputy John Gormley.]

However, during the closing of the sale, it was discovered that the vendors had rented out the property in question, including the turbary rights.

The Chief State Solicitor's Office has been working on resolving this matter. A Deed of Variation is being arranged. I am hopeful that this will facilitate closure of the sale.

Question No. 455 answered with Question No. 446.

Grant Payments

456. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 40 of 8 July 2010, the position regarding the proposed legislation and his plans, if any, to introduce a grant to upgrade septic tanks; and if he will make a statement on the matter. [36162/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Questions Nos. 11, 22 and 40 of 8 July 2010, which sets out the current position on this matter.

Foreshore Licences

457. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding an application for a foreshore licence (details supplied) in County Cork; if the local authority is now permitted to proceed with the public advertisement phase if it so wishes; to give a timeframe for the issuance of a decision on the foreshore license once the planning process has been concluded; and if he will make a statement on the matter. [36194/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): I refer to the reply to Question No. 164 of 16 June 2010. The position is unchanged. Cork County Council is awaiting the outcome of the planning application before proceeding further with the foreshore application.

Local Authority Lands

458. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the exact details asked of each county and city council in regard to council land banks that were to be included in the land aggregation scheme; the county and city council lands being forwarded for inclusion in the scheme; and if he will make a statement on the matter. [36196/10]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran): In April 2010, my Department issued a circular letter to housing authorities setting out revised arrangements for the funding of land used for social housing and seeking information on local authority residential land holdings for the purpose of land-use strategy planning.

For the purpose of this land audit, information was sought on the location, size, title, zoning status, whether the site is serviced or not, and the timeframe for development of each site (i.e. if development is planned to occur within the next five years). GIS co-ordinates were also requested, if available.

Housing Authorities were also asked to indicate whether the land was the subject of a Housing Finance Agency (HFA) loan. Where this is the case, information was sought on the original advance amount; start date and term of loan; interest paid to date and the current outstanding principal on the loan.

Following submission of their land audit, local authorities have been given the option to apply to my Department to recoup the cost of outstanding loans that are due to mature before the end of 2010 and where it is considered that the land involved is unlikely to be developed in the short to medium term. Subject to available funding my Department will pay off the costs of the land and transfer ownership to Housing and Sustainable Communities Ltd. These lands will continue to be available for social housing if housing projects are advanced by authorities under the Social Housing Investment Programme.

To date, my Department has received applications, including Council approval, from five authorities seeking inclusion in the Land Aggregation Scheme. The details of these are set out in the table below.

Local Authority	Site
Wicklow Town Council	Hillview, Ballyguile
Tralee Town Council	Ballyard
Dún Laoghaire Rathdown Co Co	Ballyman Road, Rathmichael
Dún Laoghaire Rathdown Co Co	Lehaunstown
Dún Laoghaire Rathdown Co Co	Enniskerry Road
Offaly Co Co	Shinrone (Rathbaun)
Sligo Co Co	Coolaney
Sligo Co Co	Lisnalurg

It is expected that further requests from housing authorities to transfer lands under the scheme will be made in the coming months.

Questions Nos. 459 to 461, inclusive, answered with Question No. 445.

Question No. 462 answered with Question No. 451.

Question No. 463 answered with Question No. 445.

International Agreements

464. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government when Ireland signed the Aarhus Convention and when it is intended that Ireland will ratify that convention, and if in the meantime an Aarhus certificate can be applied for to cover a suitable subject for such a certificate in Ireland in view of the fact that the convention has been signed but not ratified to date; and if he will make a statement on the matter.

[36348/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

Ireland signed the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters on 25 June 1998. Ratification of the Convention is a matter of the highest priority and my Department is working closely with the Office of the Attorney General in order to finalise this process. Ireland is largely compliant with the provisions of the Convention, although there are some outstanding issues to resolve in the context of the access to justice pillar. When this work has been completed I, along with the Minister for Foreign Affairs, will ensure that the ratification process is advanced as a matter of urgency.

There is no provision in Irish law for the use of ‘Aarhus Certificates’. However, I would draw the Deputy’s attention to the new costs rule set out in Section 33 of the Planning and Development (Amendment) Act 2010.

Waste Management

465. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government the amount of money collected to date from the landfill levy; the intended use of the moneys; and if he will make a statement on the matter. [36349/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): In the period from its introduction on 17 July 2001 until the end of 2008, a total of €198,415,515 was paid into the Environment Fund in respect of the landfill levy.

Details of monies received into the Environment Fund and also expenditure from the Fund are available in the published Environment Fund Annual Accounts. Copies up to and including 2008 are available from the Oireachtas library and are also available at the following link on the Department's website: http://www.environ.ie/en/Environment/Waste/Environment_Fund/

The 2009 Annual Accounts will be published in due course after they have been audited by the Comptroller and Auditor General.

Section 74(9) of the Waste Management Act 1996 (as inserted by section 12 of the Waste Management (Amendment) Act 2001), specifies the purposes for which payments may be made from the Environment Fund. These include assistance in a range of areas such as:

- schemes to prevent/reduce waste;
- waste recovery activities;
- research & development into waste management;
- production, distribution or sale of products deemed to be less harmful to the environment than other similar products;
- development of producer initiatives to prevent/reduce waste arising from their activities;
- implementation of waste management plans;
- enforcement of the provisions of any enactment relating to waste management, prevention of litter or protection of the environment;
- partnership projects, that involve local authorities, to improve the quality of the environment for particular local communities;
- promotion of awareness of the need to protect the environment, including national and regional campaigns;
- promotion/support of education and training to assist achievement of campaign objectives;
- resources (human or material) to enable education and training to be carried out;
- initiatives undertaken by community groups and others for protection of the environment;
- such other purposes for protection of the environment as may be prescribed by the Minister in regulations.

The Waste Management (Environment Fund)(Prescribed Payments) Regulations 2003 extend these purposes to include—

- initiatives undertaken in the State, or on an international or trans-national basis relating to the protection of the environment; and
- sustainable development initiatives, including areas such as research and development together with contributions to international organisations.

466. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if the operators of the landfill at a location (details supplied) in County Kildare paid the landfill levies required; if not, the amount outstanding and the efforts being made to collect same; and if he will make a statement on the matter. [36350/10]

468. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government if the moneys collected through the landfill levy scheme can be used to carry out necessary remedial works on a landfill site (details supplied) in County Kildare, that has now been closed by a court order and whose operating company is now in liquidation; and if he will make a statement on the matter. [36352/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 466 and 468 together.

Revenues from the levies on plastic shopping bags and the landfill of waste are paid into a ‘ring-fenced’ Environment Fund, established under the Waste Management (Amendment) Act 2001, and can only be used for activities that are of benefit to the environment. The purposes for which the Fund may be used are set out in section 74(9) of the Waste Management Act 1996 (as inserted by section 12 of the Waste Management (Amendment) Act 2001) and the Waste Management (Environment Fund)(Prescribed Payments) Regulations 2003.

To date no moneys have been received by my Department in respect of landfill levies from the facility in question.

As I understand that there are legal proceedings ongoing in this case, it would not be appropriate for me to comment further on the matters involved at this time.

467. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government his plans to introduce legislation to cover the control and remediation of abandoned or orphaned landfill sites; and if he will make a statement on the matter. [36351/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The operation of a landfill is subject to the requirement to obtain a waste licence from the Environmental Protection Agency under the Waste Management Acts 1996-2010. The existing waste legislation contains a number of provisions, including the use of legal remedies, to ensure that landfill sites do not damage the environment. I have no plans to change the existing legislation in this regard.

The European Communities (Environmental Liability) Regulations 2008, which came into operation on 1 April 2009, transpose the EU Environmental Liability Directive into Irish law and provide a framework for the imposition of liability on those who cause environmental damage. It is my position that those responsible for environmental damage should be held fully financially responsible for the damage caused, and I believe that the appropriate legislation has been provided.

Question No. 468 answered with Question No. 466.

Local Authority Housing

469. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent of funds provided to voluntary housing organisations in each of the past ten years and to date in 2010; and if he will make a statement on the matter. [36411/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Details of the amounts of funding provided to approved voluntary and co-operative housing bodies for the provision of accommodation for low-income families and persons with specific categories of housing need, and in respect of the provision of associated communal facilities, are set out in the following tables:

Year	Capital Assistance Scheme	Capital Loan and Subsidy Scheme	Communal Facilities
	€	€	€
2000	31,975,403	66,663,942	1,471,625
2001	54,798,918	88,586,209	1,603,677
2002	78,126,000	91,681,179	1,151,586
2003	95,864,000	114,699,717	2,062,687
2004	86,554,713	95,967,591	2,277,878
2005	80,661,308	79,437,619	2,523,759
2006	99,361,424	83,545,117	2,624,200
2007	113,765,517	159,998,995	1,922,336
2008	156,290,000	239,849,271	2,998,391
2009	158,512,741	139,046,820	4,452,816

Provision for 2010.

Measure	Allocation	Amount drawn to date
	€	€
Capital Assistance Scheme	145,000,000	22,927,744
Capital Loan and subsidy Scheme	140,000,000	66,005,335
Communal Facilities	3,500,000	1,442,765

Departmental Funding

470. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if he has received any requests for funding from Cobh Town Council or Cork County Council to prevent or alleviate landslides in Cobh or to repair damaged caused by landslides in the area; if so, will he provide details of same; and if he will make a statement on the matter. [36514/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department has received a request from Cobh Town Council seeking funding for proposed slope stabilisation works in Cobh. Since the early 1980s my Department has provided significant financial assistance to Cobh Town Council for stabilisation works, the most recent funding being circa €1m in 2008/2009 with total funding of circa €5m having been provided.

In an effort to ensure the best use of resources and to gain a long-term expert view of the required stabilisation works an independent expert report was commissioned jointly by Cork County Council and Cobh Town Council, at my Department's request. The Councils appointed Malachy Walsh & Partners Consulting Engineers to assess the retaining structures in Cobh and to recommend remediation proposals, prioritising those works with greatest urgency attaching.

My Department has initiated meetings with representatives from both Councils to discuss the situation on the ground and in particular to agree an expedited schedule for the most urgently required works as outlined in the independent report.

I expect that consideration of the most recent funding request will be concluded by my Department shortly and the outcome will be communicated to the Councils without delay.

Water and Sewerage Schemes

471. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government which specific targets for construction in the water services investment programme were met; the amount of the €5.8 billion allocated to the scheme that has been spent; and if he will make a statement on the matter. [36520/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I assume the Question refers to the Water Services Investment Programme 2007- 2009, which outlined 955 schemes worth an estimated €5.8 billion to be advanced over the period of the National Development Plan 2007-2013 and beyond.

The Exchequer spent some €1.17 billion over the period 2007–09 in progressing projects under the Water Services Investment Programme. This expenditure related to both the construction phases on ongoing contracts and the planning costs of future works. Consequently, a direct comparison cannot be drawn between expenditure in the period 2007-2009 and the overall value of the projects listed for progression in the Programme.

The objective of the Programme reflected the goals for the Water Services Sector set out in the National Development Plan 2007-2013 and was primarily focused on meeting environmental goals and objectives, while also facilitating economic and development needs. Good progress was made on achieving these objectives over the 3 year period of the Programme. For example, continued progress was made on meeting the targets under the EU Urban Wastewater Treatment Directive. Compliance with the end 2005 deadline for the provision of secondary treatment under the Directive stood at some 92% compared to 25% at the start of 2000; all remaining schemes needed to ensure full compliance are included in the Water Services Investment Programme 2010-2012. In the period 2007-2009, 125 water and wastewater schemes were completed. The increase in wastewater treatment capacity over the period was equivalent to the needs of a population of 650,000; the increase in drinking water treatment capacity was equivalent to the needs of a population of 370,000.

A copy of the Water Services Investment Programme for the period 2010-2012, which was published last April 2010, is available in the Oireachtas library.

Architectural Heritage

472. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the progress of the Irish National Trust in acquiring and presenting significant heritage properties; the budget of the trust in the years 2006, 2007, 2008, 2009 and 2010; the number of staff employed by it in each of those years; the remuneration awarded to each of the board members and chief executive officer in each of those years; and if he will make a statement on the matter. [36521/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

The Irish Heritage Trust was established to acquire for public access major heritage properties where the State does not wish to acquire them directly and where there is an imminent risk to their heritage value. The Trust is designated as a charity under the Companies Acts. The staff of the Trust are not public servants and the salaries set are a matter for the Trust.

The Irish Heritage Trust has acquired one heritage property, to date, Fota House in County Cork. My Department provided endowment funding to the Trust of €5 million towards the conservation and presentation of the property. The Trust has also used the provisions of Section 1003A of the Taxes Consolidation Act 1997, as amended, to enable the donation of the Richard Wood Collection of Irish Art and Furniture to the Trust. This collection is now presented in Fota House. At the Fota House property, the Irish Heritage Trust has established an innovative events programme, guided tour visitor experience, volunteer programme, and an online educational initiative as well as carrying out necessary conservation works to the property.

In the current economic and budgetary circumstances, the Irish Heritage Trust is focusing on partnership/acquisition projects that will not require State endowment funding.

The budgetary and other information requested in relation to the Irish Heritage Trust is set out in the following table.

Year	Current Outturn	Capital Outturn	Number of Staff (Fota House & Dublin office)	Remuneration to Board Members
	€	€		€
2006	360,000	Nil	2 Full-time 1 Part-time	Nil
2007	500,000	5,000,000	2 Full-time 1 Part-time	Nil
2008	520,000	Nil	3 Full-time 3 Part-time	Nil
2009	484,000	Nil	3 Full-time 9 Part-time	Nil
2010	436,000 (allocated)	Nil	4 Full-time 9 Part-time	Nil

Outturn data refers to the Department of the Environment, Heritage and Local Government Vote (Irish Heritage Trust Subhead).

Inland Fisheries

473. **Deputy Ciarán Lynch** asked the Minister for Communications, Energy and Natural Resources the arrangements that cover the allocation of angling rights on the river Sullane in County Cork; the procedures that are followed and the consultations that take place in deciding the allocation; the person who is the current holder of angling rights on this river; the extent of the rights and their duration; and if he will make a statement on the matter. [35883/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): As the Deputy may be aware the allocation of angling rights is a matter for those who own fishing rights on rivers. I understand that ownership of fishing rights on the River Sullane is fragmented, with stretches of the river both in public and private ownership.

I am advised that as far as can be ascertained the Macroom Fly Anglers Club is the only established angling club, which has operated on the river since 1922 with the agreement of local fishery owners. The Department has no role in the allocation of privately owned fishery rights.

Energy Policy

474. **Deputy Jan O’Sullivan** asked the Minister for Communications, Energy and Natural Resources his plans to extend the grant scheme for the improvement of energy efficiency in homes to include the replacement of single glazed windows with a more energy efficient type; and if he will make a statement on the matter. [35891/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Window replacement works are not eligible for support under the Home Energy Saving (HES) Scheme and the Warmer Homes Scheme, both of which are administered by the Sustainable Energy Authority of Ireland (SEAI), on behalf of my Department.

The schemes provide support for attic and wall insulation, efficient boilers and heating controls. These measures were selected for inclusion in the scheme, with the advice from the SEAI, which has considerable expertise on residential energy efficiency matters. The SEAI recommended these measures to my Department as most likely to deliver significant energy savings to homeowners, at least cost.

I am advised that grants for window replacement are available to those over 60 under the Housing Aid for Older People Scheme, operated by local authorities on behalf of my colleague the Minister for the Environment, Heritage and Local Government. This means-tested scheme provides grants to assist older people living in poor housing conditions to have necessary repairs or improvements carried out to their homes. Eligible works include structural repairs or improvements, re-wiring, repairs to or replacement of windows and doors, provision of water supply and sanitary facilities, provision of heating, cleaning and painting.

There are undoubtedly other measures not currently included in the HES and WHS schemes that may also deliver strong energy savings. My Department is keeping the schemes under continuous review and if there is a strong case for adding other measures to the scheme, it will be given full consideration.

Inland Fisheries

475. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources if he will provide licences for draft net salmon fishing for small boats at a location (details supplied) on a river; and if he will make a statement on the matter. [35928/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): In the case of bays and estuaries into which two or more rivers flow, the expert advice requires that all impacted rivers are meeting their conservation limits before harvest of salmon stocks is permitted.

At present, the published assessment in respect of the common estuary in Lough Swilly indicates that the rivers Mill, Swilly and Lennan are not meeting their conservation limits. Accordingly, for conservation reasons, the harvest of fish is not permissible in the area referred to by the Deputy.

The status of the stocks of salmon rivers is reviewed annually.

Telecommunications Services

476. **Deputy Noel J. Coonan** asked the Minister for Communications, Energy and Natural

[Deputy Noel J. Coonan.]

Resources when fibre optic connection will be made available to a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [35723/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunication services, including services delivered through fibre optic connections, is primarily a matter for service providers who operate in a fully liberalised market regulated by an independent telecommunications regulator, the Commission for Communications Regulation (ComReg).

State intervention in the commercial telecommunications market only occurs in instances of market failure. The National Broadband Scheme and the Government funded Metropolitan Area Networks programme are examples of where such interventions were required.

There are a number of platforms for the delivery of telecommunications and service providers are now offering broadband by wireless, satellite, fibre, co-axial cable, mobile, or standard telephone copper lines. All areas of the country are served by at least two platforms (satellite and one other). Most areas are served by more than two competing service providers.

ComReg operates a dedicated website www.callcosts.ie where potential broadband customers can ascertain the availability of services from alternative service providers. The information on availability and pricing is provided by the service providers. All broadband services are subject to survey.

Alternative Energy Projects

477. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the amount of megawatt wind generation capacity for each of the gate scheme operated by the Commission for Energy Regulation; the amount of capacity applied for by projects involving State or semi-State organisations together with details of those projects; of those applications, if he will include the project name, project location, names of any partners, generation capacity, expected connection date and expected completion date; and if he will make a statement on the matter. [35809/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The EirGrid website provides a list of connected and contracted generators, both wind and other generators, and the locations of these throughout the country.

EirGrid and ESB Networks have provided the attached details of the wind projects in Gates 1, 2 and 3 being undertaken by State Companies. The dates provided for contracted projects are those supplied within their connection agreement and are indicative.

SWS was bought by Bord Gáis Éireann in 2009. The SWS applications submitted to the System Operator have therefore transferred to Bord Gáis Éireann. Details of investment partners who may be involved in the wind projects in question is a matter for the State Companies concerned. I have asked my Department to request the information from the companies with a view to forwarding to the Deputy.

Appendix 1: Information provided by EirGrid & ESBN

GATE 3

Application Name	Size/MEC (MW)	TSO/DSO	Location	Type	Notes
<i>ESB Wind Development (Hibernian)</i>					
Boolynagleragh (1)	36.980	DSO	Clare	Wind	Live Offer
Boolynagleragh (2)	11.640	DSO	Clare	Wind	Live Offer
Kilgarvan (1)	62.200	TSO	Kerry	Wind	
Raheenleagh (1)	36.500	DSO	Wicklow	Wind	
Croaghbrack (1)	33.100	DSO	Donegal	Wind	
Bragan (1)	33.100	DSO	Monaghan	Wind	
Woodhouse	23.280	TSO	Waterford	Wind	
Bunkimalta 46.5MW Windfarm [110kV connection]	46.500	DSO	New 110kV Node 'Cureeny' tailed from Thurles 110kV Station	Wind	
Cappagh White 2	9.487	DSO	Toem 110kV Station	Wind	
Cappagh White WF 3	21.600	DSO	Toem 110kV Station	Wind	
Cappagh White 4	18.000	DSO	Toem 110kV Station	Wind	
Castlepook (1)	33.100	DSO	Charleville 110kV Station	Wind	
<i>ESB Wind Development (Hibernian) & Bord na Móna</i>					
Oweninney (1)	34.000	TSO	Mayo	Wind	
Oweninney (2)	48.000	TSO	Mayo	Wind	
Oweninney (3)	56.000	TSO	Mayo	Wind	
Oweninney (4)	34.000	TSO	Mayo	Wind	

GATE 3 — *continued*

Application Name	Size/MEC (MW)	TSO/DSO	Location	Type	Notes
<i>Bord na Móna</i>					
Bruckana	39.600	DSO	Tipperary	Wind	
Oweninney (5)	198.900	TSO	Mayo	Wind	
Mountlucas (1)	79.200	TSO	Offaly	Wind	
<i>Coillte</i>					
Killinaparson (1)	55.000	TSO	Offaly	Wind	
Cluddaun (1)	52.000	TSO	Mayo	Wind	
Cluddaun (2)	64.000	TSO	Mayo	Wind	
Cluddaun (3)	34.000	TSO	Mayo	Wind	
Sliabh Bawn	58.000	TSO	Galway	Wind	
<i>Bord Gáis Éireann</i>					
Kill Hill (1)	62.500	TSO	Tipperary	Wind	
Ballymartin 2 — Smithstown	8.280	DSO	Waterford	Wind	
<i>(Bord Gáis Éireann) (SWS)</i>					
Glentanemacelligot (2)	34.000	TSO	Cork	Wind	At time of application SWS was a private entity. Acquired by Bord Gáis in 2009
Knockawarriga (2)	12.000	TSO	Cork	Wind	
Knockawarriga (3)	26.500	TSO	Cork	Wind	
Gneevies (2)	5.400	DSO	Kerry	Wind	
Coomagearlahy Phase 4 — previously Lettercannon	21.600	DSO	Kerry	Wind	
Garracummer 2	1.000	DSO	Tipperary	Wind	
Total	1,289.467				

GATE 2

Application Name	Size/MEC (MW)	TSO/DSO	Location	Type	Notes
<i>Bord Gais Eireann (SWS)</i>					
					At time of application SWS was private entity. Acquired by Bord Gais in 2009
Booltaigh (2)	3.000	TSO	Clare	Wind	Contracted (2011)
Booltaigh (3)	9.000	TSO	Clare	Wind	Contracted (2011)
Coomagearlahy (2)	8.500	TSO	Cork	Wind	Connected
Coomagearlahy (3)	30.000	TSO	Cork	Wind	Connected
Knockacummer	87.000	DSO	Cork	Wind	Contracted (2012)
Lisheen	55.000	TSO	Tipperary	Wind	Connected
Flughland	9.200	DSO	Sorne	Wind	Connected
Glenduff Windfarm Energy Development	6.000	DSO	Glenlara	Wind	Contracted (2011)
Glentanemacelligot Windfarm	18.000	DSO	Cordal (new)	Wind	Contracted (2012)
Loughaun North 2 WF	24.000	DSO	Ennis	Wind	Contracted (2011)
Garracummer	36.900	DSO	Cauteen (new)	Wind	Contracted (2011)
Moanvaun WF	3.000	DSO	Cappagh White (new)	Wind	Contracted (2011)
Tooreen WF Ltd.	4.000	DSO	Cauteen (new)	Wind	Contracted (2011)
Keelderry	29.800	TSO	Galway	Wind	Contracted (2011)
Reisk	3.900	DSO	Galway	Wind	Contracted (2011)
<i>ESB Wind Development (Hibernian)</i>					
Garvagh	58.000	TSO	Leitrim	Wind	Connected (10.23 MW still to be connected, 2012)
Mountain Lodge (3)	5.800	TSO	Cavan	Wind	
Ballymartin 1 — Smithstown	6.000	DSO	Great Island	Wind	Contracted (2010)
Carrane Hill Ext. WF	1.598	DSO	Corderry	Wind	Contracted (2011)
Mount Eagle 3 WF	1.700	DSO	Tralee	Wind	Contracted (2010)
Grouse Lodge Windfarm	15.000	DSO	Rathkeale	Wind	Contracted (2011)
Cappagh White Wind Farm	16.100	DSO	Cauteen (new)	Wind	Contracted (2011)
Total	431.498				

GATE 1

Application Name	Size/MEC (MW)	TSO/DSO	Location	Type	Notes>
<i>ESB Wind Development (Hibernian)</i>					
Moneypoint Wind Farm	21.90	TSO	Clare	Wind	Contracted (2012)
Mount Eagle Windfarm 2	1.70	DSO	Tralee	Wind	Connected
Knockawarriga Windfarm	22.50	DSO	Trien	Wind	Connected
Lurganboy Windfarm (4.99MW), Milford, Co. Donegal	4.99	DSO	Letterkenny	Wind	Connected
Total	51.09				

PreGATE

Application Name	Size/MEC (MW)	TSO/DSO	Location	Type	Notes
<i>SWS</i>					At time of application SWS was a private entity. Acquired by Bord Gais in 2009
Booltaigh (1)	19.45	TSO	Clare	Wind	Connected
Coomagearlahy (1)	42.50	TSO	Cork	Wind	Connected
Gneeves Windfarm	9.35	DSO	Cork	Wind	Connected
<i>ESB Wind Development (Hibernian)</i>					
Derrybrien	59.50	TSO	Galway	Wind	Connected
Mountain Lodge	24.80	TSO	Cavan	Wind	Connected
Carrane Hill Wind Farm	3.40	DSO	Corderry	Wind	Connected
Mount Eagle Windfarm	5.10	DSO	Tralee	Wind	Connected
Black Banks I, Arigna, Co Leitrim	3.40	DSO	Corderry	Wind	Connected
Black Banks I, Arigna, Co Leitrim	6.80	DSO	Corderry	Wind	Connected
Carnsore Wind Farm (11.9MW), Co. Wexford	11.90	DSO	Wexford	Wind	Connected
Crockahenny	5.00	DSO	Trillick	Wind	Connected
Mountain Lodge Wind Farm	3.00	DSO	Shankill	Wind	Connected
Total	194.20				

478. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the policies that have been established by his Department to ensure that natural resource development ensures openness and transparency together with early meaningful consultation and co-operation with local communities; if he will he introduce measures to ensure that the State and semi-State energy companies under his remit make every effort to operate in an open and transparent manner, co-operate and consult with local communities where they propose to develop natural resource projects; and if he will make a statement on the matter. [35810/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The State and semi-State energy companies under my remit comply fully with all statutory consultation processes in regard to natural resource projects. Over and above the statutory requirements, the bodies, in general terms, have management plans in place for such projects.

In accordance with the provisions of the Petroleum and Other Minerals Development Act, 1960, as amended, a Plan of Development is required for all petroleum projects. Applicants requesting consent to develop petroleum projects are required to publish details of the Environmental Impact Statement submitted in support of such an application, inviting written submissions or observations to be made to the Minister within the prescribed timeframe.

The relevant prescribed bodies are simultaneously consulted. Submissions received on foot of this consultation process are considered in the course of the overall assessment.

Should additional information considered to have a potential significant effect on the environment come to light in the course of the assessment, applicants are required to publish such additional information for a further statutory period, inviting written submissions or observations to be made to the Minister.

Development of minerals under the Minerals Development Acts 1940 to 1999 is subject to Environmental Impact Assessment through the planning acts and regulations. This involves a major public consultation process and provides an opportunity for planning decisions on mining proposals to be appealed to An Bord Pleanála. My Department is a statutory consultee in this process. In addition, my Department complies fully with the public consultation procedures prescribed in the Minerals Development Acts.

Inland Fisheries Ireland and the Loughs Agency are charged with the responsibility of the development of the inland fisheries resource and relevant provisions contained in the Inland Fisheries Acts 1959-2010 and Foyle Fisheries Act 1952, as amended by the Foyle and Carlingford Fisheries Act 2007 provide for appropriate stakeholder consultation.

479. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the provisions relating to an agency under his aegis (details supplied) provides for it to engage in wind farming; if wind farming is among the agency's principal activities contrary to the principals of an organisation acting ultra vires; the way the agency derives the legal authority to engage in wind farming as a business activity; if the agency is expanding into areas beyond its original mandate such as those contained in volume two of the Report of the Special Group on Public Service Numbers and Expenditure Programmes; and if he will make a statement on the matter. [35811/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Government's Energy Policy White Paper, "Delivering a Sustainable Energy Future for

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Ireland”, which sets out the Government’s energy policy framework 2007 — 2020, endorses the role and remit of Bord na Móna in supporting the achievement of the energy policy objectives through the development of renewable energy, waste to energy, energy research and development as well as power generation projects. The Government has also in that context approved Bord na Móna’s corporate strategic direction in diversifying progressively from its core peat business.

The Turf Development Acts 1946 to 1998 and the Energy (Miscellaneous Provisions) Act 2006 provide the legislative basis upon which Bord na Móna derives its mandate to engage in the activities in question.

Section 5 of the Turf Development Act 1990 provides that Bord Na Móna may, inside or outside the State, engage in all such commercial activities, whether in relation to the production or marketing of turf or otherwise, as in the opinion of Bord Na Móna arise out of and can advantageously be conducted in conjunction with any of its functions.

In addition section 8 of the Turf Development Act 1990, which amends section 20 of the Turf Development Act 1946, provides that Bord Na Móna may, in the performance and exercise of its functions, develop commercially or otherwise any bog vested in the Bord Na Móna which is, has become or becomes incapable of commercial exploitation for the production of turf or turf products.

Energy Policy

480. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that studies conducted by his Department, the Commission for Energy Regulation and EirGrid show that open cycle gas turbines are expected to generate electricity at best, only 2% of the time; if it is possible to direct the Commission for Energy Regulation to refuse licenses for OCGT’s in areas with poor transmission grid resources; if so, will he do so unless it absolutely necessary to grant those licenses; and if he will make a statement on the matter. [35812/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): There are three main types of conventional or fossil fuel generation plant installed on electricity systems worldwide, including Ireland’s electricity system. These are baseload generating plant, flexible/mid-merit generating plant and peaking generating plant. The Open Cycle Gas Turbine (OCGT) plants are in essence peaking generating plants.

Peaking generating plants are, in general, relatively costly to operate when they are producing electricity, but are the cheapest form of capacity to install as capital costs are comparatively low. Critically, peaking plants have the distinct operating advantage of being capable of switching on or off very quickly. Therefore they are utilised on electricity systems worldwide in order to cater for those periods when electricity demand might exceed the supply available from other generators. The extent to which such plants generate electricity can be more than 2% depending on the type of plant.

In scenarios where there is a potential supply/demand imbalance on a given day peaking capacity may only be needed to cover a few hours before switching off again. Without the back up of peaking plants, systems would be vulnerable to a shortfall in electricity supply at certain periods which would require other forms of generating capacity to be called upon that are not as flexible as peaking plants, resulting in a higher cost to the energy consumer.

In determining generation licence applications including peaking plants the Commission for Energy Regulation (CER) requires that each plant has the necessary permits including planning permission and a connection offer to the grid from EirGrid before a licence is granted.

Electricity generators include peaking plants are required to fund the cost of their connections to the gas and electricity transmission networks themselves so there is no extra cost to the consumer by virtue of where a generator decides to locate.

Ministerial Staff

481. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the cost including salary and pension payments, of each of the programme managers, special advisers, assistants or other staff appointed by him since his appointment as Minister in tabular form; the names, titles and duties of each of the staff appointed during this period; and if he will make a statement on the matter. [35813/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The information requested by the Deputy is contained in the following table:

Name	Title	Salary Cost to date*	Duties
		€	
Morgan Bazilian	Minister's Special Adviser (Aug 2007 to June 2009)	221,092	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.
Stephen O'Connor	Minister's Special Adviser (June 2009 to date)	103,352 (to end June 2010)	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997
Bríd McGrath	Minister's Press Adviser	318,764	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997
Suzanne Duke	Special Adviser to Minister of State	311,551	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997
Claire Ann Byrne	Minister's Personal Assistant	166,822	To provide assistance to the Minister
Grace Milton	Minister's Personal Secretary	92,772	To provide assistance to the Minister

*Salary costs include expenses and Employer's PRSI. All of the above named, excluding Mr. Bazilian and Mr. O'Connor are members of the Non-contributory Pension Scheme for Non-established State Employees.

Departmental Lands

482. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources if the original landowners have the right to re-purchase lands where agencies under his aegis purchased lands under the Turf Acts for the purpose of peat extraction and where those lands are no longer used for their original purpose by those agencies; if so, the impact of the rate of inflation upon such re-purchases; and if he will make a statement on the matter. [35814/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The matter in question is a day-to-day operational function of Bord Na Móna and not one in which I have a function. I have been advised by Bord na Móna that all rights, title and interests over the lands in question were purchased between 1959 and 1973. The company has continuing

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development plans in this area and is not in a position to return the lands to any former owners or rights holders.

Departmental Agencies

483. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the cost of each of the non-commercial State agencies under his aegis; the total number of employees, including those on non-permanent contracts, in each of those agencies; the total personnel costs for each agency, including pension costs; the financial amount and percentage of any reduction or increase in personnel costs; and if he will make a statement on the matter. [35815/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I can inform the Deputy that the cost to the Exchequer in 2010 for each of the non-commercial State Agencies under the aegis of my Department and the number of whole time equivalent (WTE) staff employed in each agency as at 30 September 2010 are set out in the table below. In relation to the other elements of the question I would refer the Deputy to the Annual Reports and Accounts of each Agency and point out that these are operational matters for the Agencies concerned.

Vote 30 — Department of Communications, Energy and Natural Resources

Non-commercial State agency	Staff numbers (WTEs) as at 30 September 2010	Exchequer funding from Vote 30 for 2010
		€ m
Broadcasting Authority of Ireland	32.96	Nil
Commission for Communication Regulation	121.00	Nil
Commission for Energy Regulation	63.38	Nil
Digital Hub Development Agency	15.00	2.360
Loughs Agency	57.00	3.052
Inland Fisheries Limited	417.98	26.559
National Oil Reserves Agency	5.00	Nil
Ordnance Survey Ireland	296.20	4.985
Sustainable Energy Authority of Ireland	60.60	126.441

484. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the names of the commercial State agencies under his aegis; the number of employees in each agency; the total budget for each agency; the total personnel cost for each agency; the financial amount and percentage of any reduction or increase in personnel costs for each of the past three years; and if he will make a statement on the matter. [35816/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I can inform the Deputy that the names of the Commercial State Agencies under the aegis of my Department, together with the number of whole time equivalent (WTE) staff employed in each agency as at 30 September 2010, are set out in the table below. In relation to the other elements of the question, I refer the Deputy to the Annual Reports and Accounts of each Agency and point out that these are operational matters for the Agencies concerned.

Vote 30 — Department of Communications, Energy and Natural Resources

Commercial State Agency	Staff numbers (WTEs) as at 30 September 2010
An Post	8,947.00
Bord Gáis Éireann	1,080.00
Bord na Móna	2,054.16
EirGrid	296.20
Electricity Supply Board	6,506.00
Irish National Petroleum Company	0.00
Raidió Teilifís Éireann	1,984.77
TG	479.00

485. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the amount of lands owned by the State and semi-State agencies under his aegis for each county; where maps showing these lands may be examined by members of the general public; and if he will make a statement on the matter. [35817/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The amount of land owned by the Agencies under the aegis of my Department and the mapping of these lands is a matter for the agencies in question, and I have no function in that regard.

Energy Storage

486. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the number of days of gas storage required under EU and IEA rules; the current number of days of gas storage here; and if he will make a statement on the matter. [35848/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): There is no legal obligation under either EU or International Energy Agency (IEA) rules for Ireland to hold strategic reserves of natural gas, i.e. reserves that could not be accessed under normal market conditions. There is such a requirement in the case of oil.

Analysis by the European Commission, undertaken as part of the Second EU Strategic Energy Review, shows that the cost of strategic gas storage is very high, at five times that of oil storage. The potential for gas storage facilities is also dependent on geological conditions. For example, depleted gas fields (such as is the case with the storage facility at Kinsale) or salt caverns are often good options for storage. This also means that some countries do not have suitable geographical conditions for potentially storing gas. For these reasons the European Commission has indicated it will not impose EU obligations regarding strategic gas stocks.

The key objective of the proposed EU Regulation on Security of Gas Supply is to ensure that the market meets the gas supply needs of Member States through commercial gas storage. The Commission is of the view that strategic storage can by definition only be a national measure and is not seen as adding to the security of gas supply on an EU level.

The existing commercial gas storage facility at Kinsale has the capacity to hold 198 million cubic metres of natural gas. Licensed by the Commission for Energy Regulation (CER), the facility could potentially supply around 50% of residential and SME gas needs for up to 50 days in the event of a gas disruption. I welcome the current market interest in developing further commercial gas storage, both in Ireland and in Northern Ireland. Should these investment decisions come to fruition the amount of gas available could exceed demand on the island of Ireland.

[Deputy Eamon Ryan.]

Responsibility for monitoring the security of Ireland's natural gas supply lies with the CER. Under the EU Directive 2004/67 the CER is required to prepare an annual Gas Capacity Statement, which provides a 10-year rolling forecast of capacity, flows and customer demand on Ireland's natural gas system. The most recent Capacity Statement, which was carried out on an All Island basis by the two Regulators and published last July, concluded that projected supplies of gas from indigenous sources, imports and storage, are sufficient to meet forecast demand in the medium term.

The short- to medium-term prognosis for the security of Ireland's gas supplies is relatively secure in light of the projected relative stability of the UK gas market. Increased global gas supplies combined with reduced global demand has led to the IEA projecting a more benign world outlook for the next few years. It is nevertheless prudent, in light of our dependence on gas imported from the UK, to seek to reduce our reliance on this source. In this regard, the question of gas storage, including Liquefied Natural Gas (LNG), is being considered on an All Island basis. My Department is working with the Department of Enterprise, Trade and Investment in Northern Ireland, and energy Regulators North and South, to examine the medium to long term position with regard to security of gas supply on the Island of Ireland.

There is currently interest in providing LNG gas storage on a commercial basis. Shannon LNG — a wholly owned subsidiary of the US firm Hess LNG — proposes to construct an LNG re-gasification terminal at a site located on the Shannon Estuary between Tarbert and Ballylongford in County Kerry. The project, which could potentially provide up to 40% of Ireland's gas requirements, is being planned on a “merchant” basis. This means that the project is a private sector development which would be run on a commercial basis. LNG has the potential to improve connectivity to the global gas market, which would be a critical factor in the event of a major supply disruption.

All these factors underline the strategic importance of diversifying our sources of gas supply — not least indigenous production — including the importance of bringing the Corrib Gas field into production. At full production this field is estimated to meet 60% of our annual demand for gas for circa five years.

Energy Efficiency

487. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the amount of the €130 million promised for energy efficiency in 2010 that has been allocated to date; if he will provide a detailed breakdown of same; and if he will make a statement on the matter. [35849/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The following table sets out the capital expenditure to date by the Sustainable Energy Authority of Ireland (SEAI) on behalf of my Department for the Home Energy Savings Scheme (HES), the Warmer Homes Scheme (WHS) and the Energy Efficiency Retrofit Fund (EERF) for Public and Business Sector. The table does not include current costs of €7.5 million associated with the administration of these programmes.

Programme/Project	2010 Capital Budget	Amount paid out in 2010 to date
	€ million	€ million
Home Energy Saving (HES) Scheme	43.60	28.720
Warmer Homes Scheme (WHS)	29.90	12.541
Energy Efficiency Retrofit Fund (EERF) for Public and Business Sector	9.0	0.120

I am advised by SEAI that they expect the end-year outturn for the above schemes to be close to the Budget allocation, as a number of additional contractors have commenced delivery of the WHS in recent weeks. In addition, approval for 45 further projects was announced on 14th September 2010.

Under the 2010 Social Housing Retrofitting Programme, the Department of the Environment, Heritage and Local Government (DEHLG) was allocated €40 million of the €130 million to support local authorities across the country in improving their stock of vacant social houses and occupied apartment complexes. I am advised by that Department that €2.5 million has been expended in 2010 to date.

DEHLG has also made provision of €5 million to support a number of retrofitting demonstration projects which will provide information on methodologies and technologies which can be applied to the general retrofitting programme.

488. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the percentage of the 33% target for energy efficiency in the public sector that has been realised since the target was set in 2008 (details supplied); and if he will make a statement on the matter. [35850/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The National Energy Efficiency Action Plan (NEEAP) sets out 90 actions that Government is either already taking or will take in the period to 2020 to achieve the national energy efficiency targets of 20% across the economy and 33% in the public sector. The savings identified in the Action Plan represent approximately €1.6 billion in avoided energy costs for the economy in 2020. There is a requirement in the Energy Services Directive that all Member States must submit their second Action Plan in 2011 and progress on all savings made will be reported in that context.

My Department and the Sustainable Energy Authority of Ireland (SEAI) are setting up a comprehensive monitoring and reporting system whereby all energy usage in the Public Sector will be accounted for and progress will be systematically recorded. This system will be fully in place next year, which will enable tracking of progress on an annual basis.

Planning Issues

489. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources, with regard to the review submitted to him by EirGrid explaining the reasons for the error in the public notice regarding the Meath-Tyrone 400 KV interconnection project, the findings of the review; the actions that will be taken on foot of it; if he will publish it; and if he will make a statement on the matter. [35851/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): EirGrid applied for planning consent for the Meath Tyrone 400kV Interconnection Development Project in December 2009, under the Planning and Development Act 2000 as inserted by the Planning and Development (Strategic Infrastructure) Act 2006.

An Bord Pleanála convened an oral hearing on the matter on 10th May 2010. On Wednesday 23rd June, it was drawn to EirGrid's and the inspector's attention that there was an error in the newspaper public notice and site notice relating to pylon height ranges for a section of the project. It is the case that full details of the correct heights of the towers concerned were fully and accurately described in the Environmental Impact Statement and in the accompanying planning drawings, which were submitted to An Bord Pleanála.

[Deputy Eamon Ryan.]

EirGrid has undertaken a review of the circumstances which led to the error in the public notice. I have been furnished with a copy of this review. EirGrid informs me that the review is now publicly available on EirGrid's website: *www.eirgrid.com*

I have already made clear my strong disappointment that EirGrid had to withdraw its planning consent application for this strategically important project. Following the completion of the review, I have asked EirGrid to ensure that all appropriate control procedures are reviewed and enhanced to safeguard against errors in any part of the planning consent application, both for this project and any future development projects. I have received the requisite assurances from EirGrid that all necessary actions have been taken in this regard.

Electricity Generation

490. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources, further to Parliamentary Question No. 1581 of 29 September 2010, if his Department has received a draft copy of the Frontier report; when his Department expects to be in receipt of the finalised copy of the report; and if he will make a statement on the matter. [35910/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I understand that my Department has received a preliminary draft of the Frontier Report and that a final draft is expected to be delivered shortly.

Alternative Energy Projects

491. **Deputy Frank Feighan** asked the Minister for Communications, Energy and Natural Resources if he will confirm the inclusion of geothermal energy in the renewable energy feed-in tariff, REFIT, so as to aid its development; and if he will make a statement on the matter. [35958/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Renewable Energy Feed in Tariff (REFIT) scheme was introduced in 2006 encompassing electricity from onshore wind, small hydro, biomass combustion and landfill gas. I have subsequently announced the expansion of the scheme to cover electricity from offshore wind, wave and tidal energy, biomass CHP and Anaerobic Digestion. The costs of REFIT are covered through the Public Service Obligation Levy which applies to all electricity customers.

Companies who are interested in developing geothermal sources for generating renewable electricity have signalled the need for a REFIT tariff for electricity from geothermal sources to underpin future project viability. My Department, together with Sustainable Energy Authority of Ireland, are currently assessing the technical and economic feasibility of deep geothermal generation in an Irish context and any possible decision on supporting new technologies can only be considered when such information is available.

The Geothermal Energy Development Bill currently being drafted by my Department will provide for the licensing of companies to explore for and develop deep geothermal energy resources.

The prospects for deep geothermal electricity in Ireland are being investigated by several companies. The introduction of the overall licensing framework is designed to support the development of geothermal potential.

Telecommunications Services

492. **Deputy John O'Donoghue** asked the Minister for Communications, Energy and Natural Resources his proposals to improve broadband in County Kerry. [35979/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of broadband services is in the first instance a matter for private sector service providers operating in Ireland's fully liberalised telecommunications market. Broadband services are provided by private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite.

Details of broadband services available in each county, including in County Kerry, can be found on ComReg's website at *www.callcosts.ie*.

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) represents such an intervention.

In December 2008, my Department entered into a contract with "3", a Hutchison Whampoa company, for the delivery of the NBS. The company is required to provide services, using a mix of technologies, to all fixed residences and businesses that are located within the NBS Coverage Area and which seek a service.

Under the NBS contract, all Electoral Divisions (EDs) in the NBS Coverage Area are required to have broadband connectivity by the end of this month. I am happy to report that 3 are in line to meet that obligation.

The table below details the EDs in County Kerry that are included in the NBS. Coverage is now available in all of these areas.

It continues to be a priority of the Government that there will be broadband coverage across the entire country. 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. Using this funding, which will be augmented by an Exchequer contribution, I intend to formally launch a Rural Broadband Scheme before the end of this year. This scheme will aim to provide a basic broadband service to individual un-served rural premises outside of the NBS areas.

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.

National Broadband Scheme

Electoral Divisions (ED) to be covered by the NBS in County Kerry

ED Name	ED Reference No.
Aghadoe	77002
Ardea	77006
Bahaghs	77009
Ballinskelligs	77001
Ballybrack	77013
Ballyduff	77016
Banawn	77026
Boolteens	77031

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ED Name	ED Reference No.
Brandon	77032
Brewsterfield	77033
Brosna	77034
Canuig	77037
Cappagh	77038
Carker	77039
Carragh	77040
Castlegregory	77043
Churchtown	77047
Cloghane	77051
Cloontubbrid	77052
Clydagh	77052
Coolies	77053
Coom	77054
Cordal	77055
Crinny	77056
Curraghbeg	77057
Curraghmore	77058
Darrynane	77060
Dawros	77061
Deelis	77062
Derreen	77063
Derriana	77064
Doocarrig	77065
Drommartin	77069
Dromore	77070
Duagh	77071
Dunquin	77073
Dunurlin	77074
Emlagh	77075
Flesk	77077
Glanbehy	77078
Glanlee	77079
Glanlough	77080
Glanmore	77081
Glin	77082
Gneeves	77083
Greenane	77084
Headfort	77087
Inch	77088
Kerryhead	77090
Kilcummin	77092
Kilfeighny	77093
Kilflyn	77095
Kilgarrylander	77096
Kilgarvan	77097
Kilgobban	77098

ED Name	ED Reference No.
Killinane	77105
Kilmalkedar	77108
Kilmeany	77109
Kilmurry	77110
Kilnanare	77111
Kilquane	77112
Kilshenane	77113
Knocknagashel	77118
Knocknahoe	77119
Lack	77120
Lackabaun	77121
Lickeen	77124
Loughbrin	77130
Loughcurrane	77131
Marhin	77132
Mastergeehy	77133
Maum	77134
Millbrook	77135
Mount Eagle	77139
Newtownsandes	77142
Nohavel	77143
Rathea	77147
Rathmore	77148
Rockfield	77150
St. Finan's	77154
Tahilla	77156
Teeranearagh	77159
Trienearagh	77162
Ventry	77166

Energy Resources

493. **Deputy Jan O'Sullivan** asked the Minister for Communications, Energy and Natural Resources if his Department has an inventory of all known oil and gas fields, both on and off-shore, on Irish territory; if he will supply this information, including the exploration rights that are in place for any of these fields; and if he will make a statement on the matter. [36001/10]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Conor Lenihan): There have been a number of discoveries of oil and gas in the Irish Offshore in recent years, however none of these has been declared commercial to date. The only recent petroleum discovery that has been declared commercial but has yet to go into production is the Corrib Gas Field.

The table below details all significant hydrocarbon discoveries on and off-shore Ireland. The table includes details of petroleum authorisations currently in place along with details of the original discovery authorisation. Full details of petroleum authorisations are published on the Department's website on a regular basis.

Key Discoveries Offshore and Onshore Ireland (Fields that are producing or undergoing development are highlighted in Bold)

Discovery Name	Hydrocarbon Type	Status	Current Authorisation	Current Operator	Discovery Year	Discovery Well	Original Well Operator	Original Authorisation
Bandon	Oil	Under assessment	EL1/06	Serica Energy	2009	27/4-1,1z	Serica Energy	EL1/06
Hook Head	Oil	Under assessment	EL2/07	Providence Resources	2007 (Initially identified 1971)	50/11-3	Providence Resources	EL2/07
Schull	Gas	Under assessment	EL5/05	Island Oil and Gas	2007 (Initially identified 1987)	57/2-3	Island Oil and Gas	EL5/05
Old Head of Kinsale	Gas	Under assessment	EL4/05	Island Oil and Gas	2006	49/23-1	Island Oil and Gas	EL4/05
Dooish	Gas Condensate	Under assessment	EL2/94	Shell	2002	12/2-1	Enterprise Energy Ireland	EL2/94
Corrib	Gas	Undergoing development	Corrib Lease	Shell	1996	18/20-1	Enterprise Oil	EL3/94
Ballycotton	Gas	In production	PL01	PSE Kinsale Energy	1989	48/20-2	Marathon	PL01
Dunmore	Oil	Under assessment	EL2/07	Providence Resources	1985	50/6-1	Gulf	EL5/82
Galley Head	Gas	Under assessment	EL5/07	Lansdowne Oil and Gas	1985	48/18-1	BP	EL6/82
Helvick	Oil	Under assessment	EL2/07	Providence Resources	1983	49/9-2	Gulf	EL2/81
Spanish Point	Gas Condensate	Under assessment	EL2/04	Providence Resources	1981	35/8-2	Phillips	EL7/76
Connemara	Oil	Under assessment	EL1/04	Island Oil and Gas	1979	26/28-1	BP	EL4/76
Burren	Oil	Under assessment	EL2/04	Providence Resources	1978	35/8-1	Phillips	EL7/76
Ardmore	Gas	Under assessment	EL2/07	Providence Resources	1974	49/14-1	Marathon	PL10
Barryroe	Oil	Under assessment	LO08/1	Lansdowne Oil and Gas	1973	48/24-1	Esso	PL08
Seven Heads	Gas	In production	Seven Heads Gas Lease	PSE Seven Heads	1973	48/24-1	Esso	PL08
Kinsale Head	Gas	In production	PL01	PSE Kinsale Energy	1971	48/25-2	Marathon	PL01
Dowra	Gas	Not in licensed acreage	Not in licensed acreage		1963	Dowra-1	Ambassador Irish Oil Company	

Broadcasting Legislation

494. **Deputy Jimmy Deenihan** asked the Minister for Communications, Energy and Natural Resources the nature of the complaint made to the EU that 30% of air-play could not be granted to Irish musicians on the basis that it would discriminate against European musicians; the person who made this complaint; if he could outline the appropriate EU legislation; and if he will make a statement on the matter. [36515/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The objects of our national public services broadcasters, RTÉ and TG4, are set out in the Broadcasting Act 2009. In pursuit of those objects RTÉ and TG4 are charged, *inter alia*, with ensuring that programmes reflect the varied elements, which make up the culture of the people of Ireland and facilitate or assist contemporary cultural expression. Radio and television services, additional to those provided for by the national public services broadcasters aforementioned, are matters for the Broadcasting Authority of Ireland (BAI) an independent statutory body. Matters in relation to Irish music content on commercial radio are the subject of contractual negotiations between the BAI and commercial radio operators.

I understand that during the mid-1990s, the regulator attempted to introduce a policy whereby 30% of music played by commercial radio stations would be by Irish artists but was informed by the Commission that the policy would be in breach of EU regulations.

While I am fully committed to promoting Irish music in our broadcasting services, consistent with EU and Irish regulatory structures, I do not propose to introduce measures of the type raised by the Deputy as they would be inconsistent with EU law.

Grant Payment

495. **Deputy Noel J. Coonan** asked the Minister for Agriculture, Fisheries and Food the number of applications received from north Tipperary under the traditional farm buildings scheme; the number of same applications that have been processed and approved and those awaiting decision; the amount of grant aid being paid in total to applicants from the area; and if he will make a statement on the matter. [35704/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Traditional Farm Buildings Scheme is part of the Rural Environment Protection Scheme and is operated on my Department's behalf by the Heritage Council. Thirty-five applications have been received from North Tipperary. All 35 have now been processed. Seven have been approved and one is pending approval; the rest have been rejected. Successful applicants have until early Autumn 2011 to complete works and will not be eligible for payment until this is done.

Departmental Agencies

496. **Deputy Enda Kenny** asked the Minister for Agriculture, Fisheries and Food the provisions allowing an agency under his aegis (details supplied) to operate a wind farm; if wind farming is among the agency's principal activities, contrary to the principals of an organisation acting *ultra vires*; how the agency derives the legal authority to engage in wind farming as a business activity; and if he will make a statement on the matter. [35805/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Forestry Act 1988 provided for the establishment of Coillte Teoranta as a company to be registered under

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the Companies Acts. Section 12 of the Forestry Act 1988 provided *inter alia* that the principal objects of the company shall be stated in its memorandum of association to be:

- to carry on the business of forestry and related activities on a commercial basis and in accordance with efficient silvicultural activities;
- to establish and carry on woodland industries;
- to participate with others in forestry and related activities consistent with its objects, designed to enhance the effective and profitable operation of the company; and
- to utilise and manage the resources available to it in a manner consistent with the above objects.

The *vires* of a statutory company, such as Coillte Teoranta, are governed both by its memorandum of association as registered in the Companies Registration Office and by the statute that has required or permitted the registration. As a commercial company, Coillte's remit includes the optimisation of the commercial potential of its assets and I am advised that the company has the capacity to engage in the development of wind farms and related activity on lands owned or leased by the company.

Departmental Agencies

497. **Deputy Enda Kenny** asked the Minister for Agriculture, Fisheries and Food the commercial State agencies that exist under his aegis; the number of employees in each agency; the total annual budget for each agency; the total personnel cost for each agency; the financial amount and percentage of any reduction or increase in annual personnel costs for the past three years for each agency; and if he will make a statement on the matter. [35806/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are 4 commercial State Bodies under my Department's aegis:

Bord na g Con

Coillte Teoranta

Horse Racing Ireland

Irish National Stud

As these are commercial bodies this information is a matter for the Board of each of the State Agencies/Bodies themselves. However, information on the number of employees, the total budget and total personnel cost is available in the Annual Report of each State Body which is held in the library to the Houses of the Oireachtas

498. **Deputy Enda Kenny** asked the Minister for Agriculture, Fisheries and Food if the original landowners have the right to repurchase those lands where agencies under his aegis purchase lands in the past and where those lands are no longer used for their original intended purpose by those agencies; if so, the impact of the rate of inflation upon such re-purchases; and if he will make a statement on the matter. [35807/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There is no such right under the circumstances laid out by the Deputy for the original owners to re-purchase land purchased by agencies/bodies under the aegis of my Department.

499. **Deputy Enda Kenny** asked the Minister for Agriculture, Fisheries and Food the amount of lands owned by the State and semi-State agencies under his aegis for each county; where maps showing these lands may be examined by members of the general public; and if he will make a statement on the matter. [35808/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department does not retain the details requested by the Deputy. Access to this information would have to be requested from the semi-State agencies.

Disadvantaged Areas Scheme

500. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food when payment of disadvantaged area payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [35831/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment/Disadvantaged Areas Schemes was received from the person named on 12 May 2010; as no land parcels were declared on the application form, no payments are due. However, it is noted that, while a pre-printed application issued on 22 March 2010, the application lodged was a handwritten form. I have accordingly arranged for an official of my Department to contact the person named directly regarding the application submitted.

Grant Payments

501. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Kerry has not received their suckler payment [35832/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named registered 11 animals under the 2009 Suckler Welfare Scheme. Under the Terms and Conditions of the Suckler Welfare Scheme, one of the primary requirements for applicants with herds of more than 10 cows is that the animals must be weaned in at least two separate groups with at least five days between the weaning of each group. The applicant declared that he had weaned all of the animals on 1 October 2009 and, therefore, is ineligible for payment.

A letter has issued to the person named outlining the position, and advising him of his right of appeal.

Beef Quality Assurance Scheme

502. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food his views on the difficulties facing farmers who are members of the An Bord Bia scheme but who do not receive the five cent per kg gratuity from the meat factories even though the meat factories receive 40 cent extra per kg from the supermarkets for beef sourced from An Bord Bia member farms; to acknowledge the costs to farmers of meeting An Bord Bia farm standards; and if he will make a statement on the matter. [35860/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Most large buyers of Irish beef require that the cuts they purchase are from animals certified under an internationally

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recognised Quality Assurance Scheme. They also have individual specifications in terms of the type and range of cuts required and these may vary from week to week. The Bord Bia Quality Assurance Scheme is valuable as it provides a recognised and accessible Quality Assurance Scheme for producers and processors. My Department has also provided funding for the initial years of the Scheme for on farm inspection costs, which would normally be borne by producer members of a Quality Assurance Scheme. There is some evidence that product certified under the Scheme is attracting a premium, however, neither my Department nor Bord Bia has a role in setting prices or returns from sales.

Decentralisation Programme

503. **Deputy Seán Sherlock** asked the Minister for Agriculture, Fisheries and Food if the planned transfer of staff from the Department's offices in Cork city to Fermoy under the decentralisation programme is to still go ahead; if so, when; and if he will make a statement on the matter. [35905/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Fermoy is included in the list of deferred locations to be reviewed in 2011 under the Decentralisation Programme.

Farm Improvement Scheme

504. **Deputy Michael D'Arcy** asked the Minister for Agriculture, Fisheries and Food if a decision has been made on an application under the farm improvement scheme in respect of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [35919/10]

505. **Deputy Michael D'Arcy** asked the Minister for Agriculture, Fisheries and Food when applications for the farm improvement scheme (details supplied) which were received from 21 October to 31 October 2007 will be processed and dealt with; if it is proposed to fund them from the main FIS funds; and if he will make a statement on the matter. [35920/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Question Nos. 504 and 505 together.

My Department has no record of having received an application for grant-aid under the Farm Improvement Scheme from the person concerned. Applications under the Farm Improvement Scheme have been processed by my Department up to the level of funding provided for the Scheme in the 2006 Partnership Agreement, *Towards 2016*. As the funding made available for the Scheme has been allocated to the eligible applications received up to 21 October 2007, there are no plans to re-commence processing of the applications received between 22-31 October 2007.

Fisheries Protection

506. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will re-consider his decision to ban polyvalent inshore skate gill net fishing on Lough Swilly; if he will acknowledge that the 11 inch to 14 inch skate gill nets cannot catch codfish or other whitefish species; if he will reinstate licences; and if he will make a statement on the matter. [35926/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): At the beginning of 2009 under Annex III of EU regulation No. 43/2009 the European Commission introduced new technical measures into a part of Area VIa (West of Scotland) inside the 200m depth contour to protect cod, haddock and whiting stocks. Lough Swilly would be included in this area. The provisions of this Regulation were extended, as transitional measures for the period from 1 January 2010 to 30 June 2011, under Council Regulation 1288/2009. Under these regulations gillnetting, regardless of species being targeted, is prohibited in the area.

It should be noted that during discussions at the EU Fisheries Council in November 2009 representations were made by Ireland in respect of several amendments to these regulations. The Commission made clear that it would not support a gill net fishery in the protected area because it considered that this form of fishing could be used to target the stocks being protected. When Ireland's concerns were not taken into account, it was not in a position to support the Regulation, which nevertheless was adopted. Some progress was made in that a derogation to allow mechanised jigging and handlining for mackerel and pollack was secured.

The EU Commission has now brought forward a new proposal to extend transitional technical measures for the period to 1 January 2013. The measures involve a roll over of the current measures for Area VIa. Minister Connick is currently consulting industry representatives on the proposal and will be setting out the amendments being sought, taking account of the industry concerns and scientific advice.

Grant Payments

507. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food if a person (details supplied) in County Galway will have their single farm payment processed and granted by the 18 October 2010; and if he will make a statement on the matter. [35968/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The 2010 Single Payment Scheme application of the person named has been fully processed and is clear for payment. The 50% advance payments under this Scheme are due to issue to eligible applicants from 18 October 2010 with the balancing payments commencing to issue from 1 December.

Rural Environment Protection Scheme

508. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Kerry did not receive the full amount due to them in REP scheme for 2009 and when will they receive their 2010 payment [35983/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The EU Regulations governing REPS 4 and other area-based schemes provide that payments issue in two instalments. The first instalment of 75% may be paid once all administrative checks on all applications, as well as cross-checks against areas declared on Single Payment Scheme applications, have been completed. The file belonging to the person named failed this cross-check in respect of his 2009 REPs payment due to issues with his Single Payment Scheme application. The REPS payment application cannot be progressed until these issues are resolved. My officials are awaiting a reply to a letter sent to the person named.

Disadvantaged Areas Scheme

509. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when

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a person (details supplied) in County Kerry will receive their disadvantaged area and single farm payments [35985/10]

510. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive their disadvantaged area and single farm payments [35986/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Question Nos. 509 and 510 together.

An application under the 2010 Single Payment/Disadvantaged Areas Scheme was received from the person named on 13th May 2010; a separate application under herd number H1570198, which is merged with H2440620, was also received on 13th May 2010.

The application for the person named has now been fully processed and payments due under both the Single Payment Scheme and Disadvantaged Areas Scheme under H1570198 and H2440620 will be paid under the primary herd number H2440620.

The 75% advance payment under the Disadvantaged Areas Scheme will issue shortly. Balancing payments under the Scheme are due to commence issuing as and from 20 October.

The 50% advance payments under the Single Payment Scheme will commence issuing on 18 October, with the balancing payments scheduled to commence issuing with effect from 1 December.

Rural Environment Protection Scheme

511. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive their 2009 REP scheme payment [35987/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment to the person named will issue within 10 working days.

Grant Payments

512. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Roscommon will receive their area based payment [36148/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 5 May 2010.

In relation to the Disadvantaged Areas Scheme, the Terms and Conditions governing the Scheme require, inter alia, that applicants maintain a minimum stocking density on their holding of 0.15 livestock units per forage hectare declared, for at least three consecutive months, during the calendar year of application. However, where the holding of an applicant is identified as not meeting this minimum requirement, the person in question is invited to submit evidence of satisfactory stocking i.e. Flock Register, Horse Passports or details of a REPS or Commonage Framework Plan, which provides for a lower stocking level. My Department's records currently do not show the person named as having yet achieved the minimum stocking

density. On satisfactory completion of this requirement, the application will be further processed, with a view to payment at an early date.

513. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food when disadvantaged area payment will be awarded to a person (details supplied) [36207/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 10 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage. The person named listed amendments to his application that required digitisation. However, as this process is now complete, a further advance payment is due to issue in respect of the balance of the land declared. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

514. **Deputy John Perry** asked the Minister for Agriculture, Fisheries and Food the position regarding a payment due since 2009 under the suckler cow premium to a person (details supplied) in County Leitrim; and if he will make a statement on the matter. [36212/10]

519. **Deputy John Perry** asked the Minister for Agriculture, Fisheries and Food the position regarding payment under the suckler cow premium payment in respect of a person (details supplied) in County Leitrim since 2009 [36267/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 514 and 519 together.

The person named registered seven animals under the 2009 Suckler Cow Welfare Scheme. There is an outstanding query in respect of one of the animals in question; a response to the letter, which issued to the person named seeking clarification, is awaited. Payment will be processed on the seven animals following resolution of this error.

515. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 1656 of 29 September 2010, if he could give further information including plot details regarding the alleged overclaim of single farm payment; and if he will make a statement on the matter. [36247/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The 2010 application from the person named was selected for an eligibility inspection, which was carried out using satellite imagery. The applicant has been paid the 75% advance of his 2010 Disadvantaged Area Scheme Payment. Two parcels on the application in 2010 (D23219019 & D23219088) were deemed by the satellite inspection as being in over claim. The parcels were subjected to a ground inspection to determine the eligibility of the two land parcels in question, which took place on Friday, 8th October 2010. The findings of the ground inspection are currently being processed by my Department and an official of my Department will contact the applicant directly when the impact of the findings on the amount payable to the person named is definitively established.

516. **Deputy Beverley Flynn** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Mayo has not received their disadvantaged area scheme payment and if the person can be contacted by the Department in order to resolve the matter as quickly as possible [36253/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An official from my Department was recently in touch with the herd owner, in order to complete processing of the 2010 Single Payment Scheme and Disadvantaged Areas Scheme application. The application is now fully processed and is clear for payment. The 75% advance payment under the Disadvantaged Areas Scheme will issue immediately to the applicant and the issuing of the balancing payments under this Scheme will commence on 20 October 2010.

517. **Deputy Beverley Flynn** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Mayo has not received payments due to them and if the Department can contact the person in order to resolve the matter; and if he will make a statement on the matter. [36254/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An official from my Department was recently in touch with the person named in order to finalise the processing of the 2010 Single Payment Scheme/Disadvantaged Areas Scheme application of the person named. The applications under both Schemes are now fully processed and clear for payment.

The 75% advance payment under the Disadvantaged Areas Scheme will issue immediately to the applicant and the issuing of the balancing payments under this Scheme will commence on 20 October 2010.

The 50% advance payments under the Single Payment Scheme are due to issue to eligible applicants from 18 October 2010 with the balancing payments commencing to issue from 1 December.

518. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive their single farm payment [36265/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment / Disadvantaged Areas Scheme was received from the person named on 27 April 2010. The application for the person named has been fully processed, with the 75% advance payment under Disadvantaged Area Scheme due to issue shortly. The 50% advance payments under the Single Payment Scheme will commence issuing on 18 October 2010.

Balancing payments under the Disadvantaged Areas Scheme will commence on 20 October while the Single Payment Scheme balancing payments are due to commence on 1 December.

Question No. 519 answered with Question No. 514.

520. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) will receive their disadvantaged area scheme payment; and if he will make a statement on the matter. [36292/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 13 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage; the application of the person named is now processed and the advance payment has issued. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

521. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food if he will confirm that the correct payment of moneys under the disadvantaged area scheme 2010 issued to a person (details supplied) in County Kilkenny; and if he will provide a breakdown of the amount issued [36307/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Schemes was received from the person named on 7 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage. The person named declared amendments to parcels listed on his application which require digitisation; when this process is complete, provided no errors are identified, the balance of the advance payment due in respect of the land parcels in question will issue to the person named. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

522. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the position regarding the delay in processing an application for disadvantaged area payments, including REPS and other grants in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [36322/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the Single Payment Scheme/Disadvantaged Area Scheme was received from the person named on 15 April 2010.

This application was selected for and was the subject of a ground eligibility and Animal Identification Inspection. The inspection process is completed and the application has now been fully processed.

The 75% advance payment under the Disadvantaged Areas Scheme will issue shortly. The 25% balancing payments are scheduled to commence issuing as and from 20 October. The 50% advance payments under the Single Payment Scheme are scheduled to commence issuing as and from 18 October, while the balancing payments are scheduled to commence issuing as and from 1 December.

The REPS payment application belonging to the person named is for the 2010 scheme year. The EU Regulations governing REPS 4 and other area-based schemes provide that payments issue in two instalments. The first instalment of 75% may be paid once all administrative checks on all applications, as well as cross-checks against areas declared on Single Payment Scheme applications, have been completed. This process is under way and while my objective is to make all payments as soon as possible, the checks are likely to take several more weeks to complete.

523. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the position regarding a disadvantaged area payment in respect of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [36324/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 8 May 2010. Payments under the Disadvantaged Areas Scheme commenced on 22 September, with an advance payment of 75% issuing in respect of those parcels cleared for payment at that stage; the application of the person named is now processed and the advance

[Deputy Brendan Smith.]

payment has issued. The 25% balancing payments under the Scheme are scheduled to commence issuing as and from 20 October 2010.

Company Law

524. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Innovation his views on the reliability of auditing reports in terms of their content; the actions or reviews that are being taken by his Department in looking at the suitability of the content of auditing reports; the discussions that are being had at EU and international level, to which he is party, on amending the content of auditing reports to consider a broader range of factors; and if he will make a statement on the matter. [24534/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Billy Kelleher): The content of audit reports is determined by Irish company law, which is largely based on EU legislation in this area, and by internationally-based auditing standards. In addition, auditors currently have a range of statutory reporting obligations, for example, under criminal justice legislation and taxation law.

Officials of my Department, and, as appropriate, other Departments, participate in EU meetings at which auditing matters are considered.

The European Union is scheduled to bring forward a Green Paper on auditing shortly which is likely to stimulate debate on many issues of relevance to statutory audit. Ireland will fully participate in these deliberations and EU initiatives arising therefrom.

Job Creation

525. **Deputy Noel J. Coonan** asked the Minister for Enterprise, Trade and Innovation the number of IDA Ireland jobs created in north Tipperary over the years 2007, 2008, 2009 and to date in 2010; the location of these jobs; if any additional IDA Ireland staff will be allocated to the area; and if he will make a statement on the matter. [35705/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Conor Lenihan): The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the industrial development agencies. Data is compiled on an annualized basis and is aggregated at county level. Data for 2010 will be available in early 2011. In the three-year period 2007 to 2009 there were a total of 22 new jobs created in IDA supported companies in North Tipperary. Details of the number of jobs created in each of those years is set out in the attached tabular statement

I am informed by IDA that, as part of the Agency's "Horizon 2020" Strategy, a greater emphasis is now being placed on winning investments from Emerging Companies. A dedicated team to implement this initiative is in the process of being established and one member of that team will be based in IDA's Limerick Office, which services Tipperary North.

Table showing the number of new jobs created in IDA supported companies in Tipperary North in each of the years 2007, 2008 and 2009

Year	2007	2008	2009
Number of new jobs created	9	13	0

Job Losses

526. **Deputy Noel J. Coonan** asked the Minister for Enterprise, Trade and Innovation the number of persons in North Tipperary awaiting redundancy payments from his Department; the length of time these persons have been waiting; when it is envisaged they will be paid; the number of persons waiting nationally; the steps being taken to speed up the process; and if he will make a statement on the matter. [35719/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary): Unfortunately, I am unable to provide the Deputy with all the specific information he has requested, as the Department does not collate statistics for claims awaiting processing on the basis of local authority boundaries. I am sure the Deputy will appreciate that at this time my focus and that of my Department is on ensuring that redundancy payments are processed as quickly as possible.

I can advise the Deputy that the latest figures available to end September 2010 indicate that, on a national basis, the backlog of claims is decreasing, reducing from the highest level in November 2009 of 43,608 to a current level of 29,776. I would also point out that in the 9-month period up to the end of September 2010, the number of claims processed by my Department was 58,202, up 81 % compared to the corresponding period in 2009 (32,127), which also exceeds the total number of claims processed for the whole year (50,664).

It may also be helpful to the Deputy to note that currently the weekly intake of new claims is an average of just over 1,200. Overall, new claims received in the first nine months of 2010 amounted to 47,587, a fall off of just over 21 % over the corresponding 9 -month period in 2009 when 60,428 claims were lodged.

The Redundancy Payments Section of my Department is currently processing rebate claims from employers in general dating from March 2010 so that the waiting time is currently between 6 and 7 months. In respect of lump sum payments paid directly to employees in instances where employers are unable to pay the statutory redundancy entitlements, claims dating from March 2010 are currently being processed. Of course in some instances, where the necessary supporting documentation for lump sum claims is not provided to my Department, or where queries arise, processing of claims can be further delayed until the required documentation is provided and/or outstanding queries are resolved.

I acknowledge the Deputies' concerns in relation to processing times overall given the difficulties which delays give rise to for employees and employers alike but would like to assure the Deputies that my Department continues to make every effort to reduce processing times. Measures already taken in the Department to alleviate the pressures on the Payments area include:

- Almost doubling the number of staff working solely on redundancy payment claims through reassignment to a current level of 52 full time equivalents;
- Prioritisation of the Department's overtime budget towards staff in the 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;

[Deputy Dara Calleary.]

- Engagement with the Revenue Commissioners to facilitate the offset of redundancy rebate payments by employers against existing outstanding tax liabilities which those employers owe to the Revenue Commissioners.

Responsibility for the payment functions arising under the Redundancy and Insolvency payment schemes is due to be transferred to the Department of Social Protection with effect from 1 January 2011. In transferring the functions between Departments, it is the intention that this will operate seamlessly and without any adverse impact on the service levels being experienced by individuals or the business community awaiting payment of redundancy claims.

Redundancy Payments

527. **Deputy Brendan Howlin** asked the Minister for Enterprise, Trade and Innovation the position regarding the case of a person (details supplied) whose employer failed to either issue a redundancy notice or to submit a claim for inability to pay statutory redundancy; the way this person can access their redundancy entitlement; and if he will make a statement on the matter. [35757/10]

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 statutory redundancy lump sum claim on 8 July, 2010 in respect of the above individual. This claim awaits processing.

In respect of lump sum payments paid directly to employees in instances where employers are unable to pay the statutory redundancy entitlements, the current processing time for these claims has improved and claims dating from March 2010 are currently being processed. Of course in some instances, where the necessary supporting documentation for lump sum claims is not provided to my Department, or where queries arise, processing of claims can be further delayed until the required documentation is provided and/or outstanding queries are resolved.

My Department continues to make every effort to reduce processing times. Measures already taken in the Department to alleviate the pressures on the Payments area include:

- Almost doubling the number of staff working solely on redundancy payment claims through reassignment to a current level of 52 full time equivalents;
- Prioritisation of the Department's overtime budget towards staff in the 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 existing outstanding tax liabilities which those employers owe to the Revenue Commissioners.

The backlog and waiting times remain at unacceptable levels. However, improvements are evident. In 2009, my Department processed 50,664 claims, up 70% on the previous year. Furthermore, the level of new claims processed in the first nine months of 2010 was 58,202 — up over 81% on the corresponding 9-month period in 2009 (32,127) and surpassing the total amount of claims processed for the full year 2009 which came to 50,644. The backlog of claims is decreasing — reducing from its highest level in November 2009 of 43,608 to a current level of 29,776.

Responsibility for the payment functions arising under the Redundancy and Insolvency payment schemes is due to be transferred to the Department of Social Protection with effect from 1 January 2011. In transferring the functions between Departments, it is the intention that this will operate seamlessly and without any adverse impact on the service levels being experienced by individuals or the business community awaiting payment of redundancy claims.

528. **Deputy Olwyn Enright** asked the Minister for Enterprise, Trade and Innovation if a person (details supplied) in County Offaly has received their redundancy payment; if not, when this person will be issued with this payment; and if he will make a statement on the matter. [35786/10]

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 statutory redundancy lump sum claim on 25 March, 2010 in respect of the above individual.

I am pleased to advise the Deputy that the redundancy lump sum claim for the individual concerned is at an advanced stage of processing and payment is expected to issue within the next 2/3 weeks.

529. **Deputy Olwyn Enright** asked the Minister for Enterprise, Trade and Innovation if a person (details supplied) in County Offaly has received their redundancy payment; if not, when this person will be issued with this payment; and if he will make a statement on the matter. [35787/10]

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 statutory redundancy lump sum claim on 25 March, 2010 in respect of the above individual.

I am pleased to advise the Deputy that the redundancy lump sum claim for the individual concerned is at an advanced stage of processing and payment is expected to issue within the next 2/3 weeks.

Commercial Credit

530. **Deputy Joan Burton** asked the Minister for Enterprise, Trade and Innovation if he will

[Deputy Joan Burton.]

publish the report prepared by his Department and Forfás on the operation of loan guarantee schemes; if he will give consideration to the introduction of an small and medium enterprises working capital guarantee scheme; and if he will make a statement on the matter. [35819/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): As I previously outlined in my replies to Question Number 1742 on 29 September 2010, Question Numbers 296 and 298 on 30 September 2010 and Question Number 312 on 6 October 2010, my officials are working with their colleagues in the Department of Finance, the Credit Review Office, Enterprise Ireland and Forfás to address access to credit issues for viable SMEs, including the option of a loan guarantee scheme to assist the working capital requirements of SMEs.

Substantial progress has been made in identifying the critical elements involved in any further initiatives. However, in developing any further initiatives, it would be important that they would complement, rather than substitute, the main banks’ lending commitments and activities under the recapitalisation package and that they would represent value for money from the taxpayer’s perspective.

The provision of credit to our enterprise sector, especially SME’s, should primarily come from a properly functioning banking sector and any additional initiative on the State’s part should not relieve the banks from their obligations in this regard.

As indicated already, we are looking at options to address known market failures regarding access to credit for SMEs including a loan guarantee scheme. The report prepared by Forfás is part of the ongoing deliberative process and I do not consider it appropriate to publish it.

Employment Rights

531. **Deputy Mary Upton** asked the Minister for Enterprise, Trade and Innovation if due diligence of private contractors’ compliance with the Payment of Wages Act 1991 is undertaken by the Government when awarding public contracts; and if he will make a statement on the matter. [35952/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary): I understand from my colleague, the Minister for Finance, who has overall responsibility for the Government’s public procurement procedures, the Government Construction Contracts Committee and the National Public Procurement Policy Unit (NPPPU), that this is a matter that would need to be taken up with the relevant Government Departments in respect of the various contracting authorities operating under their aegis.

I should point out, moreover, that there is a standard clause in the Public Works Contracts requiring a contractor to comply with all applicable law regarding the pay and conditions of employment provisions prescribed therein [sub-clause 5.3 in main contracts PW-CFI and PW-CF5], including the obligation to ensure that workers’ wages are paid in accordance with the Payment of Wages Act 1991 and are never more than 1 month in arrears or unpaid. The contracting authority may seek information under sub-clause 5.3.3 for the purpose of ensuring that these obligations to persons engaged under work contracts have been properly discharged. This sub-clause also stipulates the remedies available to the contracting authority in the event of a failure by contractors to meet their responsibilities.

I should point out that if an employer or a trade union is aware of specific instances where public contracts have been awarded to firms that are not paying their workers their legal entitlements, the matter can be investigated through NERA, the Labour Court under the Industrial Relations Acts or the relevant public authority that awarded the contract in the first instance.

Departmental Strategies

532. **Deputy John O'Donoghue** asked the Minister for Enterprise, Trade and Innovation the way he envisages the Government's new integrated plan for trade, tourism and investment will impact on County Kerry [35978/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): Trading and Investing in a Smart Economy, a Strategy and Action Plan for Irish Trade, Tourism and Investment to 2015, is an integrated strategy that is global in scope and covers both existing and new high growth potential markets. It has set a number of ambitious targets to be achieved by 2015 i.e. to create 150,000 new jobs (manufacturing, tourism and traded services) with a similar number of indirect jobs; increase the value of exports by indigenous companies by 33%, increase overseas visitors to 8 million and secure an additional 780 inward investment projects through IDA Ireland.

The overall objective of the strategy and action plan is to marshal and coordinate the resources of the State in a way that best supports Irish firms, of all sizes, in all parts of the country, including County Kerry, which are trying to trade and grow their business overseas.

Implementation of the strategy and action plan will result in the sustained, concentrated and coordinated efforts of all of the key Government Departments and agencies, including our embassies and consulates abroad, which will in turn increase the effectiveness and efficiency of our support for Irish companies in overseas markets.

The strategy presents an in-depth analysis of our recent performance across the three sectors and a suite of actions for building on existing strengths and driving trade relations in existing as well as new and emerging economies.

These actions are aimed at: strengthening Ireland's international image and brand; strengthening in-country presence and support; developing and internationalising our enterprise base; developing Ireland as a hub for global high-technology enterprises and clusters; aligning visa policy with priorities in the strategy; support for SMEs; continuing to develop international trade agreements; joint actions and partnerships with other countries; effective engagement with the business community.

Credit for Business

533. **Deputy Seymour Crawford** asked the Minister for Enterprise, Trade and Innovation if he is satisfied that sufficient finance is available for small and medium sized industry; if not the steps he intends to take to make sure that access will be made available so that jobs can be created and maintained; his views on the fact that there is a lot of financial pressure on many business structures because of delayed payments by Government groups; and if he will make a statement on the matter. [36157/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): Access to bank credit for businesses, particularly SMEs, has been central to Government Initiatives in addressing the crisis in the banking sector. Both the 2009 and 2010 Bank Recapitalisation arrangements provided specific commitments from the recapitalised banks to assist SMEs.

Under the 2010 Bank Recapitalisation arrangement, AIB and Bank of Ireland have both committed to making available not less than €3 billion each for new or increased credit facilities to SMEs in both 2010 and 2011. This must include funds for working capital for businesses.

A recent ISME survey shows an improvement in access to bank credit for small businesses in the period from June to August. 58% of companies had accessed credit compared to 45% in the previous quarter.

[Deputy Batt O’Keeffe.]

The Credit Review Office is closely monitoring AIB’s and Bank of Ireland’s lending policies and their lending commitments in 2010 and 2011. The Credit Review Office is also available to pursue cases where SMEs are refused credit from the recapitalised banks.

I have ongoing contact with the main banks in relation to their lending to businesses and will, together with my colleague the Minister for Finance, and John Trethowan of the Credit Review Office, continue to ensure that they meet their lending commitments under the 2010 Recapitalisation package in terms of providing sufficient credit to the business sector.

Finance is also made available to businesses, including SMEs, through the various supports and grant Schemes provided through the Enterprise Development Agencies operating under the aegis of my Department. My officials are also working with their counterparts in the Department of Finance and the Credit Review Office on potential new credit initiatives for SMEs.

In relation to payments by Government groups, Government Departments and Public Sector bodies are subject to the European Communities (Late Payment in Commercial Transactions) Regulations 2002 (S.I. No. 388 of 2002). Under these Regulations, it is an implied term of every commercial transaction that where a purchaser does not pay for goods or services by the relevant payment date, the supplier shall be entitled to interest (“late payment interest”) on the amount outstanding. In the absence of any agreed payment date between the parties (i.e. specified in the contract), late payment interest falls due after 30 days has elapsed, provided the invoice is not subject to query. Interest applies until such time as payment is made by the purchaser. The current late payment interest rate from 1 July 2010 is 8% (that is based on the ECB rate of 1% plus the margin of 7%). The Regulations also provide for compensation for debt recovery costs.

In accordance with the Government’s decision of 19 May 2009, all Government Departments are now required to pay their business suppliers within 15 days of receipt of a valid invoice. Departments are also required to report quarterly to the Department of Enterprise, Trade and Innovation on their performance in meeting the target. To date, four sets of composite returns from Government Departments have been published by my Department. This arrangement applies on an administrative basis.

The ongoing publication of composite details by my Department provides clarity on the performance of individual Departments in meeting the terms of the Government decision. While there is some variation between the performance of individual Departments and fluctuations across the different quarters, overall performance has been positive, with the value of payments made by central Government Departments within 15 days accountings for approximately 97% of the overall value of payments made. This initiative is helping to ease cash flow difficulties for SMEs. I believe there is scope to shorten public sector payment periods in areas beyond the central Government Departments.

Redundancy Payments

534. **Deputy Jimmy Deenihan** asked the Minister for Enterprise, Trade and Innovation when payment of statutory redundancy will be made available to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [36158/10]

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 redun-

dancy matters on behalf of the Department of Social and Family Affairs. There are two types of payment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees, and statutory lump sums to employees whose employers are insolvent and/or in receivership/liquidation

I can confirm that my Department received a statutory redundancy lump sum claim on 14 April, 2010 in respect of the above individual. This claim awaits processing.

In respect of lump sum payments paid directly to employees in instances where employers are unable to pay the statutory redundancy entitlements, the current processing time for these claims has improved and claims dating from March 2010 are currently being processed. Of course in some instances, where the necessary supporting documentation for lump sum claims is not provided to my Department, or where queries arise, processing of claims can be further delayed until the required documentation is provided and/or outstanding queries are resolved.

My Department continues to make every effort to reduce processing times. Measures already taken in the Department to alleviate the pressures on the Payments area include:

- Almost doubling the number of staff working solely on redundancy payment claims through reassignment to a current level of 52 full time equivalents;
- Prioritisation of the Department's overtime budget towards staff in the 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 existing outstanding tax liabilities which those employers owe to the Revenue Commissioners.

The backlog and waiting times remain at unacceptable levels. However, improvements are evident. In 2009, my Department processed 50,664 claims, up 70% on the previous year. Furthermore, the level of new claims processed in the first nine months of 2010 was 58,202 — up over 81% on the corresponding 9-month period in 2009 (32,127) and surpassing the total amount of claims processed for the full year 2009 which came to 50,644. The backlog of claims is decreasing — reducing from its highest level in November 2009 of 43,608 to a current level of 29,776.

Responsibility for the payment functions arising under the Redundancy and Insolvency payment schemes is due to be transferred to the Department of Social Protection with effect from 1 January 2011. In transferring the functions between Departments, it is the intention that this will operate seamlessly and without any adverse impact on the service levels being experienced by individuals or the business community awaiting payment of redundancy claims.

Task Force on Innovation

535. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Innovation if he will report on the implementation of the report of the task force on innovation; and if he will make a statement on the matter. [32340/10]

536. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Innovation if he will outline the progress made to date regarding the implementation of the report of the task force on innovation; and if he will make a statement on the matter. [32321/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I propose to take Questions Nos. 535 and 536 together.

The Report of the Innovation Task Force (ITF) provides a road map for positioning Ireland as an international innovation development hub. The report contains many new ideas, as well as calling for a reinforcement and better alignment of existing efforts and programmes. In May the Taoiseach asked me to chair the High Level Implementation Committee, comprising distinguished private sector members along with Secretaries General of key Government Departments, to oversee implementation of the ITF Report.

I have chaired two meetings of the Implementation Committee to date. Our inaugural meeting on 1 June enabled the Committee to ascertain those issues where it could move immediately to implementation, where it needed, in the first instance, to constitute and deploy expert working groups as specified by the ITF and where close engagement with agencies and other Government Departments to progress implementation was necessary. An immediate development following from this meeting was my appointment of an Intellectual Property Implementation Group charged with developing and realising the intellectual property (IP) related recommendations of the ITF Report and a detailed IP review conducted by Forfás for my Department. The development of a clear IP Protocol will help Ireland maximise the return on public investment and support the commercialisation of Irish research and development.

At our second meeting on 20 July, I briefed Committee members on the significant progress that had been made in implementing key recommendations in the ITF report, namely:

- The €500 million Innovation Fund-Ireland, which had been announced by the Taoiseach on 12 July, will target the development of a vibrant venture capital community in Ireland through attracting top international venture capitalists.
- With the Taoiseach, I had launched Cycle 5 of PRTLTI on 16 July, a €296m investment supporting third level research and leveraging €63m private investment.
- The very positive outcome of my discussions with the Minister for Finance with regard to identifying and securing provision for a number of ITF recommendations in the Capital Envelopes to 2016. These provisions, which were subsequently published, will enable my Department and its agencies to support innovative companies, grow high performance start up companies, provide more venture capital and develop a portfolio of sector specific Angel Funds and increase Enterprise Ireland supports for commercialisation. They will also enable the retention of a strategic mass of world class researchers who act as a pull factor for foreign direct investment (FDI) in Ireland.

Secretaries General of Government Departments and Chief Executives of agencies provided detailed updates on the implementation of recommendations for which their organisations has lead responsibility. In the light of these detailed reports, the Committee agreed nineteen priority recommendations for implementation.

The Committee will next meet on 21 October when its focus will be on reviewing progress on initiatives commenced and considering how to progress priority areas where significant action has yet to be set in train.

Departmental Agencies

537. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Innovation the location of all Industrial Development Agency premises in County Donegal; the size of these premises; when they were last occupied; by which company; and if he will make a statement on the matter. [36301/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I am informed by IDA Ireland that IDA’s units in Ballyshannon, and Donegal Town together with land holdings in the County are currently being transferred to the ownership of Donegal County Council. This transfer is part of IDA’s rationalization programme, which was approved in 2009. A list of the various units involved is set out in the tabular statement. The transfer of these properties to the County Council was consented to by the Minister for Enterprise, Trade and Innovation. The Minister’s consent is required under legislation, when IDA is disposing of assets and the assets can subsequently be used for non industrial purposes.

I am informed by IDA that the Agency does not own any other buildings in County Donegal, but that it does hold a number of Marketing Leases on Privately owned buildings.

IDA has undertaken to provide the names of the companies occupying the properties involved within the next week and I will forward these to the Deputy .

Table showing the list of IDA units in Donegal being transferred to Donegal County Council

Location	Number of Units	Size	Availability
Ballyshannon	Cluster Unit 1	309 m ²	Available Since 2002
Ballyshannon	Cluster Unit 2	309 m ²	Available Since 2002
Ballyshannon	Cluster 3	309 m ²	Available Since 2002
Lurganboy Craft Centre	Unit 1	56 m ²	Occupied
Lurganboy Craft Centre Donegal Town	Unit 2	56 m ²	Available Since April 2010
Lurganboy Craft Centre Donegal Town	Unit 3	33 m ²	Occupied
Lurganboy Craft Centre Donegal Town	Unit 4	33 m ²	Occupied
Lurganboy Craft Centre Donegal Town	Unit 5	104 m ²	Occupied
Lurganboy Craft Centre Donegal Town	Unit 6	104 m ²	Occupied
Lurganboy Craft Centre Donegal Town	Unit 7	56 m ²	Occupied
Lurganboy Craft Centre Donegal Town	Unit 8	80 m ²	Occupied

Redundancy Payments

538. **Deputy Bobby Aylward** asked the Minister for Enterprise, Trade and Innovation when redundancy payments will issue to a person (details supplied) in County Kilkenny [36311/10]

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 statutory redundancy lump sum claim on 24 September, 2009 in respect of the above individual.

[Deputy Dara Calleary.]

I am pleased to advise the Deputy that the redundancy lump sum claim for the individual concerned is at an advanced stage of processing and payment is expected to issue within the next two weeks.

Community Development

539. **Deputy Ciarán Lynch** asked the Minister for Community, Equality and Gaeltacht Affairs the community development projects that are currently in progress under the remit of social inclusion; the amount spent on social inclusion since 2005 inclusive of community development projects by region; the projected spend to 2015; and if he will make a statement on the matter. [35857/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): I assume that the Deputy's Question relates to community development projects that were previously funded under the Community Development Programme and are currently funded under the new integrated Local and Community Development Programme (LCDP).

This year, funding of the order of €19 million has been allocated to some 160 community development projects and groups. Ongoing funding for the LCDP in 2011 and beyond will fall to be considered in the context of the annual Estimates process.

Table 1 below lists the community development projects/groups currently receiving funding under the LCDP. Table 2 sets out the expenditure by county on community development projects/groups for the period 2005-09.

Table 1 — Community development projects/groups currently funded under the Local and Community Development Programme

Community development projects/groups	County
Access 2000 Wexford Limited	Wexford
Action Inishowen	Donegal
Áit na nDaoine	Louth
An Cosán/ Shanty	Dublin
An Síol CDP	Dublin
Arklow Community Development Project	Wicklow
Athy Community Development Project Limited	Kildare
Atlantic View Community Development Company Limited	Donegal
Ballybane Mervue Community Development Programme	Galway
Ballybeg Community Development Project Limited	Waterford
Ballybrack Community Development Project Limited	Dublin
Ballyfermot Travellers Action Project	Dublin
Ballymun Men's Centre Limited	Dublin
Ballyphehane Togher CDP	Cork
Bantry and District CDP	Cork
Bawnogue Women's Development Group	Dublin
Bere Island	Cork
Blakestown Community Development Project Limited	Dublin
Blanchardstown Traveller Support Group	Dublin
Blayney Blades	Monaghan
Bluebell CDP	Dublin
Bray Travellers Community Development Group Limited	Wicklow

Community development projects/groups	County
Cabra CDP	Dublin
Changing Ireland	Limerick
Cherry Orchard Equine Centre	Dublin
Clare Island Community Co-op Limited	Mayo
Clare Women's Network	Clare
Claremorris Women's Group	Mayo
Clondalkin Travellers Development Group	Dublin
Clondalkin Women's Network	Dublin
Community & Family Training Agency (CAFTA)	Dublin
Community After Schools Project	Dublin
Community Connections	Cavan
Community of Lough Arrow Social Project (CLASP)	Sligo
Connemara Community Radio	Galway
Corduff Community Development Project Limited	Dublin
Cork Social and Health CFG	Cork
Cork Traveller Visibility Group CDP	Cork
CorrAcla Teo, Achill Corrán CDP	Mayo
Cosgallen East Mayo	Mayo
Croí Rath Naoi	Wicklow
Crumlin CDP	Dublin
Cúl Le Chéile Portarlinton CDP	Laois
Cumann na Daoine	Cork
D.E.S.S.A.	Dublin
Darndale / Belcamp Resource Centre	Dublin
Dóchas for Women Limited	Monaghan
Dolcáin Project / S.W Clondalkin	Dublin
Dolphin House Community Development Project	Dublin
Donegal Travellers Project	Donegal
Donegal Women's Network	Donegal
Doras Buí — PARC	Dublin
Drumlin Community Development	Monaghan
Dublin Institute of Technology	Dublin
Dungarvan Community Development Project Limited	Waterford
East Clare Community Support Group	Clare
Edenderry CDP	Offaly
Ennis Community Development Project	Clare
F.A.B. CDP	Wexford
Family Resource Centre, St. Michael's House	Dublin
Farranree CDP	Cork
Fermoy CDP	Cork
Finglas South Community Development Programme	Dublin
Galway Traveller Movement Limited	Galway
Glen CDP	Cork
Greater Blanchardstown Development Project	Dublin
Gurrabraher CDP	Cork
Harmony Community Development Programme	Westmeath
Holly House	Dublin
Inishbofin Development Company Limited	Galway

[Deputy Pat Carey.]

Community development projects/groups	County
Inishturk Community Council	Galway
Iorras Le Chéile North Mayo	Mayo
Jobstown Community Development Project	Dublin
Kerry PWDI (Kerry Network of People with Disabilities)	Kerry
Kerry Travellers	Kerry
Kilbarrack Community Development Project Limited	Dublin
Kiltimagh Community Development Project Limited	Mayo
Knockanrawley Resource Centre	Tipperary
Larchville Lisduggan Community Development Project	Waterford
Le Chéile CDP	Louth
Letterkenny Community Development Project Limited	Donegal
Lifford / Clonleigh Resource Centre	Donegal
Limerick Adult Basic Education	Limerick
Limerick Travellers Development Group	Limerick
Limerick Women's Network	Limerick
Little Bray CDP	Wicklow
Longford Acorn CDP	Longford
Lough Allen Community Development Project Limited	Leitrim
Loughboy Area Resource Centre	Kilkenny
Louisburgh Community Development Project	Mayo
Lourdes Youth & Community CDP	Dublin
Mahon CDP	Cork
Markiewicz CDP	Dublin
Matt Talbot CDP	Dublin
Mayfield CDP	Cork
Mountwood Fitzgerald Park CDP	Dublin
Moyross CDP	Limerick
NORTH WEST Kildare Community Development Association Company Limited	Kildare
Na Calaí — South East Galway	Galway
Nascadh CDP	Dublin
National Traveller Women's Forum	Galway
Navan Community Development Project	Meath
Navan Travellers Workshop	Meath
New Ross Community Development Project	Wexford
North Leitrim Women's Resource Group	Leitrim
North West Roscommon	Roscommon
North Wall Women's Centre CDP	Dublin
Open Door Community Development Project	Carlow
Our Lady of Lourdes Community Development Project	Limerick
Parents Alone Support Services Limited (PASS)	Dublin
Pavee Point	Dublin
Pléaráca Teo	Galway
Pobail Le Chéile CDP Teoranta	Donegal
Priorswood CDP	Dublin
Project West	Dublin
Rialto Community Network Limited	Dublin

Community development projects/groups	County
Robert Emmet CDP	Dublin
Ronanstown Women's CDP Limited	Dublin
Roscommon Women Network	Roscommon
Rowlagh Women's Group Limited	Dublin
Shanganagh Community Development Project	Dublin
Sherkin Island	Cork
Sligo Northside Community Partnership Limited	Sligo
South Inner City Community Development Association	Dublin
South West Cavan	Cavan
South West Donegal Communities Partnership Limited	Donegal
South West Kerry Women's Association	Kerry
South West Wexford Development Group	Wexford
Southill Community Development Limited	Limerick
Southside Travellers Action Group (STAG)	Dublin
Southside Women's Action Network (SWAN)	Dublin
St Margaret's Travellers Community Association	Dublin
St. Fergal's, Bray CDP	Wicklow
St. Mary's Community Development Project Limited	Limerick
St. Munchin's Community Development Project Limited	Limerick
Tallaght Travellers CDP	Dublin
Templeshannon CDP Limited	Wexford
The Bridge CDP	Kildare
The Men's Development Network	Waterford
The Rosses	Donegal
The Suir CDP	Tipperary
Thurles Action for Community Development Limited	Tipperary
Tipperary Rural Travellers' Project Limited	Tipperary
Tralee CDP	Kerry
Tralee Womens Resource Centre	Kerry
TravAct -Northside Travellers Support Group	Dublin
Tuam CDP	Galway
Tullamore Traveller Movement	Offaly
Vista Community Development Project Limited	Dublin
Waterford Travellers CDP	Waterford
Waterford Women's Centre (Access 2000)	Waterford
We the People CDP	Cork
West Cork (Clonakilty) Travellers	Cork
West Limerick Community Development Project Limited	Limerick
Westside Resource Centre Limited	Galway
Wicklow Travellers Group	Wicklow
Wolfe Tone CDP	Wexford
Women Together Tallaght Network	Dublin
Women's Aid	Dublin
Women's Community Project (Mullingar) Association Limited	Westmeath

[Deputy Pat Carey.]

Table 2 — Expenditure by county on community development projects/groups 2005-09

County	2005	2006	2007	2008	2009
	€	€	€	€	€
Carlow	94,443.96	114,400.00	147,048.00	119,793.51	105,325.00
Cavan	160,907.50	243,400.00	262,719.00	259,000.00	228,852.00
Clare	323,337.83	358,395.88	426,305.66	432,780.00	328,059.00
Cork	1,503,654.77	1,523,236.38	1,705,977.85	1,822,728.02	1,676,106.37
Donegal	1,312,090.80	1,101,157.38	1,126,209.15	1,088,934.72	997,585.00
Dublin	7,246,487.80	7,829,118.76	8,433,807.13	8,559,450.71	7,255,366.98
Galway	1,250,447.00	1,351,122.60	1,572,700.54	1,535,129.56	1,302,674.07
Kerry	431,221.00	476,210.76	478,864.99	562,829.17	506,736.00
Kildare	186,037.00	326,361.00	360,187.72	354,841.18	297,693.00
Kilkenny	303,999.00	145,800.00	124,858.00	155,000.00	136,958.00
Laois	24,500.00	61,000.00	81,586.00	117,155.17	114,335.00
Leitrim	188,260.00	224,800.00	220,681.57	223,000.00	199,343.80
Limerick	881,570.47	989,432.03	1,188,361.35	1,147,760.15	985,854.00
Longford	82,513.00	79,729.10	110,509.40	137,788.26	114,998.00
Louth	355,969.00	386,790.00	430,375.00	335,252.40	337,535.00
Mayo	845,435.00	877,276.02	1,113,463.33	1,122,818.19	895,616.32
Meath	102,273.00	109,983.78	330,291.00	318,675.00	236,999.00
Monaghan	215,700.00	357,647.78	346,000.00	348,799.15	319,863.00
Offaly	155,849.00	189,886.42	196,236.34	204,999.97	198,460.00
Roscommon	90,225.00	146,066.96	214,268.83	220,775.50	200,931.00
Sligo	214,119.23	240,039.44	265,000.00	256,000.00	226,202.00
Tipperary	417,216.50	496,040.00	590,055.50	657,337.71	603,129.96
Waterford	690,933.00	842,976.00	1,017,978.86	941,710.22	824,592.00
Westmeath	179,400.00	159,980.00	207,600.86	244,672.50	226,536.40
Wexford	702,840.00	657,390.50	877,337.72	829,414.09	732,151.00
Wicklow	481,566.00	599,673.00	589,250.00	706,921.81	613,967.12

Departmental Agencies

540. **Deputy Arthur Morgan** asked the Minister for Community, Equality and Gaeltacht Affairs the location of all Údaras na Gaeltachta premises in County Donegal; the size of these premises; when they were last occupied; by which company; and if he will make a statement on the matter. [36302/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): Due to the volume of information requested by the Deputy, I have arranged for the details which have been provided to my Department by Údarás na Gaeltachta to be forwarded directly to him.

Equality Issues

541. **Deputy Lucinda Creighton** asked the Minister for Community, Equality and Gaeltacht Affairs the position regarding the 2008 to 2013 strand of the equality for women measure; and if he will make a statement on the matter. [36523/10]

Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Mary Alexandra White): The Equality for Women Measure (EWM) is a positive action

measure to promote equality of opportunity for women, supported by the European Social Fund. The total amount of funding identified for the Measure over the period 2008-2014 is about €11.5 million, of which half is being contributed by the ESF.

Following the initial application phase in 2008, 36 not-for-profit groups received funding of €30,000 each in 2009 for projects which help disadvantaged women to prepare for employment or mainstream training and education. A second phase of funding was made available in early 2010 to 34 of these groups, while two entrepreneurship initiatives have been allocated funding of €190,000 over a number of phases, bringing total commitments to end-June 2010 to almost €2.3 million.

A new call for funding proposals was made earlier this year, broadening the scope of the Measure to include additional entrepreneurship initiatives and the advancement of women who are in employment. Following the appraisal of 190 applications, completed by Pobal on behalf of my Department, 43 projects have recently received funding offers of up to €50,000 each. This funding, totalling €1.903 million per annum, may be renewed for one or more years, subject to projects realising their targets and to the availability of resources in the context of the grave public financial situation. Any new funding initiatives on women and decision-making would also fall to be considered in the context of the public financial situation at the appropriate time.

Irish Language

542. **Deputy Joe Carey** asked the Minister for Community, Equality and Gaeltacht Affairs the supports he will offer towards the development of an Irish language centre in west Clare; if he will give approval for a linguistic study in County Clare in order to re-establish a Gaeltacht in the county; and if he will make a statement on the matter. [35695/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): The Linguistic Study of the Use of Irish in the Gaeltacht, which was published in 2007, sets out a proposed sociolinguistic profile and assessment criteria by which Gaeltacht status might be established. These include the percentage of the population that are daily speakers of Irish, Irish-speaking networks, language planning and policies in the community and youth services.

Recommendations from the Linguistic Study on granting Gaeltacht status based on linguistic criteria have been incorporated into the draft 20-year Strategy for Irish. Also included in the draft Strategy is a provision for the establishment of regional centres for Irish language promotion and activities.

The Deputy will be aware that the draft Strategy has been under consideration by the Joint Oireachtas Committee on Tourism, Culture, Sport, Community Equality and Gaeltacht Affairs, which provided a report in the matter in July last, including a range of recommendations. The Committee's recommendations are currently being assessed by the relevant Government Departments and I hope to be in a position to bring the final draft of the Strategy back to Government for approval in the coming period.

Electoral Divisions

543. **Deputy Róisín Shortall** asked the Minister for Community, Equality and Gaeltacht Affairs the electoral divisions designated to each local area partnership in the Dublin area. [35797/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): As requested by the Deputy, a list of the electoral divisions designated to each Local Development Company (former area partnership) in the Dublin area is attached as Appendix 1.

[Deputy Pat Carey.]

The Deputy should note that the information used in the list is based on the electoral divisions as defined in the 2006 Census. The list of electoral divisions has been cross-checked with the Electoral Areas Orders City of Dublin 2008; Fingal 2008, South Dublin 2009 and Dún Laoghaire-Rathdown 1998.

Appendix 1

County Council	Local Development Company Name	Electoral Division Name
Dublin City	The Ballyfermot Partnership Limited	Chapelizod
Dublin City	The Ballyfermot Partnership Limited	Cherry Orchard A
Dublin City	The Ballyfermot Partnership Limited	Cherry Orchard B (Carna)
Dublin City	The Ballyfermot Partnership Limited	Cherry Orchard C
Dublin City	The Ballyfermot Partnership Limited	Decies
Dublin City	The Ballyfermot Partnership Limited	Drumfinn
Dublin City	The Ballyfermot Partnership Limited	Kilmainham A
Dublin City	The Ballyfermot Partnership Limited	Kylemore
Dublin City	The Ballymun Partnership Limited	Ballygall C
Dublin City	The Ballymun Partnership Limited	Ballymun A
Dublin City	The Ballymun Partnership Limited	Ballymun B
Dublin City	The Ballymun Partnership Limited	Ballymun C
Dublin City	The Ballymun Partnership Limited	Ballymun D
Dublin City	The Ballymun Partnership Limited	Ballymun E
Dublin City	The Ballymun Partnership Limited	Whitehall A
Dublin City	The Ballymun Partnership Limited	Whitehall B
Dublin City	The Ballymun Partnership Limited	Whitehall C
Dublin City	The Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto Partnership Limited	Inchicore A
Dublin City	The Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto Partnership Limited	Inchicore B
Dublin City	The Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto Partnership Limited	Kilmainham B
Dublin City	The Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto Partnership Limited	Kilmainham C
Dublin City	The Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto Partnership Limited	Ushers D
Dublin City	The Bluebell, Inchicore, Islandbridge, Kilmainham and Rialto Partnership Limited	Ushers E
Dublin City	Formerly under Dublin Inner City Partnership Limited	Arran Quay A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Arran Quay B
Dublin City	Formerly under Dublin Inner City Partnership Limited	Arran Quay C
Dublin City	Formerly under Dublin Inner City Partnership Limited	Arran Quay D
Dublin City	Formerly under Dublin Inner City Partnership Limited	Arran Quay E
Dublin City	Formerly under Dublin Inner City Partnership Limited	Ballybough A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Ballybough B

County Council	Local Development Company Name	Electoral Division Name
Dublin City	Formerly under Dublin Inner City Partnership Limited	Inns Quay A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Inns Quay B
Dublin City	Formerly under Dublin Inner City Partnership Limited	Inns Quay C
Dublin City	Formerly under Dublin Inner City Partnership Limited	Drumcondra South B
Dublin City	Formerly under Dublin Inner City Partnership Limited	Mountjoy A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Mountjoy B
Dublin City	Formerly under Dublin Inner City Partnership Limited	North City
Dublin City	Formerly under Dublin Inner City Partnership Limited	North Dock A
Dublin City	Formerly under Dublin Inner City Partnership Limited	North Dock B
Dublin City	Formerly under Dublin Inner City Partnership Limited	North Dock C
Dublin City	Formerly under Dublin Inner City Partnership Limited	Rotunda A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Rotunda B
Dublin City	Formerly under Dublin Inner City Partnership Limited	Mansion House A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Mansion House B
Dublin City	Formerly under Dublin Inner City Partnership Limited	Merchants Quay A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Merchants Quay B
Dublin City	Formerly under Dublin Inner City Partnership Limited	Merchants Quay C
Dublin City	Formerly under Dublin Inner City Partnership Limited	Merchants Quay D
Dublin City	Formerly under Dublin Inner City Partnership Limited	Merchants Quay E
Dublin City	Formerly under Dublin Inner City Partnership Limited	Merchants Quay F
Dublin City	Formerly under Dublin Inner City Partnership Limited	Pembroke East A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Pembroke West A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Royal Exchange A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Royal Exchange B
Dublin City	Formerly under Dublin Inner City Partnership Limited	St Kevin's
Dublin City	Formerly under Dublin Inner City Partnership Limited	South Dock
Dublin City	Formerly under Dublin Inner City Partnership Limited	Ushers A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Ushers B

[Deputy Pat Carey.]

County Council	Local Development Company Name	Electoral Division Name
Dublin City	Formerly under Dublin Inner City Partnership Limited	Ushers C
Dublin City	Formerly under Dublin Inner City Partnership Limited	Ushers F
Dublin City	Formerly under Dublin Inner City Partnership Limited	Wood Quay A
Dublin City	Formerly under Dublin Inner City Partnership Limited	Wood Quay B
Dublin City	Northside Partnership Limited	Ayrfield
Dublin City	Northside Partnership Limited	Beaumont A
Dublin City	Northside Partnership Limited	Beaumont B
Dublin City	Northside Partnership Limited	Beaumont C
Dublin City	Northside Partnership Limited	Beaumont D
Dublin City	Northside Partnership Limited	Beaumont E
Dublin City	Northside Partnership Limited	Beaumont F
Dublin City	Northside Partnership Limited	Clontarf East A
Dublin City	Northside Partnership Limited	Clontarf East B
Dublin City	Northside Partnership Limited	Clontarf East C
Dublin City	Northside Partnership Limited	Clontarf East D
Dublin City	Northside Partnership Limited	Clontarf East E
Dublin City	Northside Partnership Limited	Clontarf West A
Dublin City	Northside Partnership Limited	Clontarf West B
Dublin City	Northside Partnership Limited	Clontarf West C
Dublin City	Northside Partnership Limited	Clontarf West D
Dublin City	Northside Partnership Limited	Clontarf West E
Dublin City	Northside Partnership Limited	Drumcondra South A
Dublin City	Northside Partnership Limited	Edenmore
Dublin City	Northside Partnership Limited	Grace Park
Dublin City	Northside Partnership Limited	Grange A
Dublin City	Northside Partnership Limited	Grange B
Dublin City	Northside Partnership Limited	Grange C
Dublin City	Northside Partnership Limited	Grange D
Dublin City	Northside Partnership Limited	Grange E
Dublin City	Northside Partnership Limited	Harmonstown A
Dublin City	Northside Partnership Limited	Harmonstown B
Dublin City	Northside Partnership Limited	Kilmore A
Dublin City	Northside Partnership Limited	Kilmore B
Dublin City	Northside Partnership Limited	Kilmore C
Dublin City	Northside Partnership Limited	Kilmore D
Dublin City	Northside Partnership Limited	Priorswood A
Dublin City	Northside Partnership Limited	Priorswood B
Dublin City	Northside Partnership Limited	Priorswood C
Dublin City	Northside Partnership Limited	Priorswood D
Dublin City	Northside Partnership Limited	Priorswood E
Dublin City	Northside Partnership Limited	Raheny-Foxfield
Dublin City	Northside Partnership Limited	Raheny-Greendale
Dublin City	Northside Partnership Limited	Raheny-St.Assam
Dublin City	Northside Partnership Limited	Whitehall D

County Council	Local Development Company Name	Electoral Division Name
Dublin City	Tolka Area Partnership Limited	Ashtown A
Dublin City	Tolka Area Partnership Limited	Ashtown B
Dublin City	Tolka Area Partnership Limited	Ballygall A
Dublin City	Tolka Area Partnership Limited	Ballygall B
Dublin City	Tolka Area Partnership Limited	Ballygall D
Dublin City	Tolka Area Partnership Limited	Ballymun F
Dublin City	Tolka Area Partnership Limited	Botanic A
Dublin City	Tolka Area Partnership Limited	Botanic B
Dublin City	Tolka Area Partnership Limited	Botanic C
Dublin City	Tolka Area Partnership Limited	Cabra East A
Dublin City	Tolka Area Partnership Limited	Cabra East B
Dublin City	Tolka Area Partnership Limited	Cabra East C
Dublin City	Tolka Area Partnership Limited	Cabra West A
Dublin City	Tolka Area Partnership Limited	Cabra West B
Dublin City	Tolka Area Partnership Limited	Cabra West C
Dublin City	Tolka Area Partnership Limited	Cabra West D
Dublin City	Tolka Area Partnership Limited	Drumcondra South C
Dublin City	Tolka Area Partnership Limited	Finglas North A
Dublin City	Tolka Area Partnership Limited	Finglas North B
Dublin City	Tolka Area Partnership Limited	Finglas North C
Dublin City	Tolka Area Partnership Limited	Finglas South A
Dublin City	Tolka Area Partnership Limited	Finglas South B
Dublin City	Tolka Area Partnership Limited	Finglas South C
Dublin City	Tolka Area Partnership Limited	Finglas South D
Dublin City	Tolka Area Partnership Limited	Phoenix Park
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Crumlin A
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Crumlin B
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Crumlin C
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Crumlin D
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Crumlin E
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Crumlin F
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Kimmage A

[Deputy Pat Carey.]

County Council	Local Development Company Name	Electoral Division Name
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Kimmage B
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Kimmage C
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Kimmage D
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Kimmage E
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Terenure A
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Terenure B
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Terenure C
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Terenure D
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Walkinstown A
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Walkinstown B
Dublin City	Kimmage, Walkinstown, Crumlin, Drimnagh, Terenure (KWCDT) Partnership — temporarily hosted by Rathmines Pembroke Community Partnership Limited	Walkinstown C
Dublin City	Rathmines Pembroke Community Partnership Limited	Pembroke East B
Dublin City	Rathmines Pembroke Community Partnership Limited	Pembroke East C
Dublin City	Rathmines Pembroke Community Partnership Limited	Pembroke East D
Dublin City	Rathmines Pembroke Community Partnership Limited	Pembroke East E
Dublin City	Rathmines Pembroke Community Partnership Limited	Pembroke West B
Dublin City	Rathmines Pembroke Community Partnership Limited	Pembroke West C
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathfarnham

County Council	Local Development Company Name	Electoral Division Name
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines East A
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines East B
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines East C
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines East D
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines West A
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines West B
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines West C
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines West D
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines West E
Dublin City	Rathmines Pembroke Community Partnership Limited	Rathmines West F
South County Dublin	CPLN Area Partnership Limited	Clondalkin-Cappaghmore
South County Dublin	CPLN Area Partnership Limited	Clondalkin-Dúnawley
South County Dublin	CPLN Area Partnership Limited	Clondalkin-Monastery
South County Dublin	CPLN Area Partnership Limited	Clondalkin-Moorfield
South County Dublin	CPLN Area Partnership Limited	Clondalkin-Rowlagh
South County Dublin	CPLN Area Partnership Limited	Clondalkin Village
South County Dublin	CPLN Area Partnership Limited	Lucan-Esker
South County Dublin	CPLN Area Partnership Limited	Lucan Heights
South County Dublin	CPLN Area Partnership Limited	Lucan-St. Helens
South County Dublin	CPLN Area Partnership Limited	Newcastle
South County Dublin	CPLN Area Partnership Limited	Palmerston Village
South County Dublin	CPLN Area Partnership Limited	Palmerston West
South County Dublin	Dodder Valley Partnership	Ballinascorney
South County Dublin	Dodder Valley Partnership	Ballyboden
South County Dublin	Dodder Valley Partnership	Bohernabreena
South County Dublin	Dodder Valley Partnership	Clondalkin-Ballymount
South County Dublin	Dodder Valley Partnership	Edmondstown
South County Dublin	Dodder Valley Partnership	Firhouse-Ballycullen
South County Dublin	Dodder Valley Partnership	Firhouse-Knocklyon
South County Dublin	Dodder Valley Partnership	Firhouse Village
South County Dublin	Dodder Valley Partnership	Rathcoole
South County Dublin	Dodder Valley Partnership	Rathfarnham-Ballyroan
South County Dublin	Dodder Valley Partnership	Rathfarnham-Butterfield
South County Dublin	Dodder Valley Partnership	Rathfarnham-Hermitage
South County Dublin	Dodder Valley Partnership	Rathfarnham-St. Enda's
South County Dublin	Dodder Valley Partnership	Rathfarnham Village
South County Dublin	Dodder Valley Partnership	Saggart
South County Dublin	Dodder Valley Partnership	Tallaght-Avonbeg
South County Dublin	Dodder Valley Partnership	Tallaght-Belgard
South County Dublin	Dodder Valley Partnership	Tallaght-Fettercairn
South County Dublin	Dodder Valley Partnership	Tallaght-Glenview

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County Council	Local Development Company Name	Electoral Division Name
South County Dublin	Dodder Valley Partnership	Tallaght-Jobstown
South County Dublin	Dodder Valley Partnership	Tallaght-Killinardan
South County Dublin	Dodder Valley Partnership	Tallaght-Kilnamanagh
South County Dublin	Dodder Valley Partnership	Tallaght-Kiltipper
South County Dublin	Dodder Valley Partnership	Tallaght-Kingswood
South County Dublin	Dodder Valley Partnership	Tallaght-Millbrook
South County Dublin	Dodder Valley Partnership	Tallaght-Oldbawn
South County Dublin	Dodder Valley Partnership	Tallaght-Springfield
South County Dublin	Dodder Valley Partnership	Tallaght-Tymon
South County Dublin	Dodder Valley Partnership	Templeogue-Cypress
South County Dublin	Dodder Valley Partnership	Templeogue-Kimmage Manor
South County Dublin	Dodder Valley Partnership	Templeogue-Limekiln
South County Dublin	Dodder Valley Partnership	Templeogue-Orwell
South County Dublin	Dodder Valley Partnership	Templeogue-Osprey
South County Dublin	Dodder Valley Partnership	Templeogue Village
South County Dublin	Dodder Valley Partnership	Terenure-Cherryfield
South County Dublin	Dodder Valley Partnership	Terenure-Greentrees
South County Dublin	Dodder Valley Partnership	Terenure-St. James
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Abbotstown
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Blakestown
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Coolmine
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Corduff
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Delwood
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Mulhuddart
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Roselawn
Dublin Fingal	The Blanchardstown Area Partnership Limited	Blanchardstown-Tyrrelstown
Dublin Fingal	The Blanchardstown Area Partnership Limited	Castleknock-Knockmaroon
Dublin Fingal	The Blanchardstown Area Partnership Limited	Castleknock-Park
Dublin Fingal	The Blanchardstown Area Partnership Limited	Lucan North
Dublin Fingal	The Blanchardstown Area Partnership Limited	The Ward
Dublin Fingal	Fingal Leader Partnership Company Limited	Airport
Dublin Fingal	Fingal Leader Partnership Company Limited	Balbriggan Rural
Dublin Fingal	Fingal Leader Partnership Company Limited	Balbriggan Urban
Dublin Fingal	Fingal Leader Partnership Company Limited	Baldoyle
Dublin Fingal	Fingal Leader Partnership Company Limited	Balgriffin
Dublin Fingal	Fingal Leader Partnership Company Limited	Ballyboghil
Dublin Fingal	Fingal Leader Partnership Company Limited	Balscadden
Dublin Fingal	Fingal Leader Partnership Company Limited	Clonmethan
Dublin Fingal	Fingal Leader Partnership Company Limited	Donabate
Dublin Fingal	Fingal Leader Partnership Company Limited	Dubber
Dublin Fingal	Fingal Leader Partnership Company Limited	Garristown
Dublin Fingal	Fingal Leader Partnership Company Limited	Hollywood
Dublin Fingal	Fingal Leader Partnership Company Limited	Holmpatrick
Dublin Fingal	Fingal Leader Partnership Company Limited	Howth
Dublin Fingal	Fingal Leader Partnership Company Limited	Kilsallaghan
Dublin Fingal	Fingal Leader Partnership Company Limited	Kinsealy
Dublin Fingal	Fingal Leader Partnership Company Limited	Lusk

County Council	Local Development Company Name	Electoral Division Name
Dublin Fingal	Fingal Leader Partnership Company Limited	Malahide East
Dublin Fingal	Fingal Leader Partnership Company Limited	Malahide West
Dublin Fingal	Fingal Leader Partnership Company Limited	Portmarnock North
Dublin Fingal	Fingal Leader Partnership Company Limited	Portmarnock South
Dublin Fingal	Fingal Leader Partnership Company Limited	Rush
Dublin Fingal	Fingal Leader Partnership Company Limited	Skerries
Dublin Fingal	Fingal Leader Partnership Company Limited	Sutton
Dublin Fingal	Fingal Leader Partnership Company Limited	Swords-Forrest
Dublin Fingal	Fingal Leader Partnership Company Limited	Swords-Glasmore
Dublin Fingal	Fingal Leader Partnership Company Limited	Swords-Lissenhall
Dublin Fingal	Fingal Leader Partnership Company Limited	Swords-Seatown
Dublin Fingal	Fingal Leader Partnership Company Limited	Swords Village
Dublin Fingal	Fingal Leader Partnership Company Limited	Turnapin
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballinteer-Broadford
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballinteer-Ludford
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballinteer-Marley
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballinteer-Meadowbroads
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballinteer-Meadowmount
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballinteer-Woodpark
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Ballybrack
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Boosterstown
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Carysfort
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Central
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Glenomena
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Monkstown
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Newpark
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Seapoint
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Stradbroom
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Templehill
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Blackrock-Williamstown
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Cabinteely-Granitefield
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Cabinteely-Kilbogget
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Cabinteely-Loughlinstown
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Cabinteely-Pottery
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Churchtown-Castle
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Churchtown-Landscape
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Churchtown-Nutgrove
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Churchtown-Orwell
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Churchtown-Woodlawn
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Clonskeagh-Belfield
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Clonskeagh-Farranboley
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Clonskeagh-Milltown
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Clonskeagh-Roebuck
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Clonskeagh-Windy Arbour
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dalkey-Avondale
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dalkey-Bullock
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dalkey-Coliemore
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dalkey Hill

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County Council	Local Development Company Name	Electoral Division Name
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dalkey-Upper
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dúndrum-Balally
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dúndrum-Kilmacud
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dúndrum-Sandyford
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dúndrum-Sweetmount
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dúndrum-Taney
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-East Central
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Glasthule
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Glenageary
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Monkstown Farm
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Mount Town
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Sallynugin East
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Sallynugin South
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Sallynugin West
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Sandycove
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-Salthill
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Dún Laoghaire-West Central
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Foxrock-Beechpark
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Foxrock-Carrickmines
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Foxrock-Deans Grange
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Foxrock-Torquay
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Glencullen
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Killiney-North
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Killiney-South
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Shankill-Rathmichael
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Shankill-Rathsallagh
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Shankill-Shanganagh
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Stillorgan-Deerpark
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Stillorgan-Kilmacud
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Stillorgan-Leopardstown
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Stillorgan-Merville
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Stillorgan-Mount Merrion
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Stillorgan-Priory
Dún Laoghaire-Rathdown	Southside Partnership DLR Limited	Tibradden

Departmental Expenditure

544. **Deputy John Deasy** asked the Minister for Community, Equality and Gaeltacht Affairs further to Parliamentary Question Nos. 427 and 428 of 26 January 2010 and following the decision to transfer some of the funding to other Departments, the details of the funding now available to each of the local action groups under axis three and axis four of the rural development programme, in comparison to the figures given in the replies of 26 January 2010; and if he will make a statement on the matter. [35999/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): I wish to inform the Deputy that the information included in the reply to the Questions of 26 January 2010 referred to regarding the funding available under Axes 3 and 4 of the Rural Development Programme 2007-13 (RDP) has not changed. The main objectives of the Programme are to improve the quality of life in rural areas and facilitate the diversification of the rural economy, and the individual measures under the Programme, including indicative allocations, are as follows:

- Diversification into non-agricultural activities for farm families — €16.66m;
- Support for business creation and development — €48.26m;
- Encouragement of tourism activities — €45.4m;
- Basic services for the economy and rural population — €49.61m;
- Village renewal and development — €54.2m;
- Conservation and upgrading of the rural heritage — €51.7m;
- Training and information on adapted and new skills — €29.45m; and
- Implementing co-operation projects — €10.7m.

I am pleased with the progress to date under the RDP, which continues to facilitate access to significant financial resources for rural communities since it started in 2009. This has resulted in the proliferation of innovative and sustainable development projects all over the country, which are providing invaluable support to rural communities in these difficult times, and there is no question of funds being diverted away from the RDP.

The RDP currently has registered project activity of €72 million, with almost €30 million at an advanced stage of development. Expenditure to date amounts to almost €47 million, which includes funding for a diverse range of projects from support for micro-enterprise in rural areas to the building and maintenance of community infrastructure, and the provision of training in a variety of disciplines for rural dwellers. I am confident that the activity funded under the RDP to date is contributing to the creation of the right conditions for the generation of sustainable, long-term job opportunities in rural areas. My Department and I will be working closely with Minister Batt O’Keeffe and his Department in the coming months to promote increased co-operation between Local Action Groups and County Enterprise Boards in order to ensure that we maximise the impact of all of the funding available and fully support enterprise and job creation in rural areas.

I can assure the Deputy that my Department will continue to work with rural communities through their Local Action Groups to explore all possible funding opportunities under the RDP.

Irish Language

545. **Deputy Terence Flanagan** asked the Minister for Community, Equality and Gaeltacht Affairs the amount that has been set aside for the years 2007, 2008, 2009 and 2010 for the promotion of the Irish language; and if he will make a statement on the matter. [36262/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): My Department is charged with promotion of the Irish language, as well as the economic, linguistic and cultural development of the Gaeltacht, which is the main source of Irish as a living community

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language. In order to achieve this objective, my Department supports and works closely with other agencies, particularly An Foras Teanga and Údarás na Gaeltachta.

My Department's budget, including the provision for the promotion of the Irish language, is published annually as part of the Estimates for Public Services. However, relevant data in relation to the promotion of the Irish language have been extracted for the Deputy's assistance and are set out in the following table:

Year	2007*	2008*	2009*	2010
€m	94.142	99.309	86.704	70.889

*Based on provisional outturns.

I should clarify that these figures comprise

- expenditure/allocations for capital, cultural and social schemes in Gaeltacht areas;
- funding for the activities undertaken by Údarás na Gaeltachta, An Foras Teanga and An Coimisinéir Teanga, and
- other support schemes for the Irish language.

I should also clarify that the annual allocations to An Foras Teanga also include funding from this jurisdiction in support of the Ulster-Scots Agency.

546. **Deputy Terence Flanagan** asked the Minister for Community, Equality and Gaeltacht Affairs the reason for the delay in his Department in accepting the 20 year strategy for the Irish language; the costing per year for this action plan to be achieved; and if he will make a statement on the matter. [36264/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): As indicated previously in reply to Questions in this House, the 20-year Strategy for Irish was published in draft form by my predecessor to facilitate a further round of public consultation on the proposals contained in it by the relevant Oireachtas Joint Committee. The Joint Committee held meetings with relevant interests, including one meeting in the Gaeltacht, and subsequently agreed a submission with a range of recommendations. I received the Committee's recommendations on 28 July 2010 and these have been under examination by my Department in consultation with other relevant Departments. I anticipate that these consultations will be completed shortly and that a final draft of the Strategy can be brought to the Cabinet Committee on Irish, and subsequently to Government, in the near future.

The question of the resources required by specific public bodies to fulfil their role in the delivery of the Strategy will fall to be considered as part of the annual budget and estimates process for each relevant year. The Strategy spans a 20-year period and will require a range of integrated actions across a number of policy areas, Departments and other public bodies. At this stage, the primary emphasis is on ensuring that we will be able to achieve measurable results with existing resources, both financial and institutional.

Rural Development

547. **Deputy Pat Breen** asked the Minister for Community, Equality and Gaeltacht Affairs

further to Parliamentary Question No. 182 of the 15 May 2010, the position regarding a project (details supplied); and if he will make a statement on the matter. [36353/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): Further to my reply to the Deputy on 13 May 2010, I met with the local development group on 1 October 2010. I understand that the proposed project referred to by the Deputy is being considered by the bodies with primary responsibility in this area.

As stated in reply to previous Questions from the Deputy, the development of facilities of this nature is not a primary responsibility for my Department. I am, however, monitoring the issue in light of the ongoing consideration by the bodies referred to above.

Departmental Expenditure

548. **Deputy Brian O'Shea** asked the Minister for Community, Equality and Gaeltacht Affairs if he shares the concerns of Comhlachas na gComharchumans Gaeltachta (details supplied); and if he will make a statement on the matter. [36426/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): Firstly, may I draw the attention of the Deputy to the fact that the figures set out in the document referred to by him relate solely to the capital allocations for my Department and do not take account of the significant amounts allocated to its currently-funded programmes.

While the recently published Capital Review does propose a significant reduction in my Department's capital allocation from €105m in 2010 to €86m for each of the years 2011, 2012 and 2013, my understanding is that all of these figures will be subject to ongoing review. In addition, proposed allocations post-2013 will also be informed by a mid-term review. Furthermore, all of the figures are indicative at this time and the 2011 allocations will not be decided until the Estimates process is completed within the framework of the forthcoming Budget.

As the Deputy is aware, in the current economic circumstances we are faced with difficult decisions. The Government has considered a number of measures to maintain a prudent fiscal outturn, not only for 2010 but also to provide the basis for a sustainable approach to the current financial situation. Across Government, our approach has been to do this in as balanced a way as possible.

Within this context, my primary concern is to make every effort to ensure that the daily front-line services provided with funding from my Department are protected, especially those focused on the needs of the most socially deprived communities. In the prevalent financial circumstances, objectives will have to be pursued with less resources than previously. However, we will continue to strive to achieve good outcomes and value for money notwithstanding these constraints. Notwithstanding these challenges, the Government remains very committed to supporting the Gaeltacht and the Irish language and considers that the 20-year Strategy for Irish will provide an appropriate framework to advance these objectives. The restructuring of Údarás na Gaeltachta as Údarás na Gaeilge and the broadening of its linguistic remit will be considered in this context, taking account of the recommendations of the Oireachtas Committee on Tourism, Culture, Sport, Community, Equality and Gaeltacht Affairs. In this regard, I hope to be in a position to present a final draft Strategy to Government in the near future, following its consideration by the Cabinet Committee on Irish.

I would like to restate once again that the Government is very cognisant of the urgency of the situation with regard to the Irish language in the Gaeltacht and it is intended to fully implement this Strategy over the next 20 years in co-operation with Gaeltacht communities

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and their representatives. In this context, I would like to say that I am very aware of the positive contribution made by the comharchumann to the development of the Gaeltacht over many years, a contribution which indeed has been recognised by way of considerable State support.

Ministerial Transport

549. **Deputy Simon Coveney** asked the Minister for Defence the number of flights outside of Europe that the Government jets have taken annually since 2008 to date in 2010; the destinations of these flights; and if he will make a statement on the matter. [35841/10]

Minister for Defence (Deputy Tony Killeen): The Ministerial Air Transport Service is provided by the Air Corps to facilitate members of the Government in fulfilling their official engagements at home and abroad. The Service is primarily provided by the Gulfstream IV and the Learjet 45 aircraft, which were specifically acquired for that purpose. The Learjet 45 has the capacity to carry 7 passengers and is mainly tasked with short and medium haul missions to the UK and Europe. The Gulfstream IV has the capacity to carry 14 passengers and can be tasked with long haul missions to destinations such as the United States, Africa and the Middle East, as well as to European destinations.

Details of Ministerial Air Transport Service missions outside Europe from 2008 to date are set out in the tabular statement below, and include dates of travel, mission destinations and requesting minister.

Gulfstream IV

Date	Return Date	Route	Minister
01/02/2008	07/02/2008	Baldonnel – Bangor (Maine) – Prescott – Las Vegas – Phoenix – Houston – Washington – Baldonnel	Health
18/02/2008	22/02/2008	Brussels – Dubai – Kuala Lumpur – Dili – Darwin – Dili – Kuala Lumpur – Bahrain – Baldonnel	Foreign Affairs
16/03/2008	18/03/2008	Baldonnel – Dublin – Scranton, Pennsylvania – Washington – Dublin – Baldonnel	An Taoiseach
29/04/2008	02/05/2008	Baldonnel – Washington – Boston – Dublin – Baldonnel	An Taoiseach/Foreign Affairs/Transport
16/06/2008	18/06/2008	Baldonnel – Shannon – N'Djamena – Shannon – Baldonnel	Defence
08/07/2008	11/07/2008	Baldonnel – Cairo – Tel Aviv – Baldonnel	Foreign Affairs
15/07/2008	18/07/2008	Baldonnel – New York (Teteboro) – Baldonnel	An Taoiseach
14/12/2008	16/12/2008	Baldonnel – Knock – Bangor (Maine) – Austin (Texas) – Bangor (Maine) – Baldonnel	Tánaiste (Enterprise, Trade & Employment)/Defence
01/02/2009	06/02/2009	Baldonnel – Cork – Damascus – Beirut – Abu Dhabi – Dubai – Brussels – Cork – Baldonnel	Foreign Affairs
15/02/2009	20/02/2009	Baldonnel – Cork – Washington – Mexico City – Havana (Cuba) – St Johns Newfoundland (Canada) – Cork – Baldonnel	Foreign Affairs
24/02/2009	26/02/2009	Baldonnel – Shannon – N'Djamena – Abehce – N'Djamena – Shannon – Baldonnel	Defence

Date	Return Date	Route	Minister
14/03/2009	18/03/2009	Baldonnel – Teterboro – White Plains – Teterboro – Washington – Shannon	An Taoiseach/Foreign Affairs
26/04/2009	01/05/2009	Baldonnel – Knock – Riyadh (Saudi Arabia) – Jeddah (Saudi Arabia) – Doha (Qatar) – Knock – Baldonnel	Tánaiste (Enterprise, Trade & Employment)
21/09/2009	23/09/2009	Baldonnel – Teterboro – White Plains – Teterboro – Baldonnel	An Taoiseach
23/02/2010	26/02/2010	Baldonnel – Cairo – El Arish – Cairo – El Arish – Cork – Baldonnel	Foreign Affairs
12/03/2010	18/03/2010	Baldonnel – Chicago – Moffett Field (California) – Washington – Baldonnel	An Taoiseach/Foreign Affairs
27/06/2010	03/07/2010	Baldonnel – Cork – Valetta – Kampala – Addis Ababa – Valetta – Cork – Baldonnel	Foreign Affairs
11/07/2010	15/07/2010	Baldonnel – Teterboro – White Plains – Teterboro – Atlanta – Baldonnel	An Taoiseach

Learjet 45

Date	Return Date	Route	Minister
01/03/2009	02/03/2009	Baldonnel – Cork – Bari – Sharm El Sheikh – Rome – Baldonnel	Foreign Affairs
04/09/2009	07/09/2009	Baldonnel – Stockholm – Sofia – Cairo – Khartoum – Cairo – Rome – Baldonnel	Foreign Affairs

Defence Forces Property

550. **Deputy Seán Power** asked the Minister for Defence if his attention has been drawn to local concerns with the lack of progress in developing the Magee Barracks site in Kildare Town, in view of the various commitments given after the closure; and if he will make a statement on the matter. [35750/10]

Minister for Defence (Deputy Tony Killeen): The Government decided on 1st July 2003 that the former Magee Barracks in Kildare Town would be among the State lands released to Kildare County Council for inclusion in the Sustaining Progress Affordable Housing Initiative. The Department had been involved in the process of transferring ownership to Kildare County Council and a final Contract of Sale was sent to the Solicitors for Kildare County Council in 2009. However, the local authority contacted the Department to state that it no longer wished to take possession of the property. As a result of this, the Department arranged for security fencing to be erected to prevent the occurrence of anti-social behaviour. Security fencing has been erected and additional fencing will be installed in the next few weeks to ensure the security of the site. It is not envisaged that any development will occur on this site for the foreseeable future. However, the Department is open to negotiate the sale of the property in its entirety with any bona fide purchaser subject to reasonable offers being made.

Naval Service Vessels

551. **Deputy David Stanton** asked the Minister for Defence the progress made in procuring two new ships for the naval service; when the contracts are due to be signed; the estimated cost of each ship; and if he will make a statement on the matter. [36143/10]

Minister for Defence (Deputy Tony Killeen): A strategy for the replacement of Naval Service Offshore Patrol Vessels (OPVs) commenced in 2007 and following a two-stage tender competition a preferred bidder, Babcock Marine, was selected last year. During my visit to the Naval Base at Haulbowline last July, I announced that approval had been granted to proceed to contract placement. A contract has now been placed with Babcock Marine and that the first new vessel is scheduled for delivery in early 2014. The second vessel will follow one year later. The contract value is of the order of €100m.

The acquisition of these modern new vessels, combined with a continuous process of refurbishment and repair, will ensure that the operational capability of the Naval Service is maintained at a satisfactory level.

Departmental Staff

552. **Deputy David Stanton** asked the Minister for Defence the number of personnel employed in his Department; the location where each staff member is employed and their respective grades; and if he will make a statement on the matter. [36144/10]

Minister for Defence (Deputy Tony Killeen): The number of persons employed in the Department is 359.29. The breakdown by grade and location is as follows:

Grade	Dublin	Galway	Civil Defence Board Roscrea	Brussels*
Secretary General	1.00			
Assistant Secretary	2.00			
Director	1.00			
Principal	10.60	1.00	1.00	1
Assistant Principal	22.70	8.00	2.00	1
Accountant		1.00		
Technical Officer II			1.00	
Higher Executive Officer	33.46	17.80	4.70	1
Administrative Officer	2.00			
Executive Officer	38.53	28.70	4.80	1
Staff Officer	11.40	15.50		
Clerical Officer	31.40	81.90	8.00	1
Storeman	1.00			
Storekeeper			2.00	
Services Officer	9.00	4.80	1.00	
Services Attendant	1.00			
Watchman	0.00	1.00		
Superintendent of Cleaners	1.00			
Cleaners	4.00			

*Permanent Representation of Ireland to the EU.

The entire Dublin based staff of the Department will shortly relocate to Newbridge, Co. Kildare under the decentralisation programme. I would like to assure the Deputy that I am satisfied that the structure and staffing levels in the Department are appropriate and that I remain committed to ensuring that the delivery of services by the Defence Organisation is as efficient and effective as possible.

Official Travel

553. **Deputy David Stanton** asked the Minister for Defence the number of overseas trips he has undertaken since he assumed his role as Minister for Defence; the locations to which he has travelled; the duration and purpose of each visit; and if he will make a statement on the matter. [36145/10]

Minister for Defence (Deputy Tony Killeen): Since I was appointed as Minister for Defence on 23rd March 2010, I have travelled on three separate occasions in my capacity as Minister for Defence. Information on this travel is set out below.

Duration of Trip	Destination	Purpose of Visit
25th to 26th April 2010	Luxembourg	A meeting of the Foreign Affairs Council with Defence Ministers
23rd to 24th September 2010	Ghent, Belgium	Meeting of the EU Defence Ministers
26th to 28th September 2010	Kosovo	To visit the Irish troops serving with KFOR
	Sarajevo, Bosnia & Herzegovina	To visit the Irish troops serving with EUFOR

Defence Forces Strength

554. **Deputy David Stanton** asked the Minister for Defence the numbers commissioned from the ranks in 2007, 2008, 2009 and to date in 2010 respectively; the respective units involved; if any unit exists from which commissioning from the ranks is prohibited; and if he will make a statement on the matter. [36513/10]

Minister for Defence (Deputy Tony Killeen): I am advised by the Military authorities that an internal *Commissioning From the Ranks* competition was held in June 2007. Twenty four personnel were subsequently selected from the ranks of Junior and Senior NCO's and, following successful completion of training in the Cadet School, were commissioned as officers of the Permanent Defence Force in June 2008. A breakdown of the personnel commissioned, according to unit, is provided in the tabular statement overleaf. All personnel who met the criteria for this competition were eligible to apply. No unit exists within the Defence Forces from which commissioning from the ranks is prohibited.

The competition in 2007 captured a lot of personnel who would be eligible and suitable for commissioning from the ranks. The process was to be reviewed following this competition with a view to determining how the process would be operated thereafter. However, as the Deputy will recall, the moratorium was introduced in 2009 and this impacted on overall recruitment. While there were no specific *Commissioning From the Ranks* competitions held in 2008, 2009 or to date in 2010, 13 applicants with military service were successful in the 2008 cadetship competition and a further 18 applicants with military service were successful in the 2009 cadetship competition. In addition, a further two members of the Defence Forces were commissioned as officers in 2008 from Direct Entry competitions as Engineer Officers. As such, while there has not been a specific competition for commissioning from the ranks in the past few years, enlisted personnel have been successful in the open Cadet competitions.

One of my main priorities as Minister for Defence is to provide opportunities for enlisted personnel to advance into the Officer Corps. This policy forms part of the Defence Force

[Deputy Tony Killeen.]

Modernisation Agenda and is a commitment in the Programme for Government. In the context of future officer recruitment on the basis of an agreed structure for the Defence Forces, I would intend to return to this issue, in due course.

Unit	No. Commissioned From the Ranks
2 Eastern Brigade	
McKee Barracks Company	1
5 Infantry Battalion	1
Brigade Training Centre	1
1 Southern Brigade	
3 Infantry Battalion	2
12 Infantry Battalion	2
1 Cavalry Squadron	1
Brigade Training Centre	1
4 Western Brigade	
1 Infantry Battalion	3
6 Infantry Battalion	1
28 Infantry Battalion	1
4 Field Engineer Company	1
Brigade Training Centre	1
Defence Forces Training Centre	
Army Ranger Wing	2
Combat Service Support College	1
Logistics Base Curragh	1
Service Support Unit	1
Air Corps	2
Naval Service	1
Total	24