



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Thursday, 2 December 2010.

Requests to move Adjournment of the Dáil under Standing Order 32	...	...	...	...	...	845
Tributes to Head Usher of the Houses of the Oireachtas	...	...	...	...	...	845
Order of Business	...	...	...	...	...	849
Business of Dáil: Motion	...	...	...	...	...	864
Standing Orders of Dáil: Motion	...	...	...	...	...	864
Commission of Investigation: Motion	...	...	...	...	...	865
Estimates for Public Services 2010	...	...	...	...	...	865
Vote 19 — Justice and Law Reform (Supplementary Estimate)	...	...	...	...	...	865
Vote 20 — Garda Síochána (Supplementary Estimate)	...	...	...	...	...	865
Vote 22 — Courts Service (Supplementary Estimate)	...	...	...	...	...	865
Vote 26 — Education and Skills (Supplementary Estimate)	...	...	...	...	...	865
Vote 27 — Community, Equality and Gaeltacht Affairs (Supplementary Estimate)	...	...	...	...	...	865
Vote 28 — Foreign Affairs (Supplementary Estimate)	...	...	...	...	...	865
Vote 32 — Transport (Supplementary Estimate)	...	...	...	...	...	866
Vote 34 — Enterprise, Trade and Innovation (Supplementary Estimate)	...	...	...	...	...	866
Vote 37 — Army Pensions (Supplementary Estimate)	...	...	...	...	...	866
Vote 38 — Social Protection (Supplementary Estimate)	...	...	...	...	...	866
Vote 40 — Health Service Executive (Supplementary Estimate)	...	...	...	...	...	866
Local Government (Mayor and Regional Authority of Dublin) Bill 2010:						
Second Stage (<i>resumed</i>)	...	...	...	...	...	866
Referral to Select Committee	...	...	...	...	...	873
Weather Conditions: Statements	...	...	...	...	...	875
Education (Amendment) Bill 2010:						
Second Stage (<i>resumed</i>)	...	...	...	...	...	886
Referral to Select Committee	...	...	...	...	...	892
Allocation of Time: Motion	...	...	...	...	...	893

[illegible]

DÁIL ÉIREANN

Déardaoin, 2 Nollaig 2010.
Thursday, 2 December 2010.

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

Paidir.

Prayer.

Requests to move Adjournment of the Dáil under Standing Order 32

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

Deputy Seymour Crawford: I seek the adjournment of the Dáil under Standing Order 32 to discuss the extremely serious crisis in the pig industry, where feed prices have increased dramatically at a time when product prices have decreased significantly putting enormous pressure on the viability and cashflows of the industry. The Government must realise that there is an urgent need to sort out the long promised banking structures for this sector if it is to be maintained during the critical period. Steps must be taken to open up the Chinese and other markets as many of the current units are winding down or going out of business, not to mind the increase in production promised under the 2020 agri-programme.

Deputies: Hear, hear.

Deputy Charles Flanagan: I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of national importance, namely, the need for the Minister for Health and Children to make a full and detailed statement to this House on the operation of the procurement process for the provision of legal services in the matter of child protection and child welfare issues on behalf of the State and to assure this House that all appropriate protocols and procedures are open, transparent and in accordance with objective and accepted best practice.

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

Tributes to Head Usher of the Houses of the Oireachtas

An Ceann Comhairle: Before coming to the Order of Business, I draw the attention of the House to a particular matter. Today represents the last day in which the Head Usher, Mr. Shay Byrne, will play a part in the proceedings of this House, having served the Houses and its Members for more than 38 years. Shay commenced his working career in the Houses of the Oireachtas in April 1973. He has been a quiet observer of many changes during the years,

[An Ceann Comhairle.]

witnessing the euphoria of elections and the hard realities of defeat of Government and Members alike.

Shay has looked after the interests and needs of all Members with courtesy and respect. Any problem needing attention or requests for assistance were dealt with quietly. Regardless of the problems, there were always solutions. Shay's ability to attain the highest level in the usher grade is a testament to his abilities as a communicator and his dedication to and pride in his work. I take this opportunity to wish Shay and his colleague, Liam Lynch, who following ten years of dedicated service also retires today from the ranks of parliamentary usher, well. I wish them the best for the future. May they both enjoy many years of happy retirement.

Deputies: Hear, hear.

The Tánaiste: The Head Usher might perhaps have made a better go it over the years than have some of us. On behalf of the Government and Fianna Fáil Party, I thank Shay for his considerable public service. He is a true professional who has, as all of us know, walked in the true traditions of this House in terms of his kindness, care, good humour and can-do attitude. Shay has had a considerable career in the Houses of the Oireachtas and has achieved the highest accolade that can be achieved here. He has served under many taoisigh in his 38 years of service to this House. I know that Shay is a Manchester United supporter and a great supporter of the Dubs. Given his wife is from Kerry I am sure there are differences of opinion at home on occasion. I wish Shay, Ger, James and Rachel well. We wish him every success in his retirement and thank him most sincerely for caring for us mere temporary staff in this House.

I also thank Liam Lynch for his considerable professionalism and can-do attitude in the traditions of this House. I wish him and his family well in his retirement. Go neiri an t-ádh libh.

Deputy Enda Kenny: This is unusual. I join with the Tánaiste and other Members in wishing the two gentlemen who are retiring every good fortune in the times ahead. Liam Lynch has been a regular receiver of people at Leinster House 2000 for the past number of years. He is a craftsman in terms of his wielding of the knife in the butcher business and could teach many of us lessons in regard to cuts. This is his last day and Shay retires tomorrow.

I have known Shay Byrne since I entered the House. He arrived from an institution on Mount Street a short time before that and he had an interest in the well-being of a former Taoiseach. Shay Byrne was one of the first technocrats or technologists when he arrived in Leinster House because in the corridor outside there was an old battered photocopier and when the State rose to being economically solvent, a new photocopier was purchased and he was the first person in the Houses of the Oireachtas to be able to photocopy on two sides of the one page. There were Members who were into recycling and efficiency long before others who said, "There is a man down there and he can photocopy on two sides of the one page". That was fine until a predecessor of the Ceann Comhairle's issued an order limiting the number of photocopies any person could make. Shortly after he left that exalted seat, he sent an order down to the same Shay Byrne for a huge number of photocopies and Mr. Byrne had to say to him, "Unfortunately, you handed down an edict and I cannot give you any more".

Shay was an observer of business through all the other Head Ushers over the years such as Peadar Lawless. His greatest achievement was not just in serving the Members of all parties and none but the way he conducted himself with decorum, dignity and treated every person who came through the gates with respect. That is an outstanding hallmark for those who follow him, given his attitude and his exemplary work. When he looks back on his time, the highlight will not be the 40 years of back slapping, craw thumping, whingeing and moaning and roaring and shouting that goes on in the House and its environs but the sublime skill he displayed at

Old Trafford, the hallowed ground of Manchester United, when he wore the No. 7 shirt and demonstrated that Shay Byrne, Head Usher of the Houses of the Oireachtas, could play in any exalted company and did. Good luck to him and his wife and family.

Deputy Eamon Gilmore: On my own behalf and on behalf of my colleagues in the Labour Party, I pay tribute to both Shay Byrne and Liam Lynch, who are leaving the service of Leinster House this week. I knew Liam Lynch before he joined the staff and even before I entered the House because he is a constituent and I knew of his skills in his previous craft with a knife. These skills are very useful in Leinster House, although I have to confess that I never saw or heard of Liam exercising them. I thank him for his service and for his courtesy at all times to me and to my colleagues.

I want to pay tribute, in particular, to Shay Byrne because of his length of service in the House and because he achieved the office of Head Usher and I thank him on my own behalf and on behalf of my colleagues. I recall when I entered the House, Shay was in the post room at the time and he was extremely helpful in showing me, as I am sure he showed other Members, the way around the corridors, how to get things done, where things were and so on. Sometimes new Deputies have to rely on the advice and help of the ushers and the staff of the Houses more than on that of their colleagues to find their way and to find out the tricks of the trade.

Deputy Seán Sherlock: The Deputy can sing that.

Deputy Eamon Gilmore: I thank Shay for that. In particular, I also want to thank Shay, Liam and all the ushers because all of us have the experience of bringing visitors to the House and the courtesy and professionalism with which visitors are treated is outstanding. I wish Shay and Liam every success for the future.

Deputy Caoimhghín Ó Caoláin: On behalf of the Sinn Féin Deputies, I join colleagues in extending our warmest good wishes to Shay Byrne and Liam Lynch on their retirement from the service of the Houses of the Oireachtas this week. Over my 13 plus years here, Shay has epitomised the graciousness that is a quality of all the usher staff here and I do not only mean to the Members of both Houses. As Deputy Gilmore mentioned, this is reflected time after time by constituents who access what is in the end of the day not Tithe an Oireachtais but teach na ndaoine, the people's House. The ushers are courteous and devote time to engage with and host various visiting groups — be they school or disabilities groups — and members of the public who come on tours to witness the work and the business of these Houses and, without question, it has been my experience always that they are very grateful for the way they are received. That is a tremendous tribute to Shay as Head Usher in his time in that role and through all the years of service he has given.

I arrived in the House on my own with nobody from my party here before me and the ushers, as I have recorded previously, helped me find my feet and my way around this institution and I am always grateful for that. Liam Lynch has been a particular treat different mornings coming here. He always has something humorous to share or a comment to make that would lift one. He has a positive outlook on all of life's challenges and even on the greater difficulties of the more recent past and today. He still meets Members in good humour and he will certainly be missed here.

On behalf of myself and the Sinn Féin team, I wish Shay and Liam many years of health and happiness to enjoy their retirement.

Deputy Finian McGrath: On behalf of the Independent Members, I thank and commend Shay and Liam for their magnificent work and service over many years. Since I was elected, I have found Shay friendly, warm, courteous and supportive and I concur with the comments about his support for new Members. The standards and ethics of public servants like Liam and Shay should be acknowledged as well as the great service they provide, particularly in the current climate where there is a great deal of hostility towards public servants. It is important to acknowledge people like them who have made a massive contribution to the running and efficiency of the Oireachtas.

I always found Shay courteous and friendly when bringing in visitors. As someone who has had many disability groups in, I have found him supportive and helpful.

Reference was made to the famous Manchester United trip.

Deputy Enda Kenny: The Deputy was substituted.

Deputy Finian McGrath: I was part of that team in 2003 and the trip was organised by Deputy Deenihan. The Minister for Justice and Law Reform was there as well but he came off injured. He had a dodgy leg.

Deputy Dermot Ahern: Thanks for reminding me.

Deputy Finian McGrath: He got ten minutes on the hallowed ground. Shay was part of that squad and we had a magnificent night in Manchester but I had better not say what time we went to bed and so on or I could get myself into major trouble. Deputy Deenihan and Pat Crerand from Manchester United were the main organisers. It was fantastic even though we lost the match against the House of Commons 2-1.

Deputy Dermot Ahern: We had a genuine team.

Deputy Finian McGrath: I thank Shay for his magnificent work and service and I wish him and Liam well in the future.

Deputy Paul Gogarty: On behalf of the Green Party, I wish Shay and Liam all the best for their future active retirement. I hope they will continue in the same vein, spend time with their families and keep active.

I was also a member of the famous squad referred to at Old Trafford. I wore the GAA jersey on that day. It would be remiss not to mention the cracker of a goal scored——

(Interruptions).

An Ceann Comhairle: Deputies, please.

Deputy Paul Gogarty: The Opposition Deputies should be listening to this because I am paying tribute to the cracker of a goal scored by Deputy Damien English. Shay has been involved in sporting activities with the Houses of the Oireachtas over the years; most recently there was a game between the ushers and a parliamentary selection in aid of the homeless world cup team. I hope that he stays involved in his charitable activities.

Roger Garland was the first Green Party Deputy and he was elected in 1989. Shay has seen the back of a lot of us. It is sad to see the back of him because of the courtesy and the professionalism he has always shown. If anyone wanted to see a model usher for the Houses of the Oireachtas, I think Shay and Liam are it. I wish them the very best in the future.

Order of Business

The Tánaiste: It is proposed to take No. *a7*, Motion re sittings and business of the Dáil, No. *b7*, motion re technical amendments to Standing Orders; No. 7, motion re proposed approval by Dáil Éireann of the draft Commission of Investigation (Banking Sector) (Amendment) Order 2010; No. 13, Supplementary Estimates for public services — Votes 19, 20, 22, 26, 27, 28, 32, 34, 37, 38 and 40 — back from committee; No. 16, Local Government (Mayor and Regional Authority of Dublin) Bill 2010 Second Stage, resumed; No. 15*a*, statements on the severe weather conditions; and No. 19, Education (Amendment) Bill 2010, Second Stage resumed. It is proposed, notwithstanding anything in Standing Orders, that Nos. *a7*, *b7*, 7 and 13 shall be decided without debate, and in the case of No. 13, shall be moved together and decided by one question which shall be put from the Chair and any division demanded thereon shall be taken forthwith; the resumed Second Stage of No. 16 shall, if not previously concluded, be brought to a conclusion at 12.15 p.m. today; the proceedings on No. 15*a* shall, if not previously concluded, be brought to a conclusion after 40 minutes and the following arrangements shall apply — the statements shall be confined to the Minister for the Environment, Heritage and Local Government, the Minister for Transport and the Minister for Defence, who shall be called upon in that order, and which shall not exceed ten minutes, five minutes and five minutes respectively; a Minister or Minister of State shall take questions for a period not exceeding 20 minutes.

An Ceann Comhairle: There are three proposals to be put to the House today. Is the proposal for dealing with Nos. *a7*, *b7*, 7 and 13 agreed to without debate?

Deputy Caoimhghín Ó Caoláin: It is not agreed.

Deputy Enda Kenny: This is a technical amendment that was raised by Deputy Kieran O'Donnell on 8 July regarding the relevant dates for the banking inquiry. While it is a technical amendment giving effect to that date which could not be done procedurally at the time, a raft of revelations have emerged from the banking catastrophe in the meantime that would need to be debated and investigated by this commission. It is imperative that we have a statement from the Minister for Finance and the Taoiseach to the effect that they will give their evidence in public to this inquiry, regardless of whether they are in or out of office when it starts its business.

These are two fundamentally important issues. The carry-on of some of the banks in the last couple of months has been scandalous. The entitlements of the law in this country have not been brought to bear on whether some people should end up in prison or otherwise. The carry-on of some of the activities of the banks has clearly been scandalous and are partly the reason we are being economically constricted by the IMF.

Deputy Eamon Gilmore: I wish to oppose No.1 because it contains some extraordinary arrangements for next week's business. The Government is proposing that there be no questions next week, no Leaders' Questions except on Tuesday, and no Order of Business on Wednesday. This is being done to clear the decks for the budget. I understand that it is also the Government's intention to bring in a social welfare Bill next week.

Under normal circumstances, that would be a remarkable way to do the budget but it is particularly so this year in light of the document that was presented here yesterday evening at the end of the EU-IMF agreement. I described that agreement as a sell-out at the weekend but it was not until yesterday evening that we got the document containing the full details of the sell-out. I had been looking for the various documents relating to the deal and we did not see them until yesterday evening. It is an extraordinary document.

[Deputy Eamon Gilmore.]

The Government is effectively proposing to agree the budgets for the next three years with the EU and with the IMF. It is down to a level of detail that we have never seen before, and includes amounts of expenditure and amounts of tax, specific timetabled commitments in respect of property taxes, water charges and pensions, none of which has been legislated for by the House. It amounts to a surrender of the country's economic freedom. That is what is contained in this document.

The Labour Party cannot be bound by what is contained in the document, not only for democratic reasons, but also because it will not work.

An Ceann Comhairle: There will be other opportunities to make these points.

Deputy Brendan Howlin: No there will not.

An Ceann Comhairle: I have allowed you some latitude, Deputy, but you will have to avail of another opportunity or another time to make these points.

Deputy Eamon Gilmore: What other opportunity?

An Ceann Comhairle: There will be other times to make these points. It is the Order of Business. I cannot allow the promotion of debate to such an extent. Free statements are fine, but that is far too extensive.

Deputy Eamon Gilmore: A Cheann Chomhairle, you have kindly suggested that there will be another opportunity for me to raise this. The reason I am objecting to the Order of Business is precisely because there will not be another opportunity to raise this important matter.

Deputy Michael D. Higgins: Hear, hear.

Deputy Eamon Gilmore: This is a document of economic surrender by the Government and there is no other opportunity to raise that fact. The arrangements being proposed by the Government for next week do not allow any opportunity to raise it. The Government is submitting a document and letters that are craven to the IMF and to the EU and which will not work.

An Ceann Comhairle: We will have a budget debate next week.

Deputy Eamon Gilmore: There is a list of prominent economists who have written about this over the last 24 hours. Willem Buiter, the chief economist of Citigroup, stated that “accessing external sources of funds will not mark the end of Ireland’s troubles”. Professor Eichengreen of Berkeley stated that the “Irish rescue package finalised over the weekend is a disaster”. Paul Krugman, the Nobel laureate in economics, stated that this deal amounts to “reparations imposed on an innocent public”. That is what this is. We are being given no opportunity to debate it.

An Ceann Comhairle: The budget will take place next week and that is the ideal opportunity——

Deputy Eamon Gilmore: That is the whole point. This has never——

An Ceann Comhairle: We are on the Order of Business and I cannot allow this to continue.

Deputy Eamon Gilmore: You may not want to allow us discuss this, but we will not allow this to happen. This is a sell-out of our country. It is a surrender by the Government of this

country's sovereignty, of its right to make its own decisions, determine its own budgets and the Labour Party,——

An Ceann Comhairle: Order will break down in the House if we persist with this. I will have no alternative but to suspend the House.

Deputy Eamon Gilmore: ——whoever else will want to be bound by this, will not be bound by this document.

Deputies: Hear, hear.

Deputy Willie Penrose: We might as well close down this place altogether.

Deputy Caoimhghín Ó Caoláin: I welcome what Deputy Gilmore has just stated here. No party should feel bound by any deal struck by this Government, which has no mandate or political authority. In its dying days, it is seeking to strap the people of this State——

An Ceann Comhairle: It is fine to make a brief statement on an Order of Business proposal——

Deputy Caoimhghín Ó Caoláin: ——not only into a cruel budget but also into a sell-out deal with the IMF——

An Ceann Comhairle: ——but not a Second Stage speech.

Deputy Caoimhghín Ó Caoláin: ——and a four year plan to dictate the shape of the fiscal affairs of the State over the years to come. Yesterday, the Whip circulated a schedule for the coming week, clearly outlining the Government's intention to force through a budget involving €6 billion of cuts. Such cruel blows will place further burdens on those least able to sustain them.

An Ceann Comhairle: The Deputy will have plenty of opportunities to make all of these points next week.

Deputy Caoimhghín Ó Caoláin: I am making my point now.

An Ceann Comhairle: Yes.

Deputy Caoimhghín Ó Caoláin: I will not accept this Order of Business.

An Ceann Comhairle: We do not have provision to debate it on the Order of Business.

Deputy Caoimhghín Ó Caoláin: Each day this week, we have been presented with an Order of Business without being given a chance to debate the IMF sell-out or vote on its detail, as presented by the Minister for Finance yesterday evening. This matter is being discussed across the State. All we have had are statements. We are a laughing stock at home and internationally. That the Government is foisting these measures upon us——

An Ceann Comhairle: I ask the Deputy to co-operate.

Deputy Caoimhghín Ó Caoláin: No. I will tell you this, a Cheann Comhairle, the Sinn Féin Deputies will not stand for this. We will not support the Order of Business that has been presented today because it does not allow the democratically elected representatives of the people to pass judgment on the sell-out with the IMF, the ECB and the EU. We will not support the Order of Business on each of the sitting days in the coming week, or until this

[Deputy Caoimhghín Ó Caoláin.]

Government leaves office and gives the people an opportunity to pass judgment on these matters in a general election.

An Ceann Comhairle: I cannot allow a Second Stage contribution on the Order of Business.

Deputy Caoimhghín Ó Caoláin: That is what is needed now.

An Ceann Comhairle: The Deputy should resume his seat.

Deputy Caoimhghín Ó Caoláin: I am resuming my seat because I have finished.

The Tánaiste: The reason we are proposing a change to the Order of Business is to allow for the very important discussions that will be made next week.

Deputy Seán Barrett: It is all over. The decisions have been made.

The Tánaiste: On that basis, it was decided to provide ample opportunity for everyone to discuss the budgetary matters that will be brought forward.

Deputy Emmet Stagg: It will be the most restricted debate in the history of this House.

Deputy Caoimhghín Ó Caoláin: There will be no debate.

The Tánaiste: It was decided to remove some of the other normal aspects of business. I reiterate that Leaders' Questions will be taken on Tuesday at 2.30 p.m.

Deputy Brendan Howlin: They will be taken on one day only.

The Tánaiste: The Order of Business will be taken on the conclusion of Leaders' Questions that day. There will be no Order of Business on Wednesday to allow for a full discussion.

Deputy Brendan Howlin: For the lads to go home.

The Tánaiste: Time will be given to the Members of this House.

Deputy Caoimhghín Ó Caoláin: To rush the measures through.

The Tánaiste: No. *b7* is being introduced on the basis of an agreement made with Deputy O'Donnell on the floor of this House. It is a technical amendment to allow those changes to take place, based on a Dáil debate on 8 July last.

Deputy Emmet Stagg: That is not the issue.

The Tánaiste: It is true, actually.

Deputy Emmet Stagg: I said it is not the issue.

The Tánaiste: I will conclude by saying——

Deputy Charles Flanagan: Will there be statements on the weather?

Deputy Seán Barrett: We need to clear the footpaths.

The Tánaiste: I appreciate very much the comments that have been made by the leader of the Labour Party.

Deputy Fergus O'Dowd: The Government will be gone before the snow.

The Tánaiste: The truth is that we must have access to funds in order to fund this State.

Deputy Brendan Howlin: You have bankrupted us.

The Tánaiste: We cannot access those funds on the market.

Deputy Emmet Stagg: Whose fault is that?

The Tánaiste: If the Labour Party does not agree to the measures being taken by the Government——

Deputy Fergus O'Dowd: We have no choice.

The Tánaiste: ——in order to allow us to access the funds needed to fund our key public services, our social welfare system and our health system——

Deputy Seán Sherlock: This is unbelievable.

The Tánaiste: I ask the leader of the Labour Party how, on that basis, he would justifiably obtain access——

Deputy Michael D. Higgins: If you get out of Government, you will be told.

The Tánaiste: ——to the €400 million per week that we need to borrow to keep this country going.

Deputy Brendan Howlin: We would do better than you.

The Tánaiste: Is he saying to the people of Ireland that after July 2011, we will not be in a position to fund this country? If so, not only will he have to deal with the fiscal measures we need to introduce in the context of the budget and the four year plan, but he will also need to find a further €19 billion of savings.

Deputy Brendan Howlin: Shameless.

The Tánaiste: He will find himself in a position where the services provided by the State will have to be cut by a further two thirds.

Deputy Michael D. Higgins: Get out of the way and let the people see the alternative.

Deputy Eamon Gilmore: I would like to respond to the Tánaiste's question.

An Ceann Comhairle: The Deputy has been in once.

Deputy Eamon Gilmore: I want to answer the question.

An Ceann Comhairle: Deputy Gilmore, please.

Deputy Michael D. Higgins: The Tánaiste asked a question.

An Ceann Comhairle: I have allowed extensive contributions to be made.

Deputy Willie Penrose: The Tánaiste is entitled to get a reply.

An Ceann Comhairle: I am putting the question.

Question put: “That the proposal for dealing with Nos. a7, b7, 7 and 13 be agreed to.”

The Dáil divided: Tá, 72; Níl, 66.

Tá

Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Ardagh, Seán.
 Aylward, Bobby.
 Behan, Joe.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Calleary, Dara.
 Carey, Pat.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hootor, Máire.
 Kelleher, Billy.

Kelly, Peter.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McEllistram, Thomas.
 McGrath, Michael.
 Mansergh, Martin.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Bannon, James.
 Barrett, Seán.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Clune, Deirdre.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doherty, Pearse.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Feighan, Frank.
 Ferris, Martin.

Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McManus, Liz.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.

Níl—*continued*

O'Donnell, Kieran.
O'Dowd, Fergus.
O'Mahony, John.
O'Sullivan, Jan.
O'Sullivan, Maureen.
Penrose, Willie.
Perry, John.
Quinn, Ruairí.
Reilly, James.
Ring, Michael.
Shatter, Alan.

Sheahan, Tom.
Sheehan, P.J.
Sherlock, Seán.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Tuffy, Joanna.
Upton, Mary.
Varadkar, Leo.
Wall, Jack.

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

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 16, Local Government (Mayor and Regional Authority of Dublin) Bill 2010, agreed to?

Deputy Eamon Gilmore: In the midst of the most serious economic difficulty that has faced the State, described in the letter which the Minister for Finance proposes to send to the European institutions and to the IMF, as, “ an economic crisis without parallel in [Ireland’s] recent history”, we are now being presented with a proposal that will occupy valuable Dáil time when we should be debating the economic crisis, there is a proposal to occupy Dáil time with the latest consolation prize that the Green Party wants to take with it out of Government, the proposal to have a new office of a mayor of Dublin. It is adding a degree of absurdity to the proceedings.

Deputies: Hear, hear.

Deputy Paul Gogarty: Is the Deputy afraid to make the savings that will result?

Deputies: Farce.

(Interruptions).

Deputy Alan Shatter: If I were the Deputy I would keep my head down.

Deputy Lucinda Creighton: The Minister has set up three new review bodies to consider the recommendations.

Deputy Paul Gogarty: Tiocfaidh bhur lá.

Deputy Alan Shatter: They have turned politics into a farce.

Deputy Dan Neville: Farce.

Deputy Eamon Gilmore: With regard to the Tánaiste’s challenge to me at an earlier stage in the proceedings, I have a question for her. Who wrote these letters to the IMF, the EU and the ECB? They read like letters that were written and then presented to the Minister for Finance and the Governor of the Central Bank to be signed at the “X”.

An Ceann Comhairle: Deputy Gilmore, please.

Deputy Eamon Gilmore: I will read out one of the paragraphs of this letter. “At the root of the problem is a domestic banking system which, at its peak, was five times the size of the economy”. Five times the size of the economy?

An Ceann Comhairle: I ask the Deputy to resume his seat.

Deputy Eamon Gilmore: The Government told us on the night of the bank guarantee that it was €440 billion.

Deputies: Shame.

Deputy Eamon Gilmore: That was some guarantee. This is an admission that the Government got it wrong from the beginning.

An Ceann Comhairle: Deputy Kenny.

Deputy Enda Kenny: Are we discussing No. 16?

An Ceann Comhairle: Yes, the Local Government (Dublin Mayor and Regional Authority) Bill 2010.

Deputy Enda Kenny: We will oppose this. According to some people, we are living in an asylum here——

Deputy Lucinda Creighton: The lunatics are running the asylum.

Deputy Enda Kenny: ——and if it gets too hot, some people should leave the kitchen. I have already made the point that we are opposed to the Bill and to the guillotine, and I object to it again.

Deputy Caoimhghín Ó Caoláin: One thing was in evidence yesterday with the Social Welfare (Miscellaneous Provisions) (No. 2) Bill; it is in evidence again today with this Bill, and it will certainly be in evidence over the next week and the week following. I refer to the Government’s guillotine approach in the last couple of weeks leading into the Christmas recess. The Local Government (Dublin Mayor and Regional Authority) Bill is one we do not support. We do not believe it should be provided for in this way and we will be voting against it as we are opposing it now in the Order Paper.

An Ceann Comhairle: I am now putting the question.

Question put: “That the proposal for dealing with No. 16 be agreed to.”

The Dáil divided: Tá, 72; Níl, 62.

Tá

Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Andrews, Chris.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.

Browne, John.
Byrne, Thomas.
Calleary, Dara.
Carey, Pat.
Conlon, Margaret.
Connick, Seán.
Coughlan, Mary.
Cregan, John.
Cuffe, Ciarán.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.

Tá—*continued*

Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hootor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Lenihan, Conor.
 McEllistram, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 Mansergh, Martin.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Michael.

Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 O'Sullivan, Maureen.
 Power, Peter.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Bannon, James.
 Barrett, Seán.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Clune, Deirdre.
 Coonan, Noel J..
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doherty, Pearse.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Ciarán.

Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McManus, Liz.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Mahony, John.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheahan, Tom.
 Sheehan, P.J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

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

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 15a, statements on the severe weather conditions, agreed to? Agreed.

Deputy Enda Kenny: I note from the draft schedule for next week that it is intended to introduce the social welfare Bill at 6.30 p.m. on Wednesday and to have it concluded on Thursday. Will the Tánaiste indicate at what stage of preparation is the finance Bill at the moment? Will the Tánaiste indicate to the House what date in January the Dáil will resume, at which stage the finance Bill will be taken? On the original calendar of events the Dáil was not due to return until mid to late January. The commitments given by the Taoiseach for a general election, presumably in February, would warrant the Dáil being recalled at an earlier date to deal properly with the finance Bill. My view was that we could have dealt with it in a slimmed down version but the Government does not accept that. Will the Tánaiste indicate if the Government has decided on what date in January the Dáil will be recalled? At what stage is the preparation of the finance Bill at the moment?

Deputy Caoimhghín Ó Caoláin: The Government has signalled the social welfare Bill for the coming week. Clearly, it will be guillotined and rushed through. Will the finance Bill be published next week or the following week? Has the Government made a decision yet with regard to any extended sittings of the Dáil during the remaining two weeks of the signalled session? Will the Government heed the appeals of Opposition voices not to fast-track either the social welfare or the finance Bills and to allow for adequate time and full participation, which is required? In this context, would it not be wiser to signal now that the Government intends to come back after the Christmas recess and that these matters will be addressed properly and over the required time for full participation?

The Tánaiste: The social welfare Bill is planned for Wednesday at 6.30 p.m. and to go through on Thursday. This is the reason we are providing for special opportunities to take time to go through the legislation. In normal circumstances, the finance Bill comes in at the end of January. The Department of Finance is working on the Bill at present. It is more than likely that it will be some weeks earlier but the date has not been decided as of yet.

Deputy Enda Kenny: Surely, the Government is aware, following instructions from the Taoiseach, of what date in January the Dáil will come back. We have firm indications of the Taoiseach's intention to call an election and to hold it in the month of February. The Green Party wants it at the end of January. I would prefer if it were now. However, the Government should be aware by now what date the Dáil is being recalled in January. The original calendar was for 18 January. In view of the unprecedented and harsh economic circumstances that our people face, surely it should be in order to sit longer before Christmas and to come back earlier. The people want their say and there is no point in the Government Members prolonging the agony for themselves. The Government could have all of this done before Christmas if it so wished. If the Tánaiste maintains the Government cannot do it, what is the earliest date in January that the Dáil will be recalled? Will it be 6 January, 7 January or when?

Deputy Eamon Gilmore: We have been putting up with vague answers from the Government for a long time. One asks a question about when the Dáil will be reconvened and receives an answer to the effect that the Government has not yet decided. One asks when the finance Bill will be introduced and is informed the Government has not yet decided and of what was done last year. That day is over and I will explain why. In the document the Government sent to the IMF and the EU, it has committed itself to precise dates for doing everything. For example, every Friday the Government must give a report to the IMF and EU institutions on information on the main Government spending and receipt items.

An Ceann Comhairle: We have been over this ground before and I have not doubt we will be back to it.

Deputy Eamon Gilmore: This must be submitted every Friday to the IMF and the EU and report on everything that has been done up to the previous Thursday. The document will contain detail about when legislation is to be presented and so on. In this context we are entitled to hear something other than the traditional vague answers we have received from the Taoiseach and the Tánaiste on these matters. On what date will the Dáil reconvene after Christmas and on what date will the finance Bill be introduced? We are aware the social welfare Bill will be introduced and enacted next week, on budget week, which was never done before. It will be brought in on Wednesday.

Deputy Noel Ahern: It was always done before Christmas.

Deputy Eamon Gilmore: It was not always done before Christmas.

An Ceann Comhairle: Let us not get bogged down in exchanges. Please, could we keep moving?

Deputy Eamon Gilmore: It was done last year before Christmas so that Deputy Noel Ahern and his colleagues could go out with their leaflets after Christmas and pretend it was a done deal. That is why it was done.

An Ceann Comhairle: Please, Deputy Gilmore. We are wasting time on the Order of Business.

Deputy Eamon Gilmore: It is being done before Christmas this year because it has been agreed with the EU and the IMF that it should be done before Christmas. Presumably, the date on which the finance Bill will be introduced has already been communicated to the EU and the IMF. They know when the finance Bill will be introduced. We are entitled to know when the finance Bill will be introduced and on what date the Dáil is to be reconvened. Let us have less of the vagueness from the Tánaiste and more straightness with the Dáil.

Deputy Caoimhghín Ó Caoláin: In her response to the earlier questions the Tánaiste indicated the finance Bill would be brought forward by “some weeks”. How does the Tánaiste translate “some weeks”? How many weeks is that? Is there a possibility that the finance Bill may present before Christmas? Is the Dáil to sit for an extended time in the coming week and the week following before the signalled recess at Christmas? Has that matter been determined by the Government? In real rather than vague terms, when does the Tánaiste expect the finance Bill to present?

The Tánaiste: For the benefit of all Members, there has always been a social welfare Bill prior to Christmas to give legislative effect to budgetary decisions.

Deputy Alan Shatter: Last year was the first time.

The Tánaiste: The Deputy is incorrect. I introduced such Bills as Minister for Social and Family Affairs in 2002 and 2003.

Deputy Alan Shatter: That was to give double payments at Christmas time.

The Tánaiste: One always introduces the social welfare Bill to give legislative effect to the budgetary provisions such that people can be paid on the first day of January and then there is a second Bill in March. These are the facts of the situation. The Deputy should stop making inaccuracies in the House. The finance Bill will be prepared. It must be prepared. No decision has been made on when the House will resume after Christmas; all I can say is that it will resume after Christmas.

Deputy Seán Barrett: Thank God for that.

Deputy Joan Burton: I wish to ask the Tánaiste about two things which arise in the document. There are references in the document to receipts upon the sale of State assets.

An Ceann Comhairle: Deputy, please. The Order of Business does not contemplate a question and answer session and I cannot accommodate it.

Deputy Joan Burton: Allow me to ask a question. Previously, the Taoiseach informed the House that Colm McCarthy was heading a group to examine the sale of State assets. Will the Tánaiste indicate when the report, whether a work in progress or a final version, of the group will be made available to the House? Will it be made available this weekend before the budget? In the document signed off by the Minister for Finance and the Governor of the Central Bank, there is a reference to the introduction of a fiscal responsibility law which “will introduce a medium-term expenditure framework with binding multi-annual ceilings on expenditure in each area” by the end of July 2011 and to be passed into law by September 2011. There is considerable legal opinion that suggests such a fiscal responsibility law in this country under our Constitution——

An Ceann Comhairle: The Deputy could simply ask when can we expect the Bill to be published.

Deputy Joan Burton: Our Constitution is not simply the statutes of the IMF. Bunreacht na hÉireann is for ourselves as well.

The Labour Party has taken advice on this matter. It was discussed extensively at the finance committee that such a fiscal responsibility law would require a constitutional amendment.

An Ceann Comhairle: The Deputy cannot pursue this matter on the Order of Business.

Deputy Joan Burton: When will there be a referendum on a constitutional amendment to provide for this law?

An Ceann Comhairle: We have no provision to do it this way.

Deputy Joan Burton: Sorry, a Cheann Comhairle, it is promised legislation.

An Ceann Comhairle: We cannot have a debate on it on the Order of Business. A simple inquiry about promised legislation is fine on the Order of Business but not a debate on the matter.

Deputy Joan Burton: How can promised legislation be brought forward if it is constitutionally impossible? It is a reasonable question for a Member of the Opposition to ask.

An Ceann Comhairle: Will the Deputy inquire about the legislation?

Deputy Joan Burton: It is a reasonable question to ask under Standing Orders. Is the Tánaiste capable of answering the question?

The Tánaiste: There is work in progress on the McCarthy report and I do not have an exact date as to when that matter will be brought to the Government.

The proposed legislative matters in the EU-IMF programme will be taken according to the dates set down and the Government will take its legal advice from the Attorney General.

Deputy Joan Burton: On the McCarthy report——

An Ceann Comhairle: Deputy Bruton cannot pursue the matter in this manner.

Deputy Joan Burton: ——can we have a progress report?

An Ceann Comhairle: We cannot have a question-and-answer session on the Order of Business. I have allowed the Deputy considerable latitude so far.

Deputy Joan Burton: You are taking longer to shout at me than I am for these questions.

An Ceann Comhairle: I am not. I am endeavouring to implement the Standing Orders. I have a duty and an obligation to do so.

Deputy Joan Burton: You are taking longer to shout at me. You are not speaking to me. You are shouting at me.

An Ceann Comhairle: I am not shouting at you. I am telling the Deputy the position on this and I ask her to co-operate with the Chair.

Deputy Joan Burton: You are shouting at me.

An Ceann Comhairle: I am not shouting at you.

Deputy Joan Burton: Can you stop shouting at me?

Deputy Eamon Gilmore: You are shouting at Deputy Burton.

An Ceann Comhairle: I am telling you to resume your seat if you are not going to respect Standing Orders. I have allowed you considerable latitude so far.

Deputy Joan Burton: Will you lower your voice, please?

Deputy Michael Kennedy: Will Deputy Burton show some respect to the Chair?

Deputy Joan Burton: Listen to the man in the green jersey.

An Ceann Comhairle: Deputy Burton will resume her seat. I call on Deputy McManus.

Deputy Joan Burton: On a point of order——

An Ceann Comhairle: Deputy Burton.

Deputy Joan Burton: ——will the Tánaiste explain what the reference is to €700 million of receipts in the Government's four year plan?

Deputy Noel Dempsey: That is not a point of order.

An Ceann Comhairle: That is not a point of order. Resume your seat. You are abusing the Order of Business.

Deputy Joan Burton: We are entitled to know the breakdown of €700 million of receipts in the four year plan from capital savings.

An Ceann Comhairle: The Deputy is abusing the Order of Business. I call on Deputy McManus.

Deputy Joan Burton: Apparently, the Government had hours and hours to work on it.

An Ceann Comhairle: Deputy Burton, please.

Deputy Liz McManus: When the Greens went into Government, they said the reason they were doing so was to tackle climate change. A climate change Bill was promised. The Minister

[Deputy Liz McManus.]

for the Environment, Heritage and Local Government, Deputy Gormley, tweeted the heads of the Bill would be published in November.

It seems, however, the Greens have abandoned the whole issue of tackling climate change and it is no longer one of their core values. The countries of the world are meeting in Cancun to try and tackle climate change this month, yet the Government has no legislation in this regard. This disturbs people greatly who have a concern about this issue which is becoming more acute. Will Fianna Fáil take on the task of publishing the climate change Bill since the Greens are no longer taking responsibility?

An Ceann Comhairle: Deputy McManus is embellishing the question.

Deputy Liz McManus: The programme for Government included a commitment to publish climate change legislation. Will the Tánaiste take on the responsibility to ensure the Government lives up to its commitment?

The Tánaiste: The heads of the Bill were passed by the Government on 15 November. I will get a direct update for the Deputy.

Deputy Liz McManus: I really appreciate that because that is the first concrete information I got on this legislation.

An Ceann Comhairle: The Deputy has received her reply.

Deputy Liz McManus: I am grateful to the Tánaiste for this new information. Why have the heads not been published?

An Ceann Comhairle: We cannot have a question-and-answer session on the Order of Business. It is as simple as that. I call on Deputy Coonan.

Deputy Joan Burton: A Cheann Comhairle,—

An Ceann Comhairle: I did not call you, Deputy Burton.

Deputy Joan Burton: —page eight of the EU-IMF programme.

An Ceann Comhairle: I have not called you. I called Deputy Coonan.

Deputy Noel J. Coonan: As the Tánaiste and the Minister for Transport are in the Chamber, will they use their good offices to avail of a generous offer by the IFA and local contractors to spread salt and grit in rural areas?

An Ceann Comhairle: Point well made.

Deputy Noel Dempsey: That is no problem.

Deputy Noel J. Coonan: Maybe people in Dublin will give a hand to put salt on streets. If we all worked together, it would be much easier to handle this crisis.

Deputy Billy Timmins: The Civil Law (Miscellaneous Provisions) Bill is on Second Stage. Will it be completed before the end of session? If not, will Fine Gael's similar Private Members' legislation, the Civil Liability Bill, which has passed Second Stage, be taken *in lieu* of the former?

The Tánaiste: I will take on board the Deputy's comments in the context of the preparation of the legislation for the end of the year.

Deputy Pearse Doherty: Ós rud é go bhfuil an dhréacht-straitéis 20 bliain don Ghaeilge aontaithe anois ag an Rialtas, mar atá le cluinstitín ar TG4, an bhfuil sé ar intinn ag an Rialtas an reachtaíocht a thabhairt isteach sa Teach seo sula scoirfear leis an Dáil i dtús na bliana seo chugainn le leasú a dhéanamh ar struchtúr Údarás na Gaeltachta agus struchtúr úr, údarás na Gaeilge, a bhunú sa dóigh is gur féidir lán-toghchán don bhord úr sin a bheith ann ag an am céanna is a bheidh toghchán don Dáil? An bhfuil sé ar intinn ag an Rialtas an straitéis 20 bliain a chur os comhair na Dála agus, má tá sin ar intinn, cénuair? An mbeidh vóta ar an straitéis sa Teach seo ós rud é go bhfuil sé iontach tábhachtach go dtabharfaidh gach páirtí, ní amháin an Rialtas, tacaíocht do straitéis a leanfaidh ar feadh 20 bliana?

The Tánaiste: Tá an straitéis á foilsiú agus má tá an t-am ann seans go mbeidh na hAoirí in ann deis a thabhairt do Theachtaí an straitéis a phlé. Níl an Bille úr d'Údarás na Gaeltachta socraithe go fóill ach beidh sé os comhair an Tí go luath.

Deputy Catherine Byrne: I welcome the Minister's reply to the point raised by Deputy Coonan. The Government has asked people to use public transport during the current weather conditions. There were several rows on Luas carriages yesterday evening due to overcrowding resulting in several drivers having to stop their trains. Will the Minister use his office to contact the Rail Procurement Agency to ensure some security measures are put in place to prevent trams getting too packed?

An Ceann Comhairle: The Deputy has made her point.

Deputy Alan Shatter: The Civil Law (Miscellaneous Provisions) Bill addresses a whole series of different areas of law that need to be reformed. I assume there is no reality in that Bill being enacted before the general election.

When it was before the House, I invited the Minister for Justice and Law Reform to remove the section that deals with the enforcement of maintenance support orders and to introduce emergency legislation to deal specifically with this issue. I also told him Fine Gael would support it and it could be nodded through the House in 20 minutes. There are wives and mothers across the country who are the beneficiaries of maintenance support orders made in the District Court for either their or child or child support or both. They find their orders are unenforceable and the courts have no method of ensuring they receive payment.

An Ceann Comhairle: The Deputy has made his point.

Deputy Alan Shatter: This has been the position for 18 months. Will the Tánaiste ask the Minister for Justice and Law Reform to find half an hour next week to introduce such emergency legislation? There is no controversy between us about it; it is an urgent measure, which is badly needed. Wives and mothers are very badly affected in the current situation.

The Tánaiste: The Chief Whip has said he will discuss the matter with all the Whips to see if we can get that matter resolved and, if there are no disputes, get it through the House.

Deputy Joe Costello: I wish to ask the Tánaiste about two matters — first, the female genital mutilation Bill that I raised last week in the House; and, second, the noise nuisance Bill.

The Tánaiste: They are both listed for this session.

Deputy Joe Costello: Could I have any further information? Will they come before the House this session?

The Tánaiste: I will try to find out, but they will be published this session.

Business of Dáil: Motion

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

That, notwithstanding anything in Standing Orders, unless the Dáil shall otherwise order, the following arrangements shall apply in relation to the sittings of the Dáil on 7th, 8th and 9th December, 2010:

- (ii) matters may not be raised under the provisions of Standing Order 21(3) or 32;
- (iii) Private Members' Business shall not be taken;
- (iv) Leaders' Questions shall be taken at 2.30 p.m. on Tuesday;
- (v) the Order of Business shall be taken at the conclusion of Leaders' Questions on Tuesday; and
- (vi) there shall be no Order of Business on Wednesday within the meaning of Standing Order 26.

Question put and agreed to.

Standing Orders of Dáil: Motion

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

That, pursuant to Standing Order 99(1)(a) the Committee on Procedure and Privileges recommends that the Standing Orders of Dáil Éireann relative to Public Business are hereby amended as follows:

STANDING ORDER 111 — ISSUED UNDER SUPERVISION OF THE CEANN COMHAIRLE:

(a) By the substitution of the following paragraphs for paragraph (3):

‘(3) A copy of the Official Report of the Debates, or any part thereof, as well as every other publication of the Dáil, shall be made available to every member either in electronic or printed form or both, as may be recommended by the Committee on Procedure and Privileges to the Ceann Comhairle who shall make a determination on such recommendation, except that the editions to which paragraph (4) applies shall be in both forms.

(3A) Notwithstanding paragraph (3), the exclusion of any element of the Official Report of the Debates from the unrevised edition shall not affect its standing as a publication of the Dáil.’,

and

(b) By the insertion of the following paragraph after paragraph (5):

‘(6) Without prejudice to the generality of paragraph (3A) and notwithstanding their exclusion from the unrevised edition of the Official Report of Debates in accordance with paragraph (3), the standing of the text of, and answers to, all Questions which have been distinguished by an asterisk in accordance with Standing Order 40(2) or in respect of which an answer shall be provided in the Official Report of Debates in accordance with Standing Order 40(3) shall be that which would have applied had they not been so excluded.’.”

Question put and agreed to.

Commission of Investigation: Motion

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

That Dáil Éireann approves the draft Commission of Investigation (Banking Sector) (Amendment) Order 2010, a copy of which draft Order was laid before Dáil Éireann on 19th November, 2010.”

Question put and agreed to.

Estimates for Public Services 2010

The Tánaiste: I move the following Supplementary Estimates:

Vote 19 — Justice and Law Reform (Supplementary Estimate).

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Justice and Law Reform, Probation Service staff and of certain other services including payments under cash-limited schemes administered by that Office, and payment of certain grants and grants-in-aid.

Vote 20 — Garda Síochána (Supplementary Estimate).

That a supplementary sum not exceeding €10,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Garda Síochána, including pensions, etc.; for the payment of certain witnesses' expenses, and for payment of a grant-in-aid.

Vote 22 — Courts Service (Supplementary Estimate).

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for such of the salaries and expenses of the Courts Service and of the Supreme Court, the High Court, the Special Criminal Court, the Circuit Court and the District Court and of certain other minor services as are not charged to the Central Fund.

Vote 26 — Education and Skills (Supplementary Estimate).

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Education and Skills, for certain services administered by that Office, and for the payments of certain grants and grants-in-aid.

Vote 27 — Community, Equality and Gaeltacht Affairs (Supplementary Estimate).

That a supplementary sum not exceeding €14,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Community, Equality and Gaeltacht Affairs, for certain services administered by that Office, and for the payment of certain grants and grants-in-aid.

Vote 28 — Foreign Affairs (Supplementary Estimate).

That a supplementary sum not exceeding €12,400,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Foreign Affairs, and

[The Tánaiste.]

for certain services administered by that Office, including grants-in-aid and contributions to International Organisations.

Vote 32 — Transport (Supplementary Estimate).

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Transport, including certain services administered by that Office, for payment of certain grants and certain other services.

Vote 34 — Enterprise, Trade and Innovation (Supplementary Estimate).

That a supplementary sum not exceeding €1,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Enterprise, Trade and Innovation, including certain services administered by that Office, for the payment of certain subsidies, grants and a grant-in-aid, and for the payment of certain grants under cash limited schemes.

Vote 37 — Army Pensions (Supplementary Estimate).

That a supplementary sum not exceeding €9,500,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for retired pay, pensions, compensation, allowances and gratuities payable under sundry statutes to or in respect of members of the Defence Forces and certain other Military Organisations, etc., and for sundry contributions and expenses in connection therewith; for certain extra-statutory children's allowances and other payments and for sundry grants.

Vote 38 — Social Protection (Supplementary Estimate).

That a supplementary sum not exceeding €350,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Office of the Minister for Social Protection, for certain services administered by that Office, for payments to the Social Insurance Fund and for certain grants.

Vote 40 — Health Service Executive (Supplementary Estimate).

That a supplementary sum not exceeding €595,000,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2010, for the salaries and expenses of the Health Service Executive and certain other services administered by the Executive, including miscellaneous grants.

Votes put and agreed to.

**Local Government (Mayor and Regional Authority of Dublin) Bill 2010: Second Stage
(Resumed)**

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

Debate resumed on amendment No. 1:

To delete all words after "That" and substitute the following:

"Dáil Éireann—

(a) recognising the potential value for the Greater Dublin area of a directly elected Mayor, adequately resourced and with appropriate powers;

(b) notes the next local elections are not due to be held until 2014, and believes that it would be preferable for any election of a new Mayor to be held in conjunction with those elections;

(c) concerned at the potential cost of the new position and of the new Regional Authority for Dublin and the staffing levels that will be required to facilitate the Authority and the Mayor and having regard to the serious economic crisis facing the country,

resolves that the Local Government (Mayor and Regional Authority of Dublin) Bill 2010 be deemed to be read a second time on this date in 2012.”.

—(Deputy Ciarán Lynch).

Deputy Catherine Byrne: In his earlier address to the House, Deputy Phil Hogan said the principle of a directly elected mayor of Dublin will find political favour with Fine Gael, but before this happens the Minister must bring forward a White Paper on local government, as was promised in 2008. It is a bit like putting the cart before the horse with €2.8 million being cut from the social welfare budget. It is time that the Green Party gave up the ghost on the directly elected mayor project.

The introduction of a directly elected mayor, at a cost of €10 million plus annually, is hypocritical when there are more than 400,000 people on the dole. At a time when the IMF, the ECB and the EU are holding our purse-strings, does the Minister, Deputy Gormley, want us to look like fools? There is a time and a place for all things, but this is not the time and Dublin is not yet the place for this idea. Dublin is neither New York nor Barcelona and I believe we can survive without a directly elected mayor for now.

What powers would a directly elected mayor have? Very few at present. Such a mayor would not be involved in the day-to-day running of the city, but would merely sit on an advisory board of the National Transport Authority. In addition, the mayor would have no power over the city's budget and no role in policies on housing, waste disposal, planning or water. The balance would always rest with the local authority.

At a time when the Government is borrowing €85 billion, how in God's name can the Minister justify this budget for a directly elected mayor? This is nothing more than a vanity project for the Greens.

I fully support the idea of a directly elected mayor, chosen by the people of Dublin, but only if the position has real and positive power. It should not just be a job for the boys. There are many more worthy causes at present, such as maintaining home help services, keeping community schemes afloat, and giving back the Christmas bonus to those in need.

During my time as Lord Mayor of Dublin I was struck by the respect and loyalty people had for the office. On many occasions, I was deeply moved and humbled by people's approach to a visit of the lord mayor to their community. The lord mayor's office gives people a sense of pride. It was evident to me that the citizens of Dublin embraced the role of the lord mayor as one of their own, and not just a figurehead surrounded by pomp and ceremony.

As one who has had the privilege of being Dublin's first citizen, I know the office of lord mayor is a vital link with the community and local authorities. There is a role for both a lord mayor and a mayor of Dublin, but it is how we approach this role that will make the difference to our city. However, the directly elected mayor project is a waste of time and money at a time when this country is seeking a helping hand. We should get our own house in order before deciding to proceed in that way. The Minister is not living in the real world. He is caught up in his own fantasy land. Our country is broke so the Minister, Deputy Gormley, and the rest of his Green fairies should pack up and leave before the walls come tumbling down on their

[Deputy Catherine Byrne.]

cosy little cartel. I totally object to the position of a directly elected mayor of Dublin at this time.

Deputy James Reilly: This is a nonsensical Bill. It is a vanity project as well as being a waste of time and money. Fingal County Council has put the price of this post at between €8 million and €10 million recurring. These costs will be foisted on the ratepayers of Fingal and other Dublin council areas at a time when businesses are hanging on by their fingernails. The recession was created by the very Minister who now wants to impose this useless position on the public. I am honoured to be speaking after Deputy Catherine Byrne, a former Lord Mayor of Dublin, who understands the value of that role. However, what this Bill proposes is nonsensical. There will be very little influence in terms of waste management, water, transport or planning. It really is a disgraceful waste of money and I utterly oppose it in its current form.

Deputy Alan Shatter: We are taking this legislation today instead of the multi-unit development Bill because the Minister for the Environment, Heritage and Local Government, Deputy Gormley, is obsessed by this particular provision. It is not merely a vanity project, it is also a token of the Greens' contribution to Government. It is extraordinary that, at a time of economic cataclysm when we should be debating the EU-IMF Programme of Financial Support for Ireland, the Minister has chosen to give priority to this issue.

During the 2007 general election campaign, there was a perception that the Greens were a harmless bunch who were worth a vote to protect the environment. We now know that the Greens are more economically illiterate and incompetent than Fianna Fáil. That is clearly evidenced by the fact that they are a party to this document and to the description of the problems in the Irish economy contained in this document, for which they are accountable and substantially responsible with their Fianna Fáil colleagues in government.

The Irish people will never again be fooled by fellows arriving at the gates of Leinster House arming themselves with a leek in one hand and a bicycle in the other. The reality is that the EU-IMF document before us, is the ignominious epitaph of the worst Government in the history of the State. It is absolutely extraordinary to debate this Bill from a Minister who, when addressing these issues in the House yesterday, said there were limited choices when in government, yet he chose to prioritise this issue today. He referred to the Government as being an asylum. It may be politically incorrect to say so, but — in the context of the financial cataclysm that has hit the country, and their weird political priorities today — the Green and Fianna Fáil members of the Government have proved conclusively that the lunatics are truly running the asylum.

Deputy Billy Timmins: How long do I have to speak?

An Ceann Comhairle: About 90 seconds.

Deputy Billy Timmins: I think I am sharing with Deputy Stanton.

An Ceann Comhairle: I am due to call the Minister of State to reply, but he will accommodate the Deputies.

Deputy Billy Timmins: The speaking arrangements are as reflective of the organisation and administration of this House as is the futility of bring forward this useless Bill. What we say in this House will go unheeded, but I will make one point as the Minister of State with responsibility for housing, Deputy Finneran, is present.

Local authorities should open up the boarded-up houses around the country and get tenants into them. When undertaking housing assessments, they should differentiate between housing needs and housing desire. Millions of euro have been spent on unnecessary rent supplement.

Deputy David Stanton: We should have a full debate on local government reform in Ireland. If something is broken, it should be fixed rather than added to. This Bill is a smokescreen and is adding to the problem. We should have a proper debate on local government. This Government has only a few weeks left in office. It is wrong for a Government on the way out to impose this on people. This ludicrous suggestion should be parked so that we can have a proper debate on local and national government in Ireland. The new Government, of whichever hue, should take this up. This Bill will make reform more difficult and I call on all right-minded Deputies to vote against it. They should do something sensible for once. This applies particularly to Deputies representing Dublin. We need a national debate on local government reform. We should not put a band aid on when it will make no difference. It will cost a lot of money and represents another layer of bureaucracy.

Deputy Michael Kennedy: I thank the Minister of State, Deputy Finneran, for granting me some of his time. As the capital city with 1 million people, there is a clear need for a mayor in the future and I have always supported such a proposal. There is a major role for the mayor in terms of economic development and being an economic driver for the Dublin region. This is good for Ireland as much as for Dublin. I see the mayor being involved in water and sewerage and waste management. We might not have the dispute with Covanta if a directly elected mayor had those powers. Such a mayor could also have a hands-on involvement with the fire service. In that event we would not have the unseemly row in Swords where a dispute between the HSE and the fire brigade will effectively remove a very badly needed ambulance from the fire service in Swords. The latter service had 4,500 emergency calls last year.

One can see the benefit of mayors in other cities. Examples include Rudy Giuliani in New York, whose zero tolerance policy got rid of anti-social activity. He became renowned and respected for this. This Bill is premature because we have five layers of bureaucracy in Dublin. We have the four Dublin local authorities and the Dublin regional authority. Having spoken to Fingal County Council, I have no doubt there will be extra costs involved. I see the need for a mayor in the future but having a directly elected mayor in 2011, in advance of the 2014 local elections, is premature. I ask the Minister for the Environment, Heritage and Local Government to reconsider this matter in the national interest. If the IMF looks closely at what we are doing, it will have reasons to question this. I will vote for this Bill——

Deputy David Stanton: Come on.

Deputy Michael Kennedy: Perhaps next spring, if Fine Gael is in government——

Deputy David Stanton: Deputy Kennedy cannot be serious. That is hypocritical. It is daft.

Deputy Michael Kennedy: ——Deputy Stanton will have the same problems as me. This is part of the Fianna Fáil-Green Party programme for Government and as a member of Fianna Fáil I will support the Bill. However, I have clearly signalled my reservations and it would be welcome if the Minister sees fit to defer it until 2014.

Deputy David Stanton: He will not be there.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I thank all the Deputies who spoke during this debate for their contributions. It is important that a measure like this, which is about strengthening the demo-

[Deputy Michael Finneran.]

cratic process, should have the fullest possible consideration by elected representatives. A hallmark of this legislation has been the fact that it has been the subject of a very open and extensive process of consultation, particularly in the context of the Green Paper on local government. This has greatly informed the provisions in the Bill, as well as the development of policy on local government reform generally.

In his opening speech the Minister, Deputy Gormley, acknowledged that the establishment of a directly elected regional mayor has met with some scepticism in certain quarters, which he ascribed in part to lack of understanding. For example, one newspaper, in its determination to find some crumbs of criticism, proffered the line that the mayor will not be able to interfere in the day-to-day running of bus or rail services in the capital or increase or decrease public transport fares. It is ironic, at a time when there is wide acceptance of the need to maximise efficiency and to rationalise public administration, to read suggestions that a regional mayor should become involved in day-to-day operational details, duplicating the role of the agencies that have the job of the day-to-day running of services. It is not desirable that the mayor spend his or her time tampering with fare structures or interfering with bus routes. Indeed, a number of speakers during the debate stressed that the office of mayor should not duplicate bureaucracy, which it certainly will not.

I welcome the fact that Fine Gael seems to support the principle of this measure. However, the party is putting about several misconceptions, some of which seem to be informed, or rather misinformed, by the sort of newspaper comment that I have cited. For example, Deputy Hogan wrongly claimed that the mayor would only have a civic or ceremonial role, that the mayor would not have power or influence, that there would be increases in taxes or charges, savings arising from the efficiency review would be gobbled up and new quangos would be created. All of these are incorrect.

Several Deputies spoke about proliferating quangos. The reality, as set out in the Bill, is contrary to these Deputies' impression. The four city and county development boards that currently exist will be merged into one regional development board, chaired by the mayor. That amounts to three fewer structures. The regional authority of Dublin will replace the existing regional authority. In doing so, the membership will be reduced from 30 to 16. That is a reduction of 14 members. I could go on but I hope I have made my point.

Deputies Brian Hayes, Mitchell and Creighton repeated some of Deputy Hogan's misunderstandings but they made some interesting points, particularly on wider local government issues, such as comments to the effect that there is need to address local government funding, amalgamate local authorities, have greater leadership in local government in Dublin and nationally, strengthen local government powers and functions and reduce the number of bodies and meetings. Deputy Mitchell commented that local government has the potential to transform the lives of people in Dublin and elsewhere, a view that is in line with the principles underlying the present legislation. However, her criticism of the division of the old Dublin County Council into three local authorities is somewhat ironic given that this process started under her party's Government in the 1980s, a change that was motivated to address the malpractices and inefficiencies associated with the previous regime.

Deputy Hayes seemed to struggle to come up with real criticism of the proposal and offered a rather bizarre comment that the mayor will not be able to interfere on a day-to-day basis with transport and traffic details. As the Minister of State, Deputy Cuffe, eloquently pointed out, what is required in the context of the directly elected mayor is strong strategies and strong policies. To suggest that the mayor should be involved in minor matters like moving bus stops or changing DART timetables undermines the Opposition attempt to discredit the legislation on grounds that the mayor would have insufficient power. I respect the right to criticise but I

have no doubt the speakers on the Opposition benches who have the interests of local government at heart will, in time, come to acknowledge that their initial stance on the Dublin mayor was mistaken.

Deputy Creighton voiced some forthright views, such as the need to reduce bureaucracy, replace local councils with regional assemblies, reduce the number of local authorities, abolish smaller local authorities and reduce the number of councillors. Some of the views expressed in this debate will be relevant in the context of ongoing development of policy relating to local government. Moreover, efficiencies and savings will, of course, be pursued arising from the report of the local government efficiency review group. Deputy Ciarán Lynch acknowledged that the mayoral proposal was a good idea, but took issue with the legislation which, again, seems to reflect misunderstandings. I cannot see any merit in his proposal to defer the legislation. There has been far too much long-fingering of local government reform over the years and indeed decades. As the Minister said in his opening speech, there is a need for innovation in local government, and in other sectors, as an essential element in addressing the challenges that we face. To defer the mayoral proposal would be to succumb yet again to complacency and stagnation.

In supporting the Bill, Deputy O'Connor suggested that the powers of the office should be outlined. I am pleased to reiterate those powers. The Bill provides a substantial role for the authority in the core areas of planning, water, waste and transport, but also on a wider range of functions such as promoting enterprise and innovation, and promoting co-operation and joint action in a number of sectors such as business, educational, voluntary and cultural activity. Moreover, the Bill vests a number of powers specifically in the office of mayor, including the very important power to take on the function of making regional plans in certain circumstances and to issue directions and guidelines as well as an entirely new power to issue recommendations to local authorities on budgetary matters.

Deputy Upton said that what is clearly required is an office that is accountable to the electorate. The fact that the mayor will be directly elected to represent a population of more than 1 million people addresses this point emphatically. This region-wide electoral mandate and the mayor's position as chair of the authority ensure that the office holder will have primacy in the new arrangements. However, I am aware that the Minister is considering some further specific amendments on Committee Stage, in the light of views that have been expressed, to help further underpin the mayor's status and authority.

There seemed to be some contradictions in Deputy Upton's comments. She said that the proposed mayor would have planning powers over counties where residents would not have a right to vote in the mayoral election. She then went on to remark that, for the office to be effective in co-ordinating land use and transportation policy, it must intervene in areas outside the Dublin city and county area. The need for such co-ordination is a key reason the mayor will have a role in regional planning guidelines for the greater Dublin area, GDA, including Kildare, Meath and Wicklow. However, the guidelines will be adopted also by the Mid-East Regional Authority, so there is no question of foisting a Dublin agenda on its neighbours.

Deputy Ó Snodaigh asked about the role in respect of tourism. Dublin is critically important to the nation's tourism industry and the role that the mayor will play in enhancing the capital's profile internationally is bound to provide an important boost to the sector. Tourism is, equally, very important to the economic success of the Dublin region and that will be reflected in the mayor's role and that of the regional development board in promoting the economic development of the region.

Deputy Clune claimed that there will be no opportunity for somebody with ambition in the office of mayor to prepare a draft manifesto spelling out how he or she believes the city can

[Deputy Michael Finneran.]

operate. That is incorrect. The mayor will be obliged to publish a regional strategy within six months. I understand that the Minister is proposing to strengthen this provision on Committee Stage by requiring greater detail regarding policies and measures proposed and public consultation.

A specific concern expressed by Deputy Noel Ahern was that there would be joint sessions of the Dublin regional authority and the Mid-East Regional Authority in which Dublin would have fewer members. I assume he is referring to the adoption of the regional planning guidelines. I can allay his concern in that regard as regional plans will, in future, be adopted by each of the regional authorities rather than in a joint session.

The success of the mayor will require good working relationship with the local authorities. Deputy Noel Ahern made some interesting points about service on a local authority, including the fact that members sometimes do not realise, or fully utilise, the powers already available to them. Similarly, Deputy Tuffy pointed out that councillors can and have achieved much. There is a lot of truth in these points, but Deputy Noel Ahern also referred to the need to transfer some power from the manager. Having a directly elected mayor as the primary local government office in the Dublin region will make an important contribution to rebalancing the member-executive relationship.

I will conclude with a quotation from Professor Convery: “With a bit of luck...the Government’s proposals for a directly-elected mayor of Dublin will be approved, and most of us will, in time, know who our mayor is, and be proud.”

Question put: “That the words proposed to be deleted stand.”

The Dáil divided: Tá, 72; Níl, 65.

Tá

Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Andrews, Chris.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.
Browne, John.
Byrne, Thomas.
Calleary, Dara.
Carey, Pat.
Collins, Niall.
Conlon, Margaret.
Connick, Seán.
Coughlan, Mary.
Cregan, John.
Cuffe, Ciarán.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Michael.
Flynn, Beverley.
Gogarty, Paul.
Gormley, John.

Hanafin, Mary.
Haughey, Seán.
Hector, Máire.
Kelleher, Billy.
Kelly, Peter.
Kennedy, Michael.
Killeen, Tony.
Kitt, Michael P.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McEllistrim, Thomas.
McGrath, Mattie.
McGrath, Michael.
Martin, Micheál.
Moloney, John.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M.J.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
O’Brien, Darragh.
O’Connor, Charlie.
O’Dea, Willie.
O’Donoghue, John.
O’Hanlon, Rory.
O’Keeffe, Batt.
O’Rourke, Mary.
O’Sullivan, Christy.
O’Sullivan, Maureen.
Power, Peter.

Tá—*continued*

Power, Seán.
Roche, Dick.
Ryan, Eamon.
Sargent, Trevor.
Scanlon, Eamon.

Smith, Brendan.
Treacy, Noel.
Wallace, Mary.
White, Mary Alexandra.
Woods, Michael.

Níl

Bannon, James.
Barrett, Seán.
Broughan, Thomas P.
Bruton, Richard.
Burke, Ulick.
Burton, Joan.
Byrne, Catherine.
Clune, Deirdre.
Coonan, Noel J.
Costello, Joe.
Coveney, Simon.
Crawford, Seymour.
Creighton, Lucinda.
Deenihan, Jimmy.
Doherty, Pearse.
Doyle, Andrew.
Durkan, Bernard J.
English, Damien.
Feighan, Frank.
Ferris, Martin.
Flanagan, Charles.
Flanagan, Terence.
Gilmore, Eamon.
Hayes, Brian.
Hayes, Tom.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Kehoe, Paul.
Kenny, Enda.
Lynch, Ciarán.
Lynch, Kathleen.
McCormack, Pádraic.

McEntee, Shane.
McGinley, Dinny.
McGrath, Finian.
McManus, Liz.
Naughten, Denis.
Neville, Dan.
Noonan, Michael.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Donnell, Kieran.
O'Dowd, Fergus.
O'Keeffe, Jim.
O'Mahony, John.
O'Sullivan, Jan.
Penrose, Willie.
Perry, John.
Quinn, Ruairí.
Rabbitte, Pat.
Reilly, James.
Ring, Michael.
Shatter, Alan.
Sheahan, Tom.
Sheehan, P.J.
Sherlock, Seán.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Tuffy, Joanna.
Upton, Mary.
Varadkar, Leo.
Wall, Jack.

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

Question declared carried.

Amendment declared lost.

An Ceann Comhairle: I declare the Bill read a Second Time in accordance with Standing Order 121(2)(i).

Local Government (Mayor and Regional Authority of Dublin) Bill 2010: Referral to Select Committee

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):
I move:

That the Bill be referred to the Select Committee on the Environment, Heritage and Local Government, in accordance with Standing Order 122(1) and paragraph 1(a)(i) of the Orders of Reference of that committee.

Deputy Pádraic McCormack: He is moving on.

Deputy Phil Hogan: The motion is not agreed. Is this the Government's greatest priority currently? Is creating a directly elected mayor for Dublin the best it can do? That Fianna Fáil is going along with this Green Party vanity project is outrageous. Fine Gael rejects the motion.

Deputies: Hear, hear.

(Interruptions).

Deputy Ciarán Lynch: Under the document that the Government has signed on our behalf, we must give weekly reports to our European partners and the IMF. I am sure they will be delighted to hear this morning that we will spend €8 million——

Deputy Pádraic McCormack: Wasting.

Deputy Ciarán Lynch: ——on a project that will result in five and a half mayors in Dublin and three separate quangos. The Labour Party gave the House an opportunity this morning to see some sense on this issue. Just before the last vote, Deputy Kennedy was actually supporting a Labour Party motion.

An Ceann Comhairle: We cannot have a prolonged debate at this time.

(Interruptions).

Deputy Ciarán Lynch: These are good ideas and the times are good for their implementation. However, whatever about the merits of an elected mayor for Dublin, this is not a good time for it——

An Ceann Comhairle: The Deputy will be afforded the opportunity to exercise his democratic right shortly.

Deputy Ciarán Lynch: ——and we are sending a signal not only to the rest of Ireland but to the rest of the world that it is business as usual, with Fianna Fáil and the Green Party in Government.

An Ceann Comhairle: The Deputy will resume his seat. I am putting the question.

Question put:

The Dáil divided: Tá, 73; Níl, 65.

Tá

Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Andrews, Chris.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.
Browne, John.
Byrne, Thomas.
Calleary, Dara.

Carey, Pat.
Collins, Niall.
Conlon, Margaret.
Connick, Seán.
Coughlan, Mary.
Cregan, John.
Cuffe, Ciarán.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Michael.
Flynn, Beverley.
Gogarty, Paul.

Tá—continued

Gormley, John.
 Hanafin, Mary.
 Haughey, Seán.
 Hctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghail, Seán.

O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 O'Sullivan, Maureen.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Bannon, James.
 Barrett, Seán.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Clune, Deirdre.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doherty, Pearse.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Ciarán.
 Lynch, Kathleen.

McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McManus, Liz.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheehan, P.J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

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

Question declared carried.

Weather Conditions: Statements

An Ceann Comhairle: I call on the Minister for the Environment, Heritage and Local Government, Deputy John Gormley to make a statement under Standing Order 43. The following arrangements apply: the statement shall be confined to the Minister for the Environment, Heritage and Local Government, the Minister for Transport and the Minister for Defence, who shall be called upon in that order, and shall not exceed, ten minutes, five minutes and five minutes, respectively.

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The current cold weather is starting to break records. It has been almost 40 years since we have had snow and ice so early in the winter, and it is unusual for the cold weather to persist so intensively without respite. The forecasts tell us this cold snap will last for at least a further week.

With the prospect of these challenging conditions set to stay with us for such a period, in our considerations this morning we have to recognise the exceptional nature of what we are dealing with. Snowfalls have impacted across many, but not all parts of the country. As the cold spell has gone on and ground temperatures have lowered, the snow is not melting, even at low elevations. All of the country is enduring unusually low temperatures, with very difficult travelling conditions. We have had freezing fog in places. Conditions therefore are particularly difficult for road users, and these conditions have become positively dangerous. I again urge people to minimise journeys and to take proper care if they must go out, either as pedestrians or on the roads.

Notwithstanding the difficulties endured by the public and by those trying to manage the situation on the ground, the Government has brought forward several key lessons from last January to this current crisis. We entered this winter with a number of significant enhancements across the various sectors. My colleagues will speak more fully about some of the specific preparations, particularly in the critical transport sector. My Department's role centres on ensuring that all the efforts taken in the individual sectors are joined up and that the necessary co-ordination takes place at national level and in respect of the emergency response carried out at local level. Truly, it is this collaborative effort that makes the difference and this is what one has seen in operation since the start of this cold spell at the end of last week.

Personnel in all relevant agencies nationwide have the experience gained from last winter and are working hard together to keep the primary objective of maintaining the critical primary road networks and public transport functioning. I note the Minister for Transport is working well with all those agencies. There also has been an effective joined-up approach to the critical task of providing information to the public and keeping people reminded of critical safety messages. The Government's other big objective is to get through this with minimal loss and I note the old values of community have emerged strongly over the past few days. Neighbours know the importance of checking on old people in their communities. Notwithstanding the extremes being encountered, our significantly enhanced preparations are standing us in good stead this winter as a result.

The aim at all times of the Government and the agencies of State is to minimise disruption and to ensure society functions as close to normality as possible. Despite all its best efforts, some disruption is inevitable but I and my ministerial colleagues speaking today in the Dáil are satisfied that this disruption will be limited to what is unavoidable. The Government recognises that even with the best pre-planning, the intensity and duration of the weather is stretching the financial resources of local authorities. Consequently, I am pleased to be able to state that I will make available €15 million from my Vote for those local authorities that are most in need of supplementary funding, as a contribution to their exceptional costs over and above

the costs they ordinarily would be expected to meet in the context of yearly winter weather demands. My Department will be in touch with local authorities in respect of making the necessary arrangements.

I will now outline in more detail some of the co-ordination measures being taken to provide reassurance that the Government has in place a coherent and comprehensive approach to respond to the current and forecast severe weather. The role of my Department in severe weather events is to ensure inter-agency co-ordination arrangements are led by local authorities in satisfactory manner; and when an event escalates, to ensure that regional co-ordination arrangements operate where these are of assistance to the overall effort. Furthermore, when events are such as to have such a significant impact, its role is to establish an interagency co-ordination committee at national level to bring together a “whole of government” response. Finally, its role is to provide advice and assistance to local authorities where necessary.

The current response has involved strong interdepartmental and interagency co-ordination and collaboration. Given the depth and likely length of the current cold spell and the risks of severe disruption, the relevant Departments and agencies have been meeting under the aegis of the interagency co-ordination committee to ensure a fully joined-up approach underpins their actions. This group has met on a daily basis since the start of this severe weather and has been joined by my ministerial colleagues, Deputies Dempsey and Killeen.

The primary issues in the early stages of this cold weather have been transport-related, and the Minister for Transport, Deputy Dempsey, the transport agencies and local authorities have been working well together and have been successful in minimising disruption and restoring transport routes where these have been badly affected. To further ensure that the wider range of emergent issues are dealt with as they arise, the interagency group now includes representatives from across the full breadth of the Government, including the health and education sectors. Similar co-ordination groups are working together at local level in a like manner to deal with the issues and priorities for their particular areas. This is how our emergency management arrangements work and the Government is satisfied that the arrangements for leadership and co-ordination at both local and national levels are in line with best international practice and that those involved are fulfilling this critical role very strongly.

Timely information is vital to respond promptly and effectively and to maximise the benefits of our resources. Local authorities are provided with information from a number of systems. These include the public service weather warnings from Met Éireann, and the IceCast road weather information system operated by the National Roads Authority in conjunction with Met Éireann. These systems ensure that the most up-to-date information is available to those managing the response on an hour-by-hour basis at local level.

The agreed priority for local authorities during periods of severe cold is to keep open for traffic the full national road network and other key strategic routes and public transport routes. These roads carry an estimated 60% of total traffic and approximately 80% of commercial traffic. Some roads are being treated three times a day and the agencies under the aegis of my colleague, the Minister, Deputy Dempsey, are doing considerable work to co-ordinate movement of salt to the worst-affected local authorities. Other roads are dealt with on an as-needs basis by local authorities, for example, to provide access to medical facilities, emergency services, schools and commercial districts and to respond to specific situations or community events.

Local authorities also liaise with the Garda Síochána and Health Service Executive and work with the Civil Defence and the Defence Forces, where necessary, to ensure that key services such as public health nurses are able to access isolated clients in rural areas and to deal with specific priorities at local level. The HSE has comprehensive arrangements in place to deal with

[Deputy John Gormley.]

severe weather arrangements and liaises with the Defence Forces for the pick-up of patients in urgent need who are stranded. Local authorities also work with voluntary and community organisations to address specific issues, where appropriate. Local authorities are active, in conjunction with other statutory and voluntary agencies, to ensure that homeless people or those at risk are assisted in response to their accommodation needs. As local authorities cannot get to every road and footpath after every fall of snow, the response of individuals, local communities and volunteer groups is critical. I urge people and businesses to clear the footpaths in front of their premises and thank most heartily the many thousands who already are doing this most neighbourly work.

Turning to decisions on whether schools should open or remain closed, these are a matter for local school management who best know local circumstances and are empowered to make decisions accordingly. The Department of Education and Skills encourages schools to co-ordinate with each other regarding openings and closures.

I wish to conclude my contribution by paying tribute to the commitment and dedication of local authority personnel in keeping the country open for business. Staff are working long hours in difficult conditions and I wish to state on record that their effort is fully appreciated. The Ministers for Transport and Defence will give more detail on the effort being undertaken in the areas within their remit but in advance of their contributions, I join in appreciation for the effort of staff, both in our three sectors and right across the public services, who have been working so hard and in such a co-operative manner.

Minister for Transport (Deputy Noel Dempsey): As my ministerial colleague, Deputy Gormley, has stated, the Government's response to the current severe weather is being led by him as Minister for the Environment, Heritage and Local Government. Such severe weather conditions probably cause more difficulties in respect of transport than any other area. When it emerged that there was likely to be April long spell of severe weather, the Department of Transport convened a meeting of its agencies to try to best co-ordinate their efforts and to try to ensure that the relevant information was provided to the public as quickly as possible. That first meeting took place on Friday of last week. Since then, the Government task force inter-agency response group on severe weather has been meeting on a regular basis and together with my colleagues, the Ministers, Deputies Gormley and Killeen, I have joined a number of those meetings.

The key messages that this group is trying to communicate to the public is that priority attention is being given to national routes and public transport corridors. Not every road in Ireland can or will be salted and there is no point in pretending otherwise. Furthermore, driving can be hazardous and so the group urges people to use public transport if possible and it repeatedly asks people to avoid unnecessary journeys.

Met Éireann has reported that the current cold spell will continue at least up to and including Wednesday of next week. Obviously, all local authorities are and will continue to treat roads on a prioritised basis during that period. The agreed objective for local authorities during such weather is to keep open for traffic the national primary road network, as well as other key strategic and public transport routes. The roads that are targeted, which are listed on the NRA and local authority websites, carry approximately 60% of total traffic and approximately 80% of commercial traffic.

I join with the Minister for the Environment, Heritage and Local Government, Deputy Gormley, in acknowledging the fantastic work done by so many people across all of the different agencies, in particular the local authorities in terms of their ensuring priorities are, in so far as possible, met. Regardless of the difficulties being encountered, and I know there

were particular difficulties yesterday, it is important we acknowledge the work being done by those people. Information is key in these situations and I take this opportunity to also publicly acknowledge the role played by RTE, TV3 and radio stations in providing people with up to the minute information as supplied to them. This is a vital public service. While the print media is not as immediate, it too has played its part.

Given the forecast for the extended period of cold weather, salt supplies need to be managed in a prudent manner to meet existing and anticipated needs. Further salt supplies will be delivered in the coming weeks to ensure that our supplies are topped up for January and February, which are traditionally the coldest months. As I stated, there is 90,000 kilometres of road in this country and we cannot keep all of them clear. With regard to footpaths, members of the public and business operators are encouraged to safely clear snow and ice from the area in front of their premises. The clear legal advice to Government on this issue is that people will not be held legally liable as long as they do not create an additional safety hazard by their actions. Again, given there are 2,500 footpaths in the Dublin area alone, it will not be possible to treat all of them. Any assistance that can be given by people in this regard will make a difference. The same legal advice applies in respect of farmers helping out, a point raised earlier by Deputy Coonan.

The NRA is procuring salt for the local authorities. The current contract for supply is for 80,000 tonnes. The initial call was for 50,000 tonnes but an additional 30,000 tonnes has been ordered. This supply was in addition to the 20,000 tonnes of salt stock available since earlier this year. As such we started off with 70,000 tonnes of salt. This time last year we had only 10,000 tonnes of salt in stock. The NRA has confirmed that adequate salt stocks are in place nationally and are being distributed as required to local authorities to meet the priorities laid out. In addition, the NRA invested €6 million this year in acquiring additional dry storage facilities for de-icing salt and a further €2.5 million for grit spreads and snow blades, etc., for the local authorities. As stated by the Minister for the Environment, Heritage and Local Government, Deputy Gormley, the most important task for the various Government agencies is to ensure there is a co-ordinated response and that information is available to the public and this will continue.

Minister for Defence (Deputy Tony Killeen): The task force on emergency planning was set up post-September 2001 and is chaired by the Department of Defence. Subsequent to its establishment, the national emergency co-ordination centre was set up in the Department of Agriculture, Fisheries and Food building, which is where meetings in relation to emergencies of this nature take place. There is a national steering group on the framework for major emergency management under which all of the activities outlined by my colleagues, Ministers Gormley and Dempsey, operate. A roles and responsibilities document agreed in 2008 deals with more than scenarios and sets out which is the lead Department in each of those scenarios. The office of emergency planning provides support for those people and has a communications network, which is interesting. I invite Members who may be interested in doing so to come and see how it operates.

Historically, there have been quite a few occasions of severe weather in respect of which the Department of the Environment, Heritage and Local Government has taken the lead. In the recent past, the Department of Health and Children took the lead in regard to the H1N1 influenza pandemic. Prior to that we had the pork dioxin crisis in respect of which the Department of Agriculture, Fisheries and Food took the lead. During the volcanic ash crisis the Department of Transport took the lead role. The document sets out exactly who has responsibility and who takes over in a whole series of situations.

[Deputy Tony Killeen.]

We have also agreed a document which sets out the triggers for the calling of a meeting of Departments and agencies. I thank all of the groups, agencies and Departments for the manner in which they have fulfilled their responsibilities in this regard and for the manner in which they have supported each other. I join with my colleagues in thanking the many local authority staff, including the Civil Defence, military, HSE and other staff who have played an active role during the past three or four days and who have worked way beyond the time designated for them. It is important to acknowledge the work they have done. I also join with my colleagues in thanking the media for making information available to people so that they know exactly what to do.

On liability in respect of homeowners, occupiers or voluntary organisations clearing snow in front of their premises, the Attorney General has advised that no liability attaches to people clearing snow or doing anything of that nature, provided they do not create an entirely new hazard, which one would assume would not be the case. There has been confusion in this regard among people around the country. As stated by my colleagues, we have only finite resources. Obviously, the maximum amount of resources will be made available. The military will provide support when requested to do so by a local authority or local gardaí. Given our current difficulties we must prioritise and this is being done. We are happy to support HSE personnel and others who are the first line of defence for people who are ill and to co-ordinate and co-operate with local community groups and organisations, farming and otherwise, who are making wonderful efforts to provide support to individual householders such as people living alone or in remote areas. That spirit, along with the wonderful work being done by local authority and other staff, helps us in getting through a difficult period successfully.

An Leas-Cheann Comhairle: We now move to the questions and answers session. As time is limited, I ask that Members put succinct questions.

Deputy Simon Coveney: I join with the Ministers in thanking all of the emergency services, local authority and NRA staff who have been doing a good job within the resources available to them.

Can the Minister confirm to the House what tonnage of salt is currently in NRA storage? My understanding is that yesterday the NRA had 40,000 tonnes of salt, which means, given the NRA indicated it would use 4,000 tonnes last evening, it has 36,000 tonnes today. If we are using between 3,500 and 4,000 tonnes per day we have nine days of supply remaining. Is that correct?

Perhaps the Minister will also indicate to the House the level of supplies that are available to local authorities independent of the NRA. This is a question to which we cannot get an answer unless we ring individual local authorities. I presume the Minister can answer that question. Who is responsible for purchasing salt? I understand that the NRA is taking responsibility for purchasing sufficient stocks for primary routes in the country and certain designated secondary routes. My understanding was that the NRA was also to provide a centralised purchasing facility for salt, to import salt to provide it to local authorities for secondary routes when and where appropriate. Is this the case?

An Leas-Cheann Comhairle: We have 20 minutes remaining and eight Members are offering.

Deputy Simon Coveney: Then this is a farce.

An Leas-Cheann Comhairle: It is a farce we agreed to.

Deputy Simon Coveney: On footpaths, is it not unreasonable to ask that local authorities would salt main pavements in towns and cities in Ireland, as is the norm in the vast majority of other European cities.

Deputy Noel Dempsey: On the last point, it is unreasonable to expect every pavement——

Deputy Simon Coveney: I did not say that. I said main pavements.

Deputy Noel Dempsey: The Deputy's definition of "main" may differ from mine.

Everybody thinks the one outside his or her own door is the main one. I have said on a number of occasions that it is unreasonable with 90,000 km of roads and 2,500 km of footpaths in Dublin alone to expect that footpaths would be done. The plan is to ensure priority routes that are necessary to keep the country going, commercially and otherwise, are salted and kept open. That is the absolute priority. Anything over and above that is extra. That is the absolute essential.

The Deputy is correct that there are approximately 36,500 tonnes of salt on the island at this time. The usage is approximately 3,500 tonnes a day, depending on the weather. That was exceeded on a number of days because of snow returning. The weather forecast over the next three or four days indicates that, from tomorrow, there will be less snow and that will affect the tonnage spread.

Deputy Tom Hayes: There will be frost.

Deputy Noel Dempsey: Deliveries due include 6,000 tonnes before 10 December, 15,000 tonnes on 16 December and 10,000 tonnes on 22 December. In addition, 30,000 tonnes are on order to come in pre-Christmas and 20,000 tonnes post-Christmas. We also have access to 1,000 tonnes a day from our colleagues in Northern Ireland but we have not touched that yet. That is the position on salt supply.

Deputy Joe Costello: I would also like to be associated with the praise of those on the front line working to ameliorate the severe weather conditions. Local authority staff and staff of Bus Éireann, Dublin Bus and Iarnród Éireann are all public servants and they have made a contribution. Very often, people speak ill of public servants but they have worked night and day in the past week. Much of the gritting has to be done in the middle of the night and theirs has been a fantastic achievement. They have done tremendous work and I pay tribute to them.

The Minister for Transport outlined the position on salt supplies. It was reported earlier that we are competing with England, Wales and Scotland for salt and the manner in which the Minister has prepared and ensured 50,000 tonnes of salt will be available in January and 30,000 tonnes in February is positive. However, could there be a shortage? Dublin City Council has begun rationing salt supplies for certain roads.

The Minister said farmers could ask for a truck load of salt to be deposited nearby and they could then take it to spread on access roads. Could that also be done on housing estates in urban areas? It is difficult for local authorities to access these estates but if salt was left on the estate, local people could spread it.

I welcome the Minister for the Environment, Heritage and Local Government's statement that €15 million in supplementary funding is being made available. However, the Minister for Transport stated he did not have a reserve allocation for severe weather conditions. What used to be abnormal is becoming the norm. Should he put in place a reserve allocation in order that

[Deputy Joe Costello.]

local authorities can plan in advance because there is competition between them and the NRA for scarce salt?

Deputy Noel Dempsey: The Deputy is correct that we are competing with others for salt but the volumes I set out are contractually committed and, therefore, we are sure of those supplies. We will identify more supplies as soon as possible for January and February and have them in reserve. These contracts will not be affected by the fact that there could be a shortage.

The NRA is responsible for salt distribution to local authorities. That was one of the results of severe weather event earlier this year. Some local authorities ran short at crucial times while others had no difficulty. This time round the NRA will supply salt where the need is greatest. This has to be done prudently and wisely.

With regard to housing estates, the priority for local authorities has to be roads. If people want to grit locally, that is fine but it is not a matter for the NRA. The only difficulty that might arise on a housing estate relates to storage. The Deputy's suggestion is good but storage would have to be done carefully so as not to create a hazard. It should be somewhere visible.

Deputy Tom Hayes: I seek clarification of the legal implications of people gritting their own roads. No Minister has given a clear statement in this regard. Have they advice from the Attorney General? I contacted local authority officials earlier about gritting these estates and they said they would not do it because they are afraid of litigation. A clear statement is needed from the Ministers in this regard. The issue is storing grit and salt at the end of a road and locals being allowed to grit dangerous sections. It is a simple proposal and, for the past three days, Members have been trying to establish it.

Will the Minister for the Environment, Heritage and Local Government ask local authorities to grit the main areas of towns and villages?

Deputy John Gormley: The issue of liability does not arise for snow that is cleared in a safe manner.

Deputy Simon Coveney: On main roads. What about in front of a premises?

Deputy John Gormley: The same applies. No liability attaches. We have clear and unequivocal advice. I cannot make it any clearer and I ask the Minister for Defence to reiterate this.

Deputy Tom Hayes: Can local authorities be informed this afternoon?

Deputy Noel Dempsey: They have been.

Deputy Tony Killeen: I refer to the issue raised by Deputy Tom Hayes regarding the distribution of salt to third parties. As with the clearance of footpaths, the issue of liability does not arise where the material is delivered, stored and used in a safe manner and does not cause hazard. I have arranged for a direction to be given to users of material to ensure common sense measures are taken in the storage and use of the supplied material.

Deputy Ciarán Lynch: I would also like to be associated with the positive remarks made about public sector workers, including emergency service staff, electricity and telephone engineers, local authority staff and others. During the previous severe weather event, we had a Minister on holidays and a Minister in the country. At the time, there was confusion about who was the lead Minister and which was the lead Department. Who is the lead Minister? Which Department is the lead Department in dealing with the current emergency?

Approximately 4,000 tonnes of salt is distributed every day and grit to the value of €5 million has been purchased. On the basis of the figures outlined by the Minister for Transport, sufficient material is available to spread on roads for the next ten to 11 days. Have additional materials been sought? Has an order been placed?

Following an investigation into the response to last year's severe weather conditions, the Oireachtas Joint Committee on the Environment, Heritage and Local Government recommended that, "The Department of Transport and the National Roads Authority should oversee and manage a national programme of salt procurement, distribution, storage and ensure stocks are sufficient". Has such a programme been put in place?

Finally, I have two simple questions. First, the local authority in County Cork seems to have a legal difficulty with the distribution of grit, but I believe the Minister will answer my query on that. Second, we could learn from our European partners because we are not just talking about roads, but also footpaths. Walking across the capital city at the moment is quite a hazardous job. One cannot get over to Grafton Street right now. We are not talking about rural Ireland, but the capital city. The responsibility for clearing snow outside properties on the Continent is with the business or the householder. Given that this will be a recurring event, is it time that we introduce legislation that deals with this matter?

Deputy John Gormley: Interagency co-ordination is a matter for my Department and that is being led ably by Mr. Sean Hogan. The Deputies are familiar with Mr. Hogan and I congratulate him on his hard work. The last number of days have been difficult for motorists and indeed pedestrians, but these are matters for the Minister for Transport. The delineation is very clear. The recommendation on the procurement of salt has been followed through and it is now at a national level and has worked very well.

The last question was on footpaths. If one goes to London and Berlin, which are cities with which I am familiar, one will find exactly the same situation. It makes sense to carry out a comparison with our responses last year, when they managed under terrible conditions to keep the national primary routes clear, even though they were running low on salt. Overall, that has worked out quite well.

Deputy Noel Dempsey: I will be brief. We have 36,500 tonnes of salt on the island. We have a call on 1,000 tonnes in Northern Ireland if we need to do it. Up to 6,000 tonnes will arrive before 10 December, 15,000 tonnes on 16 December, 10,000 on 22 December and a further 30,000 tonnes to come in pre-Christmas. The bad weather spell is due to start abating on Wednesday of next week in so far as we can say that now, so there are adequate salt supplies to cover us.

Deputy Shane McEntee: I suppose we learned from last year, but I would congratulate front line staff on what they are doing. The people who are doing the gritting in my area are working 20 hours a day, with four hours sleep, and that went on for eight weeks last year.

On the local LMFM radio station yesterday, I called for the ban to be lifted on local authorities depositing salted grit at crossroads for people in places like Moynalty, Rathkenny, Slane, Duleek and Ard Rath. Is the Minister saying that Meath County Council can deposit gritted or salted sand in places that our maps in county council offices for the last 30 years have identified as dangerous? Is it true that it can be done by the local people and they do not have to have health and safety training?

I received a telephone call yesterday from Moynalty and was told that the NRA was warned that Moynalty would be gritted in the afternoon. Can the Minister tell Meath County Council

[Deputy Shane McEntee.]

and other county councils to transfer deposits of gritted sand and that the people who put it down are not liable?

Deputy Noel Dempsey: We have given the legal advice three times at this stage and it does not change. It is as we said it was and it is entirely a matter for the local authorities. The priority given to local authorities is to salt roads, so they may not have the equipment or the resources to divert. It is a matter for discretion at local authority level and where there are difficulties such as those outlined by the Deputy, I think some arrangements can be made. The HSE is on our committee for instances of specific difficulties of people having to get to hospitals or something like that. We are trying to co-ordinate all of that.

Deputy Brian Hayes: I would just like to receive a clarification——

An Leas-Cheann Comhairle: Please, allow other Deputies in. I call on Deputy Timmins.

Deputy Billy Timmins: The public are annoyed, but they are not unreasonable and they do not expect miracles. I think local authorities should give out a schedule of roads that they intend to grit. It is important for people to know when their road will be gritted. There is a young gentleman in Valkeymount who goes for dialysis. We should create a national register of people who are susceptible to being isolated so that they can make their medical appointments.

Deputy John Gormley: The public has a right to know and we are making that information available. It is available not just through local radio stations, but also on *www.transport.ie* for people who have access to the Internet. The schedule of gritting and salting is up on the website, as are the roads and maps. Information flow is absolutely vital.

Deputy Tony Killeen: In every instance where support has been sought from the military, we have been in a position to provide it, particularly in cases like that mentioned by Deputy Timmins.

Deputy John O'Mahony: I think it would be in everybody's interest if a uniform message could be sent from local authorities. We have seen one local authority do one thing and another do another. There is a great amount of side roads in rural constituencies like the one I represent, but the emphasis is on national primary roads. We should be able to tell the local authority what determines an emergency. I am talking about schools on side roads, the Cheshire Home that the emergency services could not access, and so on. Why was this system not tested? Three of the gritting machines in Mayo were in the garage yesterday because they broke down.

Deputy John Gormley: The way that this is framed is that we respond to the local issue. For example, they are lucky in Cork that they do not have a problem. This plan has been framed so that the local authority can respond at a local level in a local way. That has worked well. I cannot account for the fact that three gritting machines have broken down in the Deputy's area. I do not know the circumstances in which that actually occurred, but I know that all the stops are being pulled out all over the country, and the local authorities are working around the clock. One Deputy just said that some of these workers are getting four hours' sleep and that is the case.

Deputy Tony Killeen: A number of exercises have been carried over the year and over a period in respect of dealing with specific emergencies. Unfortunately, the emergency that arose in Mayo was not foreseen.

Deputy Joanna Tuffy: Are Civil Defence workers covered by the legislation? If there was a voluntary corps set up that was similar to the Civil Defence, would they be covered? If not, would the Government look at bringing in legislation that would cover such a group? They could be trained as they do much work when there are floods, so they could do it as well when there is snow.

There are many young people throwing snowballs at cars and they are doing damage to the cars. I experienced it myself the other night and it is quite dangerous. Does the Minister have thoughts on that?

Deputy Tony Killeen: Civil Defence has its own training and makes its own provision with regard to insurance, etc. The principle that I outlined in respect of the supply of salt to local communities also applies to voluntary groups. In other words, common sense has to be used and advice on how to use it has to be sought. Representatives of the Garda have been present at the task force meetings. Some of the work the force has to do is of critical importance, for example in facilitating the passage of Luas trams through junctions. Unfortunately it is true, as Deputy Tuffy has said, that the behaviour of a small minority of citizens — pedestrians and others — has been extremely unhelpful. The presence of gardaí has been strategically used to try to deal with that in the key places.

Deputy Tom Hayes: I asked for clarification on a health and safety issue.

An Leas-Cheann Comhairle: What is the health and safety issue?

Deputy Tom Hayes: Some local authorities are using the excuse that a health and safety issue arises if people undertake these works themselves.

An Leas-Cheann Comhairle: There was a suggestion that training may be required.

Deputy Simon Coveney: It would be helpful if we could get clarification on that issue.

An Leas-Cheann Comhairle: We are well over time.

Deputy Simon Coveney: Two Ministers have said there is no legal liability concern as long as the salt is delivered, stored and distributed in a safe manner. The problem local authorities have with that is the use of the term “safe manner”. Do agricultural contractors or farmers who are willing to spread salt and grit need health and safety training to be allowed to do so? That is the issue.

Deputy Joe Costello: We need to get the word out in relation to the actual liability. That information should be distributed as widely as the rest of the information. It should be published on the Internet and broadcast on radio and television. It should also be given to the local authorities.

Deputy Noel Dempsey: That has been done.

Deputy Tony Killeen: The only requirement is that any necessary direction be given to users of material to ensure common sense measures are taken when the supplied material is being stored and used. It would not be helpful for me to get into the long legal advice that has been given.

Deputy Ciarán Lynch: I would like to make a proposal.

An Leas-Cheann Comhairle: We have gone well over time. I am not opening another round of supplementary questions.

Deputy Ciarán Lynch: I propose that the Minister for the Environment, Heritage and Local Government should e-mail the various city and county managers throughout the country with regard to what has been decided here this afternoon.

Deputy John Gormley: I will do that.

An Leas-Cheann Comhairle: The Minister has indicated that the emergency committee will issue a statement on that matter, in the interests of clarity, either today or tomorrow.

Deputy Ciarán Lynch: Today would be preferable.

Deputy Simon Coveney: Apparently it is being done.

Deputy Noel Dempsey: It will be done today.

An Leas-Cheann Comhairle: Very good.

Education (Amendment) Bill 2010: Second Stage (Resumed)

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

Deputy Trevor Sargent: I dtús báire, ba mhaith liom a rá go bhfuil áthas orm seans a fháil labhairt ar an mBille Oideachais (Leasú) 2010. Ar nós go leor daoine seo Teach seo, tá cúlra agam san earnáil oideachais. D'oibrigh mé mar phríomhoide scoile. Níl aon dabht ach go bhfuil a lán suim ag gach tuismitheoir agus múinteoir sa tír, agus an pobal i gcoitinne, sna hathruithe atá molta sa reachtaíocht seo. Cuirim fáilte roimh cuid acu, ach ní chuirim fáilte roimh cuid eile dóibh. Dá bhrí sin, cuirim fáilte roimh an deis labhartha seo.

Under the draft legislation before the House, the vocational education committees will have a defined role in primary education. There is no doubt that the VEC sector has a honourable track record, particularly at post-primary level but also in the further and adult education sector. It has to be said that the legislation is being introduced at a time when arguments of considerable merit are being made by the Educate Together movement, which is seeking to have a role in secondary education. It is worth reflecting on those arguments during the course of the debate on this legislation.

While I recognise the merit of the VEC sector having a role in primary education, it seems logical, in the interests of diversity, parental choice and best practice in setting standards, to reflect on the merits of what Educate Together has done at primary level and to suggest, in that light, that it should be a patron, where appropriate and where required, in second level schools. That point has been well argued in several communities in my constituency of Dublin North, where many primary schools and a secondary school are under the patronage of Educate Together. Just as the Educate Together model serves the needs of people in the primary sector, it should also be allowed to serve those needs when children move to secondary level. It is appropriate to discuss this matter in the context of a Bill that is breaking new ground in the opposite direction, by allowing the VECs to become involved in primary education.

I wish to speak about an alarming aspect of the Bill. I refer to the prospect that teachers who are not fully qualified, or are not registered with the Teaching Council, will be deemed to be acceptable on a long-term basis. They should not be acceptable on any basis at a time when so many qualified teachers who are ready and available for work are unemployed. When I went to college to train to be a primary school teacher, it was a three-year course. Some years

before that, it was a two-year course. It is now an onerous four-year degree course for many students, who get excellent qualifications not only in mainstream education but also in special needs education and many other areas of primary education. By employing people who have not gone through this process and qualified accordingly, certain schools are diminishing this qualification in a short-sighted manner.

When I discussed this matter with Cumann Múinteoirí Éireann — the INTO — it was indicated to me that approximately 1,000 qualified teachers are seeking employment on a day-to-day basis. I have been told by principals that it is not always possible to find teachers at short notice. That matter can be resolved. The INTO has indicated to me that an interactive website will be up and running by Christmas. It will facilitate principals and unemployed teachers who wish to make contact with each other at the shortest possible notice, which is often the reality when teachers phone in sick. Indeed, the current weather may be preventing teachers from getting to their places of work, if such schools are open. I am aware that many schools are open.

This issue requires much more reflection. I hope the points that are being made on Second Stage will inform the amendments that will be proposed on Committee Stage. I refer specifically to the need to help teachers who are looking for employment and who are qualified. We will see after Christmas whether the website I have mentioned will serve the purpose for which it is required and help us to overcome this issue. A short number of years ago, we established the Teaching Council, which was a very progressive and essential move. The council needs to be copperfastened, strengthened, developed and supported so that it can work better. I do not believe the proposal to accept unqualified teachers is in the best interests of children, of education or of the teaching profession.

I refer to patronage in so far as it relates to enrolment. I have nothing against diversity but when it militates against what I regard as the best interests of children, it has to be questioned. I refer to the first come, first served, enrolment policy in some schools, regardless of older siblings already in the school. This means that a family without a car or perhaps a single-parent family who tries to enrol a younger child in a school which an older sibling attends may be unable to enrol the younger child in the same school. Such a family is put under significant pressure — to add to what pressures and strains it may already suffer. A parent may be required to ferry, walk or cycle a child to school, then bring another child to another school. This may require one or other of the children to be late, thus creating considerable tension.

I acknowledge the principle of fairness behind this policy, that every child should be respected for his or her integrity and identity and should not be regarded as just an associate of another child by virtue of being a sibling. However, under the Constitution, the parent is the primary educator and therefore the family is the primary location or context for education. To undermine this inalienable right is an unwise development. This issue is in the hands of the patron bodies and the individual schools but the Department needs to put down a number of markers which will protect the best interests of the child in the context of the family and to keep siblings together. I make this argument based on my first-hand experience and I hope it can be considered. I look forward to hearing other views in this regard.

The regulation of school holiday is another matter which is not as contentious as the issues of enrolment, patronage or the employment of qualified teachers but it is an issue which the Garda Síochána has asked me to raise. I do so at this opportunity because it is relevant to the amendment of the education legislation. Even though it may not be a legislative matter, it is pertinent to this debate. Considerable work has been done to harmonise school holidays to serve the needs of everyone, particularly the children and their families. A certain amount of synchronisation is required so that people can combine a work life with a family life and their children's education is not upset. The mid-term break at Hallowe'en makes headlines every

[Deputy Trevor Sargent.]

year with the anti-social nature, to put it at its mildest, of the Hallowe'en period. Bonfires and vandalism, theft of combustible materials are common occurrences. I have been told by teachers and gardaí that much of this could be avoided if the school mid-term break began with Hallowe'en rather than ended with it. This would seem to be a simple and logical request. I do not believe it has fallen on deaf ears but it has probably become stuck somewhere in the process between the Department and the Teaching Council. I ask that this common sense proposal be progressed.

I also ask that consideration be given to the difficulties faced by individual schools within a limited catchment area such as a large town. My home town of Balbriggan is an example. It has a number of primary schools under differing patronage but all receive applications for enrolment from the same child. The school principals work in co-operation and this provides an awareness of the practice of enrolling a child in a number of schools to ensure that the child is given a school place. Parents apply to a number of schools to ensure their child is given a place in a school.

The system at third level works well whereby enrolment is administered by a central body, the Central Applications Office. Some type of central administrative system could be used as a template for localities such as large towns where there is an issue of multiple enrolments which entails a considerable amount of pressure on schools when waiting lists do not reflect the reality of applications. A central administration of enrolments could be of benefit to both the schools and the parents in a catchment area. It would help reduce the stress on parents when looking for a school for their children. Pressure of numbers in areas such as Fingal, which is a fast-growing area, means that parents do not know whether their child has a place until the very last moment. I ask the Minister of State to consider those points.

The patronage provisions in this legislation are relevant to all schools, particularly those schools on the schools building programme list. It was quite frustrating to hear, although I know it can be explained in many cases, that money had not been drawn down while many schools are waiting for building projects. At the Donabate-Portrane Educate Together school, which consists entirely of prefabs, fuses were blowing all over the place as the staff attempted to heat the prefabs and used hot water to melt water pipes. Eventually, they had to give up as the elements beat them, and they closed the school and allowed in the workmen who had come to repair the pipes and other problems caused by the seriously cold weather. This highlights how unsatisfactory many of the school building arrangements which depend on prefabs are. There is a strong economic argument to be made for building better-insulated structures that would serve modern educational needs as well as saving money and energy. I feel quite sad about the suggestion in the report that money was not spent. The money has been allocated and will be drawn down and spent; however, it is mystifying to hear such reports.

I ask that we give priority, as we in the Green Party have endeavoured to do, to education, and not only with regard to the pupil-teacher ratio, although this is vital. We are not in a good position in the OECD and in the EU in that regard, so let us try to improve rather than languishing at the bottom just ahead of the UK. It must be noted that schools in the UK have other posts in their classrooms, so it is perhaps not comparable. To proceed with the building programme is the ultimate win-win option, because there are so many people unemployed in the construction industry at the moment. We should prioritise the building programme and ensure that schools with prefabs are improved to a standard at which they can save energy and money and provide the quality of education we all desire for our children.

Deputy Terence Flanagan: I welcome the opportunity to contribute to this debate on the Education (Amendment) Bill. My party broadly supports the purpose of the Bill, which is to

provide recognition for diversity in primary school education. Currently, 92% of education in this country is provided by religious orders, which is unsustainable in the long term. What is really needed is a national forum to listen to the parents of young children and find out where they see the future of primary education in this country. The Minister's decision not to go ahead with the national forum on education was wrong. Such a forum would have enabled us to listen to the needs of parents and would have influenced necessary changes in the area of primary education. Parents should be consulted because, after all, they know what is best for their children.

There is a provision in the Bill that deals with untrained teachers in schools, a point that was mentioned by Deputy Sargent and others. The current situation is ridiculous in view of the number of trained teachers who are unable to obtain employment and are on the dole queues, while untrained teachers are being used to fill posts. This is clearly wrong, and the Bill must implement change in this regard. Last year, for example, 300 unqualified teachers taught in Irish schools for more than 100,000 days. This should not happen while other teachers who cannot find work must emigrate.

The Government has not paid enough attention to speech and language therapy over the past ten years. The decision to transfer the responsibility for this from the Department of Education and Skills to the HSE is flawed in view of the current state of play in the HSE, which is experiencing multiple problems. This is an area in which parents have grave concerns. Many parents have fought tooth and nail to get the basic minimum standard of education for their children and they feel that if the service is to be transferred, the situation will disimprove and their children's interests will not be fully protected. This change in the Department must be fully explained and we must be told who in the Department will have responsibility for speech and language services.

This Government has quite a poor record in the area of special needs. In last year's budget many special needs assistants lost their jobs, and in the forthcoming budget next Tuesday more special needs assistant positions will probably be axed. This is unacceptable in view of the demand that exists among students for special needs assistants to help them in their studies.

The Government has also failed in the area of dyslexia. No study has ever been carried out in Irish schools to determine how many children suffer from this condition. The grant given by the Government to the Dyslexia Association of Ireland is €63,000 per year, as it has been for the past ten years. This is a very small amount of money. If the Government was willing to put its money where its mouth was, it would be providing a lot more money to ensure this issue receives due attention, rather than paying lip service to it. If we consider where much of the money in this country has gone over the last ten years, it is clear that it would have been better spent in the area of special needs.

Deputy Sargent also raised the issue of the €331 million that was not spent by the Department of Education and Skills, which makes many parents and pupils angry when they consider the conditions that pupils must endure in some schools. We know that 1,200 schools are awaiting State approval for their building projects, and many of these are using prefabs with multiple problems — they do not retain the heat and they allow rain and vermin to get in. There is now a fear that the Department will not draw down this money by the end of the year and the money will ultimately be lost rather than being used to supply what is necessary for functioning schools.

All children should have a right to be taught in proper conditions. In addition, teachers should not have to teach pupils in cramped and dated conditions. It is imperative that the money is put into capital spending and improving conditions, because there are some very poor schools that need these funds badly.

[Deputy Terence Flanagan.]

The Minister's policy on autism is flawed and has failed. A total of €80 million was spent on pilot projects in the past 10 years, including ABA schools, which use a particular method of teaching autistic children. A report was produced in 2006 entitled *An Evaluation of Educational Provision for Children with Autistic Spectrum Disorders*. However the pilot visiting to schools took place eight years previously between 2001 and 2002. To have spent such an amount of money without fully evaluating the benefits of the project for the parents of autistic children represents a complete failure and dereliction of duty by the Minister for Education and Skills. Children deserve better and they deserve the proper provision of education. Parents should be fully consulted before any decision is made to close these schools.

The Department of Education and Skills has made a decision to replace the ABA schools with special schools and autistic spectrum disorder units, employing what is termed an "eclectic approach" to educating children with autism. However, no research has been produced to support the use of this favoured eclectic approach. In her response at the conclusion of this debate I call on the Minister of State to hone in specifically on autism and on why the Government has decided to abandon the ABA approach and move towards a more eclectic approach. Recently, Department of Education and Skills officials admitted that there is no research evidence to support this eclectic model. It has been brought to my attention recently that the Department is not evaluating nor has it plans to evaluate the effectiveness of the new autistic spectrum units. Will the Minister of State comment on this as well? Millions of euro is being invested into this model or unit but there is no research to support its effectiveness. The Minister has no real idea of whether these approaches will work. Will they benefit children with autism? There appears to be no desire to establish whether this is the case. Children with autism are the most vulnerable in our society and they need help and proper support.

The Government must fully explain why it has changed its approach and why it has chosen to take this course of action. Children deserve a good deal better. I have no wish to delay the debate further. I fully support the Education (Amendment) Bill. It is a first step to provide recognition for diversity in education. However, there must be a national forum on patronage to take into account fully the wishes of parents with regard to the primary education of young children. Parents must be consulted and this must be the priority for the Minister for Education and Skills.

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I thank all Deputies for their contributions to the debate. Several important issues have been raised and while they will of course be discussed in detail on Committee Stage, I wish to respond briefly to some of the key points made. I welcome the general support for the provisions in the Bill which will enable vocational education committees, VECs, to extend their role beyond their current remit. The solid track record of VECs in education at second level has been fully acknowledged by many Deputies on all sides of the House. Most Deputies would also agree that, given this track record, the VECs are the appropriate vehicle for the State's active participation in primary education provision. Whether this involves opening a new school in an area where demand has been identified or where there is a requirement to assume full or joint patronage of an existing school, the State can no longer stand aside and rely solely on private patrons.

Therefore, the community national school model is an additional and complementary alternative to the provision by private patrons. The development of the community national school model has been informed by consultations with all of the relevant education partners at primary

level, including representatives of parents. This dialogue will continue as the model develops and this is part of the learning process to be derived from the pilot model.

On the wider patronage issue, I recognise that several processes are ongoing in the Department of Education and Skills in this area. It is preferable to advance consideration and trialling of the practical issues involved in patronage change rather than holding a more general and theoretical discussion at national level. The extent and nature of further consultation, including consultation with parents, will be determined as the work under way progresses.

The ethos of the community national schools is based on inclusivity and respect for diversity. The schools have a specific aim of seeking to cater for all faiths and none during the school day. This ethos will uphold the rights of all children, parents and teachers in the schools and in that respect I am satisfied the State will fulfil its international and other obligations in this area. I concur with the view of Deputy Burton that the most important thing for community national schools is that they become centres of outstanding achievement, learning and experience such that they are sufficiently attractive to parents of all backgrounds. The experience to date in the pilot schools augers well for the future. There is evidence of positive partnership between parents, teachers, school management and the wider community, which is very encouraging and is contributing significantly to the development of the model. Like all parents, the parents of children in these schools seek the best education for their children. I am satisfied that VECs are well placed to meet this demand in the role which the Bill provides for as patrons at primary level.

Section 5, which deals with governance of the VEC primary schools, is an important provision. I have noted the comments made by Deputies and they will be addressed in detail on Committee Stage. In terms of the experience date in the schools, the clear strength of the schools is the level of participation by parents, teachers and the wider community. The schools are being run in a true spirit of partnership between all members of the school community and this partnership will be formalised following the enactment of the legislation.

Concerns were expressed about the provision in the Bill with regard to clarification of the definition of speech therapy services. As the Tánaiste has already stated, the objective of this provision is to clarify the position with regard to the delivery of speech therapy services and other health and personal services to school children. Speech and language support therapy is provided by the HSE to school children who have been assessed as having communication difficulties. This amendment acknowledges the role of the HSE in the delivery of these services under the Health Act 2004 and reflects the position in practice. The Tánaiste has already pointed out that the HSE receives Oireachtas funding for this service.

I have noted the comments of many speakers in respect of the provisions of section 12, which provides for the amendment of section 30 of the Teaching Council Act 2001. In particular, I note the concerns expressed about the difficulties being experienced by newly-qualified teachers. The amendment to section 30 of that Act contained in section 12 provides that a person employed as a teacher, who is not registered with the council or has been removed or suspended from the council's register, cannot be paid from public moneys. It also allows for regulations to be made to define the limited situations in which schools may be permitted to engage people who are not registered.

As it stands, section 30 has not been commenced. Without the proposed amendment, it would not be possible to commence the section for the foreseeable future. First, there is a legacy issue with a small number of people teaching in our schools who have acquired employment rights and have a certain permanency within the system. Amending the section will allow for its commencement and for regulations to be made under the section to identify and ring

[Deputy Áine Brady.]

fence these people. This is entirely consistent with the approach laid down in the original Teaching Council Act, which recognised the legitimacy of rights of people currently in schools not to be displaced. Second, and apart from this legacy situation, we need a practical solution to the situation where the engagement of an unregistered person is required in urgent and exceptional circumstances. It is the Minister's intention to ensure that the regulations under the amended section will strictly limit the engagement of unregistered people as far as possible, while still ensuring that schools can operate. Much greater detail with regard to the content of those regulations will be set out on Committee Stage.

This general approach is already reflected in the Department of Education and Skills direction to schools earlier this year. As a result, the use of persons not registered with the Teaching Council to teach in our schools has decreased substantially. Under the terms of the direction to schools, a school must 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.

Only where an employer can satisfactorily demonstrate that every reasonable effort has been made to recruit an appropriately qualified and registered teacher, may an unqualified or unregistered person be recruited pending the recruitment of an appropriately qualified and registered teacher.

Retired teachers returning to teach, an issue many newly qualified teachers in search of teaching experience have raised, on a full-time basis or on certain part-time contracts will have their pensions abated. The Department of Education and Skills is also examining other employment situations to explore whether and how there should be pension consequences for retirees returning to the classroom for even shorter periods. It should, however, be noted this situation is quite contained. In a two-month sample period in the past school year, retired teachers accounted for less than 8% of the number of substitute days worked in primary schools.

I thank Deputies for their considered contributions to the debate and look forward to a more detailed debate on Committee Stage.

Question put and agreed to.

Education (Amendment) Bill 2010: Referral to Select Committee

Minister of State at the Department of Health and Children (Deputy Áine Brady): I move:

That the Education (Amendment) Bill 2010 be referred to the Select Committee on Education and Skills under Standing Order 122(1) and paragraph 1(a)(i) of the orders of reference of that committee.

Deputy Ruairí Quinn: When will Committee Stage be taken?

Deputy Fergus O'Dowd: On 1 March.

Deputy Terence Flanagan: On 1 April.

An Ceann Comhairle: It will be a matter for the select committee.

Question put and agreed to.

Allocation of Time: Motion

Minister of State at the Department of Health and Children (Deputy Áine Brady): I move:

That, notwithstanding anything in Standing Orders:

Question time shall be taken now and shall be brought to a conclusion after 75 minutes, and in the event of a Private Notice Question being allowed it shall be taken 45 minutes after the commencement of Question Time for 30 minutes; and business shall be interrupted on the conclusion of Question Time.

Question put and agreed to.

Ceisteanna — Questions

Priority Questions

Job Creation

1. **Deputy Richard Bruton** asked the Minister for Enterprise, Trade and Innovation the planned net effect on employment of the Government's four year national recovery plan; and if he will make a statement on the matter. [45798/10]

Deputy Batt O'Keeffe: The national recovery plan published last week presents a detailed strategy for further economic recovery which will restore stability to the public finances, improve our international cost competitiveness and provide the necessary support to our enterprises. A range of actions are set out in the plan aimed at further improving our cost competitiveness and removing barriers to job creation. These actions are aimed at improving the overall business environment so that all firms can maintain and create jobs. There are also actions aimed at supporting labour intensive sectors of the economy including agrifood, retail and tourism.

The Government has prioritised capital investment for the enterprise agencies with an allocation of €2.2 billion over the next four years. This will enable the agencies to support Irish businesses, win new foreign direct investment and support research, development and innovation. The economic analysis summarised in the plan projects a cumulative increase of about 90,000 jobs over 2012 to 2014. It is expected that unemployment will consequently fall to below 10% by 2014.

Deputy Richard Bruton: Is the Minister aware that over the past four years employment created by the State enterprise agencies has fallen by 45,000 jobs? While they may have created just over 150,000 jobs, they have lost 200,000 jobs in that time. The agencies have found employment for 272,000 people. The Minister expects them to double this with 300,000 extra jobs, 150,000 direct and 150,000 knock-on jobs. Is this a credible figure? What allowances have been made for job losses in the next four years?

What specific policy changes does the Minister believe will bring these changes about? Has his prediction for 90,000 new jobs, which includes 20,000 jobs over the next two years, been changed by the EU's downgrading of the Government's growth forecast? Has it forced the Minister to rethink his employment strategy? Has he specific initiatives in areas such as credit for business for example, as they seem to be absent from the plan?

Deputy Batt O'Keeffe: For the first time ever, we have put together an integrated plan. All Departments and agencies have been brought together and challenged to come up with realistic and deliverable plans. I have indicated to IDA Ireland and Enterprise Ireland that the Government is prepared to put the necessary funding in place that would allow them to achieve the targets they have set.

These targets are challenging but the agencies are convinced that with the pipeline available to them, they can attain those targets. The great advantage of foreign direct investment and the indigenous sector is that for each job created, another spin-off job will also be created.

The Government is happy with the predictions for economic growth. I accept there are divergences between the various ones. The ESRI, for example, will forecast a higher growth rate than the Department of Finance. If one takes the individual entities contained in the recovery plan, it is reckoned, for example, the tourism sector will bring 80,000 jobs. IDA Ireland and Enterprise Ireland are determined they will create 150,000 jobs and are satisfied they will achieve this.

Does Deputy Bruton take issue with the projections of the IDA and Enterprise Ireland? Does he believe, even with their resilience, that they cannot match the figures they have stated? Is he aware of the outstanding response IDA Ireland is receiving abroad, particularly in the United States?

Deputy Richard Bruton: The Minister is treating me as the Minister by posing questions. Hopefully, it is a sign of things to come.

Deputy Dara Calleary: Deputy Bruton might give us some answers for a change.

Deputy Batt O'Keeffe: Does Deputy Bruton believe the IDA and Enterprise Ireland have set themselves realistic targets? Is he questioning their ability, integrity and professionalism, all of which have served us so well since they were founded, to deliver what they predicted?

Deputy Richard Bruton: I will have to take extra time to answer the Minister's questions.

An Ceann Comhairle: That is the danger on Priority Questions.

Deputy Richard Bruton: I am afraid you will have to indulge me a little bit, a Cheann Comhairle.

We were told the plans for the smart economy and the innovation taskforce, for example, were integrated plans. Everything that comes out of the mouths of Ministers is about integration and yet nothing changes.

What level of job losses does the Minister predict in the enterprise sector? Last year, while he presided, there were over 40,000 jobs lost from the enterprise agencies. Now, miraculously, the Minister informs us there will be no more jobs lost and every new job will have a knock-on one. The record stands that for the 150,000 jobs created by the IDA, it has lost even more. The Minister did not refer to this when he launched the national recovery plan. He is trying to pull the wool over people's eyes when the stakes are far too serious for this country.

I believe the IDA and other agencies can achieve high goals if the proper policy instruments are used and the Minister responsible does not stick his head in the sand when it comes admitting jobs were also lost. Can the Minister indicate one planned initiative that will support enterprise? Will we have, for example, the promised credit guarantee scheme? He was the first Minister to admit that the banks were not lending, but now he seems to be signing up to documents that say the problem is cured. Perhaps he has become part of the system and will not listen to ordinary people in business.

Deputy Batt O'Keeffe: I have been around a long time and have spent 20 years listening to what people have to say. I hope that I am well grounded and have a logical, commonsense approach. I need no lectures on not listening to people. When I hear Deputy Bruton talking about jobs and not reaching targets, I think of Fine Gael's NewEra policy, which made fun of creating jobs.

Deputy Richard Bruton: On a point of order, either Question Time is about Ministers accounting for their stewardship or it is not. I asked specific questions but I have not even received an answer to the first one.

An Ceann Comhairle: I do not have responsibility for the answers that are given.

Deputy Richard Bruton: I know that, a Cheann Comhairle, but you do have a responsibility for the management of time and ensuring that people are not allowed to indulge in some things.

An Ceann Comhairle: That is what I was endeavouring to do.

Deputy Richard Bruton: The Minister does not want to be accountable to the House.

Deputy Batt O'Keeffe: I am sorry the Deputy is so sensitive.

Deputy Richard Bruton: I am not sensitive at all. This is about holding the Minister to account, not holding me to account.

Deputy Batt O'Keeffe: I wanted to quote back the Deputy's own words to him, as he knows so much about job creation. In that policy document, he said, "The essence of the New Era was not about creating jobs". He was preceded by Deputy Michael Noonan who claimed that the jobs target in the NewEra programme was a public relations add-on. Deputy Bruton now tries to lecture me on what is an outstanding record in job creation. My Ministers of State and I have an outstanding record in involving ourselves with the IDA and Enterprise Ireland——

Deputy Richard Bruton: Since the Minister will not answer the questions, I will lay his record of job creation on the clár so that people can examine it.

An Ceann Comhairle: We must move on to Question No. 2.

Deputy Batt O'Keeffe: ——in terms of trade fairs and initiatives that will bring about the jobs that have been announced by us. We have a commitment and determination to work with those agencies to ensure that the job predictions we have outlined will in fact be delivered.

Deputy Richard Bruton: It is waffle.

Deputy Kieran O'Donnell: Is that the Minister's answer?

National Minimum Wage

2. **Deputy Willie Penrose** asked the Minister for Enterprise; Trade and Innovation the number of persons currently on the national minimum wage; the financial benefits, if any, that will accrue to the Exchequer arising from the announcement in the four year plan to cut the minimum wage by one euro; if he had sought or received any report from the Labour Court before making the decision to proceed with a cut in the minimum wage; and if he will make a statement on the matter. [45683/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Dara Calleary): The CSO's National Employment Survey 2007 provides us with the most recent comprehensive

[Dara Calleary.]

overview of earnings in Ireland. According to that data, in October 2007, 4.9% of employees in Ireland — or 83,700 people — were earning €8.65 per hour or less. Due to methodological difficulties, it is not possible to estimate precisely the number earning exactly the €8.65 rate.

While that proportion is low, those workers are concentrated in a number of vulnerable sectors. For example, some 9% of workers in retail and 11% in hotels and restaurants, earn less than €8.66 per hour. Furthermore, the latest advice available to us states that the minimum wage sets a baseline for wage negotiations. It is assumed that wages up to 1.5 times the minimum wage are impacted by changes in the rate, and up to 30% of wage rates may be affected by a change in the national minimum wage.

The research published last week by Forfás, and advice following from it, is clear when it states that a reduction in the national minimum wage will result in an increase in employment in the medium term. It is important to point out that the reduction in the minimum wage is one element of the labour market reforms outlined in the national recovery plan, which also include the review of sectoral agreements, new labour market activation policies and welfare policy. We all agree that the State must act to remove any legislative and policy obstacles to job creation.

It is expected that there will be a benefit to the Exchequer in terms of savings from reduced transfer payments and increased taxation that will accrue from the increased employment arising from a far more flexible labour market. With regard to the last element of Deputy Penrose's question, I outlined in a reply to a parliamentary question on 13 October, that in November 2008, ICTU requested the Labour Court to review the national minimum wage and to make a recommendation concerning its adjustment. The court subsequently invited submissions on the issue and also held discussions with relevant parties.

In February this year, ICTU requested the Labour Court to defer any further consideration of the matter for the time being, saying that it would be in contact again with the court in the second half of the year when the economic outlook might be clearer. During this period, a recommendation from the Labour Court was still awaited.

On 23 November, ICTU informed the Labour Court that it was formally withdrawing its claim for an adjustment to the national minimum wage. Accordingly, the Labour Court's involvement in the matter has now concluded.

Deputy Willie Penrose: Of all the things that emanated from the Government's four year plan, the 12% cut in the minimum wage was proof positive that the least well off and most vulnerable were fair game. The reduction in the minimum wage of €1 per hour will have the most profound impact on the poorest in society. It will hit women and children particularly hard as the majority to those in receipt of the minimum wage are women.

What is the rationale for cutting the minimum wage? In all consciousness, how can one justify asking people who are on the minimum wage to bear the burden for the Government's profligacy and the bank bailout? This measure will not reduce the fiscal deficit by one cent. Was it introduced as part of a neoliberal economic orthodoxy?

Has any cost benefit analysis been done in this context? The Minister now says that 80,000 odd people are affected, whereas the other day he said the figure was 52,000. Does anybody know what the real figure is? A large number of those involved are under 18 years of age, so they are already below the minimum wage level.

This reduction will have a significant knock-on effect for the Exchequer in so far as it will not save a single cent. It will cost the Exchequer more, in fact, since more people will now be entitled to the family income supplement, secondary benefits, medical cards and lower local

authority rents. Has any cost-benefit assessment been made of its impact on the Exchequer, apart from the impact it will have on poor people?

Deputy Dara Calleary: The national minimum wage was introduced in April 2000. At that stage, it was the equivalent in Irish pounds of €5.59. It currently stands at €8.65. Since April 2000, it has increased six times and is now 55% higher than the original level. In contrast, by the end of this year the consumer price index is forecast to have increased by approximately 28% since 2001. We have therefore had a 55% increase in the minimum wage compared to a 28% increase in the consumer price increase in the same period. The current rate is significantly higher in real terms than the wage when it was first introduced. It will still be higher even with the reduction.

I share Deputy Penrose's interest in those who are least privileged. The ultimate aim is to give people a job. Forfás has produced research to show that by reducing the minimum wage we can create employment. As a member of the Committee on Enterprise, Trade and Employment, the Deputy knows that many organisations have appear before that body to state that the minimum wage is too high. They said they would be in a position to create jobs if it were to be lowered. If we can potentially create 10,000 jobs in the medium term, that will allow people to come out of the poverty trap and into the working environment. In turn, that will increase Exchequer returns and taxation rates, as well as giving people a chance to participate in the labour force.

Deputy Willie Penrose: Is the *raison d'être* of this minimum wage cut to set off a cycle of depressing wages across the economy? This applies to catering and other sectors that gave evidence to the committee. None of them said that the national minimum wage was of paramount importance, although they did refer to REAs and VROs, which I agree should be modernised and streamlined. Section 41 of the National Minimum Wage Act provides that companies which are unable, or find it difficult, to pay the minimum wage can apply to the Labour Court. Is it correct that not one company has applied to the Labour Court under that inability to pay provision? Is it the Government's intention to introduce the forthcoming Social Welfare (Miscellaneous Provisions) Bill to effect this? Legislation will be required in the context of setting the minimum wage.

Deputy Dara Calleary: There have been considerable reductions in wages over the past number of years across every sector of the economy, except this sector. I welcome the Deputy's commitment to the reform of the JLC system and we will make proposals on this in the coming weeks. Deputy Penrose is correct that there has been no claim under the inability to pay provisions. However, employers group suggest it is because of the restrictive nature of the provision. We are examining this and considering introducing inability to pay provisions in other sectors using the JLC system and making it more flexible. However, this will be done in a way that protects employees. It is important to strike a balance.

Regarding the legislative matters, we are in consultation within the Department and with the Department of Finance to bring forward these changes legislatively in the coming weeks.

Economic Competitiveness

3. **Deputy John Perry** asked the Minister for Enterprise; Trade and Innovation the additional supports for micro and small enterprises contained in the Government's four year national recovery plan; the progress made in implementing commitments made at the Small Firms' Association annual conference; and if he will make a statement on the matter. [45799/10]

Deputy Batt O'Keeffe: There are a range of actions included in the national recovery plan aimed at improving Ireland's cost competitiveness and removing barriers to employment. These particular actions are not aimed at firms of any particular size, in any particular sector or particular ownership. They are aimed at improving the overall business environment in this country so that all firms can survive and grow, including Irish SMEs and entrepreneurs.

Specific actions have been included to stimulate growth, in particular in labour intensive sectors including agrifood, tourism and retail. I would like to highlight a number of actions of particular benefit to SMEs. The 15 day prompt payment rule will be extended beyond Departments to the wider public sector in order to assist the cash-flow of SMEs.

In order to encourage small business development, the potential for providing access to vacant or under-utilised public property for entrepreneurs or business start-ups to use as incubation centres will be investigated. The business expansion scheme will, subject to European Commission approval, be overhauled and improved into a new and better-focused business investments targeting employment scheme, BITES. The aim of the review is to make it less administratively complex for business. In addition, capital investment for the enterprise agencies has been prioritised with €2.2 billion being allocated to support indigenous firms, win foreign direct investment and support research, development and innovation.

The Deputy's question also refers to commitments I made at the Small Firms Association annual conference. I spoke about a number of issues at the conference. I gave an assurance that measures to further reduce costs to business would feature alongside our policies to reduce the deficit and drive public sector reform. My commitment is reflected in the content of the national recovery plan.

I am ensuring changes that deliver real benefits to business are made. The Companies Registration Office e-filing and e-signature facility has already delivered €29 million savings for companies and has the potential to offer further savings. In addition, the new guidelines from the ODCE on company headed paper will save companies more than €13.5 million in costs. 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. A working group has been established to look at a number of possible actions including options for a loan guarantee scheme. The group is due to meet again shortly. I am also finalising proposals for the restructuring of the county and city enterprise boards and intend to bring these to Government shortly.

Deputy John Perry: The Minister has failed to deliver on the commitment on the loan guarantee scheme in September. In light of the fact that many jobs are being lost in small companies while job retention and job creation is at risk, in light of the State ownership of the financial institutions within the State, has the Minister failed to deliver credit to small companies that are closing down as a result of the lack of cash from banks, regardless of the banking guarantee scheme the Minister claimed in September would be introduced?

Deputy Batt O'Keeffe: It is a fair question and I am happy to pinpoint the recapitalisation of the banks. Part and parcel of the recapitalisation was a commitment that Bank of Ireland and AIB would provide €12 billion over a two-year period from 2010 to 2011. That fund was put in place. The Ministers of State and I conducted a roadshow because we wanted to point out that the banks were not dealing with SMEs in an equitable or logical fashion. After the roadshow, we met senior and middle management in the banks and impressed upon them the need to ensure this was put in place. We also charged Mr. John Trethowan with measuring the performance of the banks to see if they were giving out loans. Interestingly, two weeks ago Mr. Trethowan produced his second report. He said he was now satisfied there was a significant

level of credit made available to the sector. I do not walk away from the idea that we may need a type of loan guarantee. We have considered particular sectors, such as the ICT and export sectors, that may require assistance. Mr. Trethowan agreed with us and Department of Finance officials indicated there may be a case for a limited guarantee. This may amount to 4% of the totality of credit available to SMEs. We are working on this and we expect a further meeting with Mr. Trethowan over the next two weeks. Over the past number of weeks, with the national recovery plan and the budget, it was not possible to arrange a meeting but it is our intention to have further meetings with him to make progress on this.

Deputy John Perry: I have regard for the Minister's intention for small businesses. Regarding the commitment of the banks and the €12 billion fund, is it not the case that the banks do not have the money in light of the revelations of the past number of weeks? While they talk the talk and they may go on the roadshow, this concerns putting money into viable businesses that can retain jobs. The banks issue many caveats on loans. I know the Minister's motivation with regard to enterprise boards and his plans for rationalisation and change, which I welcome. Being in business, I know the difficulties for so many people who depend on suppliers to bankroll overdrafts. Overdrafts are being withdrawn. I got feedback from the roadshow but on the ground, it is not happening.

Deputy Batt O'Keeffe: I note the point made by Deputy Perry about the banks and the information they provide about the level of loans to SMEs. Mr. Trethowan is an experienced banker and a former chief executive who knows banking business. The banks make quarterly returns to Mr. Trethowan. I can only depend on the intelligence of this man, who I met with on several occasions and with whom I am absolutely impressed in respect of integrity and professionalism. I am satisfied when he says matters have improved over the past six months. What applied six months ago no longer applies. There are businesses that overextended, became involved in development and purchased property. They have a cash flow problem and the reins have tightened in terms of credit. That will make a difference to businesses but he is satisfied viable businesses can have recourse to credit. The number of complaints to our offices reflects the fact that there is a significant improvement.

Industrial Development

4. **Deputy Kieran O'Donnell** asked the Minister for Enterprise; Trade and Innovation if the cap on the capital expenditures by the enterprise agencies in the National Recovery Plan will impact on the jobs targets; if it is envisaged that the national pension reserve fund can be accessed for investments in four key export areas technology, pharmaceuticals, food and tourism; and if he will make a statement on the matter. [45438/10]

Deputy Batt O'Keeffe: The Government remains committed to investments, which make the greatest contribution to economic recovery and underpin the creation of sustainable employment. My Department's revised capital allocation as set out in the national recovery plan is €2.182 billion for the period 2011 to 2014 with €508 million being invested next year and then €558 million annually between 2012 and 2014.

The 2011 capital allocation in the four year plan is 5.7% up on the 2010 allocation of €480.7 million. The 2012, 2013 and 2014 allocations of €558 million are approximately €80 million or 16% above the 2010 allocation. This sends a clear message of our commitment to supporting job creation and enterprise.

The allocation of capital funding will ensure that the enterprise agencies' core programmes are sustained and targeted. This will include actions to position Ireland as a global innovation hub. With export growth underpinning jobs growth, funding will be used to assist companies to

[Deputy Batt O’Keeffe.]

grow exports and will focus on supporting companies in key areas such as building competitive advantage, accessing finance, reinforcing leadership and management development skills.

IDA Ireland investment to embed, transform and grow the FDI base in Ireland in support of jobs and exports has been completely protected. Significant additional funding will be provided to drive the development of innovative enterprise through company research and development grants; to enhance the opportunities for commercialisation to ensure that the best use is made of research with commercial and market potential; and to encourage collaboration between industrial and third level institutions.

Enterprise Ireland will receive a capital allocation of €130 million for activity in the area of science technology and innovation. That is an increase of €9 million or 7% on the 2010 level of funding. An increased allocation to Science Foundation Ireland in 2011 will send a very strong message both nationally and internationally that our focus on driving the smart economy is on track. This investment has been critical to IDA capacity to secure RDI-related investments currently running at €500 million per annum. It also supports indigenous companies reliant on knowledge for growth and job creation.

The capital allocation for my Department and agencies and other measures outlined in the national recovery plan will support the achievement of the targets in the Government’s integrated trade, tourism and investment strategy, Trading and Investing in a Smart Economy, including the target to create 300,000 new direct and indirect jobs.

On the second part of the Deputy’s question, responsibility for the management of the National Pensions Reserve Fund is a matter solely for the NPRF commission. As indicated in the national recovery plan, the Government will help identify public infrastructure investment opportunities for the NPRF and other private investors.

Deputy Kieran O’Donnell: If it was not so serious it would be very funny.

Deputy Batt O’Keeffe: I wanted to be as comprehensive as I could.

Deputy Kieran O’Donnell: The Minister takes the biscuit. If it was a comedy show it would be great but this is about jobs and the economy and people’s real lives. The Minister did not answer any of the questions I asked. The first question was about the national recovery plan. The Minister is cutting the capital budget by another €800 million. What impact will that have on the 150,000 jobs?

The amount in the National Pensions Reserve Fund is €24.5 billion based on figures from 30 September 2010 report. A total of €7 billion has already gone into the banks. Another €12.5 billion of that is being poured into the banks as well. How much will be available from the National Pensions Reserve Fund for job creation projects? How many jobs does the Minister expect will be generated from the €12.5 billion that is going into the banks?

Deputy Batt O’Keeffe: Did Deputy O’Donnell quote a figure of an €80 million reduction in the capital budget?

Deputy Kieran O’Donnell: It was €800 million.

Deputy Batt O’Keeffe: If one looks at the capital——

Deputy Kieran O’Donnell: There is a big difference.

Deputy Batt O’Keeffe: If one looks at the capital——

Deputy Kieran O'Donnell: Is the Minister not aware of what is in the national recovery plan?

Deputy Batt O'Keeffe: I wish to advise Deputy O'Donnell of what is in my capital programme. The capital review for 2011 has an allocation of €508 million. A total of €558 million will be allocated each year up to 2014. That is outlined in the national recovery plan. The revised capital allocation for my Department in the four year recovery plan is a total of approximately €2.2 billion over four years. The allocation of €508 million under the four year national recovery plan is an overall reduction of €37 million or 0.97% from the July capital review. Some Departments have suffered a loss of up to 20% in their capital programme but we have protected this sector.

We have commitments from the agencies, that given the moneys and capital available to them and the staff resources, including an increase in staffing resources during the summer, they are more than confident that they can meet the targets they set themselves. We are sending out a very strong message from a capital funding point of view, that this country will be an information hub and a smart economy. If the Deputy wants further proof of that he should examine the FDI coming into this country. In 2008 the value of research and development attached to FDI stood at 10%. In 2010 the value stands at 49.9%. That is a dramatic increase. That is extremely important for us because any multinational company coming to this country with a research and development component will stay here as it is satisfied that we have an outstanding skills pool, that we are productive and competitive and that they can export what they produce in this country. That is a very good story to tell. It is sending out a message to the international community that this country is going to stand by its commitment to a knowledge economy and is prepared to invest the required capital funding.

Deputy Kieran O'Donnell: A total of €12.5 billion will be invested in the banks from the National Pensions Reserve Fund. How many jobs will that create? The European Commission has stated that the growth rates the Government has projected of 1.75% will be less than half of that figure, 0.9%. How many of the 150,000 jobs does the Minister expect will be generated given that the growth rates are excessive and there is a cut in the capital budget? How many jobs will be created from the €12.5 billion that the Government is pouring into the banks out of taxpayer's money? The Minister has said it was a judicious decision to use funds from the National Pensions Reserve Fund. How many jobs will it create?

Acting Chairman (Deputy Cyprian Brady): We are way over time.

Deputy Batt O'Keeffe: I am very surprised at Deputy O'Donnell, as a deputy spokesperson on finance. We are talking about €12.5 billion being put into the banks to ensure that the banks are in a position to lend and provide credit to customers. A country that does not have a proper, functioning banking system cannot trade.

Deputy Kieran O'Donnell: I asked a direct question.

Deputy Richard Bruton: That is not the purpose of the €12.5 billion.

Acting Chairman (Deputy Cyprian Brady): The Minister should be allowed to speak without interruption.

Deputy Kieran O'Donnell: Who does the Minister think he is kidding?

Deputy Batt O'Keeffe: The €12.5 billion being put into the bank does two things.

Deputy Kieran O'Donnell: The Minister is waffling.

Acting Chairman (Deputy Cyprian Brady): The Minister should be allowed to speak without interruption.

Deputy Batt O’Keeffe: I am not waffling.

Deputy Kieran O’Donnell: Yes, the Minister is.

Deputy Batt O’Keeffe: I am not.

Acting Chairman (Deputy Cyprian Brady): We are way over time on this question. We have one more question to get through.

Deputy Kieran O’Donnell: We are entitled to an answer.

Acting Chairman (Deputy Cyprian Brady): The Deputy should allow the Minister to finish his answer.

Deputy Batt O’Keeffe: If Deputy O’Donnell stopped interrupting he would get his answer.

Deputy Billy Kelleher: Half the builders were down in Kilkenny a few weeks ago at a golf course.

Acting Chairman (Deputy Cyprian Brady): The Minister should be allowed to speak without interruption.

Deputy Kieran O’Donnell: The Minister should answer the question.

Deputy Batt O’Keeffe: If Deputy O’Donnell gives me a chance I will. The important aspect of the restructuring of the bank is that, first, we can now assure depositors that because of the input into that bank that their money is safe, that there is no need to take their money out.

Deputy Kieran O’Donnell: That was the purpose of the bank guarantee.

Acting Chairman (Deputy Cyprian Brady): Deputy O’Donnell. The Minister should be allowed to speak without interruption.

Deputy Batt O’Keeffe: Deputy O’Donnell asked me to answer the question but he keeps interrupting.

Deputy Kieran O’Donnell: What the Minister said is incorrect.

Deputy Batt O’Keeffe: Will the Deputy give me an opportunity to answer? Can I do it without interruption?

Deputy Kieran O’Donnell: Yes.

Deputy Batt O’Keeffe: Thank you. The second issue in terms of the recapitalisation of the banks is that they become viable entities, lending institutions that support business, trade and enterprise. That is why we support the banks and that is why we put further recapitalisation into those banks so that this country can trade itself successfully out of the difficulties that exist and that the companies Deputy O’Donnell speaks about can have credit available to them through the initiatives taken by the Government.

Deputy Kieran O’Donnell: They are not getting credit. The Government should have introduced a guarantee. What was NAMA supposed to do? The Minister is avoiding the question.

Job Protection

5. **Deputy Deirdre Clune** asked the Minister for Enterprise; Trade and Innovation the steps he will take to protect and enhance employment in the biopharma pharmaceutical sector; and if he will make a statement on the matter. [45801/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Billy Kelleher): The Government is strongly committed to supporting the continued growth of the biopharma sector, which supports approximately 50,000 jobs directly and indirectly and contributed more than €1 billion in corporation tax in 2009.

Ireland is recognised worldwide as a major centre of excellence in the pharmaceutical industry and is now emerging as a leading location for biopharmaceuticals with a strong mix of start-ups, high growth small to medium-sized enterprises, SMEs, and large multinationals located here. The industry in Ireland has flourished because of a combination of strengths, including a highly educated, innovative and resourceful labour force, a proven level of manufacturing and compliance experience, our competitive tax offering and world class research landscape. These factors are still very much in place and should be publicised in a positive way whenever Deputies speak about what Ireland can offer foreign direct investment.

The industry has a highly skilled workforce and 46% of the sector's labour force have third level qualifications or higher. Some 25% of all PhD researchers employed in Irish industry are employed in this sector. The Export Group on Future Skills Needs recently made a number of recommendations on skills needs for the sector, including the need to strengthen business skills within the sector and enhancing industry-academia collaboration. Having people with the right skills and competences will be a key component in driving future growth in this sector and underpinning innovation, productivity and competitiveness.

The sciences are at the heart of the biopharma sector and supporting world class research in our academic institutions, together with our company base, is essential to driving a healthy, vibrant industry. A key focus for Enterprise Ireland, IDA Ireland and other relevant stakeholder bodies is the promotion and building of expertise in biological research and development and manufacturing so that Ireland can continue to develop as a globally recognised biopharmaceutical hub.

Previously, the industry in Ireland has been focused on manufacturing, but there is an increasing diversification into more research and development activity and services such as supply chain management and headquarter activities. Given this diversification, continuing to drive integration across our indigenous and multinational company base will support the long-term development and growth of this key sector. The development of a highly integrated sector is a key competitive leverage globally.

Cost competitiveness is also of major importance and the sector and Ireland has already benefited from improvements in our cost competitiveness in the past two years. The national recovery plan sets out specific actions to spur further improvements in competitiveness across all sectors of the economy, including measures to cut costs in energy, waste, transport, broadband infrastructure, professional fees, property and labour. The plan also includes a commitment to the 12.5% corporation tax rate, maintenance of a competitive tax wedge and a clear statement that the top marginal rates will remain unchanged. These measures all contribute to our overall offering in attracting foreign direct investment.

Deputy Deirdre Clune: I raised this question because of my particular concern about this sector. Like the Minister of State and the Minister, I come from the Cork region where there is a high concentration of biopharmaceutical and pharmaceutical industries. I am concerned about patent expiration and competition from generic drugs. The research pipeline is shrinking

[Deputy Deirdre Clune.]

and the industry has seen a great deal of consolidation worldwide. I read the same report of the Expert Group on Future Skills Needs cited by the Minister of State. The expert group claimed the challenge is to retain employment rather than growth, whereas the Minister of State referred to growth. The real challenge is maintaining existing jobs, which currently number 25,000 in the industry with a further 25,000 related positions.

The Minister of State mentioned the report's recommendations, but he gave no indication of whether he agreed with them or how they would be implemented. I am referring in particular to the recommendations on promoting business skills and the continual professional development of operatives.

Deputy Billy Kelleher: Like the Deputy, I share an interest in this matter, not only because of its importance to Cork, but because of its importance to the country. It is a large sector and the report in question highlights a few issues we must address. The Government is committed to ensuring the procedures are put in place to upskill and train people.

As regards research and development, the Deputy is right to a certain extent, in that there has been a consolidation of the biopharmaceutical industry worldwide. It is ongoing as we speak. However, Ireland remains competitive. It is important to point out that, in the context of the consolidation of companies, Ireland has won more than its fair share. This is not only down to our corporation tax rate. It is also down to the factors that I highlighted, namely, a skilled workforce and collaboration between research and development and universities. We must build up a strong base of science, maths, technology and engineering so that we can have a strong competency of highly skilled researchers, which would allow additional companies to come to Ireland. For example, University College Cork, UCC, and the Cork Institute of Technology, CIT, have strong collaborative ties with many of the biopharmaceutical companies based in County Cork. This relationship can also be found elsewhere, such as in terms of the National University of Ireland, Galway and medical devices.

Deputy Clune is correct, in that we must continually upskill our people and business management processes. These are key components. IDA Ireland is attracting inward investment and Enterprise Ireland works with companies to support them in putting their business processes in place.

Deputy Deirdre Clune: The Minister of State's reply contained much general information of which I was already aware. This specific industry is under threat and changes are occurring across the world. We have already seen some of them in terms of Pfizer and GlaxoSmithKline. Is the Government concerned about this situation? Is the Government doing anything about it? Is it concerned about retaining employment at current levels? The Minister of State said the Government was committed, but in what way? This is a serious issue and many people are concerned about their continued employment and their employment prospects.

Deputy Billy Kelleher: The key issue is patents running out. Generic drugs will pose the greatest difficulty facing many of the biopharmaceutical companies in Ireland. The primary purpose of investing in research and development is to stay ahead and produce new drugs and applications. The key component is ensuring a strong body of research and development that can innovate and introduce new products that stay ahead, are complicated and cannot easily be genericised. There are many instances of UCC, CIT and companies based in Cork working together closely in this regard. It is not just about manufacturing.

Deputy Deirdre Clune: I understand that.

Deputy Billy Kelleher: One must research, develop, design and patent something and then take it to the market. However, everything will be genericised eventually. This is the global challenge facing the biopharmaceutical industry.

Other Questions

Enterprise Support Services

6. **Deputy Denis Naughten** asked the Minister for Enterprise; Trade and Innovation the steps he is taking to support local enterprise start ups; and if he will make a statement on the matter. [45444/10]

Deputy Batt O’Keeffe: The growth and development of small Irish businesses, is central to economic recovery and it is essential that Irish enterprises continue to be supported. As I have stated previously, my priority is to ensure that the business environment is supportive of enterprise and encourages growth in all areas of the economy, including entrepreneurs in both the start-up and development phases.

The national recovery plan sets out specific actions to spur further improvements in competitiveness across all sectors of the economy, including measures to cut costs to business in energy, waste, transport, professional fees and property. The plan also includes measures to ensure that barriers to employment creation are removed. Specific actions will benefit start-up companies, including the review of the business expansion scheme, extension of the 15-day prompt payment rule and the use of public property for incubator centres. In addition, the State continues to support local enterprise start-ups directly via the supports offered by the enterprise agencies. The complementary remit and activities of Enterprise Ireland and the county enterprise boards, CEBs ensure that as broad a suite as possible of State supports are available to start-ups. The CEBs provide a range of supports to micro-enterprises and I recently secured an additional capital allocation of €3.3 million for the CEBs to enable them to support additional business projects this year.

Under the auspices of Enterprise Ireland, the Government has invested significantly in the broader environment for business start-ups. This includes investment in incubators, seed and venture funds, angel networks and mentors, as well as specific funding for high-potential start-ups. Enterprise Ireland also provides support to community enterprise centres, CECs, and business innovation centres, BICs. These centres provide a range of facilities that enable entrepreneurs to establish new businesses, provide employment and grow their businesses in their own localities.

The supports offered by the CEBs and Enterprise Ireland should be as seamless as possible and should facilitate further the transition from an innovative micro start-up to a high-potential exporting SME. I intend to table proposals before the Government on this matter shortly.

Deputy Richard Bruton: What are the Minister’s proposals for the future of county enterprise boards? He has been discussing this matter for a long time, so it would be important to know what he is proposing. He will be aware that, last year, the demand for micro start-ups was up by 20%. Unfortunately, his budget dropped by approximately 10%, so many people needed to be turned away. Will the Minister consider specific initiatives that have been proposed to him? The Commission on Taxation proposed unincorporated businesses should have a start-up tax holiday but the Government has not given any indication in that regard. Does the Minister support that and will he be seeking its inclusion in the finance Bill? Its costs would be extremely low, I understand. Furthermore, his Department has had small business credit initiatives in the

[Deputy Richard Bruton.]

past. Would he consider introducing small business credit initiatives? now It seems bizarre that two years into the most severe financial crunch we have ever had, his Department has not come up with one initiative in the area of credit. The guarantee, which the Minister has been peddling for months, still has not got into the starting traps and we do not know whether he even has the authority to do it since it appears to have been delegated to the Department of Finance. We all know what will come from that quarter.

I am just wondering about specific initiatives because yesterday there was a report to the effect that lending to non-financial corporates was down €2,500 million in 12 months.

Deputy Batt O’Keeffe: Regarding the county enterprise boards and the Leader programme, I believe there should be a seamless transposition between the two. I am not satisfied that the two entities are working as well as they might. For that reason the Minister of State with responsibility in this area, Deputy Pat Carey, and I have set up a group to look at where the two entities are working. There is €450 million——

Deputy Richard Bruton: I thought the Department had proposals prepared. Surely we are not talking about another study.

Deputy Batt O’Keeffe: There is €450 million available up to 2015 for the Leader programme, and obviously that has to do with enterprise development. CEBs on average got €18 million this year. I want to ensure there is proper interaction and development of start-up businesses, particularly in rural areas.

The Deputy says there was inadequate funding for CEBs this year and I want to nail that to the cross. When I came into this office I asked the CEBs to let me know what jobs they could create before the end of the year. I wrote to them all and asked them to let me know exactly what could be done. They indicated to me that they could create 450 jobs by the end of the year, and I provided the funding. I assured them that regardless of the numbers they could come up with, we would find the funding to create those jobs. Therefore, we answered the calls of the CEBs. Surely Deputy Bruton is not expecting me to provide the money for jobs they cannot and are not creating. Whatever they wanted in terms of job creation, it was a question of ensuring that the necessary funding was provided so that those jobs were put on the ground.

Deputy Willie Penrose: In the context of the satellite town study in which the Acting Chairman, Deputy Cyprian Brady, and the Minister of State, Deputy Calleary were both involved, I can identify at least one good feature of the four year plan, namely, that IDA Ireland could be squeezed to release its land banks across the country. I know the Minister referred to market value and all that nonsense, but that land is doing no good just lying there. Is it not possible to make this land available for business incubation, start-up units and so on right across the country? Otherwise this could represent a significant impediment to people getting out of the traps.

Is it possible to look at a licence system — something else we considered — rather than full grant schemes, because of the initial costs that can be involved? Much attention has been focused on high-potential start-ups, and that is extremely important in a job creation strategy. That will have to be focused on, regardless of what government is in power. I am talking about small firms growing into larger firms. In that context, has any consideration been given to scale-ups, especially in the IP areas that the Minister of State, Deputy Kelleher, spoke about, where many of them are developed and then sold off? Is there any policy to try to retain such initiatives within Ireland by allowing for such scale-up mechanisms? That would be important for the future regardless of which Administration is in power.

Deputy Batt O’Keeffe: If there are good initiatives in prospect, from my point of view and those of the Ministers of State, we are very willing to examine them to find out how sustainable they might be. Enterprise Ireland is examining and pinpointing start-up firms which contain a research and development element that could be geared to the export market. Instead of having 75 of such companies, which was the norm formerly, we are now targeting and growing that figure to 100 because we see great potential there. We must develop the indigenous sector with research and development attached to ensure we create the type of employment at home that is necessary, and the exports that will ensure the long-term viability of the sector.

Deputy Kieran O’Donnell: Regarding the previous discussions on the county enterprise boards, is the Minister ruling out their integration with Enterprise Ireland and will he address the question about when it is proposed to bring in the bank guarantee scheme?

Deputy Batt O’Keeffe: We have two reports on the CEBs, one of which is the McCarthy report, which states it should all come under Enterprise Ireland, while another report, in the context of the restructuring of the local authorities, states that the CEBs should come under the local authorities. Obviously, I am going to make a recommendation to Government, hopefully within the next two weeks. I do not want to anticipate a decision of Government, but I have my recommendation. I have indicated I want a seamless transfer from micro-enterprises into Enterprise Ireland and also in terms of the operation of Leader and county enterprise boards. That would be very welcome because there is a view to the effect that if one goes to Leader, the enterprise boards have no time for one and *vice versa*. This is a small country and we are going to have to work together in partnership and co-operate. It is all about people and enterprise and generating jobs to ensure people can get off the live register and obtain meaningful work. As far as I am concerned, I will be practical, insisting that they form a partnership in the best interests of Irish people in general and young people who want to start up businesses.

Employment Rights

7. **Deputy Frank Feighan** asked the Minister for Enterprise; Trade and Innovation the framework for the review of Registered Employment Agreements and Employment Regulation Orders and if new legislation is necessary to facilitate this review [45392/10]

38. **Deputy Emmet Stagg** asked the Minister for Enterprise; Trade and Innovation the process for the proposed review of the framework Registered Employment Agreements and the Employment Regulations Orders arrangements, as promised in the National Recovery Plan 2011-2014; and if he will make a statement on the matter. [45534/10]

Deputy Dara Calleary: I propose to take Questions Nos. 7 and 38 together.

The National Recovery Plan 2011-14 sets out in detail the measures that will be taken to put our public finances in order and provides a blueprint for a return to sustainable growth in our economy. The plan identifies the areas of economic activity which will provide growth and employment in the next phase of our economic development. It specifies the reforms the Government will implement to accelerate growth in those key sectors.

I have consistently held that we need to ensure that statutory wage fixing mechanisms work effectively and efficiently and that they do not have a negative impact on economic performance and employment levels. I have urged all parties to these mechanisms and agreements to recognise the need for more responsiveness and flexibility in the operation of these wage determination procedures. The House will be aware that I have proposed to introduce an inability to pay mechanism for both registered employment agreements and employment regulation orders in the Industrial Relations (Amendment) Bill 2009.

[Deputy Dara Calleary.]

It is within this context that the Government has decided that a formal independent review of our statutory wage setting mechanisms, employment regulations orders and registered employment agreements should be undertaken within a short timeframe. The precise terms of reference and process for the review are currently being worked out and will be agreed shortly in consultation with the European Commission. It is expected that the review will commence early in the coming weeks. While no new legislation is necessary to facilitate the review, the Government is committed to taking urgent action, including making any legislative provision which may be necessary, following consideration of the recommendations from the review.

Deputy Richard Bruton: My only question is about what the precise mechanisms were and that is the one question the Minister of State did not answer. I know about the plan and the memorandum of understanding and that there is a commitment to deliver this within three months. However, I want to know how it is to be done.

Deputy Dara Calleary: At present, we are finalising the mechanism——

Deputy Richard Bruton: Tell me what is the mechanism and I will comment on whether I consider it to be good or bad.

Acting Chairman (Deputy Cyprian Brady): An tAire——

Deputy Dara Calleary: We have a number of options. The Labour Court can be involved, although there is some discomfort among employer organisations with regard to the role of that institution. The Department is considering an independent review from within the Department, based on its knowledge and involving all the parties who are signatories to these various agreements, as well as other interested groups that may have an interest in the economy but may not be a signatory to such agreements, such as, for instance, chambers of commerce on the employer's side or general bodies.

Another option that is open is to conduct a review confined to all those who are directly affected. The Department is finalising exactly how it intends to do this as I wish to do so in a manner that will get an efficient and rapid response. In addition, it is the Minister's intention to involve all the parties in this House in the review.

Deputy Richard Bruton: I thank the Minister of State for his comments because my impression is that this is more of a difficulty than is the minimum wage, on which all the attention has been devoted and for which legal instruments are being introduced to cut it. The problem lies with inflexibilities, such as Sunday working premiums and being obliged to redesignate workers from one category to another on foot of a simple placing of a stool into a shop. I welcome changes in this regard, which should be accelerated. I am glad this will not require legal mechanisms and look forward to learning what the Government has decided on because this is an important area in which to move forward.

Deputy Willie Penrose: The Minister of State knows my views and I always have been in favour of modernisation and streamlining those agreements because some aspects of them acted as inhibitions. They were made for a different time, when nothing opened, or when there were no shops to open on the Sabbath in particular areas. However, time has moved on in respect of weekend working. Is it not the case that many such mechanisms inhibited private agreements between the employer and the employees? Some such agreements may have been facilitative but were caught.

The implementation and application of these mechanisms appears to have been a focus of NERA. Have any contacts been made with the trade union movement? I am concerned that any denigration, deprecation or diminution in any form of workers' rights should be avoided. That is important. However, a good corpus of labour law exists to protect workers rights in that regard. It will not be interfered with, which will ensure that such workers are protected and may obtain the rights to which they are duly entitled under law, both common and statutory. Has contact been made with any bodies, of either an informal or formal nature, with regard to this proposal? According to the memorandum of understanding, this matter must be addressed over the next three months or so.

Deputy Dara Calleary: It is the Government's wish to proceed quickly. There have been no formal contacts with anyone with regard to this matter since the publication of the four year plan. There had been many informal contacts before that, for instance the Minister of State, Deputy Kelleher, initiated some contacts during his time in this position with regard to reform. Everyone is agreed that the current procedures do not work. They are too slow to introduce changes, particularly in the challenging economic climate in which we operate. Changes must be introduced while ensuring that protection is in place for vulnerable workers.

Deputy Kieran O'Donnell: I have two brief questions. When does the Minister of State expect the terms of reference for the review to be finalised and when does he expect the formal review will get under way? Will any agreement that is due to come into effect within the next three months be deferred, subject to the review being concluded?

Deputy Dara Calleary: The Department seeks to finalise the terms of reference as soon as possible, within days. As for these specific question the Deputy has asked, I must consult the Minister and departmental officials as to their impact. However, it is also a matter for the parties to the agreement, that is, for the employers and trade unions that have signed the agreement. They can make a decision in their own right without Government intervention. I understand the case to which the Deputy alluded pertains to the retail joint labour committee, where an increase is expected to be paid in January. They can make their own decision within that JLC to defer. However, the Department is engaged in consultations in that regard.

Deputy Willie Penrose: Is it not fair to state of the trade unions, workers' representatives and employees' representatives that, where issues have arisen in respect of these agreements, they have been highly facilitative and constructive to date with regard to reducing wages? I believe that one concerning construction workers is before the Labour Court at present and SIPTU is showing a highly constructive attitude in that regard.

Deputy Dara Calleary: Many unions have shown themselves to be highly responsive, as have many individual officials within unions. However, for those who do not wish to be responsive, on either side of the agreement, the structures allow for delay and prevarication and we cannot afford that in the current climate.

Prompt Payment Rule

8. **Deputy Aengus Ó Snodaigh** asked the Minister for Enterprise; Trade and Innovation the way the 15 day prompt payment rule will be extended beyond Government Departments to the wider public sector, as referred to in the Government's four year plan; the parts of the public sector to which the rule will be extended; if he will be monitoring and enforcing this rule; the mechanisms put in place where prompt payment has not been met; and if he will make a statement on the matter. [45498/10]

Deputy Billy Kelleher: The Government has decided to extend the 15-day prompt payment rule beyond central Departments to the wider public sector to assist cash flow within the SME sector. The Department of Enterprise, Trade and Innovation is currently working on the arrangements for extension of the 15-day prompt payment rule. This includes reporting requirements for public sector bodies and my officials will consult other Departments on the matter shortly.

The 15-day prompt payment rule was introduced to Departments on an administrative basis and the extension to the wider public sector will be implemented in a similar manner. The existing legal situation will apply, whereby public sector bodies are subject to the European Communities (Late Payment in Commercial Transactions) Regulations 2002, SI 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, that is, late payment interest, on the amount outstanding. In the absence of any agreed payment date between the parties, that is, 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.

Any question of late payment penalty interest will only arise in the context of delayed payments beyond 30 days. Accordingly, no penalty interest will apply in cases where payments are made outside the 15-day administrative period but within the 30-day period. All Departments and public sector bodies will be required to continue providing details of late payment interest paid after 30 days in their respective annual reports. Departments currently report on the processing of payments on a quarterly basis and I expect these arrangements will also be extended to public sector bodies. It is my intention that the 15-day prompt payment rule will be extended to as many public bodies as possible.

Deputy Richard Bruton: What is the Minister of State's estimate of the cash flow gain to private companies and businesses on foot of this decision?

Deputy Billy Kelleher: The Deputy should table a full parliamentary question.

Deputy Richard Bruton: With respect, the Minister of State has just stated that he received quarterly reports.

Deputy Billy Kelleher: I can provide the Deputy with some detailed figures if he wishes.

Deputy Kieran O'Donnell: The Minister of State is taking a lead from his senior Minister.

Deputy Billy Kelleher: A total of 54,099 payments were made within 30 days by the Departments in the period, amounting to €947 million. A total of 46,949 payments amounting to €920 million were paid within 15 days——

Deputy Richard Bruton: No, I refer to the extension beyond the Departments.

Deputy Billy Kelleher: I will get to that as well.

Deputy Richard Bruton: The Minister of State is getting there.

Deputy Billy Kelleher: I will give the Deputy all the information. I like to be as helpful as possible.

Deputy Richard Bruton: The Minister of State is taking the scenic route.

Acting Chairman (Deputy Cyprian Brady): Deputies, through the Chair.

Deputy Billy Kelleher: These payments represent 86.8% of the total number of payments made by Departments. In value terms, 97.2% were paid within 15 days, compared with 97.1% in the second quarter. A further 7,150 payments, or 13.2%, were made between 16 and 30 days. I would be obliged to get out my calculator to work out the actual cash flow in monetary terms——

Deputy Richard Bruton: The Minister of State is learning how not to answer questions from his senior Minister.

Deputy Billy Kelleher: I am providing the details to the Deputy in percentage terms and given his experience as an economist, I am sure he will be able to work out the arithmetic involved.

Deputy Richard Bruton: The Minister of State has not mentioned the group to which he is extending these provisions.

Deputy Kieran O'Donnell: What comes to mind is Bertie and playing handball against a haystack.

Acting Chairman (Deputy Cyprian Brady): Deputies, through the Chair.

Deputy Billy Kelleher: As this is important, I did state it was my intention that the 15-day prompt payment rule would be extended to as many public bodies as possible.

Deputy Kieran O'Donnell: When?

Deputy Richard Bruton: That was what the entire question was about.

Deputy Willie Penrose: Again, the memorandum of understanding contains a list of those bodies to which it will be extended. The Deputies are lucky that I spent until 2 a.m. last night reading it

Deputy Kieran O'Donnell: The Ministers obviously did not consult the memorandum of understanding before coming in.

Deputy Billy Kelleher: Another casualty of weather.

Acting Chairman (Deputy Cyprian Brady): Deputy Penrose.

Deputy Willie Penrose: Exactly. The weather suited as well.

Deputy Billy Kelleher: To be helpful to the Deputy, there is no point in rehearsing what is already on the public record.

Deputy Willie Penrose: No, in the memorandum of understanding. Will this be extended to the HSE and other bodies, including local authorities and everyone else? Was this not critical to the recent collapse of companies? Is it the case that companies collapsed while money was owed by public authorities?

Leaving joking aside, the Minister, Deputy Batt O'Keeffe, spoke earlier about start-ups. Some such enterprises deal with State companies, local authorities, the HSE and so on and it is of critical importance that money be paid quickly. Will the 15-day prompt payment rule have statutory backing? Will it be extended in statutory form or will it simply be a directive or an encouragement process?

Deputy Billy Kelleher: It has been implemented through the Department on an administrative basis. This will continue unless there is clear resistance to it, although I am quite sure that will not be the case.

In the broader context, delays in payment are not necessarily the fault of the Department. They often relate to a query in respect of an invoice. Other issues may also arise. We must be conscious that we are dealing with public moneys and every issue must be addressed before payment is made. The intention is to move with this as quickly as possible. This decision was made a long time ago and has been discussed in the House previously. It was not decided by anybody other than the people on this side of the House.

Deputy Kieran O'Donnell: When is it proposed to extend the 15 day payment to other public bodies? Many companies have gone into liquidation because they were not paid on time by public bodies.

Deputy Billy Kelleher: Departments do make payments. It is not right for the Deputy to suggest that companies go into liquidation because Departments are withholding payments for goods and services provided.

Deputy Kieran O'Donnell: I referred to other public bodies. The Minister of State has misinterpreted what I said.

Acting Chairman (Deputy Cyprian Brady): Deputy O'Donnell, please.

Deputy Billy Kelleher: All public bodies are obliged to pay their suppliers in the timeframe laid down under the EU directive. Interest in respect of late payment can be charged. It is critical that people who are invoicing Departments or agencies provide all the necessary documentation in the first instance. Most of the queries arise in the context of a lack of supporting documentation.

Deputy Kieran O'Donnell: When is it coming in?

Deputy Billy Kelleher: We envisage moving on this quite quickly.

Departmental Strategy Statements

9. **Deputy Michael Ring** asked the Minister for Enterprise; Trade and Innovation if he has set new goals for his Department in the strategy statement which was due to be completed in September 2010; the reason he has not published the strategy statement to help inform the Houses of the Oireachtas on choices that have to be made in budgetary planning in 2011 and subsequent years [45432/10]

Deputy Batt O'Keeffe: In fulfilment of the provisions of the Public Service Management Act 1997, my Department has prepared a draft statement of strategy 2011-13 for my consideration. The Department has arranged for this draft to be forwarded to the Department of the Taoiseach for consultation, in accordance with the revised guidelines for the preparation of strategy statements issued last July.

In preparing the draft statement of strategy, my Department gave considerable time to determining appropriate goals, objectives and strategic actions for the Department for the three years ahead. The range of actions identified in the draft covers all aspects of the work of my Department, aimed at, among other things, growing employment and foreign earnings through enterprise and trade, and through building the smart economy; better regulation of markets

and enhanced consumer welfare, and fostering good industrial relations, employment rights and health and safety awareness and compliance.

The statement reflects the need to achieve greater efficiencies and effectiveness in the delivery of these actions and will provide a range of indicators against which performance can be measured over the period covered by the strategy. The strategy statement also takes into account the actions identified in the Government's integrated trade, tourism and investment strategy, *Trading and Investing in a Smart Economy*, which was published in September. Having consulted with the Taoiseach and taking account of any necessary amendments arising from the actions included in the national recovery plan and budget 2011, I will arrange for a copy of the statement to be laid before each House of the Oireachtas within 60 days of my formal approval of the draft document as required by the 1997 Act. I will also arrange for the appropriate dissemination of the statement at the earliest opportunity.

Deputy Richard Bruton: I do not suppose the Minister would say when he proposes to publish it. Is the Minister disturbed that last year his Department failed to meet 40% of the targets set for it and that his Department is singularly failing to achieve the targets set in its annual output statement? The position is similar in respect of 2007. What are the consequences in the Department of Enterprise, Trade and Innovation for officials who make commitments to deliver certain targets and fail? Does the Minister cut their bonuses or assess their failure in any way? Is there any form of sanction or reward for particular performance? People are getting exasperated with Government publishing glossy plans and public servants committing to targets, in respect of which when they fail everyone stands with one arm as long as the other as if it was an act of God.

Is the Minister planning or has he already taken action against officials who have consistently put up targets that they do not deliver?

Deputy Batt O'Keeffe: On the Department not meeting its targets as set out in the last strategy, it must be accepted that last year was an extraordinary year.

Deputy Richard Bruton: They did not achieve them for the previous year or the year before that.

Deputy Batt O'Keeffe: Across the world, Departments did not meet targets because of the fall-out from the recession.

Deputy Richard Bruton: With respect, this is the usual response.

Deputy Conor Lenihan: What did Deputy Bruton do when Minister?

Deputy Kieran O'Donnell: The Minister should answer the question.

Acting Chairman (Deputy Cyprian Brady): Please allow the Minister to conclude.

Deputy Dara Calleary: How many bonuses did Deputy Bruton cut when Minister?

Deputy Conor Lenihan: How many people did he sack at that time?

Acting Chairman (Deputy Cyprian Brady): Please allow the Minister, Deputy O'Keeffe, to continue without interruption.

Deputy Billy Kelleher: How many officials did Deputy Bruton sack?

Deputy Batt O’Keeffe: Bonuses have been removed from the public service. I thought given the controversy surrounding that issue that Members would be aware of that.

Deputy Richard Bruton: I am aware of it.

Deputy Batt O’Keeffe: We must set realistic targets. This year, all agencies and officials in the Department were involved in drawing up the strategy. Deputy Bruton is correct that it is important the targets we set are realistic and achievable. The procedure has been changed in that now for the first time the public have been invited to make submissions on the strategy. Six submissions on the strategy made to my Department have been taken into account. A further change is that the strategy must now be sent to the Taoiseach’s office for final consideration in terms of the targets set. The Taoiseach wants to ensure that the targets set are realistic and achievable. The consultation process between myself and the Taoiseach must take into account the national recovery plan and budget provisions. It is therefore sensible that we await finalisation of these matters before we sign off on the strategy.

Deputy Richard Bruton: Will the Minister agree that if there is no sanction for failing to meet targets and if Ministers offer blanket forgiveness in this regard because, say, it was a hard year there is no chance that targets will be taken seriously? There is a link between what one commits to deliver and what happens afterwards. If one fails, there must be some level of accountability. The Minister has simply stated that last year was a difficult year. Some 40% of the targets set for the previous year, which was not such a difficult year, were not met. The same applies in respect of the year before that. Does the Minister not accept the principle that one must have some system of accountability with consequences within his Department or we will continue to go around in circles?

Deputy Batt O’Keeffe: I, with my three Ministers of State, ensure my officials are accountable. We ensure the targets they set are achievable. Provision has now been made for public consultation and consultation with the Taoiseach on the matter.

Deputy Richard Bruton: Perhaps Deputy Calleary will comment. We might get a better response.

Deputy Batt O’Keeffe: There is no point setting targets unless they are realistic. On the basis of the ingenuity that resides within my Ministers of State and the common sense that prevails, the targets we set will be achieved and people will be held accountable.

Written answers follow Adjournment Debate.

Message from Select Committee

Acting Chairman (Deputy Cyprian Brady): The Select Committee on Social Protection has completed its consideration of the Social Welfare (Miscellaneous Provisions) (No. 2) Bill 2010 and has made amendments thereto.

Adjournment Debate Matters

Acting Chairman (Deputy Cyprian Brady): 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 — the need for an update on a proposed sports hall at Scoil Ruain, County Tipperary; (2) Deputy James Bannon — the need to provide funding for the restoration of Kilbixy Church, County Westmeath.

I regard the matters raised by the Deputies as suitable for discussion and they will be taken now.

Adjournment Debate

Schools Building Projects

Deputy Mattie McGrath: I wish to share time with my colleague, Deputy Hctor.

This is a longstanding issue in regard to the provision of a PE sports hall at Scoil Ruain, Killenaule, County Tipperary. I was present in 2004, as was Deputy Hctor and many other public representatives, when the then Minister for Education and Science, Deputy Hanafin, announced that this project would go ahead. This project is on the books since 1999, if not before. A number of chief executive officers, including Mr. Pat Moroney and Ms Fionuala McGeever, have worked on it with their dedicated VEC colleagues. I compliment them and their staff on the VEC and, above all, the staff and principal in the school, Ms Colette Treacy, and her management, the parents council and so on. I also thank them for their patience and forbearance. However, patience always wears thin. This excellent sporting school has 345 pupils with a proud history and we were made all the more proud this year with our achievements on the playing field.

This facility is badly needed. It would cost approximately €1 million and the promise must be honoured. Deputy Hctor and I are in negotiations with the Ministers for Education and Skills and Finance and their staff. This project has to be brought over the line because the time for talking is over. The planning permission is about to run out for the second time. It is time we put aside the pious platitudes. We need to go ahead for the building to allow the plans to go to design and construction and to allow the pupils, families and the staff to have a proper facility in which to reach their full sporting and educational potential.

Deputy Máire Hctor: I am pleased to share time with Deputy McGrath. The school originally applied for funding as far back as 1996 for a PE hall and, in February 1998, the Department approved the commencement of the project and architectural planning was initiated. A number of other steps were taken. In 2002, an announcement was made welcoming this project and, again in 2006, as my colleague indicated, yet the hall has still not been approved.

This is an exceptional project in so far as the Department has acknowledged in writing that the documents and file for this project went missing and were mislaid for two years. Only for that, the hall would be in operation by now. However, with that acknowledgement from the Department, there is goodwill to advance the project and I ask the Minister to include it in the capital programme for 2011 in order that the school can proceed to tender and construction.

The cost of such a project has reduced given the current economic climate and excellent value for money could be obtained by progressing with the building now. I appeal to the Minister to consider this project. I acknowledge the fantastic sporting achievements of Scoil Ruain, Killenaule, in the absence of a PE hall. It is reliant on the weather in scheduling physical education activities and games. While the astroturf is an excellent facility, the school and the entire community has no indoor sporting facilities. We ask that the project be advanced without further delay. We acknowledge the patience, determination and resilience of the staff and pupils of the school and the management of the VEC in south Tipperary. I hope the Minister will look on this favourably.

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): I am taking this matter on behalf of my colleague, the Tánaiste and Minister for Education and Skills.

I thank the Deputies for raising this matter as it provides me with the opportunity to outline the Government's strategy for capital investment in school building projects and the current position regarding the building project to provide a sports hall for Scoil Ruain at Killenaule, County Tipperary.

Modernising facilities in our existing building stock as well as the need to respond to emerging needs in areas of rapid population growth is a significant challenge. The Government has shown a consistent determination to improve the condition of our school buildings and to ensure the appropriate facilities are in place to enable the implementation of a broad and balanced curriculum. The allocation of funding for school buildings in 2010 is almost €579 million. This represents a significant investment in the schools building and modernisation programme. This level of funding, at a time of great pressure on public finances, is a sign of the Government's commitment to investing in school infrastructure and it will permit the continuation of the Department's programme of sustained investment in primary and post primary schools.

All applications for capital funding are assessed in the planning and building unit of the Department. The assessment process determines the extent and type of need presenting based on the demographics of an area, proposed housing developments, condition of buildings, site capacity and so on leading to an appropriate accommodation solution. As part of this process, a project is assigned a band rating under published prioritisation criteria for large scale building projects. These criteria were devised following consultation with the education partners.

Projects are selected for inclusion in the school building and modernisation programme on the basis of priority of need. This is reflected in the band rating assigned to a project. In other words, a proposed building project moves through the system commensurate with the band rating assigned to it. There are four band ratings overall, of which band 1 is the highest and band 4 the lowest. Band 1 projects, for example, include the provision of buildings where none currently exists, but there is a high demand for pupil places, while a band 4 project makes provision of desirable, but not necessarily urgent or essential facilities, such as a library or new sports hall. The project to provide a sports hall at Scoil Ruain has been assigned a band rating of 4.1 under the published prioritisation criteria for large scale building projects.

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 building project for Scoil Ruain is at an advanced stage of architectural planning.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will continue to be considered in the context of 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 it is not possible to give an indicative timeframe, at this time, for the progression of this project to completion of tender and construction.

I have noted the Deputies' comments in this regard. They made a strong case for this project and I will convey their views to the Minister. I thank them again for the opportunity to outline

the current position regarding the school building project for Scoil Ruain in Killenaule, County Tipperary.

Architectural Heritage

Deputy James Bannon: I thank the Ceann Comhairle for the opportunity to raise this important issue, namely the need for the Minister for Environment, Heritage and Local Government to provide funding for the restoration of Kilbixy church, Ballynacargy, County Westmeath, through the Heritage Council and to outline other available heritage grants for this essential restoration project. The church of Kilbixy, St Bigseach's, is part of the earliest history of Christian Ireland. It is a protected structure and its conservation is essential in terms of our national heritage and that of County Westmeath, which is extremely proud of this link to its past.

I congratulate the Mullingar union of parishes for the comprehensive report it has prepared on this worthwhile project. There was some confusion in the Minister's Department. In reply to a parliamentary question I tabled on this issue, reference was made to an application made in May 2010, which was deemed by the Heritage Council to be incomplete. This was absurd, as the restoration group did not make an application until October last and all its documentation was very much in order. I hope this error will in no way impact on its application, as the report on which it was based was one of the most comprehensive and impressive I have ever seen.

Kilbixy is situated on the western shore of Lough Iron. The church itself is flanked by a Norman motte and bailey to the west and the site of the medieval town of Kilbixy to the east, once the capital of this part of the region before Mullingar. In fact, the site predates Norman development and it seems that an early Christian monastery was founded in the sixth century by a handmaid of St. Brigid.

The current Church at Kilbixy replaces two earlier churches. In a record by Bishop Dopping of 1682-85, Kilbixy is described as ruined, with no curate. Another reference to a church in 1682 indicates a tower or steeple, which would preclude its being the structure of the current church, but is proof of a pre-existing chapel. There is also reference in a report of October 1793 to the discovery of underground passages at Kilbixy, which indicate a monastic settlement of approximately the eighth century. There was also a leper hospital at Kilbixy, founded by Hugh de Lacy in 1197.

This church has a history that makes it essential for preservation and a major attraction for educational and tourist visits. The restoration group is sensitive to the responsibility of this heritage and is anxious that any new facilities would contribute to the long-term sustainability of the church and its enjoyment, without damaging its special character. This is to be achieved by identifying special features of the church and ensuring that restoration will repair and conserve, while protecting the historic character of the building.

According to the architect's report the building is in poor condition and remedial works are urgently required. These would include work on the roof space, the interior of the church and the exterior, both of which are badly cracked and exposed to water penetration. The severe weather conditions of last year have caused a rapid deterioration of the whole structure. The recently discovered crypt underneath the church is partially filled with stones blocking the entrance and it urgently needs to be cleared out. If it proves to be empty of human remains, the crypt would provide an excellent storage for a heating boiler, water pump and other equipment. Facilities needed to fulfil contemporary functional requirement have to be integrated into the current building. No separate structure is proposed as this would take from the integrity of the existing site.

Our history is of the utmost importance in this time of rapid change. We need to preserve our unique architectural heritage for religious, educational and tourist purposes. I hope the

[Deputy James Bannon.]

Minister can see a way to ensure this valuable heritage resource is not lost to future generations, unlike so much of the wealth of our unique past. I am sure he realises how vital it is to provide the Mullingar Union of Parishes with the funding to go ahead with this worthwhile project, through the Heritage Council and other bodies. I would welcome a positive reply this evening.

Deputy Seán Haughey: I am taking this matter on the Adjournment on behalf of the Minister for the Environment, Heritage and Local Government. I understand that Kilbixy Church occupies the site of an early medieval monastic site founded by St. Bigseach and later a medieval religious foundation. The area around this church is of archaeological importance and is regarded as one of the finest examples of a deserted medieval borough in Ireland. I listened with great interest to the Deputy outlining the history of this site.

The application for funding for the Kilbixy Church restoration project, which was initially submitted to the Heritage Council in May 2010, was deemed incomplete by the council. As such, the project was not considered for funding this year. I have noted what the Deputy has had to say in that regard and I will certainly seek clarification from the Minister on that point. A further application was submitted to the Heritage Council for funding for emergency structural repairs and the conservation of Kilbixy Church, under the heritage conservation and management grants scheme in October 2010. This application is currently under assessment by the Heritage Council and a decision in regard to grant aid for such projects will be made by the council in February 2011.

The Department of the Environment, Heritage and Local Government has funded a number of grant schemes for the conservation of structures of architectural importance. The civic structures conservation grants scheme, administered directly by the Department, provides grants for the restoration and conservation of buildings of significant architectural heritage merit which are in civic ownership or occupation, and generally open to the public. The allocation for this scheme in 2010 was €1.38 million.

The significant places of public worship grants scheme, administered by the Heritage Council on behalf of the Department, provides grant assistance for major conservation works to places of public worship which are of national or greater importance, are protected structures and generally open to the public. The allocation for this scheme in 2010 was €0.5 million. The Heritage Council is responsible for the administration of grants under the scheme including the call for applications, assessment of applications and awarding of grants.

The local authority conservation grants scheme, administered by local authorities on behalf of the Department, provides grant assistance for the conservation of protected buildings, which are those buildings on the record of protected structures maintained by each planning authority. The allocation for this scheme for 2010 is €3.75 million. Information on this scheme is available from the relevant local authority.

The Heritage Council has also administered a programme of grants, funded through the Department, in the areas of heritage research, heritage conservation and management, and heritage education, community and outreach. The heritage conservation and management grants scheme supports projects that apply good heritage practice to the management of places, collections and objects. The closing date for the receipt of applications for purposes of the 2011 scheme was 8 October 2010. Further information on the scheme is available from the Heritage Council.

The Dáil adjourned at 3.40 p.m. until 2.30 p.m. on Tuesday, 7 December 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 9, inclusive, answered orally.

Departmental Agencies

10. **Deputy Bernard Allen** asked the Minister for Enterprise, Trade and Innovation if he is satisfied with the effectiveness of enterprise agencies and their existing structures; and if he will make a statement on the matter. [45354/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Each of the enterprise development agencies have a core area of focus which enables them to build a depth of relevant expertise and understanding of the enterprise cohort for which they are responsible, and to focus their own resources to best effect. I am sure the Deputy will agree that it is important to ensure that both the structures for delivery and the programmes being delivered are providing the best possible supports for business.

The Forfás report, ‘Making it Happen: Growing Enterprise for Ireland’, has identified some areas where interventions need to intensify in order to deliver more effective support for enterprise growth in the current climate including, Building on Sectoral Strengths and Realising Potential in New Activities, Supporting Competitiveness at Firm Level and Enhanced Agency Collaboration. The enterprise development agencies have, as a matter of course, collaborated extensively on an on-going basis through a range of formal and informal mechanisms. In 2009, my Department established a High Level Group comprising representatives of each agency to identify areas for further collaboration. In addition to involving my own Department’s agencies, the High Level Group also includes a representative from Udarás na Gaeltachta.

The Group has made progress in a number of areas, for example in ensuring that access to supports is defined by business need rather than agency “ownership”, in enhanced sharing of information, and in identifying initiatives to maximise potential synergies between foreign and indigenous firms. The Group will continue to identify areas where agency collaboration can be strengthened and where the effectiveness of support to enterprises can be improved.

Forfás, working with officials from my Department, is at present developing a system wide evaluation framework incorporating enterprise policy, programme and project elements. The framework will be designed to measure ex-ante and ex-post the appropriateness, effectiveness

[Deputy Batt O’Keeffe.]

and efficiency of policy objectives/delivery, and will be developed by early 2011. The programme evaluations will ensure that the programmes managed by the enterprise development agencies operating under my Department’s remit deliver on defined objectives, and that they are efficiently and effectively delivered. The first programme evaluations carried out under the new framework are expected to be completed in the first half of 2011. As already indicated, I intend bringing proposals to Government shortly in relation to the restructuring of the City and County Enterprise Boards.

Proposed Legislation

11. **Deputy Seán Sherlock** asked the Minister for Enterprise, Trade and Innovation when he intends to publish legislation to address employee representation at work which was promised by June 2009 under the review of Towards 2016; and if he will make a statement on the matter. [45538/10]

17. **Deputy Michael D. Higgins** asked the Minister for Enterprise, Trade and Innovation his plans to publish anti-victimisation legislation, designed to protect those workers who choose to join a trade union and which was promised by March 2009 under the review of Towards 2016; and if he will make a statement on the matter. [45554/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary): I propose to take Questions Nos. 11 and 17 together.

The *Towards 2016 Review and Transitional Agreement 2008-2009* (paras 9.1-9.3) provides for the establishment of a review process to consider the legal and other steps necessary to enable the employee representation mechanisms that had been established under previous agreements — and in legislation — to operate as they had been intended. The Agreement (para 9.4) also commits the Government to bringing forward legislative proposals to prohibit the victimisation of trade union members and to prohibit the incentivisation of persons not to be members of a trade union.

In furtherance to these commitments, two informal meetings took place late last year, chaired by the Department of the Taoiseach and at which my Department; the Department of Finance; trade unions; and employers were represented. Position papers were prepared by the employer and trade union representatives on the issues which they saw as requiring to be addressed by any new legislation in this area. While consideration will continue within Government on proposals to address the issues involved, progress in bringing the work to a conclusion will have to take account of other priority legislative commitments to be delivered in the employment area, resource constraints within Departments, and the extent of agreement between the trade union and employer sides in this area.

National Recovery Plan

12. **Deputy Mary Upton** asked the Minister for Enterprise, Trade and Innovation the way he intends to achieve the savings of €2.4 million in funding for science, technology and innovation, set out in the National Recovery Plan 2011-2014; and if he will make a statement on the matter. [45531/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Conor Lenihan): Investment in science, technology and innovation is key to our economic recovery, growth and national competitiveness. Evidence across global economies shows that there is a clear link between investment in research and development, leading to innovation, and the expansion of that economy. For this reason the Government has provided a very significant

level of funding for Science Technology and Innovation investment in the Four-year National Recovery Plan, published on 24 November, in order to restore confidence, create jobs and drive economic recovery.

A sizable public and private research capacity has been built up over the last decade and the National Recovery Plan will provide significant capital funding through IDA Ireland, Enterprise Ireland and Science Foundation Ireland over the four years 2011 to 2014, to support and augment this capacity. This increased investment will underpin the effort of enterprise agencies Enterprise Ireland and Science Foundation Ireland, working to the research and innovation agenda, that will help drive competitiveness and recovery in the domestic economy, continue to win foreign direct investments and create high quality jobs in the Smart economy. In addition, funding for IDA Ireland will be protected up to 2016. In recent years nearly half of the IDA investments were in research development and innovation, activities that are central to productivity and new business development in Ireland's multinational sector.

Irish companies have shown that, despite the downturn, they can grow exports and sustain and even grow employment levels. This has been achieved by companies that have engaged in research and innovation undertaken by highly skilled researchers collaborating with industry partners. Support for such activity will continue to be a core investment priority for the Government so as to create a competitive advantage that will be an important driver of economic recovery and growth.

In tandem with the very significant increase in capital investment provided in the National Recovery Plan, the Vote of the Department of Enterprise Trade and Innovation area will contribute savings across a range of programmes, including a savings of €2.4 million from the science, technology and innovation area.

These savings will be derived, in the main part, from reducing operating costs within Science Foundation Ireland and Enterprise Ireland and in achieving efficiencies and some programme reduction within the Department's area of operations. The Agencies will be required to achieve further reductions to their travel and IT budgets, to reduce fixed costs wherever possible, and to scale back operating costs in an intelligent way that will minimize the impact on the service they deliver. Within my Department's own budget, savings will be achieved by reducing the spending on STI evaluation exercises and by scaling back the budget of the Discover Science and Engineering programme in the order of 10%.

As in other areas of public spending, the State is seeking more from less in relation to operating and programme costs and Departments and State Agencies are working continuously to maximise efficiencies in order to make this happen. The National Recovery Plan will provide a significant increase in capital funding for the Research and innovation area and at the same time will balance the need for savings in a way that is least harmful to Ireland's commitment to research and development and to producing world class researchers — one of our biggest selling points for new Foreign Direct Investment.

EU Directives

13. Deputy Michael D. Higgins asked the Minister for Enterprise, Trade and Innovation in respect of EU directives for which he has responsibility, the number remaining to be implemented; the directives that are now overdue; the number of reasoned opinions received from the EU Commission since 2002 regarding delays or non-implementation of such directives; and if he will make a statement on the matter. [45555/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): There are Twelve EU Directives due to be transposed by my Department. Two of these Directives are currently

[Deputy Batt O’Keeffe.]

overdue. Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products was due to be transposed on 20 November 2010. However, it is now anticipated that it will be transposed early in the New Year. In addition, my Department is also working, in cooperation with the Department of Transport, on the transposition of Directive 2008/68/EC on the inland transport of dangerous goods.

My Department has dealt with a total of 28 Reasoned Opinions from the EU Commission since 2002 of which two are currently live. A Reasoned Opinion was received on 24 June 2010 regarding the non — transposition of the Services Directive 2006/123/EC. This Directive was fully transposed on 23 November last. A Reasoned Opinion has also been issued by the EU Commission on Directive 2008/68/EC on the inland transport of dangerous goods. It is intended that this Directive will be transposed by year-end.

Full details of the state of play of all current Directives due for transposition are maintained on the Department’s website, www.deti.ie. The transposition of EU Directives is an ongoing priority in my Department and is reported to the Management Board on a regular basis.

Business Regulation

14. **Deputy Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Innovation the progress made to date in reducing the regulatory burden on businesses by 25%; the timeframe for the completion of this; the actions taken so far; the actions yet to be taken; and if he will make a statement on the matter. [45499/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): International benchmarking statistics reveal that Ireland imposes a relatively low burden of regulation on business. The Forfás Annual Competitiveness Report 2010 states that Ireland’s regulatory environment is one of the least restrictive in the OECD in relation to product market regulation, the time taken to comply with tax payments is one of the lowest in the OECD across all categories and Ireland’s employment framework is less rigid than the OECD average.

The work to reduce red tape in Ireland is being progressed on two fronts. The High Level Group on Business Regulation works to fast-track simplifications to specific red tape issues identified by business; and an Inter-Departmental Group of officials from all Departments, having regulation affecting business, coordinates the measurement and reduction of administrative burdens in a systematic manner, based on the internationally recognized Standard Cost Model. The Government has decided in the National Recovery Plan 2011-2014 to bring forward the targeted 25% reduction of the regulatory burden on business from 2012 to end 2011.

To date the High Level Group has processed thirty specific red tape issues brought to its attention by business and continues to drive progress on a further thirty-eight items. The Group announced over €20m of annual business savings in its first Report and continues to work with business interests to identify opportunities for simplification. In addition, my Department is in the process of measuring other burden reductions achieved across Government. The results of this measurement exercise are expected to be published in the second half of 2011. Recent measurements by my Department have demonstrated a further potential €32.7m of savings for business, resulting from simplification in the company law area.

The measurement of administrative burdens using the Standard Cost Model is an exercise that was called for by business, as part of the 25% administrative burden reduction programme, and is being carried out on a prioritised basis across all Departments with any substantive regulation that affects business. My Department and the Central Statistics Office have already measured burdens arising from regulations under their responsibility and all other Departments

will shortly measure the current costs on business arising from their regulation. Measurement is expected to be completed in 2011; simplification plans will then be developed and implemented.

Business workshops have already been held to identify ideas for simplification in the areas of Company Law and Employment Law and Health & Safety Law, and draft simplification plans are currently being prepared for implementation.

Innovation Fund Ireland

15. **Deputy Deirdre Clune** asked the Minister for Enterprise, Trade and Innovation the progress to date in establishing the €250 million innovation fund overseen by Enterprise Ireland; the number of new projects funded and their aggregate employment potential.
[45368/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Conor Lenihan): I announced the first call for expressions of interest in Innovation Fund Ireland on 23 September 2010. Enterprise Ireland and the National Pensions Reserve Fund (NPRF) will manage the Fund and investors had until 26th November 2010 to signal their interest in establishing a presence here. Now that this deadline has passed, Enterprise Ireland and the NPRF are now commencing the process of evaluating the applications.

Innovation Fund Ireland will have up to €250 million available to make commitments. This funding runs along two parallel tracks. The first comprises a €125 million pool of funds provided by the Exchequer and managed by Enterprise Ireland. Successful applicants who receive an investment from Enterprise Ireland will have to commit to investing an equivalent amount in Irish companies or companies with substantial Irish operations over the lifetime of their fund. The second is for a similar amount and designed to allow Ireland's National Pensions Reserve Fund to make a similar level of commercial investments assuming its criteria are met. The National Pensions Reserve Fund announced its first investments under the 'Innovation Fund Ireland' on 7 October 2010.

The establishment of Innovation Fund Ireland builds on existing enterprise policies including the Government's continued commitment to the Irish venture capital sector through Enterprise Ireland. It is part of a suite of policy initiatives to position Ireland as a Global Innovation Hub. The objective of the Fund is not just to increase the availability of capital but also to transform the market by attracting top tier Fund managers to Ireland.

The Funds will invest in Europe with a focus on Ireland. Over the lifetime of the Funds, the State envisages making a return on its investment and in terms of economic growth where the Funds invest in Irish start-up, scaling companies or companies with operations in Ireland the State can expect to see an increase in employment; an increase in the number of high potential start-ups; the attraction of high potential start up and scaling European technology and life science companies requiring growth capital investment to Ireland; increased commercialisation of the ideas and R&D coming out of the Universities and Institutes of Technology in line with the Government's Strategy for Science and Technology and the persistence of Ireland as a centre for technology, life sciences and venture capital investment within Europe through multiple fund iterations.

The Government is committed to increasing the number and scale of innovation driven and high-growth businesses in Ireland and a dynamic and progressive venture capital market is a prerequisite in this endeavour. This Fund is further evidence of the Government's continued commitment to generate high quality jobs in Ireland.

National Recovery Plan

16. **Deputy Mary Upton** asked the Minister for Enterprise, Trade and Innovation the way

[Deputy Mary Upton.]

he intends to achieve the savings in his Department's Vote set out in the National Recovery Plan 2011-2014; and if he will make a statement on the matter. [45530/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The National Recovery Plan sets out the strategy to underpin Ireland's economic recovery with the aim of restoring stability to the public finances, improving Ireland's cost competitiveness, stimulating enterprise growth and job creation. As part of the Plan, the Government has prioritised capital investment for the Enterprise Agencies over the next four years with the provision of €2.2 billion. This will enable the agencies to support Irish businesses, win new foreign direct investment and support research, development and innovation.

In order to restore stability to the public finances, savings have to be made across the public sector. The Enterprise area will contribute €47 million of current savings by 2014. Achieving the savings target will require adjustments in current pay and non-pay spending of the Department and the agencies under its aegis. I will be prioritizing funding for those areas of activity that directly support the Government's overall growth strategy. I will be seeking to achieve efficiencies wherever possible to contribute to the overall savings target. Full details of allocations will be identified in the 2011 Estimates which will be published shortly.

Question No. 17 answered with Question No. 11.

Departmental Staff

18. **Deputy Joe McHugh** asked the Minister for Enterprise, Trade and Innovation the staff reductions planned in his Department and its agencies by the end of 2011 and if these are being secured through specific reorganisation. [45414/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The Employment Control Framework for my Department and the agencies under its aegis provides for an overall reduction of 123 staff by end 2011 from the numbers serving at end September 2010. These staff reductions will be secured through natural wastage and the non-filling of vacancies.

Departmental Bodies

19. **Deputy Pat Rabbitte** asked the Minister for Enterprise, Trade and Innovation the role he will play in the implementation of the recently published plan, Trading and Investment in a Smart Economy; and if he will make a statement on the matter. [45540/10]

34. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Innovation the membership of the foreign trade council established under the Trading and Investing in a Smart Economy strategy; the number of times this group has met; the number of times he has met with this group; and if he will make a statement on the matter. [45495/10]

42. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Innovation the progress being made by the foreign trade council established under the Trading and Investing in a Smart Economy strategy in implementing the strategy; if he will provide a report on all actions taken so far by the group in moving the strategy forward; and if he will make a statement on the matter. [45496/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I propose to take Questions Nos. 19, 34 and 42 together.

The new Strategy specifies that the Minister for Trade and Commerce, my colleague, Mr. Billy Kelleher TD, will chair the new Foreign Trade Council. While I have been very closely

involved in the development of the Strategy and I will continue to work on pursuing its strategic priorities and targets, it will be Minister Kelleher who will principally drive its implementation and chair the new Foreign Trade Council.

The new Council brings together all of the key Departments and State agencies involved in the promotion and development of trade, tourism and investment. The role of the Council is to drive implementation of the strategy through a suite of actions in our key priority markets, both existing and high-potential, as set out in the strategy and action plan. It will also strengthen cooperation and coordination across all the key State agencies.

The Council's membership comprises the CEOs of the following State Agencies, Enterprise Ireland, IDA Ireland, Forfas, Science Foundation Ireland, Bord Bia, Tourism Ireland and Culture Ireland, in addition to senior level representatives of the following Departments: Department of Enterprise Trade and Innovation, Department of Tourism, Culture and Sport, Department of Foreign Affairs, Department of An Taoiseach, Department of Education and Skills and Department of Agriculture, Fisheries and Food.

The Council held its first meeting on 27th October last, when it discussed the current state of play of a number of the actions set out in the action plan, including maximising the impact of integrated trade missions, promoting Ireland through St Patrick's Day, making better use of our current joint Economic Commissions, increasing coordination between the agencies at field level etc, and any further initiatives required for their implementation. The Department of Justice and Law Reform briefed the Council on progress towards the establishment of a new mechanism to align our visa regime with the priorities set out in the strategy.

The Council finalised its direction and guidance to the local Trade, Tourism and Investment Teams, which are being set up in each of Ireland's overseas priority markets. The Ambassadors in each of these markets are required to complete their local market plan by the end of the year. These and other relevant issues will be kept under review and monitored by the Council, whose next meeting is due in early 2011.

Credit Availability

20. **Deputy Pat Rabbitte** asked the Minister for Enterprise, Trade and Innovation the position regarding his discussions with the main banks to ensure that credit is made available to all businesses and particularly to small and medium sized enterprises; when he last met the banks to discuss these issues; and if he will make a statement on the matter. [45541/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I last met with Bank of Ireland on 8 September 2010 and AIB on 9 November 2010. At both of these meetings the banks confirmed that they were open for business and that they intend to meet their commitments regarding lending to the SME sector as set out in the 2010 recapitalisation package of 30 March 2010. Under this 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.

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. In this regard, as part of his Second Quarterly Report on SME Lending published on 18 November 2010, John Trethowan indicated that each of the banks have shown a positive attitude to the Credit Review Office appeals process, and the banks' Executives have been asked to ensure that this attitude is shared with their front-line staff. He also stated that the current market

[Deputy Batt O’Keeffe.]

perceptions that banks are not lending to SMEs is based on experiences from six to nine months ago, and the current situation whilst still not entirely perfect, is now continually improving.

National Minimum Wage

21. **Deputy Seymour Crawford** asked the Minister for Enterprise, Trade and Innovation the analysis that he has undertaken of the job impact of reducing the minimum wage; and if he will make a statement on the matter. [45377/10]

37. **Deputy Jack Wall** asked the Minister for Enterprise, Trade and Innovation the discussions he has had with the National Competitiveness Council regarding the proposed change in the national minimum wage; if he has received any request from the council to reduce the level of the minimum wage; and if he will make a statement on the matter. [45529/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary): I propose to take Questions Nos. 21 and 37 together.

A recent study entitled “Review of Labour Force Competitiveness”, undertaken by Forfás for my Department, concluded that while 4.9 percent of employees in Ireland (83,700) were earning €8.65 per hour or less in October 2007, it is likely that the national minimum wage actually influences the wage levels of another 26 per cent of the labour force. On that basis it is estimated that the national minimum wage may affect the wages of all those within a range of 1.5 times the national minimum wage. The report is published on the Forfás website.

The Forfás report found that the national minimum wage impacts on sectors in different ways — sectors such as wholesale and retail, hotels and restaurants, and other services sectors tend to have significantly more workers engaged on or just above the national minimum wage than internationally trading sectors. While the sectors and occupations where the greatest job losses have occurred generally coincide with the sectors where the national minimum wage is most prevalent, these sectors have also experienced a major collapse in demand for their output.

I met with the Forfás Board to discuss a number of issues including this report. I have not had any discussions with the National Competitiveness Council regarding the proposed adjustment to the national minimum wage. I have not received a request from the Council to reduce the level of the national minimum wage.

Live Register

22. **Deputy Brian O’Shea** asked the Minister for Enterprise, Trade and Innovation the steps he is taking to combat the continuing high level of unemployment in view of the fact that the live register figures have now been in excess of 400,000 since June 2009 and ongoing announcements of job losses; and if he will make a statement on the matter. [45546/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Specific activation policies, or measures targeted at the unemployed are the responsibility of my colleague the Tánaiste and Minister for Education and Skills, Ms. Mary Coughlan TD, through skills provision, employment programmes and work placements. Questions relating to the specific programmes should be addressed to the Tánaiste and her Department. The role of my Department is to ensure that we have the right policies in place that will support and grow our enterprise base in order to facilitate both job creation and job retention.

The State Development agencies, Enterprise Ireland and IDA Ireland, and the County and City Enterprise Boards are continuing to drive and promote enterprise development, and

consequently employment creation in our economy. IDA Ireland continues to market and promote Ireland for inward investment. Indeed, earlier this week, on 30 November, global management consultancy Accenture, an IDA client company that already employs 1,300 people in Ireland, announced the creation of an additional 100 jobs at a new centre in Dublin.

Enterprise Ireland is actively focused on the creation of new jobs through supporting entrepreneurs setting up new high potential start-up companies, and the retention and creation of new jobs in existing companies. The agency also continues to work with community groups around the country to develop community enterprise centres designed to foster micro enterprises. The County and City Enterprise Boards support the micro enterprise sector — businesses with 10 employees or less — in the start-up and expansion phases and promotes entrepreneurship at local level.

Job creation is a key priority of Government policy. The Government is working on a multi-faceted approach focusing on enterprise development and job creation. In September, the Taoiseach launched the five-year integrated Government plan for trade, tourism and investment aimed at generating 300,000 jobs. The new plan, “*Trading and Investing in a Smart Economy*”, is the first integrated strategy to promote overseas trade, tourism and investment. With this new strategy, the Government aims to position Ireland for strong export-led growth to 2015, resulting in high levels of job creation. The plan aims to create over 150,000 direct new jobs (IDA Ireland 75,000, Enterprise Ireland 60,000, tourism 15,000) in manufacturing, tourism and internationally trading services, with another 150,000 spin-off jobs.

In addition to delivering programmes through the Enterprise Development agencies, my Department also works across Government to ensure that Ireland regains competitiveness, including cost competitiveness, thus improving the business environment and enabling companies to successfully compete internationally and grow jobs.

Job Losses

23. **Deputy Seán Sherlock** asked the Minister for Enterprise, Trade and Innovation if his attention has been drawn to reports that up to 10,000 jobs could be lost in the Irish banking sector over the next six months; his views on the implications for unemployment of the loss of such a large number of jobs; if he has sought any information from the banks on the level of job losses planned; and if he will make a statement on the matter. [45539/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I refer the Deputy to my reply to Parliamentary Question No. 125 of 13 October 2010 to Deputy Jack Wall on the issue of job losses in the banking sector and the State support mechanisms in place to assist unemployed persons to return to employment. I met with both BOI and AIB to discuss their restructuring plans in recent months. The recently published Programme for Recovery of the Banking System provides for the restructuring and reorganisation of the banking sector. I will keep the situation under review and ensure State services are coordinated as necessary to support those who lose their jobs.

European Patents

24. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the reasons he has not ratified the Agreement on the Application of Article 65 of the Convention on the Grant of European Patents; and if he will make a statement on the matter. [45645/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Conor Lenihan): Article 65 of the European Patent Convention (EPC) provides that any Contracting State may require a translation of the text of a European patent into one of its languages if

[Deputy Conor Lenihan.]

that language is different from the language in which the patent was granted. The European patent system is expensive. Following grant of the patent, the applicant must file translations of the complete patent in whichever States are designated for protection. The cost of the translations must be borne by the applicant. The translation costs make up a very sizeable portion of the costs of acquiring a European patent and, as a result, the European patent is uncompetitive when compared to the cost of obtaining US and Japanese patents.

At an inter-Governmental conference in 1999 a working party was mandated to examine how the translation costs for European patents into the official languages of the contracting states could be reduced by approximately 50%. This working party produced the London Agreement on the Application of Article 65 of the European Patent Convention, which was adopted in London on 17 October 2000. The London Agreement, which is a voluntary Agreement, provides that Member States of the EPC, who have a language in common with the European Patent Office, as Ireland does, would agree to dispense with requirements in relation to the translation of specifications of patents granted in the other two working languages of the EPO. So far, 15 out of the 38 contracting Member States to the EPC have ratified/acceded to the Agreement.

In 2008, my Department undertook a Regulatory Impact Analysis (RIA) to consider whether Ireland should accede to the London Agreement and it concluded that Ireland should accede to the Agreement. The main advantage of the Agreement for Irish inventors and industry seeking patent protection abroad, is that they would no longer be required to furnish translations to the same extent in those countries party to the agreement.

For Ireland, to accede to the London Agreement it is necessary to amend Sections 119 and 121 of the Patents Act, 1992, to align with the terms of the London Agreement. In this respect, I am pleased to inform the Deputy that the Patents (Amendment) Bill, 2010 will be published in the very near future.

County Enterprise Boards

25. **Deputy Denis Naughten** asked the Minister for Enterprise, Trade and Innovation the steps he is taking to support the role of County Enterprise Boards; and if he will make a statement on the matter. [45445/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The County Enterprise Boards (CEBs) have primary responsibility for the delivery of State support to the indigenous micro-enterprise sector i.e. businesses which employ 10 or less workers. In the current economic climate entrepreneurship, and the growth and development of small Irish businesses, is central to economic recovery and it is essential that Irish enterprises continue to be supported. The CEBs play a key role in this regard and their priorities for 2010 are to assist owner/managers in enhancing the survival and sustainability of their businesses in these difficult economic times and to assist people wishing to start their own business including those made redundant. The objective is to see as many of these micro start-ups as possible developing into companies with strong job creation and export potential, at which point they transfer to the Enterprise Ireland client portfolio.

To enable the CEBs to fulfil their role I secured funding of over €28m for the network of CEBs under the 2010 Estimates of which €14.9m has been allocated for Capital expenditure. This has been further supplemented by an additional €3.3m secured from savings elsewhere in my Department. During 2010 the CEBs will ensure that this funding is targeted to maximise entrepreneurial development. This will be done not just by direct grant aid to businesses and project promoters but also through the provision of a range of other important business sup-

ports such as mentoring, business training and business advice all of which help to stimulate indigenous enterprise creation.

My Department, in association with the CEB Central Coordination Unit within Enterprise Ireland (CCU), and with the CEB network, will continue to monitor the level of funding and range of support services offered by the CEBs to the micro-enterprise sector. I am also keen to ensure that the synergies between the CEBs and Enterprise Ireland are maximised, and that engagement with the development agencies is as seamless as possible for all small businesses including the important micro sector. I will shortly be bringing a Memorandum to the Government in this regard.

Economic Competitiveness

26. **Deputy Jan O'Sullivan** asked the Minister for Enterprise, Trade and Innovation the progress made regarding the commitment given in the renewed programme for Government to act on recommendations contained in reports of the Competition Authority within nine months of their publication; and if he will make a statement on the matter. [45544/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): In keeping with the commitment contained in the *Renewed Programme for Government*, the Government earlier this year reviewed the progress achieved by a number of Government Departments in relation to a list of Competition Authority recommendations which had been prioritised based on their impact on competitiveness. A Government Statement on the progress made issued in April. The Government has decided that it will review, twice-yearly, progress on the implementation of Competition Authority recommendations and, in line with this decision, I will be updating the Government in the coming weeks on the progress achieved to date.

Business Regulation

27. **Deputy Liz McManus** asked the Minister for Enterprise, Trade and Innovation the status of the work of the Company Law Review Group; the timeframe for the publication of legislation following the reports of the group; and if he will make a statement on the matter. [45549/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Billy Kelleher): In accordance with Section 70(1) of the Company Law Enforcement Act 2001, the Company Law Review Group's (CLRG) Work Programme is assigned by the Minister of State in the Department of Enterprise, Trade and Innovation (Minister Billy Kelleher) every two years. The Review Group is currently working on its 2010-2012 Work Programme (www.clrg.org) which was assigned to it in March 2010.

While there is no obligation on my part to legislate in respect of any recommendation from the CLRG, the main focus of the Group's work to date has been in relation to the General Scheme of the Companies Consolidation and Reform Bill which was published in July 2007. The proposed Bill will consolidate all the existing Irish Companies Acts, dating from 1963 to 2009, as well as other Regulations and common law provisions relating to the incorporation and operation of companies into a single Act, comprising more than 1,300 sections. Given its size and complexity it is envisaged that the Bill will be published in 2012.

Redundancy Payments

28. **Deputy Ciarán Lynch** asked the Minister for Enterprise, Trade and Innovation the total number of claims for redundancy payments waiting to be processed at the latest date for which figures are available; the average time taken to process a claim; the steps being taken to speed up the process; and if he will make a statement on the matter. [45553/10]

45. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Innovation in respect of each year from 2002 to 2009 and to date in 2010, the number of redundancies notified to his Department; the number of projected redundancies for the full year of 2010; the amount of money paid out in statutory redundancy payments in respect of each year from 2002 to 2009 and to date in 2010; and if he will make a statement on the matter. [45536/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): I propose to take Questions Nos. 28 and 45 together.

My Department currently administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social Protection. 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.

Table 1 sets out the number of statutory redundancy claims received in the years 2002 to 2009 and provisional figures for January to October 2010. These figures reflect the number of employees who actually qualified for statutory redundancy lump sum payments. They do not reflect those who lost their jobs with less than two years service in employment. It is not possible to project the number of redundancies that will arise in 2010 as this will depend on a number of factors, including economic factors and the rate of recovery in the economy. However, it is clear from the statistics available for the first ten months of 2010 that there is a welcome fall off in the level of new claims being lodged with my Department. In the ten-month period January to October 2010, there was an average fall off in claims received of 23% when compared with the corresponding ten-month period in 2009 — 51,385 as against 66,989 — with the claims fall off particularly in evidence in October 2010 with a 40% reduction in new claims received.

Table 2 sets out the monies paid out of the Social Insurance Fund in respect of redundancy claims for the years 2002-2009 and up to 31 October, 2010. It should be noted that all figures provided for 2009 and to date in 2010 are provisional figures. It is not possible to project the amount that will be paid out in 2010 on redundancy claims as this will hinge on a number of variables including the number of claims received, the length of service of individual claimants etc.

The Redundancy Payments Section of my Department is currently processing claims in general dating from May 2010 so that the waiting time is currently around 6 months. 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.

Efforts continue to be made by my Department to reduce claims 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.

Whilst the backlog of claims and waiting times remain at unacceptable levels, 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 ten months of 2010 was 63,484 — up over 66% on the corresponding ten-month period in 2009 (38,149) and surpassing the total amount of claims processed for the full year 2009. The backlog of claims is decreasing — reducing from its highest level in November 2009 of 43,608 to a level of 28,300 at the end of October 2010. I expect that the claims backlog will reduce to somewhere between 25,000 and 26,000 by year end.

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.

Table 1: Actual Statutory Redundancies for years 2002 to 2009 and up to end October, 2010

Year	Number of Redundancy Claims
2002	24,432
2003	25,769
2004	25,041
2005	23,156
2006	23,684
2007	25,459
2008	40,607
2009	77,001
2010	51,385*

*Provisional figures.

Table 2: Expenditure on Statutory Redundancies for years 2002 to 2009 and up to end October, 2010

Year	Expenditure on Statutory Redundancy
2002	53,978
2003	88,933
2004	152,162
2005	149,172
2006	166,483
2007	183,328
2008	193,711
2009	335,861*
2010	403,850*

*All figures for 2009 and 2010 are provisional subject to audit.

Retail Sector

29. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Innovation his views on amending the law to require major retail companies operating here to publish com-

[Deputy Eamon Gilmore.]

pany accounts to establish the level of profits they are making, particularly in view of reports that one major retailer (details supplied) makes greater profits here than in any other part of its global empire; and if he will make a statement on the matter. [45556/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Companies in Ireland are free to establish and organise themselves in the most suitable form to promote and run their businesses, provided that they comply fully with relevant national and EU legislation. The requirements regarding the preparation and publication of the accounts of limited companies and groups are determined by the First, Fourth and Seventh EU Company Law Directives and by the EU IFRS Regulations. These requirements are largely reflected in the Companies Act, 1963, the Companies (Amendment) Act 1986 and the European Communities (Companies: Group Accounts) Regulations 1992, as amended.

The EU Eleventh Company Law Directive, implemented as the European Communities (Branch Disclosures) Regulations, 1993, addresses the requirements applicable to branches of EEA companies. Irish subsidiaries of EEA companies can submit the audited group accounts of their parent to the Registrar of Companies instead of their own individual accounts provided certain conditions are met. EEA companies that have an Irish branch are required to submit only the company accounts to the Registrar of Companies. Irish companies that are subsidiaries of EEA companies and which are themselves parent companies need not produce consolidated accounts provided certain conditions are met. There are similar provisions for subsidiaries of non-EEA companies. In such cases the consolidated accounts of the EEA or non-EEA group must be submitted to the Registrar of Companies.

I consider that a sector-specific disclosure regime such as that suggested in the question would be open to accusations of discrimination and, were it to be required generally in the economy, it could have implications in terms of business costs and attracting foreign direct investment. I have no plans to amend the law in relation to this issue.

Employment Rights

30. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Innovation when he intends to publish the legislation to amend the Competition Acts to uphold the rights of certain freelance workers such as actors and musicians to collective bargaining, which was promised as part of the review of the Towards 2016; and if he will make a statement on the matter. [45537/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): “*Towards 2016*” contains a Government commitment to introduce amending legislation to exclude voice-over actors, freelance journalists and session musicians when engaging in collective bargaining, from the provisions of Section 4 of the Competition Act 2002. The commitment takes into account, inter alia, that there would be negligible negative impacts on the economy or on the level of competition, and would have regard to the specific attributes and nature of the work involved, and be subject to consistency with EU competition rules.

I intend, subject to consistency with EU competition law, to give effect to this commitment in the legislation currently being prepared to merge the National Consumer Agency and the Competition Authority. This legislation will also amend, reform and update certain provisions of existing competition and consumer law. I hope to publish the Bill during the course of 2011.

EU Directives

31. **Deputy Kathleen Lynch** asked the Minister for Enterprise, Trade and Innovation the current position and timeframe for the transposition of the services directive; and if he will make a statement on the matter. [45550/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The European Union (Provision of Services) Regulations 2010 (S.I. No. 533 of 2010) were signed into law by me on 10th November 2010. The Regulations give effect in Ireland to the Services Directive with the exception of the European Communities (Court Orders for the Protection of Consumer Interests) Regulations 2010 (S.I. No. 555 of 2010), which, *inter alia*, transpose Article 42 of the Directive.

The second set of Regulations also transpose Directive 2009/22/EC on injunctions for the protections of consumers’ interests (codified version) and revoke the European Communities (Protection of Consumers Collective Interests) Regulations (S.I. No. 449 of 2001), which transposed the original Injunctions Directive. The Injunction Directive ensures that consumers’ rights, as set out in a number of other Directives, can be protected by providing a means by which Member States can bring an action to stop any breaches of consumer rights under the Directives in question. The decision to transpose Article 42 of the Services Directive in the European Communities (Court Orders for the Protection of Consumer Interests) Regulations 2010 (S.I. No. 555 of 2010) was taken for reasons of transparency. Article 42 adds the Services Directive to the list of Directives that are covered by the Injunctions Directive.

National Minimum Wage

32. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Innovation the total number of persons who earn less than the national minimum wage, by virtue of a number of exemptions provided by the National Minimum Wage Act 2000; if the cut in the hourly rate, provided for in the four year plan, will be applied to these employees; and if he will make a statement on the matter. [45527/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary): I assume the Question relates to the number of employees who are paid sub-minimum rates under the National Minimum Wage Act, 2000 by virtue of them being under the age of 18 or undergoing recognised training. Estimates from the Earnings, Hours and Employment Costs Survey, as undertaken by the Central Statistics Office, indicate that there were approximately 52,000 employees paid at or below the national minimum wage of €8.65 per hour as of the second quarter of 2010. This represented 3.4% of all employees. The available data does not distinguish between those on the adult minimum wage and those on sub-minimum rates, i.e. under 18s and trainees. As the sub-minimum hourly rates are calculated as a percentage of the national minimum hourly rate of pay, any reduction in the rate will apply pro rata to the sub-minimum rates.

National Recovery Plan

33. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the plans he has put in place to assist and promote a programme for economic recovery sector by sector; the extent to which he has identified practices and procedures inhibiting any such progress; if he has had specific discussions with stakeholders to determine a strategy; if he has

[Deputy Bernard J. Durkan.]

taken any steps to address any arising issues; and if he will make a statement on the matter.
[45603/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The *National Recovery Plan 2011-2014*, published on 24 November 2010, is a strategy for economic recovery with the aim of restoring stability to the public finances, improving Ireland’s cost competitiveness, stimulating enterprise growth and job creation. There are two pillars to the strategy for competitiveness, growth and employment a) remove potential structural impediments to competitiveness, growth and employment creation and b) pursue appropriate sectoral policies to encourage export growth and recovery of domestic demand.

The Plan sets out a range of specific actions and supports designed to:

- Spur further improvements in competitiveness across all sectors of the economy including measures to cut input costs to business; in energy, waste, transport, broadband infrastructure, professional fees, property and labour.
- Foster export growth and a recovery of domestic demand.
- Provide investment of €2.2 billion in capital over the four years of the Plan for the Enterprise Agencies, which will enable them to create jobs across the economy, through:
 - supporting indigenous firms to increase exports,
 - winning new foreign investment, and
 - targeting and supporting Research, Development and innovation in companies, to boost productivity, exports, growth and jobs.

Key among the measures outlined in the Recovery Plan are proposals to remove barriers to employment, specifically a reduction in the minimum wage, reform of the social welfare system to incentivise work and eliminate unemployment traps as well as the re-invigoration of existing activation policies to ensure that the unemployed can make a swift return to work. These measures together with other actions already underway to restore fiscal stability, enhance access to credit, prioritise capital investment and to improve international competitiveness will impact positively across all sectors of the economy.

There are a wide range of other initiatives and actions already underway to assist economic recovery. Forfás recently published a report “*Making it Happen — Growing Enterprise for Ireland*” which sets out a series of recommendations that can help to improve the competitiveness of the economy and facilitate enterprise growth and job creation. The report includes 40 high level recommendations, supplemented by a number of sector-specific recommendations, aimed at addressing barriers to growth and accelerating potential in thirteen different sectors, such as ICT, Healthcare Life Sciences, International Financial Services, Agri Food, Green Technologies and Education Services. The sectoral analysis in this report was informed by the NCC report published in December 2009, *Driving Export Growth: Statement on Sectoral Competitiveness*, which identifies the key competitiveness issues facing Ireland’s main existing and emerging export sectors and the sector specific policy actions required to address them.

In September last, the Taoiseach launched the five-year integrated Government plan for trade, tourism and investment. This has set a number of ambitious targets to be achieved by

2015 including the generation of 300,000 jobs between direct and spin off employment. The overall objective of the strategy and its action plan is to marshal and coordinate the resources of the State in a way that best supports firms, of all sizes, in all parts of the country, which are trying to trade and grow their business overseas. The strategy presents a suite of actions for building on existing strengths and driving trade relations in existing as well as new and emerging economies. I myself, my Ministers of State and the relevant officials in my Department and its agencies engage extensively, as appropriate, with our stakeholders on all key strategic initiatives that are being developed.

Question No. 34 answered with Question No. 19.

Business Regulation

35. **Deputy Ruairí Quinn** asked the Minister for Enterprise, Trade and Innovation his response to the report Mapping the Golden Circle, published by the research body TASC, which showed that Ireland's corporate world was dominated by a small number of interconnected business persons which the report said posed a serious threat to corporate governance; the action he will take to ensure that corporate power does not remain concentrated in the hands of a small number of persons; and if he will make a statement on the matter. [45542/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I have noted the findings of this report. As regards listed companies (those on the main market of the Irish Stock Exchange), these have, for many years, been subject to the Combined Code on Corporate Governance, the provisions of which applied on a "comply or explain" basis. The Combined Code has recently been reviewed in the UK and revised in light of the financial crisis. The revised code, now known as the UK Corporate Governance Code, applies to Irish listed companies with effect from 30 September 2010. While the provisions of the new code will continue to apply on a comply or explain basis it will also be necessary for companies to state in their annual report how the main principles of the code are applied.

The new code re-emphasises the role and responsibilities of the board. It recommends that all directors of such companies should be subject to annual re-election by shareholders. This will give shareholders a regular opportunity to take account, in deciding whether they should be re-elected, of the number of directorships held by an individual director and whether or not they are in a position to give sufficient time to the company to discharge their responsibilities effectively. In addition, the new Code stresses the leadership role of the Chairman and provides that the Chairman report personally on the role and effectiveness of the board in the annual report. Furthermore, in addition to the board undertaking a formal and rigorous annual evaluation of its own performance and that of its committees and individual directors, the code includes a new provision for external evaluation of the board at least once every three years.

In addition, the Irish Stock Exchange (ISE) has indicated that it proposes to implement recommendations contained in a report published jointly earlier this year by the ISE and the Irish Association of Investment Managers (IAIM), representing institutional investors here, by including new provisions in their Listing Rules. The recommendations are aimed at enhancing disclosures contained in annual reports of listed companies, focusing largely on board issues such as board balance and board refreshment. Consultation on the exact nature of these provisions is ongoing but the ISE's intention is that these provisions will apply to Irish listed companies from the financial year commencing on or after 1 January 2011. Listed companies will be required to provide a separate statement in their annual reports on a comply or explain basis in respect of these provisions.

[Deputy Batt O’Keeffe.]

In relation to financial institutions and insurance companies, which are the responsibility of my colleague the Minister for Finance, the Central Bank recently issued the corporate governance code for credit institutions and insurance firms which sets out minimum statutory requirements on how banks and insurance companies should organize the governance of their institutions. The Code requirements include:

- Limits on the number of directorships which directors may hold in financial and non-financial companies to ensure they can comply with the expected demands of board membership of a credit institution or insurance company;
- Requirements on the role and number of independent non-executive directors;
- Criteria for director independence and consideration of conflicts of interest;
- Clear separation of the roles of Chairman and CEO;
- A prohibition on an individual who has been a CEO, director or senior manager during the previous five years from becoming Chairman of that institution;
- A requirement that board membership is reviewed at a minimum every three years;
- A requirement that boards set the risk appetite for the institution and monitor adherence to this on an ongoing basis;
- A requirement for an annual confirmation of compliance to be submitted to the Central Bank.

Finally the European Commission are considering the question of whether Corporate Governance measures are needed at EU level in respect of financial institutions and listed companies. The Commission’s intentions in respect of these matters are unlikely to become clear until 2011.

Industrial Development

36. **Deputy Ruairí Quinn** asked the Minister for Enterprise, Trade and Innovation the progress made regarding the commitment given in the renewed programme for Government to undertake an independent review of the effectiveness of State agency support for enterprise, including interaction between the Industrial Development Authority, Enterprise Ireland and county enterprise boards; and if he will make a statement on the matter. [45543/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): At the operational level, the enterprise development agencies, namely: IDA Ireland, Enterprise Ireland, the County Enterprise Boards and Science Foundation Ireland are responsible for enterprise promotion. They each have a core area of focus, which enables them to build a depth of relevant expertise and understanding of the enterprise cohort for which they are responsible, and to focus their own resources to best effect.

The focus of the enterprise agencies is broadly aligned with the strategic vision set out in the Forfás report, ‘Making it Happen: Growing Enterprise for Ireland’, although that report identified some areas where interventions need to intensify in order to deliver more effective support for enterprise growth in the current climate including, Building on Sectoral Strengths and Realising Potential in New Activities, Supporting Competitiveness at Firm Level and Enhanced Agency Collaboration.

The enterprise development agencies have, as a matter of course, collaborated extensively on an on-going basis through a range of formal and informal mechanisms. However, in 2009, my Department established a High Level Group comprising representatives of each agency to identify areas for further collaboration. In addition to involving my own Department's agencies, the High Level Group also includes a representative from Udarás na Gaeltachta. The Group has made progress in a number of areas, for example in ensuring that access to supports is defined by business need rather than agency "ownership", in enhanced sharing of information, and in identifying initiatives to maximise potential synergies between foreign and indigenous firms. The Group will continue to identify areas where agency collaboration can be strengthened and where the effectiveness of support to enterprises can be improved.

The Forfás report *Making it Happen — Growing Enterprise for Ireland* includes a specific recommendation that programme evaluations should be carried out to ensure that the programmes managed by the enterprise development agencies under my Department's remit are efficiently and effectively delivered. The report recommends that, as a priority, at least one programme evaluation should be carried out by mid 2011.

Forfás, working with officials from my Department, is at present developing a system wide evaluation framework incorporating enterprise policy, programme and project elements. The framework will be designed to measure ex-ante and ex-post the appropriateness, effectiveness and efficiency of policy objectives/delivery, and will be developed by early 2011. The programme evaluations will ensure that the programmes managed by the enterprise development agencies operating under my Department's remit deliver on defined objectives, and that they are efficiently and effectively delivered. The first programme evaluations carried out under the new framework are expected to be completed in the first half of 2011.

Question No. 37 answered with Question No. 21.

Question No. 38 answered with Question No. 7.

National Recovery Plan

39. **Deputy Joanna Tuffy** asked the Minister for Enterprise, Trade and Innovation the way he intends to implement the commitment contained in the National Recovery Plan 2011-2014 to promote competition in the professions; when the independent figure to oversee this process will be appointed; and if he will make a statement on the matter. [45532/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The National Recovery Plan 2011-2014 contains an action point to promote competition in the professions and that this will be overseen by an independent figure who reports to Government regularly. Arrangements for implementing this action point are being considered and I expect the matter to be brought to Government shortly.

Financial Services Regulation

40. **Deputy Ciarán Lynch** asked the Minister for Enterprise, Trade and Innovation his response to the consultation paper on corporate governance published by the Financial Regulator. [45552/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The consultation paper referred to in the Deputy's question relates specifically to financial institutions and insurance undertakings, responsibility for which rests with my colleague the Minister for Fin-

[Deputy Batt O’Keeffe.]

ance. Having considered over 130 responses to the consultation paper, the Central Bank recently issued the corporate governance code for credit institutions and insurance firms which sets out minimum statutory requirements on how banks and insurance companies should organize the governance of their institutions. I understand the requirements are more demanding than those in place in other jurisdictions.

I also understand the Code adopts a two tier approach by imposing minimum standards upon the boards of directors of banks and insurers in general with additional requirements defined for firms that the Central Bank designates as major institutions. Differentiated standards apply to Irish subsidiaries of foreign regulated firms in a number of areas. The Code provides for transitional arrangements. It will apply to existing directors and boards with effect from 1 January 2011. Those institutions, which may need time to implement changes to systems and structures to become compliant will be given until 30 June 2011 to do so. Where changes to the Board are necessary, this period will be extended to 31 December 2011 to identify and assess suitable candidates with appropriate experience and diversities.

Failure to comply with the requirements may be subject to supervisory action and disciplinary procedures by the Central Bank, including sanctions under powers available to the Bank. I welcome the application of this Code and the fact that it does not adopt a one size fits all approach to take account of institutions with a lesser economic significance and lower risk activities.

Credit Availability

41. **Deputy Emmet Stagg** asked the Minister for Enterprise, Trade and Innovation when the proposed Government-backed loan guarantee scheme for viable small businesses will be established; the criteria that will be used for qualification for the scheme; and if he will make a statement on the matter. [45535/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): As I outlined in my reply to Priority Question No. 69 on Wednesday 13 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. This ongoing work is aimed at building on the already substantial progress that has been made in identifying the critical elements for further initiatives. It is important that any new initiatives 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 Deputy’s question refers specifically to criteria to be used in any new scheme. While the specific issues are still under discussion, it is possible that any new initiative would only apply to commercially viable businesses that, despite having demonstrated the ability to repay, were unable to secure lending facilities due to known market failures. An example of such a failure would be lack of information concerning certain business sectors, certain types of business model and certain foreign markets. Loan guarantees, are just one of a range of possible measures being considered to address SME credit availability. Proposals for any new measures will be considered by Government in the first instance.

Question No. 42 answered with Question No. 19.

Proposed Legislation

43. **Deputy Kathleen Lynch** asked the Minister for Enterprise, Trade and Innovation when he will publish the legislation promised (details supplied) to clamp down on crony capitalism, to restrict cross-directorships and to prevent one person fulfilling the dual role of chair and chief executive of any company; and if he will make a statement on the matter. [45551/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): As regards credit institutions and insurance companies, which come within the aegis of my colleague the Minister for Finance, the Deputy may be aware that the Central Bank recently issued the corporate governance code for credit institutions and insurance firms which sets out minimum statutory requirements on how banks and insurance companies should organize the governance of their institutions. The new Code will apply to existing directors and boards with effect from 1 January 2011 but there is provision for transitional arrangements for those institutions needing more time to implement changes to systems and structures to become compliant.

The Code adopts a two tier approach by imposing minimum core standards upon the boards of directors of banks and insurers in general with additional requirements defined for firms that the Central Bank designates as major institutions. Included among the requirements of the Code are limits on the number of directorships, which directors may hold in financial and non-financial companies to ensure they can comply with the expected demands of board membership of a credit institution or insurance company. The Code also provides for a clear separation of the roles of Chairman and CEO.

There is also a requirement for an annual confirmation of compliance to be submitted to the Central Bank. Failure to comply with the requirements of the Code may be subject to supervisory action and disciplinary procedures by the Central Bank, including sanctions under powers available to the Bank. In addition, cross directorships and separation of the roles of Chair and Chief Executive are among issues also being considered by the European Commission as part of a possible corporate governance initiative at EU level on financial institutions generally.

In relation to Irish listed companies (those trading on the main market of the Irish Stock Exchange), the corporate governance code that applies on a “comply or explain” basis has recently been revised following the financial crisis. Among the changes introduced is a provision recommending that all directors of listed companies should be subject to annual election by shareholders. The revised Code continues to provide that the same individual should not exercise the roles of Chairman and CEO. In the area of company law, the Companies Consolidation and Reform Bill currently being drafted will implement the recommendations of the Company Law Review Group in that the fiduciary duties owed by directors to the company will be set out in the new companies code.

Currently, company law does not prohibit cross directorships. The general position is that a person may not be a director of more than 25 companies subject to certain specific exceptions. Neither do the Companies Acts prevent a person fulfilling the dual role of chair and chief executive of a company. This would in my opinion be unworkable for smaller companies. The Government is committed to ensuring that our corporate governance regime for the corporate sector generally, accords with best international practice.

National Recovery Plan

44. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Innovation the analysis undertaken by him on the effects of the measures included in the four year plan

[Deputy Caoimhghín Ó Caoláin.]

on businesses in the Border counties; the actions he will take to increase the competitiveness and viability of enterprises in the Border counties, given that measures included in the four year plan, including increasing VAT, will encourage persons to move across the Border to avail of goods and services and will thus put pressure on businesses in the Border counties; and if he will make a statement on the matter. [45497/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The National Recovery Plan, which was published by the Government on 24th November, provides a blueprint for Ireland’s return to sustainable economic growth. It sets out a range of specific actions and supports designed to improve competitiveness across all sectors of the economy, and in all regions. These include measures to cut costs to business, the removal of barriers to employment creation, and a range of sector-specific actions to increase exports and domestic demand. In addition to the measures set out in the National Recovery Plan, my Department’s agencies, including Enterprise Ireland and the County Enterprise Boards, will continue to work with companies in the border region to improve their competitiveness, productivity and viability.

Question No. 45 answered with Question No. 28.

Construction Contracts

46. **Deputy Willie Penrose** asked the Minister for Enterprise, Trade and Innovation if his attention has been drawn to the severe difficulties faced by sub-contractors in the construction sector when main contractors go into receivership, both in regard to unpaid contracts and difficulties in retrieving equipment and tools from construction sites; his plans to provide protection for sub-contractors in this situation; and if he will make a statement on the matter. [45526/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): My colleague, Mr. Brian Lenihan T.D., Minister for Finance is, on behalf of the Government, supporting Senator Feargal Quinn’s Construction Contracts Bill 2010 which is currently before the Seanad. The main objective of the Bill is to provide a payment and adjudication mechanism to resolve payment disputes between contractors and sub-contractors for work done under construction contracts.

Industrial Development

47. **Deputy Martin Ferris** asked the Minister for Enterprise, Trade and Innovation when he will be conducting examinations into allowing entrepreneurs or business start-ups access to vacant or under-utilised public property as incubation centres; the person who will be responsible for rolling out this programme; the conditions that will be attached to this for persons or businesses seeking premises; and if he will make a statement on the matter. [45501/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The enterprise agencies under the aegis of my Department currently have a range of initiatives for the provision of space for start up companies. These include incubation centres, community enterprise centres and business innovation centres. There are currently 21 campus incubation centres facilities that are operational. At present, there are over 250 companies in incubation units in these centres, employing 1,065 people and providing shorter-term hot-desk space for emerging entrepreneurs.

The Community Enterprise Centre Scheme has provided significant funding to facilitate the development of community enterprise centres, which are aimed at providing a physical and human support network for emerging entrepreneurs and micro-industry. Since the launch of the first scheme in 1989, €61.4 million has been approved for the development of Community Enterprise Centres and the schemes have aided the capital investment and management development of 134 centres, of which 105 have been completed. The balance of these centres are either under construction or are recent approvals and there is approximately €6 million in capital grants yet to be drawn down in 2010 by CEC approved applications.

In addition, Business Innovation Centres located in Dublin, Galway, Cork and Waterford develop and manage incubation space to assist fledgling businesses start, establish and then to move on, so that vacated space can be used for other new start-up businesses. The enterprise agencies keep the need for space of this type under review. Implementation of the actions in the National Recovery Plan are being considered at present.

Employment Rights

48. **Deputy Eamon Gilmore** asked the Minister for Enterprise, Trade and Innovation the steps he will take to prevent the exploitation of domestic workers, particularly migrant workers in such positions; and if he will make a statement on the matter. [45557/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): Ireland's body of employment rights legislation protects all workers employed on an employer-employee basis in Ireland. The Protection of Employee's (Part-Time) Work Act, 2001 provides that all employee protection legislation applies to a person, irrespective of his or her nationality or place of residence, who has entered into a contract of employment that provides for his or her being employed in the State or who works in the State under a contract of employment.

NERA collects information from a number of sources in order to identify the location of domestic workers. NERA also investigates complaints received. In 2011, NERA will undertake a programme to assess the level of compliance in the domestic worker sector and to provide information to both employers and employees. NERA provides information through a variety of channels including

- Information booklets and leaflets in a number of languages
- NERA's website — www.employmentrights.ie — had over 286,000 visits in last 12 months with 1.3m pages accessed.
- a 24-hour telephone service, with options to hear recorded information at a convenient time.
- through NERA inspections
- NERA participates in events with trade unions, employer and educational bodies and many others including those in the public sector.
- NERA will continue to hold its own information clinics in 2011
- a member of NERA management acts as liaison officer to keep contact open with the Migrants Rights Centre of Ireland.

[Deputy Dara Calleary.]

- 9 NERA inspectors have specific language skills in Polish, Slovakian, Lithuanian and Russian.
- NERA also draws on interpretative resources as required.

There is a Code of Practice for Protecting Persons Employed in Other People's Homes as set out in Section 42 of the Industrial Relations Act 1990. The code seeks to

- Set out certain employment rights and protections for persons employed in other people's homes; and
- Encourage good practice and compliance with the law concerning the employment of persons in other people's homes; and
- Increase awareness of the application of relevant legislation and codes of practice with regard to the sector to which this code applies.

NERA Inspectors may only enter a private home with the consent of the occupier or by warrant of the District Court. It can, but has never found it necessary to, apply to the District Court for a warrant (not a search warrant) to enter a private home to examine records. Such warrants may only be issued if a judge of the District Court is satisfied that there are reasonable grounds for suspecting that information required by an Inspector is held on any premises or any part of premises.

County Enterprise Boards

49. **Deputy Jan O'Sullivan** asked the Minister for Enterprise, Trade and Innovation the progress made regarding the commitment given in the renewed programme for Government to establish community and development agencies as a one-stop-shop for advice on grant supports, business opportunities, training and development; and if he will make a statement on the matter. [45545/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The network of County and City Enterprise Boards, which come under the auspices of my Department, are the primary initial contact point for business start-ups in Ireland. The CEBs can assist micro-enterprises i.e. businesses with 10 employees or fewer and are to the forefront in supporting viable business start-ups and in assisting the development of growth-orientated micro-enterprises which can generate job creation at a local level and which, over time, can develop into strong export entities and transfer to the Enterprise Ireland portfolio.

The CEBs can provide both direct financial assistance in the form of Priming Grants, Business Expansion Grants and Feasibility Grants and non-financial assistance in the form of Programmes such as Start Your Own Business Programmes, Business Training and Management Programmes, Mentoring Programmes etc. In providing support to the micro-enterprise sector the CEBs must give priority to manufacturing and internationally traded services. The CEBs work closely with other Agencies such as Enterprise Ireland and with other Bodies active in their local area such as LEADER, Partnership Groups etc and where a CEB is not in a position to support a client they will direct them to another appropriate organisation.

I am keen to ensure that the synergies between the CEBs and Enterprise Ireland are maximised, and that engagement with the development agencies is as seamless as possible for all

small businesses including the important micro sector. I will shortly be bringing a Memorandum to the Government in this regard.

Consumer Protection

50. **Deputy Liz McManus** asked the Minister for Enterprise, Trade and Innovation the position regarding the draft consumer rights directive, if he is satisfied that the existing rights of consumers here, such as the right to reject, will be retained; and if he will make a statement on the matter. [45548/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The proposal for a Consumer Rights Directive was published in October 2008 and has been drafted on a full harmonisation basis which, if retained, would preclude member states from going beyond its protections in national legislation. Though some provisions of the proposed Directive would strengthen consumer rights in Ireland, others would potentially have a less positive effect. Concerns about the proposal’s impact on Irish consumer rights centre mainly on its provisions on consumer remedies for faulty goods and in particular, as the Deputy’s question suggests, on their implications for what is known as the right to reject. By this is meant the right to return faulty goods, obtain a refund of the price, and, in so doing, to terminate the contract. A fully harmonised provision along the lines proposed in the draft Directive would, if adopted, mean that the right to reject would be a remedy of second rather than first resort for faulty goods.

I would like to assure the Deputy that my officials have expressed our reservations about the relevant aspects of the proposed Directive in clear and forthright terms. Those concerns were restated at political level at the Competitiveness Council in December 2009 and May 2010. I also raised our concerns directly with Vice-President Reding who now has responsibility for the proposal at a meeting I had with her on the occasion of the May Competitiveness Council. Intensive discussions have taken place under the Belgian Presidency in advance of the Competitiveness Council to be held on 10 December. While a final resolution of all of the outstanding issues has yet to be achieved, the indications are that a general approach to their resolution will be agreed in the near future.

The Committee on the Internal Market and Consumer Protection of the European Parliament is also currently concluding its consideration of the proposed Directive. Almost sixteen hundred amendments to the proposed Directive tabled by members of the Committee are now being considered. The Committee is scheduled to vote on the proposal in early January 2011 and a plenary vote of the Parliament is expected in March 2011.

Employment Support Services

51. **Deputy Arthur Morgan** asked the Minister for Enterprise, Trade and Innovation the action he is taking to stop emigration; the pre-emptive projects planned to create employment here to stop 100,000 persons leaving by 2014, as envisaged by the Government in its budgetary outlook 2010; and if he will make a statement on the matter. [45494/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The role of my Department is to ensure that we have the right policies in place that will support and grow our enterprise base in order to facilitate both job creation and job retention. Workers are mobile, and migration, both inward and outward, has always been a feature of Ireland’s labour force, as it has been the world over. Clearly, there is a difference between voluntary migration where people choose to work abroad for various reasons, and the current situation where many people

[Deputy Batt O’Keeffe.]

feel that they have to look elsewhere for work until such time as the Irish economy picks up and their skills are in demand here again. We experienced this during the 1980s and 1990s, when skilled workers left Ireland for jobs, to return some years later, with greater experience and skills, as our economy grew.

The National Recovery Plan, which was published by the Government on 24th November, provides a blueprint for Ireland’s return to sustainable economic growth. It identifies the areas of activity, which will provide increased employment opportunities as Ireland’s economic recovery takes place. The Plan sets out a range of specific actions and supports designed to improve competitiveness across all sectors of the economy, including the SME sector. These include measures to cut costs to business, the removal of barriers to employment creation, and a range of sector-specific actions to increase exports and domestic demand.

The State Development agencies, Enterprise Ireland and IDA Ireland, and the County and City Enterprise Boards are continuing to drive and promote enterprise development, and consequently employment creation in our economy. IDA Ireland continues to market and promote Ireland for inward investment. Indeed, earlier this week, on 30 November, global management consultancy Accenture, an IDA client company that already employs 1,300 people in Ireland, announced the creation of an additional 100 jobs at a new centre in Dublin.

Enterprise Ireland is actively focused on the creation of new jobs through supporting entrepreneurs setting up new high potential start-up companies, and the retention and creation of new jobs in existing companies. The agency also continues to work with community groups around the country to develop community enterprise centres designed to foster micro enterprises. The County and City Enterprise Boards support the micro enterprise sector — businesses with 10 employees or less — in the start-up and expansion phases and promotes entrepreneurship at local level.

In September, the Taoiseach launched the five-year integrated Government plan for trade, tourism and investment aimed at generating 300,000 jobs by the end of 2015. The new plan, *“Trading and Investing in a Smart Economy”*, is the first integrated strategy to promote overseas trade, tourism and investment. With this new strategy, the Government aims to position Ireland for strong export-led growth to 2015, resulting in high levels of job creation. The plan aims to create over 150,000 direct new jobs (IDA Ireland 75,000, Enterprise Ireland 60,000, tourism 15,000) in manufacturing, tourism and internationally trading services, with another 150,000 spin-off jobs.

In addition to delivering programmes through the Enterprise Development agencies, my Department also works across Government to ensure that Ireland regains competitiveness, including cost competitiveness, thus improving the business environment and enabling companies to successfully compete internationally and grow jobs.

Single Market

52. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the extent to which he has had discussions with the EU Commissioner, Michel Barnier, with a view to availing of the benefits of the relaunch of the Single Market; the degree to which technology and innovation is likely to play a role in such plans; and if he will make a statement on the matter. [45604/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I met Commissioner Barnier in Dublin on 5 November last. The Commissioner was in Dublin to fulfil a number of

engagements, including a meeting with my Department to discuss a number of initiatives designed to make the Single Market work more effectively. These include the Services Directive, the Single Market Act (SMA) and the operation of the SOLVIT Network.

The transposition of the Services Directive was completed on 23rd November last. The details are set out in the answer to Question 45604/10. The transposition of the Directive makes it easier for businesses and consumers to buy services in the Single Market. *Forfás* projects that the real value of Irish services exports could rise by between €13 billion and €16 billion annually as a result of improved services trade under the Directive, as transposed. Jobs in services could rise by 5,300 and foreign direct investment in services could increase by up to 20pc.

The SMA, which was published on 27th October last, is the Commission's response to the May 2010 Monti Report, which was prepared by (former) Commissioner Mario Monti at the request of the President of the European Commission, Mr Barroso, to review progress to date in the creation of the Single Market and to identify what needed to be done to complete it. It includes a number of recommendations on the funding of innovation and long-term investment.

The SMA has been published for public consultation after which (in early 2011) the Council of Ministers and the European Parliament will be asked to formally agree to it. The Commission is anxious that a public debate on the SMA takes place at national level as well as at EU level. In that regard, my Department will be giving a presentation on the SMA to the Joint *Oireachtas* Committee on European Affairs on 14th December next. The views of stakeholders, including the social partners, on the Act have also been sought.

SOLVIT is an informal problem-solving network launched by the European Commission in 2002. It was created to solve cross-border problems that EU citizens or businesses are experiencing with the public administrations of other EU Member States. Those problems must be associated with a denial of their Single Market rights due to single market law not being applied correctly. SOLVIT aims to solve problems raised by citizens or businesses within 10 weeks.

In tandem with the renewal of the Single Market through the SMA, the Europe 2020 strategy for smart, sustainable and inclusive growth, which was published in March 2010, identifies the Single Market as one of three main instruments to deliver its vision of a knowledge-based, green and inclusive EU economy (together with budgetary means and external economic policy). The strategy focuses on economic growth, sustainable development and emissions reduction and on the need to tackle societal challenges such as healthy ageing, energy security, climate change and environmental protection.

Innovation has moved up the political agenda and the European Commission is seizing on this opportunity to try and turn long-mulled ideas into reality. In this context the Innovation Union flagship initiative, launched in October 2010, within the EU 2020 Strategy, is relevant. Within the Innovation Union flagship, the idea of European Innovation Partnerships (EIPs) is being developed. EIPs are intended to take existing national and EU funded research efforts and channel them in a concerted way into large partnerships. Those (partly EU funded) national research efforts would be resourced through the usual sources, including the Framework Programmes. Ireland performs well in attracting research and innovation funding from the current FP7 and is active in influencing the direction FP8 will take, when it is launched in 2014.

Our national innovation initiatives are mirroring those at the EU level. For example, since the publication of the Innovation Task Force's Report in March 2010, the Innovation Task Force Implementation Group has been progressing the Task Force's recommendations. It is

[Deputy Batt O’Keeffe.]

anticipated that arising out of the recommendations a pilot project will be established in line with the EIP, probably in the healthy ageing area.

Schools Refurbishment

53. **Deputy Olivia Mitchell** asked the Tánaiste and Minister for Education and Skills the position regarding the funding application towards a resource room in respect of a school (details supplied) in Dublin 14 and if the application for this work can be facilitated at an early date. [45649/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers recently applied to my Department for funding to provide a resource room. The application is currently being assessed. My officials will convey a decision on the application to the school authority as soon as the assessment process has been completed.

54. **Deputy Michael D’Arcy** asked the Tánaiste and Minister for Education and Skills when an extension will be sanctioned and work commence on a school (details supplied) in County Wexford; and if she will make a statement on the matter. [45653/10]

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 have recently submitted a stage 2(b) report. However, this submission was incomplete and an addendum was requested. My Department will review this addendum on receipt. Following the review, and assuming no issues arise, my Department will then revert to the school with further instructions regarding progression of the project to tender and construction.

55. **Deputy Michael D’Arcy** asked the Tánaiste and Minister for Education and Skills when works will be sanctioned and commence on a school (details supplied) in County Wexford which has applied under the summer works scheme 2010; and if she will make a statement on the matter. [45654/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As part of the Summer Works Scheme 2010, school management authorities were invited to apply for water conservation measures to reduce water usage by installing push type spray taps, low flushing toilets and urinal controls. I am pleased to inform the Deputy that the school in question has been allocated a grant and the management authority of the school, County Wexford Vocational Education Committee have been advised how to draw down the grant.

56. **Deputy Michael D’Arcy** asked the Tánaiste and Minister for Education and Skills when works will be sanctioned and commence on a school (details supplied) in County Wexford which has made an application for redevelopment; and if she will make a statement on the matter. [45655/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers has applied to my Department for large scale capital funding for an extension project. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band rating of 1.2. 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 progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

57. **Deputy Michael D'Arcy** asked the Tánaiste and Minister for Education and Skills when emergency works will be sanctioned and commence on a school (details supplied) in County Wexford which has applied under the emergency works scheme 2010, the summer works scheme and made application for an extension; and if she will make a statement on the matter. [45656/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school referred to by the Deputy has been allocated funding under my Department's Permanent Accommodation Scheme 2007 for the provision of additional accommodation. The school has also been allocated funding under the 2010 Summer Works Scheme 2010 for the replacement of windows and they also have applied for funding under my Department's Emergency Works scheme.

Funding for Emergency Works are made available to those schools most in need of resources as a result of unforeseen emergencies of a capital nature that may arise during the school year. The application for Emergency funding by the school in question is currently being assessed by my Department and a decision will issue to the school management authority as soon as possible. As funding allocated to the school is on a devolved basis it is a matter for the school management authority to ensure that works commence on site as quickly as possible.

58. **Deputy Michael D'Arcy** asked the Tánaiste and Minister for Education and Skills when emergency works will be sanctioned and commence on a school (details supplied) in County Wexford which has applied under the emergency works scheme 2010 and the summer works scheme; and if she will make a statement on the matter. [45657/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school in question was approved emergency funding in January 2010 for the replacement of the boiler in the school gym and I understand that these works have been completed. The school has also been allocated funding for window replacement and water conversion work under my Department's 2010 Summer Works Scheme and work on window replacement has commenced.

Special Educational Needs

59. **Deputy Tom Hayes** asked the Tánaiste and Minister for Education and Skills the position regarding an appeal for special needs assistant hours in respect of a person (details supplied) in County Tipperary. [45668/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy is aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support.

[Deputy Mary Coughlan.]

The NCSE has introduced an appeals process whereby schools and parents, where appropriate, may seek to appeal the decision of a SENO in relation to the allocation of resources. Information regarding the appeals process is available on the NCSE's website at www.ncse.ie. The NCSE has advised my Department that, to date, it has not received an appeal in respect of the pupil referred to by the Deputy. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

Construction Contracts

60. **Deputy Pádraic McCormack** asked the Tánaiste and Minister for Education and Skills the position regarding contractors (details supplied) who had school contracts and whereby the company subsequently went into examinership; if the sub-contractors will be paid for the work carried out on behalf of the main contractor while the main contractor is now in examinership. [45670/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): My Department allocated a devolved grant to the trustees of the school in question for the delivery of a new temporary school pending the appointment of a Board of Management. As the Deputy is aware an Examiner was appointed by the High Court in September 2010 to the main contractor awarded the contract for the delivery of the temporary school building and the appropriate course of action is for sub-contractors to raise any claims they may have with the Examiner appointed. In the circumstances, I am sure the Deputy will appreciate that my Department is not in a position to interfere in relation to the matters you have raised.

Home-School Liaison Scheme

61. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills in regard to the home-school community liaison scheme, which to date included both urban and rural schools, if rural schools will be excluded from this scheme; and if she will make a statement on the matter. [45723/10]

64. **Deputy Jimmy Deenihan** asked the Tánaiste and Minister for Education and Skills the number of primary schools that will be affected by the reduction in the number of rural co-ordinators serving primary schools; and if she will make a statement on the matter. [45762/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): I propose to take Questions Nos. 61 and 64 together.

The Government has published the National Recovery Plan 2011 to 2014. The plan includes measures to secure some €24m in savings in the 2011/2012 school year. These measures will lead to a reduction of up to approximately 1,200 posts in 2011 (700 primary, 500 post-primary) which, however, will be partly offset by the addition of some 875 new posts due to demographics. The measures to reduce teacher posts includes the removal of the Rural Coordinator service from 331 rural DEIS primary schools. This measure will not affect the provision of HSCL services which remain in 200 post primary and 345 urban primary participating in DEIS.

Community Employment Schemes

62. **Deputy Richard Bruton** asked the Tánaiste and Minister for Education and Skills the number of persons on the integration option and on the part-time job elements of the community employment programme; the distribution of persons who have participated in these

programmes by the period for which they were on the programme that is one year, two years and so on and the distribution by social welfare scheme that they were on prior to participation. [45750/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The details requested by the Deputy, as provided by FÁS, are as follows. Part-time Integration Option (PTI).

This is a one year version of CE for people aged 25 years and over who are receiving social welfare payments for 12 months or more. The number of people currently availing of this option is 14,650. Part-time Job Option (PTJ)

This is a three year version of CE, (based on annually renewable contracts) for people aged 35 years and over and who are receiving social welfare payments for 3 years or more. The number of people currently availing of this option is 5,696.

The following table outlines the number of years completed by participants of PTI and PTJ. This table includes the Off-shore islanders under PTI and PTJ options. These account for the majority of those in excess of 7 years as they are exempt from the participation caps. The table excludes Supervisors, Drugs Rehabilitation Clients and Exceptions.

Completed Years	PTI	PTJ	Grand Total
0	6,533	743	7,276
1	4,032	1,243	5,275
2	2,185	1,463	3,648
3	964	839	1,803
4	432	575	1,007
5	294	527	821
6	163	216	379
7+	47	90	137
Grand Total	14,650	5,696	20,346

The following table details the social welfare schemes that were availed of by participants of PTI and PTJ prior to their participation on CE.

Benefit Type	PTI	PTJ
Blind Pension	9	6
Carer's Allowance	5	5
Disability Allowance	1,046	790
Illness Benefit	536	244
Deserted Wife's Benefit	65	109
Employment Action Plan	28	
Ex Offender	6	
Invalidity Pension	760	785
Islander	12	
One Parent Family Payment	3,466	962
Supervisor		
Disability Referral	33	13
Qualified Adult (Historic category)	39	14
Refugee	1	3

[Deputy Seán Haughey.]

Benefit Type	PTI	PTJ
Exception		
Drugs Referral		
Traveller Live Register	44	9
Traveller Lone Parent	12	4
Jobseekers Allowance	4,927	1,343
Jobseekers Allowance (Swap)	44	14
Jobseekers Benefit	3,333	995
Jobseekers Benefit (Swap)	14	2
Widow/ers Pension	270	398
Grand Total	14,650	5,696

Higher Education Grants

63. **Deputy John McGuinness** asked the Tánaiste and Minister for Education and Skills if an application for a higher education grant submitted to Kilkenny Vocational Education Committee will be expedited in respect of a person (details supplied) in County Kilkenny. [45758/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The process of assessing and paying third level or further education grants is a matter for the relevant local authority or VEC. 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. Where a grant application is refused, the reason for the refusal is given by the grant awarding authority and an applicant may appeal the decision to the relevant local authority or VEC. Where the grant awarding authority decides to reject the appeal, the applicant may appeal this decision to my Department by submitting an appeal form outlining clearly the grounds for the appeal.

Question No.64 answered with Question No. 61.

Schools Building Projects

65. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Education and Skills if a successful contractor has been selected for the building of a school (details supplied) in County Kildare; when construction will commence and the timeframe envisaged for same. [45764/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The project to which the Deputy refers is currently at an advanced stage of the tender process. Subject to no issues arising, it is anticipated that a contractor will be appointed in early December and will commence construction shortly thereafter. The construction period is circa 12 months.

Education Policy

66. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Education and Skills her plans to undertake a benchmarking review of international best practice in education as outlined in the Global Irish Forum report; and if she will make a statement on the matter. [45791/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Schools are already subject to evaluation by way of the national scheme of Whole School Evaluation. Procedures for dealing with underperforming teachers in schools were implemented with effect from the beginning of the 2009/2010 school year.

With regard to a benchmarking review, Ireland participates in the OECD PISA studies which benchmark the performance of 15 year olds internationally in literacy, maths and science. Ireland will also participate in the next Progress in International Reading Literacy Study and Trends in International Maths and Science assessments of 10 year olds in 2011. Such an approach at senior cycle is not feasible due to the lack of availability of international standardized test instruments, as systems differ widely at this level. Ireland's Leaving Certificate was benchmarked against the UK A levels in 2003 by an Expert Group leading to agreement to treat a Leaving Certificate subject as equal to two thirds of an A level for entry to higher education in the UK. Both the NCCA and the State Examinations Commission are members of international education networks and keep abreast of international developments.

Tax Code

67. **Deputy Joe McHugh** asked the Minister for Finance the reason a car owner's parents (details supplied) are disallowed from driving his car, which is legitimately registered by a citizen who lives in this State; and if he will make a statement on the matter. [45707/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that Section 134(1)(a) of the Finance Act 1992 provides that a vehicle may be registered without the payment of vehicle registration tax (VRT), if the vehicle is "the personal property of a private individual and is being brought permanently into the State by the individual when he is transferring his normal residence from a place outside the State to a place in the State". However, specific conditions are attached to the use of such a vehicle for a defined period after it is brought into the State. These conditions are detailed in Statutory Instrument No. 59 of 1993 (Vehicle Registration Tax (Permanent Reliefs) Regulations, 1993). Regulation 4(6) of these Regulations requires that the vehicle be used solely by the registered owner for a period of 12 months from the date of registration in the State. It provides that: "*A vehicle in respect of which the relief aforesaid has been granted shall not be sold or otherwise disposed of, hired out, lent or given as security in the State during the period of 12 months following its registration by the Commissioners*".

The vehicle that is the subject of this question was granted a permanent exemption from the payment of VRT in November 2010 under Section 134(1)(a) of the Finance Act 1992. The exemption was granted to the registered owner of the vehicle and, accordingly, under the conditions detailed in Regulation 4(6) of Statutory Instrument No. 59 of 1993, the registered owner and he alone is permitted to drive the vehicle in the State until November 2011. The Revenue Commissioners have confirmed that the individual in question was advised in writing of the requirement regarding vehicle use, in a letter of exemption dated 8 November 2010, issued by their Border Midlands West Region, Donegal District, Letterkenny, Co. Donegal.

Finally, the Deputy may wish to note that where all qualifying conditions set out in S.I. No. 59 of 1993 are not complied with subsequent to the granting of an exemption, a payment of VRT equal to the amount remitted or repaid by the Commissioners at the date of registration will become due and is payable by the person in whose name the vehicle is registered.

Public Sector Staff

68. **Deputy John Cregan** asked the Minister for Finance if he will define the meaning of new entrant to the public sector as mentioned in the context of the forthcoming budget and if he can outline if a person (details supplied) in County Limerick would be classed as a new entrant. [45675/10]

Minister for Finance (Deputy Brian Lenihan): As is customary, I do not propose to comment in advance of the Budget on any matters that might be the subject of Budget decisions.

Flood Relief

69. **Deputy Terence Flanagan** asked the Minister for Finance the position regarding a flood defence wall (details supplied); and if he will make a statement on the matter. [45682/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): It would be open to Fingal County Council to apply for funding to build a flood defence wall at the location referred to by the Deputy under the Office of Public Works Minor Flood Works scheme. If the Council submits an application that meets the eligibility criteria of the scheme, it will be considered by the OPW having regard to the overall availability of funding for flood risk management.

Public Sector Pay

70. **Deputy Finian McGrath** asked the Minister for Finance if information (details supplied) is accurate. [45694/10]

Minister for Finance (Deputy Brian Lenihan): Salaries payable to Members of the Oireachtas are established under legislation, the Oireachtas (Allowances to Members) Act 1938. Members of the Oireachtas as office holders, are not covered by the terms of the Croke Park Agreement. Following a recommendation of the Review Body on Higher Remuneration in the Public Sector (Report Number 38 in 2000) salaries paid to Members are linked to that of the Principal Officer grade in the Civil Service. The Principal Officer grade in the Civil Service is covered by the terms of the Croke Park Agreement.

Company Closures

71. **Deputy Joe McHugh** asked the Minister for Finance if he will make a comprehensive statement on assets liquidation; the payment process to creditors; the order in which various creditor organisations are paid, that is, banks, Revenue, contractors and so on; and if he will make a statement on the matter. [45708/10]

Minister for Finance (Deputy Brian Lenihan): Policy in relation to Company Law matters are the responsibility of the Minister for Enterprise, Trade & Innovation in the first instance.

National Pensions Reserve Fund

72. **Deputy Pat Rabbitte** asked the Minister for Finance the companies excluded from the National Pensions Reserve Fund investment portfolio under Part AIV of the Cluster Munitions and Anti-Personnel Mines Act 2008, as a result of those companies' involvement in the cluster munitions or anti-personnel mines industries; and if he will make a statement on the matter. [45727/10]

Minister for Finance (Deputy Brian Lenihan): The National Pensions Reserve Fund (NPRF) was established on 2 April 2001 under the National Pensions Reserve Fund Act 2000 with the objective of meeting as much as possible of the cost to the Exchequer of social welfare pensions and public service pensions to be paid from the year 2025 until at least 2055. The Act provided for the establishment of the National Pensions Reserve Fund Commission. The Commission is solely responsible for the control, management and investment of the assets of the Fund (other

than assets which the Minister for Finance has directed the Commission to invest in a listed credit institution under the provisions of the Investment of the National Pensions Reserve Fund and Miscellaneous Provisions Act 2009) and for determining the investment strategy for the Fund in accordance with Fund investment policy.

The Cluster Munitions and Anti-Personnel Mines Act 2008 obliges the NPRF to avoid investment in manufacturers of cluster munitions and anti-personnel mines. The Commission has divested from seven companies and excluded four companies in which it did not have existing investments, from investment. These companies are either involved in the manufacture of cluster munitions or anti-personnel mines or have not distanced themselves sufficiently from the manufacture of such weapons.

The companies from which the Commission has divested are Alliant Techsystems Inc (US), General Dynamics Corp (US), L-3 Communications Holdings Inc (US), Lockheed Martin Corp (US), Northrop Grumman Corp (US), Raytheon Co. (US) and Textron Inc (US). The companies which the Commission have excluded from investment are Aerostar SA (Romania), Hanwha Corp (South Korea), Poongsang Corp (South Korea) and Singapore Technologies Engineering Ltd.

Financial Services Regulation

73. **Deputy Richard Bruton** asked the Minister for Finance the present provision agreed with financial institutions to protect persons having difficulty with loan repayments; where a borrower can get assistance if they feel an institution is not applying the code of practice and if further changes are to be agreed for implementation within the code [45748/10]

Minister for Finance (Deputy Brian Lenihan): The Code of Conduct on Mortgage Arrears (CCMA), a statutory Code issued by the Central Bank under Section 117 of the Central Bank Act 1989, sets out requirements for lenders in their dealings with borrowers who are having difficulties meeting their mortgage repayments. Lenders are required to comply with the CCMA as a matter of law and the Central Bank has the power to administer sanctions for a contravention of the CCMA. The lender must keep and maintain adequate records of all steps taken and must produce all such records to the Central Bank upon request. The Deputy will be aware of the Mortgage Arrears and Personal Debt Expert Group which I established in February under the Renewed Programme for Government. The Group submitted an Interim Report in July and a Final Report in November. Many of the recommendations require amendments to the CCMA specifying the steps involved in a Mortgage Arrears and Resolution Process (MARP) and the related obligations of both lenders and borrowers. One of these steps obliges the mortgage lender to provide for a mechanism by which the borrower can submit an appeal against decisions made under the MARP. The amended CCMA is expected to be published by the Central Bank shortly. For borrowers with difficulties meeting payments to regulated financial institutions in respect of all forms of personal debt (other than residential mortgages as referred to above), the Central Bank's Consumer Protection Code (CPC) provides that a regulated financial institution must have in place procedures for handling arrears. The Central Bank is currently carrying out a review of the CPC and, to this end, issued a public consultation paper in October with a draft revised CPC. It is proposed to increase the requirements for regulated financial institutions in relation to their handling of arrears cases. This document is available at www.financialregulator.ie.

At present a borrower, who feels that the provisions of either of the above codes are not being complied with by a regulated financial institution may submit a complaint to the Financial

[Deputy Brian Lenihan.]

Services Ombudsman. The Financial Services Ombudsman is an independent office established to deal with unresolved consumer complaints about their dealings with financial institutions.

The Deputy will also be aware of the IBF-MABS Operational Protocol on Debt Management, which became fully operational on 28 September 2009 and which has been subscribed to by fourteen Irish Bankers Federation (IBF) members. This protocol sets out a process by which MABS advisors and IBF members that have subscribed to the protocol, agree to approach debt problems experienced by personal customers/clients, on the basis of the following principles:

- (a) Examine the debt/arrears situation on its individual merits, as each situation is different and is likely to require different solutions.
- (b) Prioritise secured debts over unsecured debt and thereafter prioritise on the basis of consequences for non-payment. Secondary creditors will be treated on an equitable (pro rata) distribution basis.
- (c) Consider the customer/client's overall indebtedness in establishing ability to repay; first giving priority to protection of repayment of mortgage or rent for appropriate accommodation and payment for essential utilities such as heat and light and other basic necessities.
- (d) Explore, as appropriate, alternative repayment measures, ensuring that the customer/client receives a clear explanation of any alternative repayment arrangements being considered, together with details of any additional interest or administration charges that may arise in the process.
- (e) Inform the customer/client as to the full details of the repayment arrangement as well as, in so far as possible, the potential consequences of non-compliance to this and the continued impact on his/her credit rating.
- (f) Provide the customer/client with relevant contact details.
- (g) Monitor the mutually-acceptable, affordable and sustainable repayment plan that is put in place.

Tax Reliefs

74. **Deputy Richard Bruton** asked the Minister for Finance the number of employers who claimed double deduction for taking on persons who are long term unemployed in the most recent year for which data is available; the number of employees covered; the cost in aggregate of the relief and the restrictions that apply to qualifying employment and qualifying individuals and if he will consider relaxing these conditions [45752/10]

Minister for Finance (Deputy Brian Lenihan): The Revenue Job Assist Scheme provides an incentive to encourage both the long-term unemployed to take up employment and employers to employ the long-term unemployed. Additional tax relief is available which is tapered over three years for the unemployed person returning to work. A tapering child allowance in respect of dependent children may also be due. A double wage deduction is available for employers who employ the long term unemployed. The numbers of employers and employees, together with the estimated costs to the Exchequer in relation to employees who participated in the Revenue Job Assist Scheme, are as follows (to the extent that they are available):

Employers		Employees	
Year	Numbers	Numbers	Costs to Exchequer
			€m*
2008	321	330	0.2
2009	306	Not yet available.	

*Figures of Exchequer cost are rounded as appropriate.

The scheme is available to persons who have been continuously unemployed for the immediate period of 52 weeks prior to taking up a qualifying job and in receipt of certain payments made by the Department of Social Protection. Time spent on a number of State-aided training courses or schemes, including FÁS courses or Community Employment Schemes, can be taken into account as periods of unemployment. The scheme has also been extended to allow time spent in prison to be treated in the same way as time spent unemployed.

The scheme is available to employers for jobs which are for a minimum of 30 hours per week, and capable of lasting at least 12 months. It does not apply to jobs that are primarily commission based (i.e. over 75% of earnings derived from commission) or already grant aided by other agencies (statutory or otherwise).

The employer will not qualify if the employment results from the previous jobholder being unfairly dismissed; is taken up by the proprietary director of the company or the spouse of such a director; or is in an employment where the employer requires no workforce. In addition, the employer will not qualify for Revenue Job Assist for an employment if any employees were made redundant in the 26 weeks prior to the date of commencement of the new employment. However, the genuine replacement of an existing employee will qualify (e.g. replacing an employee who retires or voluntarily leaves the employment).

These conditions were put in place in order to counter any possible abuse of the scheme and it is difficult to see how they could be relaxed without opening the scheme to the potential for abuse.

It is important to point out that provided their tax affairs are in order, employers who take on employees under the Revenue Job Assist scheme may also qualify for the existing PRSI Exemption Scheme for the first 2 years of employment.

Tax Code

75. **Deputy Richard Bruton** asked the Minister for Finance if the refund of DIRT tax for persons aged 65 years and over, who are not otherwise eligible to pay income tax, will continue to apply as the age tax exemption is phased out over the next four years and if so, the way it will be phased in [45753/10]

Minister for Finance (Deputy Brian Lenihan): An individual aged 65 or over is eligible for a refund of DIRT, or to have interest paid free from DIRT, if his or her taxable income, including deposit interest, does not exceed the relevant income tax exemption limits, currently €20,000 for single individuals and €40,000 for married couples. The National Recovery Plan 2011-2014 (NRP) provides for the abolition of a number of reliefs and exemptions from income tax. One of the exemptions to be abolished is the income tax age exemption, which will be phased out over the four years of the plan. The details of how the measures will be implemented will be outlined in the relevant Budgets and Finance Bills.

Tax Reliefs

76. **Deputy Richard Bruton** asked the Minister for Finance if any change in the tax credit on bin charges up to a maximum of €400 is planned in the context of the four year budget plan [45756/10]

Minister for Finance (Deputy Brian Lenihan): In line with a recommendation of the Commission on Taxation, Finance Act 2010 provided for the abolition of tax relief for service charges. The relief was abolished for the tax year 2012 and subsequent tax years in respect of service charges paid in the financial year 2011 and subsequent financial years. Under existing legislation, the tax relief is available for the tax year 2011 in respect of service charges due and paid in the financial year 2010 and this remains unchanged.

Pension Provisions

77. **Deputy Róisín Shortall** asked the Minister for Finance the position regarding the proposed changes to tax reliefs on pension contributions; the way proposals announced in the four year plan will impact differently on public and private sector workers [45783/10]

Minister for Finance (Deputy Brian Lenihan): The National Recovery Plan contains proposals for changes to the tax and other relief arrangements for private or supplementary pension provision over the period of the Plan, including a gradual reduction to standard rate income tax (20%) relief on employee/individual contributions to pension arrangements commencing in 2012. Pension contributions are made by certain employees in both the private and public sectors. Certain changes, including the removal of employee PRSI and Health Levy relief from employee pension contributions will take effect in 2011. While not a contribution to supplementary pension provision, per se, employee PRSI and Health Levy relief will also be removed from the public service pension-related deduction from 2011 while tax relief on the deduction will also be reduced to the standard rate over the period 2012 to 2014.

The National Recovery Plan includes some indicative impacts of the main income tax changes and, in terms of the changes to the existing reliefs on pension contributions, estimates that the net pay of a single individual in the private sector on €55,000 would fall by about 2.5% over the period to 2014 on foot of the main changes to pension reliefs involved.

The fall in net pay for a single individual on the same pay in the public service could be greater or less, depending on their circumstances, because of the reduction in tax and other reliefs on the pension-related deduction as well as on employee pension contributions which are made by the bulk of public servants.

The Plan recognises that the various changes proposed may reduce saving for private pension provision. The Government is committed to raising €700 million from the pension sector over the period of the Plan and is willing to engage with the sector to examine alternatives to deliver this outcome.

EU Funding

78. **Deputy Lucinda Creighton** asked the Minister for Finance the measure taken in negotiations with the European Central Bank, EU and International Monetary Fund to protect the National Pension Reserve Fund; his views regarding the use of €12.5 billion of the fund as part of the EU/ECB/IMF deal; the reason he did not prioritise a plan for growth and stimulus at any stage throughout the negotiations; and if he will make a statement on the matter. [45786/10]

Minister for Finance (Deputy Brian Lenihan): The Government announced on 28 November 2010 that it had agreed in principle to the provision of €85 billion of financial support to Ireland by Member States of the European Union through the European Financial Stability Mechanism and the European Financial Stability Facility (EFSF); bilateral loans from the UK, Sweden and Denmark; and the International Monetary Fund's (IMF) Extended Fund Facility (EFF) on the basis of specified conditions. The State's contribution to the €85 billion facility will be €17½ billion, which will come from the National Pensions Reserve Fund (NPRF) and other domestic cash resources. This means that the extent of the external assistance will be reduced to €67½ billion.

The purpose of the external financial support is to return our economy to sustainable growth and to ensure that we have a properly functioning, healthy banking system. We have agreed to use resources available to us to make our own contribution to the programme. The Programme for the Recovery of the Banking System will be an intensification of the measures already adopted by the Government. The programme provides for a fundamental downsizing and reorganisation of the banking sector so it is proportionate to the size of the economy. It will be capitalised to the highest international standards and in a position to return to normal market sources of funding, and it is appropriate that we should play our part in this through the National Pensions Reserve Fund. Furthermore, this State cannot ask taxpayers from other countries to contribute to a financial support package while leaving its own assets untouched.

In relation to fiscal policy and structural reform, the Programme for Support endorses the Government's budgetary adjustment plan of €15 billion over the next four years and the structural reforms contained in the National Recovery Plan which will underpin a return to sustainable economic growth over the coming years. The NPRF's commitment to infrastructure development as outlined in the National Recovery Plan is unaffected by the Fund's contribution to the financial support package.

European Single Currency

79. **Deputy Lucinda Creighton** asked the Minister for Finance the discussions he has had with the European Finance Ministers regarding the future of the single European currency; and if he will make a statement on the matter. [45788/10]

Minister for Finance (Deputy Brian Lenihan): I attend meetings of the Eurogroup and Ecofin, which comprise the Finance Ministers of the Euro area and the EU respectively, together with the European Commission and the European Central Bank (ECB). It is a priority of the Eurogroup, ECOFIN and the European Council (EC) to ensure the financial stability of the Euro area and the EU as a whole. I can assure the Deputy that the supportive actions taken by the members of the Eurogroup, ECOFIN and the European Council are directed towards achieving this aim. The Eurogroup and ECOFIN agenda have focused on the impacts of the financial and economic crises for the economies of Euro area members, with the objective of ensuring the long-term stability of the euro. The Eurogroup and Ecofin have at all times acted decisively in response to changing global economic and financial market developments to support members experiencing financial difficulties.

In May of this year EU Finance Ministers unanimously agreed to activate stability support to Greece following a request for support from the Greek Government. The Eurogroup decided that a more comprehensive package of financial support measures was needed and established two assistance programmes, the European Financial Stabilisation Mechanism and

[Deputy Brian Lenihan.]

the European Financial Stability Facility to financially support Member States in difficulties caused by exceptional circumstances beyond Member States' control.

In parallel with the above measures, and following agreement at European Council level, Eurogroup and ECOFIN have worked closely with the Van Rompuy Taskforce to reinforce economic policy coordination, initially through strengthening the Stability and Growth Pact and on developing a framework for identifying and correcting macroeconomic imbalances. On 28-29 October the European Council agreed on the need to set up a permanent mechanism to safeguard the financial stability of the euro area as a whole. At their meeting on Sunday 28th November Eurogroup Ministers agreed that this European Stability Mechanism (ESM) will be based on the European Financial Stability Facility and be capable of providing financial assistance packages to euro area Member States under strict conditionality and functioning according to the rules of the current EFSF.

The economic and fiscal situations of member states experiencing concerted pressure in the financial markets are discussed on the basis of assessments by the European Commission and contributions from the individual Ministers. This is a constructive discussion setting out the risks and challenges facing each euro area member and the necessary policy responses which are being considered by Ministers to counteract the severe pressures they are experiencing. The European Commission has endorsed Ireland's 4-year National Recovery plan for the period 2011-2014. I believe that the targets set out in the plan are achievable and provide a strong basis for enabling us to meet our commitments with regard to compliance with the terms of the Stability & Growth Pact. You will be aware that following an application by Ireland for external assistance, a joint programme of financial assistance by Europe and the IMF has been agreed for Ireland and was unanimously approved by Eurogroup and ECOFIN Ministers last weekend. The drawdown of this financial support is conditional upon our continuing to meet the expenditure and revenue targets set out in the plan. At last weekend's meetings Eurogroup and ECOFIN also decided upon a one year extension of our excessive deficit procedure to 2015, an immediate strengthening and comprehensive overhaul of the banking system and growth enhancing reforms, in particular in the labour market, to allow a return to robust and sustainable growth.

In conclusion, I believe it is clear that throughout the current crisis, euro area Member States have demonstrated their determination to take decisive and coordinated action to safeguard financial stability in the euro area as a whole, and I am confident that this will continue to be the case.

Health Services

80. **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. [45679/10]

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.

81. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied) [45648/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters, I have referred the question to the Health Service Executive for direct reply.

Vaccination Programme

82. **Deputy Maureen O'Sullivan** asked the Minister for Health and Children if her attention has been drawn to the number of side effects young persons have experienced having received the cervical cancer vaccine; if she has satisfied herself that adequate information on possible side effects is given out with the consent form; her views on the fact that a private company is offering to provide this vaccine in some schools [45685/10]

Minister for Health and Children (Deputy Mary Harney): There are two vaccines licensed in Ireland to prevent HPV infection. Cervarix was licensed in September 2006 and Gardasil was licensed in September 2007. Both are therefore available privately for use under the direction of a medical practitioner and it is known that one insurer is offering a HPV vaccination service in some schools to girls not covered under the public scheme.

The public HPV immunisation programme commenced earlier this year in schools. It is estimated that up to 45,000 doses of Gardasil have been administered in the programme up to the end of October 2010. Prior to any girl receiving the first dose of Gardasil all parents/guardians receive a fact sheet, consent form and accompanying letter detailing when and where the vaccination will take place and containing a phone number to call if they have any queries. The fact sheet contains information in English and Irish about HPV itself and the vaccine, including possible side effects and contraindications. The contents of this agreed national fact sheet were developed using the guidance of the National Adult Literacy Agency (NALA) to ensure clarity, as well as any feedback from parents whose daughters received the first does of vaccine in May 2010. At the back of the fact sheet parents/guardians are advised that they can read more about HPV vaccine and cervical cancer at www.hpv.ie. This website contains additional information including the Patient Information Leaflet and Summary of Product Characteristics (the licensed information about the vaccine) and also directs parents to the national immunisation website www.immunisation.ie which contains the fact sheet translated into eight other languages as well as further additional information for health professionals. The www.hpv.ie website also allows parents to email any queries they may have and these are responded to by the National Immunisation Office within 24 hours.

The Irish Medicines Board (IMB) received a total of 105 reports of adverse events associated with the use of Gardasil up to 29 November 2010. The reports have been mainly consistent with the expected pattern of adverse effects for the vaccine, as outlined in the product information, and include cases of injection site reactions, malaise, headache, myalgia, fatigue, gastrointestinal symptoms and skin reactions (including urticaria). Vaccination related events such as dizziness and syncope (fainting) were among the most commonly reported reactions. Hypersensitivity reactions were also received including a small number of reports of anaphylactic-type reactions. These cases were investigated and reviewed by the IMB and where appropriate, the National Immunisation Advisory Committee (NIAC). These adverse events are within the acceptable limits as outlined in the Gardasil Summary of Product Characteristics. On the basis of the available evidence, the IMB considers that the benefits of the vaccine exceed its risks and both the IMB and NIAC recommend its continued use. The IMB together with the European Medicines Agency will continue to monitor closely the safety of Gardasil.

Health Services

83. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support

[Deputy Finian McGrath.]

the case of a person (details supplied) in Dublin 5; and if she will make a statement on the matter. [45692/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has again been referred to the Health Service Executive for direct reply.

84. **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. [45695/10]

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.

Ambulance Service

85. **Deputy Michael Ring** asked the Minister for Health and Children if the ambulance control centre for Galway, Mayo and Roscommon, which is currently located in Castlebar, is being transferred to Ballyshannon. [45698/10]

94. **Deputy Michael Ring** asked the Minister for Health and Children if consultation has taken place with staff in the ambulance control centre for Galway, Mayo and Roscommon in Castlebar about the possibility of the ambulance control centre being transferred to Ballyshannon. [45721/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 85 and 94 together.

The establishment within the HSE of a National Ambulance Service has enabled a major programme of reform and improvement to be commenced. This aims to maximise operational efficiency and provide a more responsive and appropriate emergency ambulance service. The HSE, with the support of the Department of Health and Children and the Health Information and Quality Authority, has determined that the needs of the Irish health service can best be met by the establishment of two ambulance control centres for the country. While the needs of the service could be met by a single centre, it is considered more appropriate to have a second centre in order to ensure that a back-up capability will always be available.

One of these centres will be located in the east of the country, with the second in Ballyshannon, County Donegal. The project to establish a single control centre model has significantly advanced with the recent closure of Naas Control Centre and transfer of its functions into Dublin. A phased process of further change is planned during 2011 and this includes the control functions currently located in Castlebar being relocated to Ballyshannon in the first quarter of the New Year. The HSE is engaged with staff representative bodies in relation to the planned changes.

I am satisfied that these changes will enable the most appropriate ambulance resources to be despatched as expeditiously and efficiently as possible in the interests of provided a safe and high-quality service to the public.

Mental Health Services

86. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the reason 16 and 17 year olds who need to access mental health services cannot be seen by child and adolescent psychiatry services rather than adult psychiatry services; and if she will make a statement on the matter. [45699/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As this is a service matter the question has been referred to the HSE for direct reply.

Hospital Services

87. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the reason 16 and 17 year olds cannot access the 24-hour on-call service for children and adolescents up to the age of 15 in the Mater and Temple Street hospitals, as there is no 24-hour on-call service at Beaumont; if she will make this facility available for emergency assessments for Beaumont Hospital; and if she will make a statement on the matter. [45700/10]

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 Car Parks

88. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the amount of revenue received from car parking at Beaumont Hospital, Dublin 9, for the years 2007, 2008 and 2009, and to date in 2010; on what the revenue generated was spent; and if she will make a statement on the matter. [45701/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Service Staff

89. **Deputy James Reilly** asked the Minister for Health and Children the total number of grade VIII managers for each of the years from 2000 to 2010; and if she will make a statement on the matter. [45709/10]

Minister for Health and Children (Deputy Mary Harney): The numbers of Grade VIIIs employed in the public health service for the years 2000 to 2010 are set out in the table below. As can be seen from the data, following a peak in 2007, the number of Grade VIIIs has been decreasing steadily due to employment control measures introduced by my Department.

Numbers of Grade VIIIs employed in the public health service

Date	Total WTE excl. career break
31/12/2000	6.00
31/12/2001	271.14
31/12/2002	459.75
31/12/2003	468.81
31/12/2004	495.55
31/12/2005	520.70
31/12/2006	602.40
31/12/2007	715.92
31/12/2008	699.85
31/12/2009	687.42
30/09/2010	656.67

Health Services

90. **Deputy James Reilly** asked the Minister for Health and Children the number of primary

[Deputy James Reilly.]

care centres planned under the primary care strategy; and if she will make a statement on the matter. [45710/10]

Minister for Health and Children (Deputy Mary Harney): The HSE has developed a generic model Primary Care Centre brief to accommodate Primary Care Teams. Approximately 270 possible locations for such centres were identified by the HSE. These were advertised in two stages in late 2007 and mid 2008. The HSE has summarised the progress to date as follows:

- Approximately 220 new primary care centres are currently under consideration.
- In 210 locations, the HSE Board has agreed to proceed with negotiations with interested parties.
- 107 centres are currently in contractual negotiations which will accommodate 137 teams.
- 12 centres procured by lease agreement are complete and in operation.
- A further 6 centres are expected to open by the end of 2010.
- The HSE expects at least 115 primary care centres to be operational by 2013, supporting 160 teams.

The HSE has indicated that all these figures are approximate and that projections will change every quarter due to negotiations being progressed or finalised, projects not progressing due to various issues, including planning, banking and market issues. The HSE is continuing to develop a number of Primary Care Centres funded through its Capital Allocation. A number of these centres are at advanced stages of development.

Social Welfare Benefits

91. **Deputy Ciarán Lynch** asked the Minister for Health and Children when a decision will issue on an appeal for supplementary welfare assistance towards the cost of a rent deposit in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [45712/10]

Minister for Health and Children (Deputy Mary Harney): I understand from the HSE that a reply issued to the Deputy on 5 November 2010.

Child Abuse

92. **Deputy Denis Naughten** asked the Minister for Health and Children, further to Parliamentary Question No. 242 of 9 November 2010, when the review will be complete; if any issues of concern have arisen to date; and if she will make a statement on the matter. [45715/10]

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.

National Lottery Funding

93. **Deputy Pat Breen** asked the Minister for Health and Children if a group (details supplied) will be facilitated; and if she will make a statement on the matter. [45719/10]

103. **Deputy Joe Carey** asked the Minister for Health and Children the position regarding an application for national lottery funding in respect of an organisation (details supplied); and if she will make a statement on the matter. [45778/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I propose to take Questions Nos. 93 and 103 together.

Grants from National Lottery funding are considered and approved by the Minister for Health and Children based on the recommendation of the relevant section within the Department. In the case of the group in question, I understand that the Childcare Directorate of my Office has considered the application in question and has passed its recommendation to the Minister's office. I understand that a decision on the application will be made shortly following which the group will be advised of the outcome.

Question No. 94 answered with Question No. 85.

Health Services

95. **Deputy John McGuinness** asked the Minister for Health and Children if further home help hours will be allocated in respect of a person (details supplied) in County Kilkenny. [45734/10]

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

96. **Deputy John McGuinness** asked the Minister for Health and Children if an application for a medical card now under appeal will be expedited in respect of persons (details supplied) in County Kilkenny. [45761/10]

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

97. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent to which she proposes to provide funding for upgrading, improvement of facilities or otherwise extending the various health centres throughout County Kildare; the timescale for same; if extra accommodation will be arranged for Johnstownbridge health centre in view of the increased demand for its services; and if she will make a statement on the matter. [45768/10]

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.

98. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a primary medical certificate will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [45770/10]

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.

Hospital Services

99. **Deputy Frank Feighan** asked the Minister for Health and Children when the project plan to map out the future configuration of the services across Galway and Roscommon hospitals will be completed. [45773/10]

100. **Deputy Frank Feighan** asked the Minister for Health and Children if Roscommon County Hospital is to become a category 2 hospital with only elective and routine surgery being carried out. [45774/10]

101. **Deputy Frank Feighan** asked the Minister for Health and Children if her attention has been drawn to the fact that the Health Service Executive west is recommending the closure of the accident and emergency unit at the County Hospital in Roscommon as part of the plans to turn it into a category 2 hospital. [45775/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 99 to 101, inclusive, together.

As these are service matters, they have been referred to the HSE for direct reply.

Health Service Staff

102. **Deputy Frank Feighan** asked the Minister for Health and Children the reason a commitment to have a nurse reinstated to run the day care services at a premises (details supplied) in Boyle, County Roscommon has not materialised. [45776/10]

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.

Question No. 103 answered with Question No. 93.

Mental Health Services

104. **Deputy Dan Neville** asked the Minister for Health and Children if she has revised the target for child and adolescent inpatient psychiatric beds down from 100 beds as recommended in *A Vision for Change* to 80 beds; the basis of this decision; and if she will make a statement on the matter. [45779/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): No changes have been made in relation to the target for child and adolescent in-patient psychiatric beds. '*A Vision for Change*' recognised that a small percentage of children with mental health disorders will require in patient admission and indicated that it was necessary to provide 100 beds nationally. As 20 suitable child and adolescent beds were in place at the time of publication, the net requirement is 80 beds. '*A Vision for Change*' also recommended the provision of 10 child and adolescent high secure beds.

105. **Deputy Dan Neville** asked the Minister for Health and Children the funding required to increase the child and adolescent inpatient psychiatric bed capacity to 80 beds; if funding has been committed for the development of these beds; and if she will make a statement on the matter. [45780/10]

106. **Deputy Dan Neville** asked the Minister for Health and Children the funding required to increase the child and adolescent inpatient psychiatric bed capacity to 100 beds; if funding

has been committed for the development of these beds; and if she will make a statement on the matter. [45781/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 105 and 106 together.

As this is a service matter the question has been referred to the HSE for direct reply.

Accident and Emergency Services

107. **Deputy Lucinda Creighton** asked the Minister for Health and Children the number of alcohol-related admissions to accident and emergency departments in each of the years 2008 to 2010; and if she will make a statement on the matter. [45792/10]

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 Services

108. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied) in Dublin 5. [45794/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Road Network

109. **Deputy Lucinda Creighton** asked the Minister for Transport the quantity of salt and grit held by each local authority; and if he will make a statement on the matter. [45787/10]

Minister for Transport (Deputy Noel Dempsey): The National Roads Authority (NRA) was tasked, as the result of the Transport review of last year's severe weather event with responsibility for salt supplies during periods of prolonged severe weather. In early August of this year, the NRA advertised a Framework Contract for the supply of de-icing salt for the Winter. The primary objectives were to (a) ensure that there is an adequate supply of salt to cover the Winter period and (b) to provide an effective framework within which additional supplies of salt could be procured in a timely fashion compliant with procurement obligations, should weather conditions so dictate.

The existence of this Framework Contract does not preclude local authorities from purchasing salt supplies from other sources. The NRA and local authorities are working closely together to keep the NRA fully apprised as to the quantities of salt being purchased independently to ensure there is a clear picture of salt stocks. The figures for salt stocks in the local authority sector are being co-ordinated and updated by the NRA on a daily basis. The NRA is also co-ordinating the supply of salt stocks to local authorities on a needs basis and stocks in the different authorities will vary from day to day.

Crime Levels

110. **Deputy Thomas P. Broughan** asked the Minister for Justice and Law Reform the burglary, theft from vehicle and public order crime statistics for Coolock Garda station, Dublin 5 for 2007 to 2010; if additional measures are being taken to deal with these crimes in this Garda district; and if he will make a statement on the matter. [45702/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office, as the national statistical agency, and the CSO has established a dedicated

[Deputy Dermot Ahern.]

unit for this purpose. I have requested the CSO to provide statistics directly to the Deputy. I have requested a report from the Garda authorities in relation to the measures that are being taken to tackle the type of crime in the Garda District referred to. I will contact the Deputy again when the report is to hand.

Departmental Reports

111. **Deputy Pat Rabbitte** asked the Minister for Justice and Law Reform if he will publish the report prepared by him following the recent Dignity (Daphne III) Project visit to Sweden; his views on whether replicating the ban on the purchase of sex is feasible in Ireland; when the report will be available to Members of the Oireachtas; and if he will make a statement on the matter. [45703/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Further to my reply to question No. 14 tabled for answer by the Deputy on 7 October, I have examined the report completed by my Department following the Dignity Project visit to Sweden in September. As stated in my earlier reply, any proposal to amend the law to create an offence of purchasing sex would require very careful consideration. I have asked the Attorney General to examine the report and requested his views on the legal and constitutional implications of introducing such a ban here. I have no difficulty in releasing the report as soon as the Attorney General has completed his examination of it.

Registration of Title

112. **Deputy Denis Naughten** asked the Minister for Justice and Law Reform the number of applications processed by the Land Registry and Property Registration Authority in 2003 and each subsequent year; the numbers processed to date in 2010; and if he will make a statement on the matter. [45714/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that the role of the Property Registration Authority (PRA) is to manage and control the Land Registry and the Registry of Deeds and to promote and extend the registration of ownership of land. The PRA also operates the Ground Rents Purchase Scheme under the Landlord and Tenant Acts.

An application to the Land Registry may include multiple transactions, for example an application may include a transfer of property, a charge on the property and a release of a charge. The following table sets out the number of applications for registration received, including Ground Rents applications and completed in the years 2003 to end of November 2010.

Year	Land Registry Applications		Registry of Deeds Applications	
	Intake	Output	Intake	Output
2003	190,026	178,164	73,228	76,496
2004	204,169	216,225	78,907	83,464
2005	217,529	228,355	68,991	92,859
2006	248,721	227,077	74,724	80,110
2007	266,997	224,594	74,915	81,943
2008	249,820	253,132	69,083	78,748
2009	207,553	241,918	42,828	51,334
2010 to date	139,921	187,848	32,550	37,180

Citizenship Applications

113. **Deputy John McGuinness** asked the Minister for Justice and Law Reform when an application for naturalisation will be determined in respect of a person (details supplied) in County Carlow. [45759/10]

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 November 2009. The application is currently being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course.

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.

Travel Documents

114. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding travel documents in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [45765/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to Parliamentary Question No. 244 of 30 September 2010 which outlines the current position surrounding the possible issue of an Irish Travel Document to the person concerned. The lack of recognition afforded by the French authorities to the Togolese travel document, held by the person in question, is a matter for the consular authorities of his own country to address and should be taken up directly with them.

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

115. **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 County Kildare; and if he will make a statement on the matter. [45766/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to refer the Deputy to my reply to Parliamentary Question No. 217 of 11 November 2010. I am informed that the person concerned did present for registration at her local Immigration Office on 20 November. However, she was refused registration on foot of a PULSE check and a report in relation to same will be forwarded to the Irish Born Child unit of the Irish Naturalisation and Immigration Service shortly. On consideration of her case file, INIS will contact the person concerned regarding her future status in the State.

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

[Deputy Dermot Ahern.]

cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Tribunals of Inquiry

116. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of tribunals of inquiry in operation here; the name and role of each tribunal; and if he will make a statement on the matter. [45785/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that the Smithwick Tribunal is the only on-going Tribunal of Inquiry currently in operation in relation to an issue within the responsibility of my Department. The Smithwick Tribunal was established in 2005 to investigate allegations that members of An Garda Síochána or other State employees may have colluded in the fatal shootings of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on the 20 March, 1989. The sole member of the tribunal is His Honour Judge Peter Smithwick. The Deputy might wish to note that more information on the Smithwick Tribunal can be obtained at www.smithwicktribunal.ie.

Legal Services Ombudsman

117. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform when he plans to provide a Legal Services Ombudsman; and if he will make a statement on the matter. [45790/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The position of Legal Services Ombudsman will be filled by an open competition conducted by the Public Appointments Service. The competition was advertised on 19 November, 2010 and the closing date for applications is 9 December, 2010. I expect that an appointment will be made early in the New Year.

Passport Applications

118. **Deputy Ciarán Lynch** asked the Minister for Foreign Affairs if a person (details supplied) in Dublin 4 is eligible to apply for an Irish passport; if an application has been made; and if he will make a statement on the matter. [45717/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Passports Act, 2008 requires that before issuing a passport to a person, the Minister for Foreign Affairs shall be satisfied that that person is an Irish citizen. Documentary proof in respect of identity and entitlement to citizenship are required for all passport applications. The Passport Service has no record of a passport application from the person in question and does not have sufficient information to ascertain if the person is entitled to apply for an Irish passport.

Social Welfare Benefits

119. **Deputy Seán Sherlock** asked the Minister for Social Protection if he will provide a breakdown per county of the number of farming families in receipt of farm assist for the years 2008, 2009 and to date in 2010; and if he will make a statement on the matter. [45650/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The information requested by the deputy is contained in the tabular statement.

Table: Recipients of Farm Assist by County, 2008 to 2010

County	2008	2009	2010 (October)
Carlow	56	70	99
Cavan	273	343	401
Clare	417	511	626
Cork	582	757	897
Donegal	1,053	1,219	1,354
Dublin	9	10	11
Galway	782	954	1,110
Kerry	547	640	724
Kildare	33	43	55
Kilkenny	112	135	174
Laois	75	96	138
Leitrim	209	260	309
Limerick	182	231	262
Longford	91	129	174
Louth	59	68	74
Mayo	1,401	1,550	1,645
Meath	57	74	92
Monaghan	386	440	511
Offaly	70	88	123
Roscommon	274	320	408
Sligo	354	409	467
Tipperary	181	262	341
Waterford	41	49	73
Westmeath	72	96	124
Wexford	129	163	187
Wicklow	51	55	75
Total	7,496	8,972	10,454

120. **Deputy Jack Wall** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare was refused supplementary welfare allowance; and if he will make a statement on the matter. [45665/10]

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.

121. **Deputy Róisín Shortall** asked the Minister for Social Protection the justification for not allowing a person (details supplied) in Dublin 11 who has no income to claim a jobseeker's payment while they participate in devilling and the basis on which the labour market activation programme and FÁS apprenticeship programmes can both permit the payment of State income support when a person in this circumstance cannot benefit from any at all; if there is any way in which a person in these circumstances might qualify for some form of income support. [45671/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): In order to qualify for jobseeker's allowance or jobseeker's benefit, a person must satisfy certain conditions which include being

[Deputy Éamon Ó Cuív.]

available for and looking for full-time work. As the person concerned is not available for full-time work while undertaking ‘devilling’, she will not qualify for a jobseeker’s payment.

The Labour Market Activation Fund, which was launched in March of this year, is used to generate training and educational places for categories of customers in receipt of a jobseeker’s payment, in a range of organisations, including in the private sector, the not-for-profit sector and in public sector providers. The fund is targeted at specific “priority” groups among the unemployed, i.e., the low-skilled, and those formerly employed in declining sectors — construction, retail and manufacturing — with particular emphasis on the under 35s and the long-term unemployed.

Apprenticeship is the recognised means by which people are trained to become crafts people. The main craft trades have been designated by FÁS and come within the scope of the Statutory Apprenticeship system, which is organised by FÁS in co-operation with the Department of Education and Science, employers and unions. ‘Devilling’ does not come within the remit of this programme.

Social Welfare Code

122. **Deputy Richard Bruton** asked the Minister for Social Protection his plans to extend family income supplement to persons who are self-employed whose business is not generating sufficient income to support their family; the type of accounts that would be required of a self-employed person to establish the income flow coming into their business; and if he will make a statement on the matter. [45676/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Family Income Supplement (FIS) payment provides income support for employees on low earnings with children. The payment is designed to preserve the financial incentive to take-up or remain in employment in circumstances where the employee might be marginally better off in employment than on social welfare payments. To qualify for payment of FIS, a person must be engaged in insurable employment which is expected to last for at least three months and be working for a minimum of 38 hours per fortnight or 19 hours per week.

The reasons for not extending the scheme to include the self-employed are twofold. Firstly, it would be impossible to establish satisfactorily their eligibility as their hours of employment would be difficult to establish and certify on an ongoing basis. Secondly, there are arrangements already in place to provide income support to self-employed people on low incomes, such as through Jobseeker’s Allowance and through Farm Assist for low-income farmers.

There would be considerable practical difficulties in defining and controlling an alternative to the hours worked condition. An extension of the FIS scheme would in effect fundamentally change the nature of the scheme and raise the risk of self-employed workers reducing the number of hours that they worked and/or under declaring their income to qualify for payment. Furthermore, the cost of extending the scheme to the self-employed would be considerable. For these reasons, it would not be feasible or desirable to extend FIS to the self-employed in its current form. There are no plans for extending FIS to the self employed at the present time.

Social Welfare Appeals

123. **Deputy Brian O’Shea** asked the Minister for Social Protection when a decision will issue on an illness benefit appeal in respect of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [45678/10]

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 10 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 11 November 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.

Social Welfare Benefits

124. **Deputy Finian McGrath** asked the Minister for Social Protection if he will support the case of a person (details supplied) in Dublin 3; and if he will make a statement on the matter. [45693/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned has made an application for mortgage interest supplement but no decision has been made on the application. The HSE will contact the person concerned when a decision has been made.

125. **Deputy Joe Behan** asked the Minister for Social Protection if he will support the case of a person (details supplied); and if he will make a statement on the matter. [45724/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Following a review of her carer's allowance claim it was decided that the person concerned was not entitled to payment as she was no longer providing full-time care. She was notified of the decision on 31st August 2010 and she has lodged an appeal against the decision. The person concerned applied for one parent family payment from 30th September 2010. Her file has been referred to an Inspector for an assessment of her current circumstances. The person concerned was paid supplementary welfare allowance from 10th September 2010 to 14th October 2010 when her payment was suspended. She requested a review of the decision to suspend her payment and this review is currently being carried out by the Health Service Executive.

126. **Deputy Michael Creed** asked the Minister for Social Protection the reason he is not processing applications regarding the payment of arrears on State contributory pension where entitlement has been established by virtue of farm partnership and the reconciliation of PRSI contributions; the number of applications being delayed; and if he will make a statement on the matter. [45729/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): All State pension (contributory) claims received where entitlement has been established by virtue of farm partnership have been fully processed. All outstanding arrears have now issued for payment and will be received by the individuals concerned within the next week.

Social Welfare Code

127. **Deputy Richard Bruton** asked the Minister for Social Protection if persons on one parent family allowance and disability allowance can retain full payment when taking up community employment. [45749/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): One parent family payment and disability allowance are means tested social assistance payments. Income from insurable employment is assessable for social assistance purposes, subject to the various weekly disregards and tapering arrangements which apply to the respective schemes. Where a recipient of either one of these schemes participates in a community employment scheme, the income received from such participation is derived from insurable employment.

Accordingly, the income received as a result of participation in a community employment programme is treated, for means test purposes, in the same way as income from any other employment and is assessed accordingly. The level of means assessed varies depending on the level of income from the community employment programme and the rate of one parent family payment or disability allowance payable is the maximum rate of these payments, appropriate to the given family, less the means assessed.

128. **Deputy Richard Bruton** asked the Minister for Social Protection if he will detail the circumstances in which mortgage interest supplement can be granted to a family; the maximum amount that can be granted; the maximum duration during which it can be granted and the rules for withdrawal of supplement where a person returns to full-time employment. [45751/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Detailed guidelines in relation to mortgage interest supplement are available on the Departments website (www.welfare.ie). These guidelines set out the type of information the Deputy has requested. I will arrange for a copy of these guidelines to issue to the Deputy.

129. **Deputy Richard Bruton** asked the Minister for Social Protection the means test on rent payment that will apply to a person returning to full-time employment who is on rent supplement but who has been accepted for the rental accommodation scheme. [45754/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Rent supplement is calculated to ensure that an eligible person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum weekly contribution of €24 which each recipient is required to pay from his or her own resources. Many recipients pay more than €24 a week towards their accommodation costs because they are also required to contribute a portion of any additional assessable means that they may have over and above the appropriate basic supplementary welfare allowance rate.

The rent supplement assessment provides for a gradual withdrawal of payment as earnings increase. Those availing of part-time employment and/or training opportunities can continue to receive rent supplement subject to their satisfying the standard means assessment rules. Where a person has additional income in excess of the standard weekly rate of supplementary welfare allowance, the first €75 of such additional income together with 25% of any additional income above €75 is disregarded for means assessment purposes.

Rent supplement is not normally payable where a person or their spouse or partner is in full-time employment, i.e. for 30 hours or more a week. However, a person on rent supplement, who is accepted as eligible for accommodation under the rental accommodation scheme (RAS), may return to full-time work, and be considered for assistance under the rent supplement scheme subject to the means test described above.

Social Welfare Appeals

130. **Deputy John McGuinness** asked the Minister for Social Protection if an application for

rent allowance now under appeal will be expedited in respect of a person (details supplied) in County Kilkenny. [45757/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned has been refused rent supplement as he has alternative accommodation available to him, he does not have a housing need and he does not meet the habitual residence condition. The HSE has further advised that the person concerned has appealed the decision to the HSE Appeals Office and it will contact the person concerned when a decision has been made.

Social Welfare Benefits

131. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when a review of one parent family allowance will be undertaken in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [45767/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): A review of the one parent family payment of the person concerned was carried out on 30th November 2010 which resulted in her means being revised downwards to €60 per week. Arrears due will be included in her payment on 2nd December 2010.

132. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason mortgage support has been refused in the case of a person (details supplied) in County Westmeath; if he will arrange for an appeal; and if he will make a statement on the matter. [45772/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned has made an application for mortgage interest supplement but no decision has been made on the application. The HSE will contact the person concerned when a decision has been made.

Foreshore Licences

133. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government his plans to review and amend the power under which he can terminate a foreshore licence at any time by giving three months notice in writing without payment of compensation or refund to the licensee; his views that the uncertainty that results from this provision inhibits the acquisition of development funding; and if he will make a statement on the matter. [45673/10]

134. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government the number of applications for foreshore licence being processed; the number of the current applications that already have planning permission; the number of applications that have been delayed because of problems with the termination clauses of the foreshore licence; and if he will make a statement on the matter. [45674/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 133 and 134 together.

Most of the foreshore is State property within the meaning of the State Property Act and ownership is vested in the Minister for Finance on behalf of the State. Where a development is proposed on the foreshore, both the property element and the regulatory element are determined within the foreshore consent process. The regulatory element is similar to planning permission under the Planning Acts. Both elements are dealt with in one document through a

[Deputy John Gormley.]

foreshore lease or licence which is issued, permitting the development, generally subject to specified conditions, and setting out the rent payable to the State.

As Minister with responsibility for administering the foreshore, I have a statutory obligation to include in all foreshore consents granted such covenants, conditions, and agreements as I consider necessary in the public interest, and which must be agreed with the person to whom consent is being granted. My Department is advised by the Chief State Solicitor's Office (CSSO) in this respect.

Accordingly, while standard versions of leases and licences are offered to applicants, the detailed terms and conditions are subject to discussion on a case by case basis. Where issues of the nature raised in the Questions pose an impediment for the applicant, every effort is made to arrive at a mutually acceptable outcome consistent with my statutory obligation to act at all times in the public interest.

The requirement for planning permission to be in place for on-land development is a pre-requisite to the determination of development consent and the granting of a licence or lease under the Foreshore Acts, and is assessed on a case by case basis. More than 300 of the 700 cases that transferred to my Department are active foreshore applications for leases and licences. These applications vary in terms of the size of the infrastructure project, level of complexity and state of progression through the foreshore consent process.

Community Development

135. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government if he will address the concerns of County Waterford Community Forum regarding its future (details supplied); and if he will make a statement on the matter. [45680/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): As set out in The National Recovery Plan 2011-2014 our current economic circumstances mean that public expenditure has had to be substantially reduced across Departments, agencies and programmes. As a result there are now competing demands for very scarce resources from a range of genuine interests, and difficult decisions have to be taken. The priority in these circumstances is to limit, to the greatest extent possible, the impact of expenditure reductions on essential services and on those most in need. In this context a review of the funding made available to the Fora from my Department's vote is necessary and unavoidable. However, the community and voluntary fora will continue to be supported and the matter will be dealt with in the estimates. It is also important to acknowledge the continued financial support by local authorities for the participation of Fora representatives on County/City Development Boards, Strategic Policy Committees and Joint Policing Committees.

The work undertaken by the community and voluntary fora is valued and should continue, and I will be writing shortly to the National Community and Voluntary Forum which acts as the National Executive for the Fora.

Register of Electors

136. **Deputy Ruairí Quinn** asked the Minister for the Environment, Heritage and Local Government if he will confirm that in the event of a general election taking place before 15 February 2011 that persons who have added themselves to the draft register of electors 2011/2012 will have their names automatically included in the supplementary voters register; and if he will make a statement on the matter. [45687/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Electoral law provides that the Register of Electors comes into force on 15 February annually and remains in force until the day before the date on which the next Register comes into force. Individuals not on the Register can avail of the supplement to the Register up until 15 days before the next polling day. The preparation of the Register is a matter for each local registration authority, whose duty is to ensure, as far as possible and with the cooperation of the public, the accuracy and comprehensiveness of the Register.

Homelessness Strategy

137. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the number of homeless persons identified in the homeless counts of 2008, 2009 and to date in 2010; the action he will take to reduce the incidence of homelessness; and if he will make a statement on the matter. [45696/10]

138. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the targets he has set to reduce homelessness; if these targets have been met in 2007, 2008, 2009, and to date in 2010; and if he will make a statement on the matter. [45697/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I propose take Questions Nos. 137 and 138 together.

I refer to reply of Question No. 242 of 30 November 2010 which sets out the position on meeting the Government's targets for tackling homelessness. The Counted In survey, which is a special purpose count of people using homeless services carried out in Dublin every three years since 1999 through the Homeless Agency, supported by my Department, is generally considered to provide the most robust indicator. The results of the most recent survey, in March 2008, reported a total of 1,436 homeless households in Dublin, compared with 1,361 in 2005. While this was a numerical increase of around 5%, the position relative to overall population was unchanged. A further 708 households were recorded as residing in long-term or transitional accommodation; however, it would not be correct to regard all of these as homeless, particularly where, for example, households were resident in suitable accommodation that would be likely to provide their most appropriate home in the long-term, or where they had begun to make a transition out of homelessness.

The Counted In survey method was also used for the first time in Cork, Galway and Limerick in 2008. The results indicated a total of 767 households homeless in these centres. However, that figure includes households in long-term and transitional accommodation some of whom, as indicated in relation to Dublin, should not properly be regarded as homeless. The next Counted In survey is due to take place in 2011.

Departmental Expenditure

139. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government the expected cost of establishing the position of the directly elected Dublin mayor; the expected annual cost of the position; the staff costs and ancillary costs; the cost of establishing a greater Dublin regional authority and any other required structures; the way such funding will be raised; and if he will make a statement on the matter. [45713/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 63 of 19 October 2010 which sets out the position on this matter.

Ministerial Responsibilities

140. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the intended commencement date for section 75 of the Planning and Development (Amendment) Act 2010 (S. 261A of Consolidated Act) in relation to the control of quarries and in particular the submission of substitute consent applications to the board; and if he will make a statement on the matter. [45718/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): The Planning and Development (Amendment) Act 2010 contains a number of substantial amendments to the 2000 Act, including: provision for a new “substitute consent” procedure to allow projects that would have required environmental impact assessment to be retrospectively regularized in exceptional and very limited circumstances by way of a “substitute consent” procedure; the incorporation of requirements of the EU Habitats Directive into the development plan and planning consent processes; and provision for a new examination of the planning status of quarries, including public consultation procedures, following which some quarries may be required to apply for substitute consent or may be required to cease operation.

My Department is currently preparing consequential amending regulations which are required before some of these provisions can be commenced. Acknowledging the complexity of the new provisions relating to quarries, my Department is also preparing detailed guidance on these new provisions, in consultation with key stakeholders including planning authorities and industry representatives.

I expect that the enabling regulations and the associated guidance on the new quarry provisions will be finalised in the coming weeks, with the intention of commencing the relevant provisions of the 2010 Act, including section 75, as soon as possible thereafter.

Local Authority Services

141. **Deputy Jimmy Deenihan** asked the Minister for the Environment, Heritage and Local Government if he will ensure that a co-ordinated plan will be put in place between the local authorities and the Irish Farmers Association to assist rural communities to clear heavy snow and ice this winter; and if he will make a statement on the matter. [45733/10]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran): This is primarily a matter for my colleague the Minister for Transport. In that context my understanding of the position is as follows.

The agreed priority for local authorities during periods of severe cold is to keep the full national road network and other key strategic routes and public transport routes open for traffic. These roads carry an estimated 60% of total traffic and about 80% of commercial traffic. Other roads are dealt with on a needs basis by local authorities, for example to provide access to medical facilities, emergency services, schools and commercial districts. Local authorities also take a pragmatic approach and respond to specific situations or community events.

Local authorities also liaise with An Garda Síochána, the Health Service Executive and relevant Voluntary/ Community organisations including where appropriate the Irish Farmers Association to address specific issues, including working with Civil Defence/ Defence Forces, as necessary, to ensure that key services, such as public health personnel are able to access isolated clients in rural areas and to deal with specific priorities which are agreed locally.

Private Rented Accommodation

142. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the average rent granted to persons on the rental accommodation scheme and the aggregate value of the rents collected. [45755/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Under the Rental Accommodation Scheme (RAS), households pay a contribution towards their rent to the local authority. The level of contribution is determined by the local authority by reference to each authority's Differential Rent Scheme, and will vary from authority to authority. Over time this contribution will vary to take into account changes in the income and family circumstances of the household concerned.

Public Procurement

143. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the progress he has made in developing a national action plan on green procurement; when the plan will be published; and if he will make a statement on the matter. [45789/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): A discussion document, *Towards a National Action Plan on Green Public Procurement*, was published by my Department in May 2010. The document outlined the key issues that could be addressed by a National Action Plan and proposed priority product groups for which the public sector should have GPP criteria in their tendering processes. The document was made available on my Department's website to facilitate a structured public consultation process, details of which were also advertised in the national press. The public consultation process closed in September and over 60 written submissions were received.

These submissions are now being examined by my Department and work is well advanced in finalising the National Action Plan in consultation with the Department of Finance and the National Procurement Service within the Office of Public Works. Seven priority areas will be identified in the National Action Plan — construction; transport; energy; food and catering services; paper; textiles; and cleaning products and services. Other areas are likely to be identified as implementation of the Plan progresses. It is intended to finalise and publish the Plan early in 2011.

Northern Ireland Issues

144. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government if he will engage with the Northern Ireland Minister for Regional Development and Intertrade Ireland to establish a formal economic link between Derry and Buncrana, which share strong cultural, historical, social, geographical and commercial connections; if he will consider applying the twin city Newry and Dundalk incorporating the wider east Border region model here; his views on whether this proposal is compatible with *Shaping our Future 2025* (NI) and that it can co-exist with the Derry-Letterkenny strategic corridor programme; and if he will make a statement on the matter. [45793/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): My Department enjoys a close working relationship with Northern Ireland's Department of Regional Development on cross-border areas of common interest, including in particular on joint initiatives which can help to inform and frame development and investment opportunities within a broader spatial planning context which can benefit the

[Deputy Ciarán Cuffe.]

economies and citizens of both jurisdictions. For example, building on research commissioned by InterTrade Ireland and carried out by the International Centre for Local and Regional Development (ICLRD), a Framework for Collaboration on Spatial Strategies on the Island of Ireland has been drafted, which outlines the scope for strategic integration and interaction of the National Spatial Strategy and the Northern Ireland Regional Development Strategy to provide a shared spatial planning context on an all-island basis.

A number of sub-regional cross-border initiatives are also being progressed. In relation to the North West of the island, the North West Gateway Initiative has been established to explore ways of developing closer co-operation and partnership between Donegal County Council and Derry City, Strabane Town and Limavady Town Councils to maximise the potential of the North West area.

As part of this Initiative, a high-level integrated spatial planning framework has been prepared jointly by the two Departments, in consultation with the local councils and regional representative bodies, for the main urban centres in the area, focusing on the Derry-Letterkenny linked gateway and the four local council areas of Derry, Strabane, Limavady and Donegal. The non-statutory framework is based on shared objectives for:

- attracting national and international investment;
- improving connectivity, both within the region and between the region and the rest of the island;
- facilitating more co-ordinated and accessible services and activities to enhance citizens' quality of life; and
- providing a more coherent approach to planning for future development in the region.

It is within this context that economic and other links between these Council areas, including potential links between Buncrana and Derry, can be explored.

Departmental Reports

145. **Deputy Michael Ring** asked the Minister for Communications, Energy and Natural Resources when a report (details supplied) will be furnished. [45732/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): On 30th April last I set out proposals for a limited extension of the sporting events which are designated free-to-air and invited submissions on those proposals. I also decided that the final decision on this matter will be informed by an independent analysis of the financial and other impacts of listing each event. Indecon International Consultants were commissioned to do this report and I can confirm that the report has been submitted to my Department.

After consideration of the Indecon report and other submissions received, I will revert to Government with definitive proposals. Subsequent to Government consideration of the matter, I am required under the AVMS Directive to inform the EU Commission of any changes to the events to be designated. The Commission has a period of three months to verify that the list is compatible with Community Law, to notify other Member States and to seek the opinion of the Committee established pursuant to the Directive. Any designation will only be effective after the Commission has published the list in the Official Journal.

I propose to publish all the submissions and the final report at the end of the process, subject to the usual considerations including, inter alia, protection of commercially confidential information that has been made available to me.

Grant Payments

146. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food when an application for single farm payment will issue to a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [45647/10]

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 the 15 May 2010. This application was selected for and was the subject of a Ground Eligibility and Full Cross Compliance Inspection. The inspection process is complete and the results are now being processed. Under EU regulations governing the Disadvantaged Areas Scheme and the Single Payment Scheme all Ground Eligibility Inspections must be completed before any payment can issue to any applicant under either scheme, including those not selected for a Ground Eligibility Inspection.

In the vast majority of cases that were inspected amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date. Processing of these changes is continuing with priority being given to applications that were the subject of a Ground Eligibility Inspection.

Live Exports

147. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food if there are new regulations coming into place on 1 January 2011 in respect of exporting cattle to Northern Ireland or England and if legislation is required for same. [45652/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are no new regulations coming into place on 1 of January 2011 in relation to the export of cattle to Northern Ireland or England.

Grant Payments

148. **Deputy John Perry** asked the Minister for Agriculture, Fisheries and Food if a person (details supplied) in County Sligo will receive area aid payments as a matter of urgency; and if he will make a statement on the matter. [45659/10]

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 17 May 2010. During validation of the application a ‘missing map’ error was identified in respect of a number of land parcels declared. This matter was resolved following correspondence between the person named and my Department. The 50% advance payment under the Single Payment Scheme, which issued on 18 October, the 75% advance under the Disadvantaged Areas Scheme, which issued on 23 September and the balancing payment under the Single Payment Scheme, which issued on 1 December, were on the basis of those parcels cleared for payment at that stage, as a number of other parcels listed on the application of the person named required digitisation.

Following re-digitisation of the maps, an over-claim was identified in respect of one land parcel, while in respect of another land parcel, the person named had not indicated whether it was ‘owned, rented or leased’. My Department has written to the person named regarding these matters. Once a reply has been received, his application can be further processed with a view to the remaining payments issuing shortly thereafter.

On-farm Investment Schemes

149. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food his plans to introduce a grant for on-farm water harvesting; and if he will make a statement on the matter. [45669/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): EU Commission approval for the introduction of five targeted modernisation schemes focused on supporting productive investment in the agricultural sector was received earlier this year. Due to the relatively short time-frames for completion of the investment works concerned, priority was given to the introduction of the Sow Welfare and Poultry Welfare Schemes which were launched on 16 June last. The Sheep Fencing/Handling Scheme opened for applications on 1 November. The remaining on-farm investment schemes provided for in Ireland's Rural Development Programme are the Dairy Equipment and Water Harvesting Schemes. However, no dates have yet been fixed for their introduction.

Grant Payments

150. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive a single farm payment; and if he will make a statement on the matter. [45686/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme was received from the person named on 22 April 2010. The land parcel declared by the applicant required re-digitisation. This process has now been completed and the person named was paid in full on 1st December.

Charitable Organisations

151. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will supply the names of charities (details supplied). [45689/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The details requested will be forwarded to the Deputy.

Grant Payments

152. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Galway did not receive a single farm payment; and if he will make a statement on the matter. [45704/10]

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 17 May 2010. On processing the application an over-claim was identified on one of the parcels declared by the applicant and he was written to in this regard on 13 September 2010. This issue has now been resolved in favour of the person named and the payment due in respect of the Single Payment Scheme issued on 1 December.

153. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Galway has not received their REPS 4 payment; and if he will make a statement on the matter. [45705/10]

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 instal-

ments. 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 underway and my objective is to make all payments for 2010 as soon as possible. The balancing payment of 25% can issue once all on-the-spot inspections for the year have taken place and these will be completed shortly.

154. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Galway did not receive their single farm payment; and if he will make a statement on the matter. [45706/10]

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 20 April 2010. Advance payment under the Single Payment Scheme issued on 18 October in respect of those parcels cleared for payment at that stage. A number of parcels listed on the application, required re-digitisation, this process is now complete and the full balancing payment due in respect of the Single Payment Scheme issued on 1 December to the person named.

155. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food when single farm payment will issue to a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [45795/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under 2010 Single Payment Scheme was received from the person named on 17 May 2010. The 50% advance payment, which issued on 18 October 2010, was on the basis of the land cleared at that stage, as a number of parcels declared required digitising.

Balancing payments under the scheme, which commenced this week, would, in normal circumstances, be confined to those whose applications are fully processed, specifically, where all digitising is finalised. However, following recent consultation with the EU Commission, agreement was reached whereby, in addition to issuing balancing payments to those farmers whose applications are fully processed and whose maps are fully digitised, payments will also issue to those farmers where some or all of their maps are still to be digitised, with the payment being calculated on the basis of the digitised land confirmed otherwise eligible.

I am pleased to say that, because of this change, many farmers, including the person named, whose balancing payments would otherwise have been delayed until their digitising is complete, will now receive an interim balancing payment. These farmers, including the person named, will receive the final instalment of their balancing payment when their maps are re-digitised and their applications are fully clear.

156. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food when single farm payment will issue to a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [45796/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme was received from the person named on 20 April 2010. The 50% advance payment under the Single Payment Scheme, which issued on 18 October, was on the basis of those parcels cleared for payment at that stage. Following re-digitisation of a number of parcels listed on the application of the person named, over-claims were identified in respect of two land parcels. My Department wrote to the person named regarding this matter, and the reply has been received to state that the amended reference areas are not being

[Deputy Brendan Smith.]

accepted by the applicant. Therefore, the file has been referred back for further review, which will be completed as quickly as possible. Immediately this process is completed, the file will be further processed with a view to the payment due issuing shortly thereafter.

Common Fisheries Policy

157. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will deal with a matter (details supplied); and if he will make a statement on the matter. [45803/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The December Agriculture and Fisheries Council sets the annual TACs and quotas and fishing effort limits for the following year. Since the adoption of the Lisbon Treaty, any issues relating to other aspects of the Common Fisheries Policy, such as amending the Cod Recovery Plan as set down in Council Regulation 1342/2008 or the amendment of the transitional technical measures Council Regulation No 1288/2009 and Council Regulation 850/98 on technical conservation measures is subject to specific proposals from the EU Commission and co-decision arrangements involving the Fisheries Council and the European Parliament.

For the December Fisheries Council, no such proposals from the EU Commission are under discussion. However, an amendment to Council Regulation 1288/2009 on transitional technical measures has been brought forward by the Commission involving the roll over the current measures in that Regulation to 1 January 2013. I am seeking amendments to this proposal, including changes to the mesh size for fishermen targeting megrim off north-west Donegal. This proposal will be subject to negotiations in the first half of next year and is subject to co-decision of the Council and Parliament and is not under discussion at the December Council.

This year, the TAC and quota and fishing effort proposals from the EU Commission for 2011 are due to be negotiated at the Council scheduled for 13 and 14 December. I plan to attend the Council, as will Minister of State Sean Connick who will have the lead role in conducting these negotiations. The process of preparing for the Council is already underway. The European Commission published its proposal for the 2011 fisheries on 10 November. The proposal is currently the subject of detailed and protracted discussions which will continue over the coming fortnight at EU level with the Commission and other Member States and here at home with industry representatives and other stakeholders.

The Commission proposal sets out reductions to the TACs for many of the fish stocks of economic importance to our fleet and also envisages other measures which will adversely impact on our fishing industry, such as the rearrangement of TAC areas for prawn (or nephrops) stocks in the north Irish Sea, Celtic Sea and the Aran grounds and a proposed regime to cap for the first time fishing effort for the whitefish fleet in the Celtic Sea off the southeast coast.

The Commission is proposing cuts of 50% to the TACs of cod stocks in areas VIa and VIIa, with a view to closing these cod fisheries in 2012. It is also proposing a cut of 25% in fishing effort in the whitefish and prawn fisheries in these areas for 2011, on top of similar cuts implemented over the last two years. It should be noted that the effort cuts would not be applied to vessels using fishing gear that avoids catches of cod.

In addition, the Commission has proposed introducing a separate effort management regime in part of the Celtic Sea, in areas VII f and g. This regime would see a ceiling set on the amount of whitefish effort (days at sea) that a Member State's fleet could exert in these areas during 2011. At present, the ceiling would be set at 90% of Ireland's (and other Member States') effort levels in this fishery in 2007.

Regarding the Commission's TAC & Quota proposal, I am concerned with the level of cuts proposed for cod in VIa and VIIa, the reductions proposed for other fish stocks, and the other measures that have been proposed, as well as their socio-economic impact on fishermen and fishing communities. I am working closely with my Department, with fishing industry representatives and with the Marine Institute and BIM to get a full understanding of the implications of the proposal and the industry's priorities. However, I can assure fishermen that Minister Connick and I am actively engaged, as are my officials, in delivering the best possible deal for Ireland taking into account scientific advice.

Industrial Development

158. **Deputy John Perry** asked the Minister for Enterprise, Trade and Innovation, in the context of the Government's recent announcement that it is to provide an additional €3 million to 34 city and county enterprise boards in order to generate 450 jobs, if he will indicate the person who will determine the amount allocated to each board; the number of applications for financial assistance each board has at present; if all the funding is to be used for grant assistance to companies or if part of it will be used for staff salaries and other running costs; the number of companies that received grant assistance over the past three years that are still in business; the number of enterprise board companies that have grown sufficiently to graduate to Enterprise Ireland; and if he will make a statement on the matter. [45684/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The Capital Allocation for the CEBs in 2010 is almost €15m. I have recently secured an additional Capital allocation of €3.3m for the CEBs, which brings their total 2010 Capital allocation to €18.294m. This allocation represents a strong State investment in the micro-enterprise sector notwithstanding the significant pressure on Public finances. CEBs are prioritising and managing all available funding in a targeted manner in order to maximise entrepreneurial development at local level.

Prior to the distribution of this additional money, all CEBs were asked by the CEB Central Coordination Unit based in Enterprise Ireland, to indicate what amount of extra capital they could utilise before year end this year and the amount of job numbers they would associate with this extra funding. They provided gross figures based on their expectation of what projects and activities could be advanced this year. Identifying and approving projects, having the relevant project promoters progress their business plans and meet the agreed eligibility criteria in order to drawdown the funding, and physically paying out these additional grants within the financial year, all represented considerable challenges for the individual CEBs. The additional €3.3m was then distributed in accordance with the responses received from individual CEBs.

I would stress that not all CEBs would have pipeline projects capable of drawing down funding before end-2010 and as a result not all CEBs sought additional funding from the €3.3m available. It should also be noted that all CEB administrative costs are met from their Current Allocation and not their Capital Allocation. Capital funding is utilised by the CEBs to directly support the micro-enterprise sector in the form of both grants to eligible micro-enterprises and through the provision of training and mentoring programmes.

There is in existence a significant level of co-operation and complementarity between EI and the network of CEBs. EI is responsible for supporting the development of Irish companies with ambitions to grow in world markets. Many of its client companies are small to medium in size. The focus of the CEBs is to develop the micro-enterprise sector and to promote entrepreneurship at local level and to assist individual businesses achieve growth in order to transfer to the EI portfolio where appropriate.

[Deputy Batt O’Keeffe.]

In 2009, the most recent year for which annual CEB statistics are available, 1,120 eligible micro-enterprise projects were approved for assistance and 945 drew-down grants. I would expect a similar performance in 2010. I am advised that in 2009 21 CEB clients transferred to EI, whilst more than 100 potential entrepreneurs transferred to CEBs after completing EI development programmes. To date in 2010, 7 CEB clients have transferred to EI.

As my Department has no direct role in the assessment or approval of grant applications, I do not have final information on the number of applications for financial assistance that each Board has at present. Within the timescale, the CEBs have been able to provide a partial response indicating that at least 217 applications are currently on hand relating to the €3.3m additional Capital allocation, and of the companies that have received grant assistance over the past 3 years (2007-2010) at least 2,050 are still in business. I have asked for the remainder of the information to be compiled by the CEBs Central Coordination Unit within Enterprise Ireland, and sent directly to the Deputy.

Grocery Industry

159. **Deputy Seán Sherlock** asked the Minister for Enterprise, Trade and Innovation if a person (details supplied) has now completed their report on a voluntary code of conduct in the grocery goods sector; when this report will be published; and if he will make a statement on the matter. [45178/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The person concerned was appointed to facilitate discussions with stakeholders in relation to the drawing up of a Voluntary Code of Practice for the Grocery Goods Sector. The person concerned is currently continuing his engagement with the relevant stakeholders in relation to the development of a Voluntary Code and I expect to receive his report in the coming weeks. The engagement of the person concerned followed on from the commitment in the Renewed Programme for Government” to “implement a Code of Practice for doing business in the Grocery Goods sector to develop a fair trading relationship between retailers and their suppliers” and “to review progress of the Code and if necessary to put in place a mandatory code”.

The Government intends to give effect to this commitment by including a specific provision in the legislation, currently being prepared to merge the National Consumer Agency and the Competition Authority, which will allow for the introduction of a statutory Code of Conduct in the grocery goods sector. It is expected that this legislation will be published in 2011.

The Government recognises the importance of ensuring that there is a fair balance in the relationships between the various players in the grocery goods sector, particularly given the importance of this sector to the national economy. The introduction of a Code, as provided for in the Renewed Programme for Government, is intended to achieve such a balance taking into account the interests of all stakeholders including the interests of the consumer and the need to ensure that there is no impediment to the passing-on of lower prices to consumers.

Redundancy Payments

160. **Deputy Seán Ó Fearghail** asked the Minister for Enterprise, Trade and Innovation when a statutory redundancy payment will issue in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [45688/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): I am pleased to advise the Deputy that this claim has very recently been authorised

for payment on behalf of the individual concerned. The individual should expect to receive payment of the redundancy entitlement due very shortly.

Industrial Development

161. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the action he has taken or proposes to take to stimulate the economy with particular reference to small and medium sized enterprises; and if he will make a statement on the matter. [45736/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The National Recovery Plan, which was published by the Government on 24th November, provides a blueprint for Ireland’s return to sustainable economic growth. The Plan builds on previous Government initiatives such as *Building Ireland’s Smart Economy* and the recent *Strategy for Trade, Tourism and Investment*. It identifies the areas of activity which will provide increased employment opportunities as Ireland’s economic recovery takes place.

The Plan sets out a range of specific actions and supports designed to improve competitiveness across all sectors of the economy, including the SME sector. These include measures to cut costs to business, the removal of barriers to employment creation, and a range of sector-specific actions to increase exports and domestic demand.

Capital funding under the National Recovery Plan is being targeted to ensure that it is employment-focused. In this regard, funding for enterprise-support programmes operated by my Department’s agencies has been given a priority. Enterprise Ireland will continue to invest in high potential start-ups and help companies to increase their exports to new and existing markets. Enterprise Ireland and the County and City Enterprise Boards will continue to work directly with SMEs to improve their performance, productivity and competitiveness. Support will also be provided to firms through Enterprise Ireland’s Seed and Venture Capital programme and through the €500 million Innovation Fund. The Business Expansion Scheme for investment in companies will be overhauled and improved.

In order to encourage small business development, the potential for providing access to vacant or under-utilised public property for entrepreneurs or business start-ups to use as Incubation Centres will be investigated. There will be direct job creation during the delivery phase of public infrastructural investment. In this context, it is envisaged that the National Retrofit Programme will give rise to a considerable level of jobs in the construction sector on a nationwide basis. This will have a positive impact on small and medium sized enterprises. To further assist cash-flow for SMEs, the 15 day payment rule to suppliers will be extended beyond central Government Departments to the wider public sector.

The measures outlined above, along with other strategies outlined in the Recovery Plan, will build on the progress already made by the Government and will further improve cost competitiveness for all businesses, including SMEs, in the years ahead.

Job Creation

162. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the number of new jobs created on a weekly basis in each of the past three years and to date in 2010; the number of jobs lost in the same period; and if he will make a statement on the matter. [45737/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Figures in respect of the number of jobs created or lost in firms assisted by the industrial development agencies, IDA Ireland, Enterprise Ireland and Shannon Development, are compiled annually in the

[Deputy Batt O’Keeffe.]

Forfás Annual Employment Survey. As the information is compiled on an annualised basis, the figures in respect of 2010 will not be available until 2011. Details of the number of jobs created and lost on an annual basis over the last three years are set out in the following tabular statement.

My Department does not collect or retain information on the number of jobs that have been created or lost in County and City Enterprise Board assisted companies. However statistical information in relation to details of jobs existing in companies assisted by the County and City Enterprise Boards is collated annually and is set out in the following tabular statement for the last three years. Figures in respect of 2010 will be available in early 2011.

Year	2007	2008	2009
Full Time Job Gains in Enterprise Ireland, IDA Ireland and Shannon Development assisted companies	26,711	23,691	12,329
Year	2007	2008	2009
Full Time Job Losses in Enterprise Ireland, IDA Ireland and Shannon Development assisted companies	24,258	30,642	45,593
Number of jobs existing in CEB-supported companies Based on CEB Annual Employment Survey	2007	2008	2009
Net Jobs Existing in CEBs	34,545.5	33,811.0	30,726.5

Industrial Development

163. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation if he has had discussions with the manufacturing service sectors with a view to identifying and resolving obstacles to economic progress; the action taken; and if he will make a statement on the matter. [45738/10]

165. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation if he is satisfied that current policy pursued by him is adequate to meet current job creation requests; and if he will make a statement on the matter. [45740/10]

168. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation if he will set out the major obstacles to job creation at present; his plans to address the issues; and if he will make a statement on the matter. [45743/10]

169. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation his proposals to assist employers currently in difficulty arising from the economic situation; and if he will make a statement on the matter. [45744/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I propose to take Questions Nos. 163, 165, 168 and 169 together.

The role of my Department is to ensure that we have the right policies in place that will support and grow our enterprise base in order to facilitate both job creation and job retention.

I engage with representatives from across the enterprise base in a range of ways and on an on-going basis. In addition, my officials meet regularly with representatives from the enterprise development agencies, such as Enterprise Ireland, who as a matter of course have very close engagement with all sectors, including manufacturing companies on an individual and group basis.

Throughout 2009 and 2010, my Department, through Enterprise Ireland, facilitated job retention through the Employment Subsidy Scheme and supported vulnerable companies through the particularly challenging economic circumstances with the Enterprise Stabilisation Fund.

The *National Recovery Plan 2011-2014*, published on 24 November 2010, is a strategy for economic recovery with the aim of restoring stability to the public finances, improving Ireland's cost competitiveness, stimulating enterprise growth and job creation. There are two pillars to the strategy for competitiveness, growth and employment a) remove potential structural impediments to competitiveness, growth and employment creation and b) pursue appropriate sectoral policies to encourage export growth and recovery of domestic demand.

The Plan sets out a range of specific actions and supports designed to:

- Spur further improvements in competitiveness across all sectors of the economy including measures to cut input costs to business; in energy, waste, transport, professional fees, property and labour.
- Foster export growth and a recovery of domestic demand.
- Provide investment of €2.2 billion in capital over the four years of the Plan for the Enterprise Agencies, which will enable them to create jobs across the economy, through:
 - supporting indigenous firms to increase exports,
 - winning new foreign investment, and
 - targeting and supporting Research, Development and innovation in companies, to boost productivity, exports, growth and jobs.

Key among the measures outlined in the Recovery Plan are proposals to remove barriers to employment, specifically a reduction in the minimum wage, reform of the social welfare system to incentivise work and eliminate unemployment traps as well as the re-invigoration of existing activation policies to ensure that the unemployed can make a swift return to work. These measures together with other actions already underway to restore fiscal stability, enhance access to credit, prioritise capital investment and to improve international competitiveness will impact positively across all sectors of the economy.

The State Development agencies, Enterprise Ireland and IDA Ireland, and the County and City Enterprise Boards are continuing to drive and promote enterprise development, and consequently employment creation in our economy.

There are a wide range of other initiatives and actions already underway to assist economic recovery. Forfás recently published a report "*Making it Happen — Growing Enterprise for Ireland*" which sets out a series of recommendations that can help to improve the competitiveness of the economy and facilitate enterprise growth and job creation. The report includes 40 high level recommendations, supplemented by a number of sector-specific recommendations, aimed at addressing barriers to growth and accelerating potential in thirteen different sectors, such as ICT, health care Life Sciences, International Financial Services, Agri Food, Green Technologies and Education Services.

[Deputy Batt O’Keeffe.]

In September last, the Taoiseach launched the five-year integrated Government plan for trade, tourism and investment. This has set a number of ambitious targets to be achieved by 2015 including the generation of 300,000 jobs between direct and spin off employment. The overall objective of the strategy and its action plan is to marshal and coordinate the resources of the State in a way that best supports firms, of all sizes, in all parts of the country, which are trying to trade and grow their business overseas. The strategy presents a suite of actions for building on existing strengths and driving trade relations in existing as well as new and emerging economies.

Departmental Programmes

164. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the role he expects to play to promote economic recovery; and if he will make a statement on the matter. [45739/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): As Minister for Enterprise, Trade and Innovation, I will continue working with my Government colleagues to promote and achieve economic recovery. The National Recovery Plan, which was published on 24 November, provides a blueprint for a return to sustainable economic growth and sets out the path the Government intends to follow to achieve this objective.

The Plan outlines the measures that will be taken to restore order to the public finances and specifies the actions that will be taken to improve competitiveness and accelerate growth in key sectors of the economy.

Some of the elements of the Plan that I intend to focus on, in particular, include:

- Reducing costs for business, particularly in relation to labour costs and professional services.
- Reducing the regulatory burden on business.
- Investing in high potential start-up companies and helping firms to increase their exports to new and existing markets through supports from Enterprise Ireland.
- Supporting firms through Enterprise Ireland’s Seed and Venture programme and through the €500 million Innovation Fund. The Business Expansion Fund for investment in companies will also be overhauled and improved.
- Investing in research and development and ensuring a focus on the commercialisation of research outputs to ensure a solid return on investment.
- Continuing to attract foreign direct investment through the work of IDA Ireland.
- Providing supports for SMEs, through Enterprise Ireland and the County and City Enterprise Boards.

The National Recovery Plan also sets out sector-specific measures which will contribute to economic growth, and builds on a number of existing strategies which will support employment. These include the Strategy for Trade, Tourism and Investment, which is being overseen by my Department and envisages the creation of up to 300,000 direct and indirect jobs over the period to 2015.

The various actions set out in the National Recovery Plan will have a positive impact on economic recovery and contribute to the creation of high-quality sustainable jobs.

Question No. 165 answered with Question No. 163.

Economic Competitiveness

166. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the extent to which he monitors the costs to industry here as compared to other jurisdictions; the action he has taken on the matter; and if he will make a statement on the matter. [45741/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The National Competitiveness Council (NCC) monitors costs and other competitiveness issues through its suite of reports, including its annual “Competitiveness Report — Benchmarking Ireland’s Performance” and regular reports on “Costs of Doing Business in Ireland”. These reports compare Ireland’s competitiveness with many of its closest trading partners and competitors. The NCC is an independent body, but the Secretariat is provided by Forfás, which is under the remit of my Department.

The 2010 Competitiveness Report found that, since January 2008, Ireland has regained some of the competitiveness it had lost in recent years, as domestic inflation remained below that of our main trading partners and as the Euro weakened, helping exports.

The most recent report on “Costs of Doing Business in Ireland”, published in July this year, analysed Ireland’s relative cost competitiveness across four key business inputs — labour, property, utilities and business services. It also looked at the broader cost environment that indirectly impacts on the cost of doing business here. The report highlighted tangible improvements in the competitiveness of unit labour costs, and significant falls in commercial property costs and industrial electricity costs.

While there has been a welcome improvement in Ireland’s cost competitiveness, there is still room for improvement. The National Recovery Plan, which was published on 24th November, provides a blueprint for a return to sustainable economic growth and includes actions which the Government will take to further reduce costs for business across the economy. The Plan sets out specific measures which will be taken to cut costs in relation to labour, energy, property rental, professional fees and other areas.

Although comparing the costs of doing business is an important and useful exercise, it should be borne in mind that cost competitiveness is only one aspect of overall competitiveness. The availability of skilled labour, good quality infrastructure and a wide variety of other factors will ultimately determine the ability of a particular country to compete successfully in world markets. The National Recovery Plan takes cognisance of these factors by prioritising the areas which will lead to sustainable economic growth and competitiveness for Ireland.

Job Creation

167. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation his plans for job creation over the next four years; and if he will make a statement on the matter. [45742/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The National Recovery Plan, which was published by the Government on 24th November, provides a blueprint for Ireland’s return to sustainable economic growth. The Plan builds on previous Government

[Deputy Batt O’Keeffe.]

initiatives such as *Building Ireland’s Smart Economy* and the recent strategy for Trade, Tourism and Investment — *Trading and Investing in a Smart Economy*. It identifies the areas of activity which will provide increased employment opportunities as Ireland’s economic recovery takes place.

The role of Government is to create the conditions where enterprise can flourish and jobs can be created. The National Recovery Plan sets out how the Government intends to do this over the next four years.

In particular:

- The Government will tackle costs for business in relation to energy, waste, property rental, professional fees, and other areas. This will help to improve the competitive situation of enterprises.
- The reduction in the National Minimum Wage and the review of the Registered Employment Agreements and Employment Regulation Orders will also improve competitiveness and help bring labour costs more in line with other EU countries.
- The Government will improve cash-flow for businesses by extending the existing 15-day payment rule for central Government Departments to the wider public sector.
- Capital funding under the National Recovery Plan is being targeted to ensure that it is employment-focused. In this regard, funding for enterprise-support programmes operated by my Department’s agencies has been given a priority. Enterprise Ireland will continue to invest in high potential start-ups and help companies to increase their exports to new and existing markets.
- Support will also be provided to firms through Enterprise Ireland’s Seed and Venture programme and through the €500 million Innovation Fund. The Business Expansion Fund for investment in companies will be overhauled and improved.
- There will be direct job creation during the delivery phase of public infrastructural investment. In this context, it is envisaged that the National Retrofit Programme will give rise to a considerable level of jobs in the construction sector on a nationwide basis.
- Investment in research and development will also continue to be strongly supported and there will be a focus on the commercialisation of research outputs to ensure a solid return on investment.
- By continuing to invest strongly in education, we will ensure that we have the skills base necessary to grow the economy, improve productivity and continue to attract foreign investment.
- Labour market activation measures set out in the Plan will also ensure that those who do not have a job at present remain close to the labour market and continue to receive relevant training and upskilling.
- The Government will remove disincentives to taking up employment by reviewing the social welfare system. For employers, the PRSI Exemption Scheme is being extended to the end of 2011.

- We will, of course, maintain our 12.5% Corporate Tax rate, which has been a fundamental pillar of our industrial policy for decades.

These are just some of the measures set out in the Plan which will have a positive impact on job-creation. The Plan also includes specific sectoral measures which will further contribute to employment.

Overall, the Plan will support the achievement of the targets in the Government's integrated strategy for Trade, Tourism and Investment, which envisages the creation of up to 300,000 direct and indirect jobs over the period to 2015.

While the Plan will require a whole-of-Government approach to achieve its objectives, my Department and its enterprise development agencies will play a key role in implementing and facilitating many of its measures.

Questions Nos. 168 and 169 answered with Question No. 163.

170. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the number of jobs created in the manufacturing sector in each of the past four years to date in 2010; the job losses in the same period; and if he will make a statement on the matter. [45745/10]

171. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the number of jobs created in the service sectors in each of the past four years and to date in 2010; the number of losses in the same period; and if he will make a statement on the matter. [45746/10]

172. **Deputy Bernard J. Durkan** asked the Minister for Enterprise, Trade and Innovation the number of jobs created in County Kildare in both manufacturing and services sectors in each of the past four years and to date in 2010; the numbers in each sector lost in the same period; and if he will make a statement on the matter. [45747/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): I propose to take Questions Nos. 170, 171 and 172 together.

The Small Enterprise and Development agencies figures for job gains and losses are compiled annually in the Forfás Annual Employment Survey, the most up to date of which details employment figures up to 2009. The figures are in respect of numbers of jobs gained and lost in firms assisted by IDA Ireland, Enterprise Ireland and Shannon Development, which come under the aegis of my Department. As the information is compiled on an annualised basis, the figures in respect of 2010 will not be available until 2011.

Details of the agency figures for job gains and losses in the manufacturing and services sectors in the country as whole and more specifically in Co. Kildare are set out in the tabular statements accompanying this reply. The data in the tables in respect of services relates to the services sectors supported by the enterprise agencies.

Jobs Gains in Enterprise Agency-supported Companies in Ireland

Job Gains	2006	2007	2008	2009
Manufacturing	14,915	12,895	10,138	5,992
Services	11,631	12,322	11,510	5,396

[Deputy Batt O’Keeffe.]

Job Losses in Enterprise Agency-supported Companies in Ireland

Job Losses	2006	2007	2008	2009
Manufacturing	14,713	15,465	20,695	30,487
Services	5,848	7,626	7,721	12,228

Job Gains in Enterprise Agency-supported Companies in Co. Kildare

Job Gains	2006	2007	2008	2009
Manufacturing	712	471	204	230
Services	158	62	200	105

Job Losses in Enterprise Agency-supported Companies in Co. Kildare

Job Losses	2006	2007	2008	2009
Manufacturing	675	1,207	1,116	1,785
Services	32	99	150	223