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DÁIL ÉIREANN

DÍOSPÓIREACHTAÍ PARLAIMINTE PARLIAMENTARY DEBATES

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

Paidir.

Prayer.

Leaders' Questions

Deputy Enda Kenny: No Members from the junior Government party are present today. I was intrigued to hear the recent contribution of the Minister for the Environment, Heritage and Local Government when he described this place as an asylum and said one gets chewed up inside by the scale of the decisions to be made and has sleepless nights, whether one is in negative equity or not. I was equally astounded to hear his contribution on a recent radio programme regarding the way in which the Government arrived at its decision on the bank guarantee that was signed off on 29 September 2008. The Minister for Finance and members of the Government have made it clear, on more than one occasion, that this all erupted when the banks were in discussion with the Taoiseach, the Minister for Finance and some civil servants in the Department late on the Monday night and that because of the scale of the immediate crisis, it was necessary to make the decision about the bank guarantee in the way it was made. That is what the public, the House and everyone else were expected to believe. However, the Minister, Deputy Gormley, has given a very different version, saying there was a meeting of the Cabinet on the Sunday at which the details of the scheme were raised by the Minister for Finance at the conclusion of the meeting and a clear signal was given that there was an impending crisis and that something would have to be done about it. He made it clear on that radio programme that this was discussed—

An Ceann Comhairle: The Deputy needs to put a question soon.

Deputy Enda Kenny: The Ceann Comhairle is at it again. I am nearly finished.

Deputy Emmet Stagg: Not for long.

Deputy Caoimhghín Ó Caoláin: It is the dying kick.

Deputy Enda Kenny: My point is that the Minister, Deputy Gormley, gave a very clear impression that this matter was discussed in some detail on the Sunday before the Monday meeting at which the Taoiseach and the Minister for Finance made their decision. An incorporeal meeting was held and when the Minister for the Environment, Heritage and Local Government, Deputy Gormley, was contacted, he was about to drift off to sleep, even though he said he was having sleepless nights.

On this budget day and in view of the fact that this decision and the manner and consequences of it have effectively put the next generation in hock, what is the truth of the matter? Was it discussed, decided upon and agreed on the Sunday? Were the Taoiseach and the Minister for Finance given authorisation that if some other element arose on the Monday, they could make the decision they made or was it all done by the incorporeal meeting on Monday 29 September 2008? This is what I wish to know.

The Taoiseach: All these matters have been laid out in the report by Professor Honohan. He set out the whole situation. The Secretary General of the Department of Finance has been speaking to the Committee of Public Accounts and the Joint Committee on Economic and Regulatory Affairs outlining the work of the Department of Finance right up to the point—

Deputy Pat Rabbitte: He did not tell us anything about what Deputy Gormley said.

The Taoiseach: If I am given the opportunity to reply I am sure I can clarify the matter. The Secretary General set out in detail the role of the Department of Finance. The only issue that arises in addition to what has been said already is regarding the fact there was a Cabinet meeting on Sunday and which has been well reported. There was a Cabinet meeting relating to preparations for the supplementary budget we were bringing forward in early October 2008. That is what the meeting was about. At the end of the meeting, the Minister for Finance gave an update that there were still liquidity issues with regard to our banking system and that it needed to be monitored and that if the situation deteriorated further we would have to return to the issue. However, there was no detailed discussion about options or anything like that at this meeting; it was simply the Minister for Finance updating the Cabinet as to the state of the play. On Monday, the situation deteriorated further to the extent that when business closed there was a need for meetings which took place as have been outlined.

An Ceann Comhairle: Deputy Kenny for a final supplementary question.

Deputy Enda Kenny: Either the Minister, Deputy Gormley, has been misinterpreted here or he is not being upfront with all the facts, to put it that way. The Honohan report did not report on the facts of the Cabinet meeting in the way that the Taoiseach is now speaking. The Honohan report said that 75% of this situation was due to our own fault, the Taoiseach's fault. The Minister, Deputy Gormley, said:

The Sunday we had a Cabinet meeting and we had gone through it in quite a bit of detail, as I said. So all the Cabinet Ministers were at home the night the guarantee was given. It was simply a courtesy call to me because what is required under those situations is that you have, what is known as an incorporeal meeting that is done by telephone.... You couldn't just make a decision on the spur of the moment, you would have to have discussed it for days in

advance. Of course not, no. You just can't do it like that. Everybody had to be involved in what is the best thing to do in the circumstances so that is incorrect. It wasn't the spur of the moment decision or anything like that.

An Ceann Comhairle: We do not encourage Members to read quotations in the House.

Deputy Enda Kenny: The Minister for Finance when he was speaking on 20 January 2009, said, "It was a carefully considered decision arrived at by the Government after consideration of all the factors at a full meeting of the Cabinet". The full meeting of the Cabinet took place on the Sunday and an incorporeal meeting of whatever Ministers were available by telephone was held on the Monday night. We need to get this absolutely clear. The Minister for the Environment, Heritage and Local Government, who is propping up the Government, has a very different view of how this was arrived at from what the Taoiseach is telling us here or what the Minister for Finance has told us.

An Ceann Comhairle: Could we have a question please? We are under severe time constraints today, as the Deputy is well aware.

Deputy Enda Kenny: The other fundamental matter is this. On the debate in the House on the bank guarantee, Deputy Noonan asked the Minister for Finance whether this was a matter of liquidity or solvency and he was told it was a matter of liquidity. The Government did not tell the truth to the people. Was the Minister, Deputy Gormley, suffering from lack of sleep when he gave his recollection of what happened? Was the Minister for Finance right when he said that this was decided at a full meeting of the Cabinet, which took place on the Sunday, or was it decided by the incorporeal meeting on the Monday? I would like to know that before we proceed into what will be the last budget to be presented by this Government.

The Taoiseach: As I have outlined to Deputy Kenny, there were no decisions taken whatever on Sunday. The incorporeal meeting that was held on the Monday night-Tuesday morning was the meeting that took the decision. It was not taken on the spur of the moment, as he knows. There was considerable discussion during that night-time and early morning as to what the best options were in the circumstances. I do not accept for a moment Deputy's contention. There is no question of anyone telling untruths whatsoever or not telling the truth about solvency and liquidity.

Deputy Pat Rabbitte: Somebody is.

The Taoiseach: The issue was based on the knowledge that was available to our Government and the expert advice we received at the time confirmed that an overall guarantee was what was required. It has been confirmed by Professor Honohan in his report that an extensive guarantee was required, given that if there was not a guarantee to the system, the whole financial stability of the State and the banking system was at risk, and indeed would have had an implosion within days. Those are the facts.

Deputy Brendan Howlin: What about the IMF?

The Taoiseach: That does not relate as some suggest to new debt or other debt; it was existing guarantees on existing debt. The only issue that arose subsequently was this question of subordinated debt and, as I say, we made the decision on all that based on the best interests of the country as we saw it. It related in value terms to approximately 3.3% of the total debts of the banks. The point is that, as he has confirmed, the issue was on Sunday there was a Cabinet meeting relating to the budget with, at the end of that meeting, an updating and

[The Taoiseach.]

briefing by the Minister for Finance. As I say, the Secretary General of the Department of Finance has outlined to committees of this House the technical and contingency work that was being done by the Department of Finance in respect of the difficulties that were arising. A very serious deterioration took place on Monday requiring detailed discussions after markets closed and an ultimate decision taken by incorporeal meeting that morning.

Deputy Eamon Gilmore: The version of the Minister, Deputy Gormley, of how the decision was taken, which is now contradicted by the Taoiseach, demonstrates the dysfunctional way in which the Government made the decision on the blanket bank guarantee. It is probably no surprise, therefore, given the uncertainty about how the decision was made that the wrong decision was made. There is now no doubt but that the decision to provide the kind of blanket guarantee that was included in that decision was a wrong decision, as was the Government's strategy on NAMA and the Government's neglect of jobs in the past three years which has us in the situation where for the 18th successive month the number of people out of work is more than 400,000. It is that succession of mismanagement, mistakes and bad judgment that has us here today, facing what has been described by many as the worst budget the country has ever faced and which is to be announced in approximately an hour.

I and the Labour Party are concerned that another bad decision by Government to take €6 billion out of the economy, to adjust the budget by €6 billion, is a dangerous strategy for the country. It will damage our prospects for recovery——

An Ceann Comhairle: Has the Deputy a question?

Deputy Eamon Gilmore: I am coming to my question. It will halt growth and put jobs at risk. Does the Taoiseach have any concerns at all that removing €6 billion poses a danger to the prospects for this country's economy recovery and growth?

The Taoiseach: First, to deal with the assertions made by Deputy Gormley in the preface to the remarks made regarding the previous question asked by Deputy Kenny or, I should say, Deputy Gilmore.

Deputy Eamon Gilmore: I am the good guy.

The Taoiseach: If the Deputy is the good guy, we are in bigger trouble than I thought we were in.

Deputy James Bannon: The Taoiseach is in the departure lounge.

The Taoiseach: Do not take from my response to that comment.

In regard to the previous issue raised by Deputy Kenny, the Minister, Deputy Gormley, confirmed to an inquiry from a newspaper yesterday evening that the Minister for Finance at the end of that meeting on the Sunday briefed colleagues on problems experienced by the Irish banks in the context of international developments, the preparations and arrangements that were being made in the Department which have been spoken of in detail by the Secretary of the Department to various committees of the House, that the situation was being closely monitored and that the focus was on banking system stability. He also confirmed that while no formal decision was taken arising from the briefing, some Government action would have to be taken if the situation deteriorated. The fact of the matter is that no decision was made on the Sunday. It is not being contended by the Minister, Deputy Gormley, that one was made and any suggestion to the contrary by Deputy Kenny is not well founded, based on the Minister's

clarification and confirmation of the situation for fear of any there being any misinformation or misunderstanding.

The main question Deputy Gilmore asked relates to his view that a correction of €4.5 billion is the best way forward and to whether the proposed €6 billion correction will create any difficulty. I heard the Deputy's finance spokesperson say this morning that the reason we are having this budget of a correction of €6 billion is because we have put €6 billion into the banks or something to that effect. There is this constant effort to associate the need for a correction with the need to repair our banking system. I reiterate that the fact is that if we never had a banking crisis, we would still have a situation to address in regard to our public finances where there is a gap of more than €18.8 billion, almost €19 billion, this year which has to be closed.

Deputy Emmet Stagg: Whose fault is that?

The Taoiseach: That issue arises as a result of the economic and financial crisis that is affecting every country, including this one, which has its own particular problems. It is also clear that it is the view of the Labour Party that it does not wish to adhere to the terms and conditions upon which money will be available to this country after July to provide for the services, about which we are all speaking and want to protect to the greatest extent possible in the current circumstances. It is basically saying that it would not abide by those and that it would put at risk the ability and the necessity of those funds, more than €50 billion over the next three years, to provide the necessary time and space for this economy, which we have stabilised this year. I reiterate that the budgetary targets we set ourselves last year in a difficult situation have been adhered to, as will be outlined by the Minister in his remarks today. Our revenues are up €0.5 billion more than the €31 million we projected, our expenditure is under control based on what we said we would spend during the year and that, having stabilised the situation, we now have the prospects of growth. It was also contended by the Deputy that there would be 50,000 or 60,000 more people unemployed than there currently are as a result of the policies we have been pursuing. That is not correct.

Deputy Brendan Howlin: They have left on the boat.

The Taoiseach: Thankfully, we still have a situation where the prospects for growth next year will help us if we make the correction, as set out in the programme that has been agreed with the European institutions and the IMF, and proceed with it. We can bring unemployment down under 10% in the next few years. If we proceed on another tack, that of the Labour Party's point of view, which is not to proceed with the correction to the extent we suggest, it will not breathe confidence into the economy. Instead, it will do the opposite. The important point to make about the Labour Party's proposals is that it suggests we would have an adjustment of €4.5 billion next year, €2.5 billion of which would be raised through taxes, €900 million on programme expenditure cuts, €400 million on reductions in public sector pay and €1.3 billion on capital programme cuts—

Deputy Ruairí Quinn: I am glad the Taoiseach is addressing the real budget.

The Taoiseach: —and €1.3 billion in cuts in the capital programme. What is being suggested by the Labour Party and the difficult decisions to be made in terms of broadening the tax base both at the top and bottom as we proceed with the budgetary policy to be outlined by the Minister this afternoon—

Deputy Brendan Howlin: Put it to the people.

The Taoiseach: The level of impact on working families from the Labour Party's proposal would be almost double — although not quite double — what we are suggesting because of the size of the tax brackets proposed.

Deputy Ruairí Quinn: How would the Taoiseach know? He has got everything wrong up to now.

Deputy Thomas Byrne: They would be banjaxed from the Labour Party's actions.

An Ceann Comhairle: Deputy Gilmore has a final supplementary question.

Deputy Emmet Stagg: They are fairly banjaxed after Fianna Fáil anyway.

An Ceann Comhairle: Deputy Gilmore, without interruption.

(Interruptions).

Deputy Eamon Gilmore: If the Taoiseach and the Government paid as much attention to what the Labour Party had to say over the past three years as it appears to be doing now, we would not be in the hole and the mess that we are in now.

Deputy Liz McManus: Hear, hear.

Deputy Seán Sherlock: Hear, hear.

Deputy Eamon Gilmore: If it had paid attention to what we had to say about employment at a much earlier stage of this crisis, the Government would not be in a position where the numbers out of work have risen from 154,000 at the time of the last election to 425,000 now. As for the 50,000 that the Government thinks have disappeared, they have disappeared to Australia, America and anywhere but here in order to get a fresh start. If the Government listened to the Labour Party about what has happened to the banks — if it had listened on 29 September 2008——

Deputy Noel Dempsey: There would be no banks.

The Taoiseach: We would not be having this discussion.

Deputy Eamon Gilmore: The State would not be tied to a declining banking system.

Deputy Noel Dempsey: Nonsense. They would have gone down the tubes.

Deputy Brendan Howlin: The Government ran out of money.

An Ceann Comhairle: Deputy Gilmore——

Deputy Eamon Gilmore: There is an attempt to say that if we did not have the banking crisis——

An Ceann Comhairle: We have limited time for Leaders' Questions and we are into the budget debate already.

Deputy Eamon Gilmore: ——there would be a manageable position. It would be a much more manageable problem with regard to the public finances.

Deputy Brendan Howlin: The Government failed in that.

Deputy Eamon Gilmore: As the Taoiseach knows well, the €85 billion deal that was concluded — a bad deal — with the EU and IMF——

An Ceann Comhairle: Could we have a question to conclude Leaders' Questions?

Deputy Eamon Gilmore: ——is tied hand and foot to the banks. That has us in this position.

Deputy Noel Dempsey: Answer the question on tax.

Deputy Eamon Gilmore: The question I asked the Taoiseach, which he avoided completely, relates to this. I am concerned, along with many independent commentators, that a €6 billion adjustment in the budget to be announced later this afternoon will damage the prospects for growth, recovery and jobs in the Irish economy. My question did not require the Taoiseach to send back Labour Party policies——

The Taoiseach: I will answer the Deputy's questions.

Deputy Eamon Gilmore: My question is if the Taoiseach has any concerns that a €6 billion adjustment will damage growth——

(Interruptions).

Deputy Eamon Gilmore: ——and prospects for jobs.

An Ceann Comhairle: Could we hear Deputy Gilmore without interruption?

Deputy Eamon Gilmore: We will have more people taking flights to Australia.

The Taoiseach: The Deputy complimented me on the scrutiny I gave to Labour Party policies as he enunciated them last week. I assure the Deputy I will be taking a very keen interest in all of his policy positions as the people get an opportunity——

Deputy Pat Rabbitte: He will have plenty of time to read our plans.

The Taoiseach: ——to see just how much is behind what the party has to say. If I go back to the party's banking policy, it is clear.

(Interruptions).

The Taoiseach: Professor Honohan has far more expertise in this area than the Deputy or me, and the Deputy might agree on that from time to time. Had we adopted the Labour policy on the banks on 29 September 2008——

Deputy Liz McManus: Answer the question.

An Ceann Comhairle: Deputy McManus, please.

The Taoiseach: ——we would not have an economy to be discussing here.

Deputy Liz McManus: He is not answering the question.

An Ceann Comhairle: The Taoiseach should be allowed to contribute without interruption.

The Taoiseach: The banks would have imploded without that guarantee. That is a fact. However the Labour Party tries to twist and turn its way around that basic conclusion put forward by Professor Honohan, it cannot get away from that fundamental problem.

Deputy Brendan Howlin: What does that have to do with the issue?

The Taoiseach: The present point relates to the concerns we have. Of course we can all have concerns. I would have very serious concerns if I listened to the Labour Party, if in government, suggesting that it would not be prepared to make these decisions. That would prove it is not fit for Government in the circumstances in which we find ourselves.

Deputy Ruairí Quinn: The Taoiseach should not go there.

The Taoiseach: I have gone there and I have answered the question.

Deputy Liz McManus: He did not answer the question.

The Taoiseach: If the cut should be €4.5 billion, the Deputy should confirm on what basis the €50 billion now available from EU funds would be made available?

Deputy Seán Sherlock: Is the Taoiseach asking that question of the next Taoiseach?

The Taoiseach: What was that?

Deputy Seán Sherlock: Is the Taoiseach asking the next Taoiseach that question?

The Taoiseach: I am asking if the Labour Party has the responsibility for this.

Deputy Noel Dempsey: Listen to the answer.

The Taoiseach: If it does not stick to the terms and conditions of the agreements, how does it expect to obtain the country's part of the agreement? The Deputy also said he is worried about the impact of these cuts. Every correction and every euro taken out of the economy—

Deputy Ciarán Lynch: To bail out the banks.

The Taoiseach: —to get a sustainable basis upon which we can have a tax and expenditure programme into the future has a dampening effect when it is taken out.

Deputy Emmet Stagg: Some €6 billion.

The Taoiseach: If we do not continue with the corrections that Deputy Gilmore has opposed since 2008 and which now number €15 billion so far, between tax and expenditure, and will amount to another €15 billion between now and 2014. If we had listened to the Deputy and not gone ahead with the correction, the rate of correction would be even greater.

Deputy Brendan Howlin: Would the International Monetary Fund be here?

The Taoiseach: The level of dislocation in the public services would be even greater had we listened to Deputy Gilmore for the past three years when he refused to make a decision that would face up to the problems the country would have to contend with, regardless of which Government is in power.

Deputy Brendan Howlin: The Taoiseach has no shame.

The Taoiseach: That is something Deputy Gilmore will have to consider.

Deputy Emmet Stagg: Who got us into this mess?

The Taoiseach: I wish to make a third point in answer to the specific question Deputy Stagg's leader has made — Deputy Gilmore makes it far more eloquently than Deputy Stagg — regarding his concerns about the dampening effects on growth for 2011. One can look at a number of scenarios in this regard. The OECD claims growth in the Irish economy next year will be 1.6%, whereas the IMF and European Union predict growth of around 1% but state there will be an increased rate of growth, over and above the average 2.7%, in the following year. Reuters does a compendium of forecasts where it brings together and blends the views of about ten of the leading forecasters on the Irish economy. This collective wisdom of a group of people who comment on the economy was released last week and suggests growth next year will be 1.6%.

Deputy Eamon Gilmore: What is the Government's view?

The Taoiseach: The Minister will outline in his Budget Statement what he regards as the relevant rate of growth for next year based on all of these assessments. It is well within the very considerable amount of documentation and commentary available on the prospects for the economy next year. The answer to Deputy Gilmore's question is very simple. If he wants to be in Government and get a mandate to run this country, he should be prepared to take decisions that will get the country back on the road to recovery.

Deputy Brendan Howlin: The people will make the decision.

The Taoiseach: Deputy Gilmore should not come in here suggesting that an adjustment of €4.5 billion by the Labour Party is equivalent to a €6 billion adjustment by the Government. He should not come in here and suggest he can charge €2.5 billion of tax on working families throughout this country as part of his solution for next year. That would be the biggest killer of jobs of any package and one that we would reject and refute.

Deputy Jim O'Keeffe: This reminds me of Custer's last stand and we all know what happened to him.

Order of Business

The Taoiseach: It is proposed to take No. 6, motion re leave to introduce Supplementary Estimate [Vote 25]; No. 7, motion re referral of Supplementary Estimate [Vote 25] to select committee; No. 36, Budget Statement and the financial motions by the Minister for Finance to be taken today at 3.45 p.m. It is proposed, notwithstanding anything in Standing Orders, that (1) the Dáil shall sit later than 8.30 p.m. tonight and the motion for the General Financial Resolution shall be moved not later than 12 midnight, whereupon business shall be interrupted and the Dáil shall adjourn forthwith; (2) No. 6 and, subject to the agreement of No. 6, No. 7, referral to select committee, shall be decided without debate and any divisions demanded on Nos. 6 and 7 shall be taken forthwith; (3) following the Budget Statement of the Minister for Finance, the following arrangements shall apply in relation to the proceedings on No. 36: (i) the statements of the main spokespersons for the Fine Gael Party, the Labour Party and Sinn Féin shall not exceed 40 minutes; (ii) following the statements the sitting shall be suspended for 30 minutes; (4) all divisions demanded on No. 36 shall be taken manually; (5) the business to be transacted tomorrow shall be as follows: Leaders' Questions to be taken at 10.30 a.m.; No. 36, financial motions by the Minister for Finance (resumed), on which the speech of the Taoiseach and of the leaders of the Fine Gael Party, the Labour Party, the Green Party and Sinn Féin, or a person nominated in his stead who shall be called upon in that order, shall not exceed 40 minutes in each case, following the leaders' speeches, the sitting shall be suspended for 60 minutes, and the speech of each other Member called upon, who may share time, shall not exceed 30 minutes in each case; and

3 o'clock

[The Taoiseach.]

Social Welfare Bill 2010, Order for Second Stage and Second Stage, to be taken not later than 6.30 p.m.

An Ceann Comhairle: There are five proposals to be put to the House. Is the proposal that the Dáil shall sit later than 8.30 p.m. and the motion for the General Financial Resolution shall be moved not later than 12 midnight, whereupon business shall be interrupted and the Dáil shall adjourn forthwith, agreed to?

Deputy Caoimhghín Ó Caoláin: The Sinn Féin Deputies will not agree to this Order of Business. We contend this Government has neither a moral nor a democratic right to impose a budget on the people today.

An Ceann Comhairle: Deputy, it is inappropriate to get into this discussion on the Order of Business.

Deputy Caoimhghín Ó Caoláin: No, it is not. I am challenging the Order of Business.

An Ceann Comhairle: I know, yes.

Deputy Caoimhghín Ó Caoláin: Very clearly, this will be a budget based on the IMF-EU sell-out deal and on a four year plan that seeks to tie the Irish people to an economic strategy which is doomed from the outset. Clearly, the situation is that the Taoiseach's Government is on a life support machine, courtesy of Deputies Healy-Rae and Lowry. When will the Taoiseach declare the detail of any agreement made with these Deputies, who are present today to save his hide and to impose——

An Ceann Comhairle: The Deputy will be aware there are severe time constraints today.

The Taoiseach: We are here today to vote for a budget the country needs.

Deputy Caoimhghín Ó Caoláin: No, I beg the Ceann Comhairle's pardon——

An Ceann Comhairle: The Budget Statement is at 3.45 p.m., I have five proposals to dispose of and that is why——

Deputy Caoimhghín Ó Caoláin: I object to this at the outset. As I indicated in the House last week, it is clear this Government has no right to proceed with the introduction of a budget based on an IMF-EU deal which it has not yet put before the Members of this Dáil for a vote——

An Ceann Comhairle: All those points can be made during the budget debate——

Deputy Caoimhghín Ó Caoláin: ——as required under Article 29 of the Constitution.

An Ceann Comhairle: ——and I am sure the Deputy will make them. I ask him to resume his seat.

Deputy Caoimhghín Ó Caoláin: The Government is acting unconstitutionally.

An Ceann Comhairle: Deputy, resume your seat, please.

Deputy Caoimhghín Ó Caoláin: Will you allow me to finish?

Deputy Caoimhghín Ó Caoláin: You are out of order on the Order of Business.

Deputies: Out of order.

Deputy Caoimhghín Ó Caoláin: I am not out of order, a Cheann Comhairle. What is out of order is the Government's action——

An Ceann Comhairle: We have five proposals to dispose of and the Budget Statement will commence at 3.45 p.m.

Deputy Caoimhghín Ó Caoláin: ——and we——

An Ceann Comhairle: We are running into different tangents that are not relevant to the issue being discussed.

Deputy Caoimhghín Ó Caoláin: I was not aware a guillotine applies. Is a guillotine being applied to an objection to the Order of Business?

An Ceann Comhairle: Yes.

Deputy Caoimhghín Ó Caoláin: Is that the case? Where is the guillotine?

An Ceann Comhairle: The Chair must be conscious of time constraints. I ask the Members of the House to co-operate.

Deputy Caoimhghín Ó Caoláin: I will conclude with this point. The Government's proposals are absolutely unacceptable. I reiterate the Government has no moral or democratic right to proceed with the imposition of a budget that will lead to more poverty, unemployment and social misery across this land. The thing to do now is for the Taoiseach to go to the Park and allow the people have their chance to pass judgment.

(Interruptions).

An Ceann Comhairle: Deputy, resume your seat.

Deputy Caoimhghín Ó Caoláin: That is the only way to proceed.

An Ceann Comhairle: I am now putting the question: "That the proposal for dealing with No. 1 — that the Dáil shall sit later than 8.30 p.m. tonight and the motion for the General Financial Resolution shall be moved not later than midnight whereupon business shall then be interrupted and the Dáil shall adjourn forthwith — be agreed to."

Deputies: Vótáil.

An Ceann Comhairle: Will the Deputies claiming a division please rise?

Deputies Pearse Doherty, Martin Ferris, Caoimhghín Ó Caoláin, Aengus Ó Snodaigh and Arthur Morgan rose.

An Ceann Comhairle: As fewer than ten Members have risen I declare the question carried. In accordance with Standing Order 70, the names of the Deputies dissenting will be recorded in the Journal of the Proceedings of the Dáil.

An Ceann Comhairle: Is the proposal for dealing with Nos. 6 and 7 without debate agreed to? Agreed. Is the proposal for dealing with No. 36 agreed to? Agreed. Is the proposal that all divisions demanded on No. 36 be taken manually agreed to? Agreed. Is the proposal for the business of the Dáil tomorrow agreed to?

Deputy Caoimhghín Ó Caoláin: It is not agreed to.

Deputy Enda Kenny: With regard to the business to be transacted tomorrow, I have no difficulty with No. 36 in respect of the financial motions. However, as the Taoiseach will be aware, we have been consistent in objecting to Bills being guillotined. I understand it is proposed to guillotine the Social Welfare Bill. This Bill concerns great numbers of people around the country, be they pensioners, people on various schemes or the unemployed. From that point of view, given these exceptional circumstances, it is a matter on which many Deputies will want to make a contribution. I object to it on the basis of a guillotine being proposed by the Government.

Deputy Eamon Gilmore: This proposal relates to the way in which the social welfare Bill will be introduced. The Government intends to move and complete two Bills this week — the social welfare Bill and the financial emergency measures in the public interest (No. 2) Bill—

Deputy Darragh O'Brien: We want to be able to do it before Christmas. The Deputy cannot have it both ways. He gives out—

Deputy Eamon Gilmore: —neither of which anybody in this House has seen. Yet the Government is proposing that the social welfare Bill will be introduced tomorrow evening. It is proposed that it will be guillotined at 4.45 p.m. on Thursday. The financial emergency measures Bill will be introduced then and that will be guillotined and completed by 1 o'clock on Friday. That is not an acceptable way to deal with what are likely to be substantial measures contained in these Bills. We do not know yet what those measures will be because the Bills have not been circulated. It is unacceptable that business would be dealt with in this way.

Deputy Caoimhghín Ó Caoláin: I object to the Order of Business regarding proposal No. 5 because first and foremost the Taoiseach is guillotining the opportunity for Members of this House to participate in the statements on the financial motions introduced by the Minister for Finance for 6.30 p.m. tomorrow evening and the introduction of the social welfare Bill at that time. The indicators again are that the guillotine will apply to the social welfare Bill on Thursday through all Stages. We then have the financial emergency measures in the public interest No. 2 Bill, which is scheduled to be forced through the House on Friday, with votes on Friday; I find it difficult to recall the last time that took place. What is the financial emergency measures in the public interest (No. 2) Bill addressing? Is that the Bill to facilitate a cut to the minimum wage?

The whole approach by the Government is to force through the maximum pain on the greatest number of our citizens over the remaining dying days of this Government. As I said earlier, it has neither a moral nor a democratic right to introduce—

An Ceann Comhairle: Deputy, will you resume your seat or I will ask you to leave the House?

Deputy Caoimhghín Ó Caoláin: —any such measures.

Deputy Dick Roche: Deputy Ó Caoláin has some gall to talk about—

Deputy Caoimhghín Ó Caoláin: Why will the Taoiseach not—

An Ceann Comhairle: The Deputy is broadening the discussion, as he does all the time. Resume your seat.

Deputy Caoimhghín Ó Caoláin: We are objecting.

The Taoiseach: Regarding the matters which have been raised, these matters arise out of the budget announcement which will take place very shortly and will be dealt with this week. It is important that they are dealt with and disposed of because they are issues which will have to be brought into——

Deputy Pat Rabbitte: It is very important they are dealt with before the lads go home for the weekend.

The Taoiseach: It is very important that they would be dealt with one way or the other. We have a serious situation in this country that needs to be addressed. We brought forward a four year plan. We now have an agreement with the European Union and the International Monetary Fund, IMF, and we now have a budget to put through. Many are watching from outside as to the determination of this House to do what is necessary in the national interest during the course of financial resolutions to be taken this evening.

If Deputy Ó Caoláin does not mind I will take a pass on a lecture on morals from that quarter.

(Interruptions).

Deputy Caoimhghín Ó Caoláin: The Taoiseach will learn a lot more when he faces the people in January.

Question put:

The Dáil divided: Tá, 78; Níl, 71.

Tá

Ahern, Bertie.
 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.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.

Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 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'Keefe, Edward.
 O'Rourke, Mary.

Tá—*continued*

O'Sullivan, Christy.
Power, Peter.
Power, Seán.
Roche, Dick.
Sargent, Trevor.

Scanlon, Eamon.
Smith, Brendan.
Treacy, Noel.
Wallace, Mary.
White, Mary Alexandra.

Níl

Allen, Bernard.
Bannon, James.
Barrett, Seán.
Breen, Pat.
Broughan, Thomas P.
Burke, Ulick.
Burton, Joan.
Byrne, Catherine.
Carey, Joe.
Clune, Deirdre.
Connaughton, Paul.
Coonan, Noel J.
Costello, Joe.
Coveney, Simon.
Crawford, Seymour.
Creighton, Lucinda.
D'Arcy, Michael.
Deasy, John.
Deenihan, Jimmy.
Doherty, Pearse.
Doyle, Andrew.
Durkan, Bernard J.
English, Damien.
Enright, Olwyn.
Feighan, Frank.
Ferris, Martin.
Flanagan, Charles.
Gilmore, Eamon.
Grealish, Noel.
Hayes, Brian.
Hayes, Tom.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Kehoe, Paul.
Kenny, Enda.

Lynch, Kathleen.
McCormack, Pádraic.
McEntee, Shane.
McGinley, Dinny.
McGrath, Finian.
McManus, Liz.
Mitchell, Olivia.
Morgan, Arthur.
Naughten, Denis.
Neville, Dan.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Donnell, Kieran.
O'Dowd, Fergus.
O'Keefe, Jim.
O'Shea, Brian.
O'Sullivan, Jan.
O'Sullivan, Maureen.
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.
Wall, Jack.

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

Question declared carried

An Ceann Comhairle: Perhaps we could at this point suspend proceedings until the Budget Statement at 3.45 p.m. Gabh mo leithscéal, Deputy Kenny.

Deputy Enda Kenny: It is only appropriate that we should ask a number of questions on the Order of Business, as is traditional and is right and proper.

An Ceann Comhairle: There are a number of motions to be agreed before the Budget Statement.

Deputy Enda Kenny: Do you want to put them?

An Ceann Comhairle: If we could deal with them, it would be good. With co-operation, we could dispose of them quickly.

Deputy Enda Kenny: Are these motions you have there?

An Ceann Comhairle: Yes, the leave to introduce the Supplementary Estimate.

Deputy Enda Kenny: May I ask a couple of questions after that on the Order of Business?

An Ceann Comhairle: Yes, briefly.

Deputy Enda Kenny: Can I do that?

An Ceann Comhairle: Right.

Deputy Enda Kenny: Do you want to put the motions now?

Estimates for Public Services 2010: Leave to Introduce

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

That leave be given by the Dáil to introduce the following Supplementary Estimate for the service of the year ending on the 31st day of December, 2010:—

Vote 25 — Environment, Heritage and Local Government (*Supplementary Estimate*).

Question put and agreed to.

Estimates for Public Services: Referral to Select Committee

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

That, subject to leave being given to introduce the following Supplementary Estimate for the service of the year ending on 31st December, 2010, the Supplementary Estimate be referred to the Select Committee on the Environment, Heritage and Local Government pursuant to Standing Order 154(3) and paragraph (1)(a)(ii) of the Committee's Orders of Reference, which shall report back to the Dáil by no later than 9 December:—

Vote 25 — Environment, Heritage and Local Government (*Supplementary Estimate*).

Question put and agreed to.

Order of Business (Resumed)

Deputy Enda Kenny: I understand there is a special finance Bill to be brought in on Friday. What are the issues that are to be presented in that special finance Bill and is it proposed to dispose of that Bill on Friday?

Second, when is it proposed to publish the report on gaming and lottery. I thought I heard the jingle of—

Deputy Bernard J. Durkan: Coin.

Deputy Enda Kenny: —casinos in the distance and I understand that central to that aspiration is that the gaming and lottery report would be published. When is that expected?

The Taoiseach: On any Bill that will come forward from the Minister for Finance in addition to what is already announced, that will be taken on the following week. It would not be taken this week. The proposals for this week have been outlined already in a previous discussion.

Deputy Kenny is referring to a review of gaming legislation since the 1956 Act. There is a report, which has been prepared in the Department of Justice and Law Reform over the past two years, which is being circulated and will be considered by Government in the near future. The report will be published.

Deputy Charles Flanagan: That is what the Taoiseach stated 12 months ago. Roulette Government.

Deputy Enda Kenny: In respect of the Taoiseach's last comment, when does the Government expect to consider that report and sign off on it? Are we likely to see that report published before the end of the year or will it be sometime in the new year?

On Thursday last, I asked the Tánaiste a number of questions here but she was unable to give a complete answer, maybe because the Government has not decided. I ask the Taoiseach when it is expected the Dáil will resume after Christmas. Will it be 11 or 12 January? Is the Finance Bill and its implications the only matter the Government wishes to deal with on its return? I ask this for obvious reasons.

The Taoiseach: For reasons that escape me.

Deputy Alan Shatter: As the Taoiseach tries to elude the electorate.

The Taoiseach: On the first matter, it would be in the public interest that all reports, once approved and passed by the Government, are published. That would be important in terms of the issues or concern that can ensue in the public debate.

On the question on the return of the Dáil, that is a matter that is to be decided by Government and will be taken next week. I would be in a position to be able to indicate that we can come back a week sooner than expected, but I would also emphasise there is much legislation that we can and should do in the context of preparation, publication and consideration of the finance Bill which will be done in the normal course.

Deputy Enda Kenny: I thank the Taoiseach for this clarification. I welcome the fact that the Dáil will return at an earlier date than originally envisaged. I was looking at the Gormley missile which was circulated in his constituency——

An Ceann Comhairle: Is it on promised business?

Deputy Enda Kenny: It states to his constituents that there were three issues he wished to have dealt with. The first was a credible four year plan, the second was the budget for 2011 and the third was securing funding support from the IMF, the ECB and the EU.

Deputy Paul Kehoe: Well done, John.

An Ceann Comhairle: Constituency newsletters are not a matter for the Order of Business.

Deputy Pádraic McCormack: What about the incinerator? The Minister forgot that.

Deputy Tom Hayes: He might not pull out of Government now.

Deputy Enda Kenny: The Minister has almost succeeded in his three ambitions, but they were all predicated on his announcement to his constituents that we have reached a point where the people need political certainty to take them beyond the coming two months.

An Ceann Comhairle: Constituency newsletters are not appropriate on the Order of Business.

Deputy Enda Kenny: He told them he believed it was time to fix a date for a general election in the second half of January 2011. I hear reports coming through the ether about climate change Bills, mayoralty Bills and corporate donation Bills——

Deputy Emmet Stagg: Greyhounds.

Deputy Enda Kenny: ——and that they are all to be dealt with in the blended — that is the new word — amalgamation of the finance Bill and the Dáil returning one week earlier.

An Ceann Comhairle: Deputy——

Deputy Alan Shatter: This is appropriate to the Order of Business.

Deputy Enda Kenny: Is it intended to take legislation other than the finance Bill? Will we be sticking by this Gormley edict of going to the hustings at the end of January or by mid-February?

Deputy Pat Rabbitte: Does the Taoiseach think the Green Party will come back?

An Ceann Comhairle: I call Deputy Gilmore.

Deputy Alan Shatter: There is no reply. Green promises are being ignored.

An Ceann Comhairle: Deputy Gilmore has the floor. Before he speaks, I suggest that with the co-operation of Members we could have a short sos before the Budget Statement. Time is moving on and we need co-operation.

Deputy Alan Shatter: We want answers. Will we have green shoots or just green shootings?

Deputy Eamon Gilmore: In his reply to Deputy Kenny, the Taoiseach stated it is intended that the House will resume after Christmas a week earlier than expected. My recollection is that the date pencilled in for the resumption of the Dáil is 19 January. Will the Taoiseach confirm that the intended date for resumption of the Dáil is 12 January?

Last week, I asked the Taoiseach and the Tánaiste about the Government's intention with regards to the legislation required if the Government intends to go ahead with cutting the national minimum wage by €1 an hour, or €2,000 a year, for people on the lowest level of pay in the country. When is this to be introduced? Replying to Deputy Shortall last week, the Minister for Social Protection seemed to indicate that it was the Government's intention to sneak in this piece of legislation by way of a Report Stage amendment to the Social Welfare (Miscellaneous Provisions) (No. 2) Bill which is before the Dáil. What is the Government's intention with regard to the legislation? If the Government intends to go ahead with cutting the minimum wage, which I sincerely hope it does not, when and by what means will the legislation be introduced?

The Taoiseach: I indicated to Deputy Kenny that the Government has no problem considering returning a week previous to the appointed date for return on a day of that week yet to be decided. We can decide on this. The second matter is a subject of the budget announcement

[The Taoiseach.]

today and it has already been indicated in the programme that there will be a reduction in the minimum wage of €1 in an effort to improve employment prospects for people. It is important that this would be given a statutory basis as quickly as possible so it could well be dealt with this week also.

Deputy Caoimhghín Ó Caoláin: Now that it is signalled to take the Financial Emergency Measures in the Public Interest (No. 2) Bill on Thursday evening, according to the schedule distributed, will the Taoiseach indicate the range of measures the Bill will address? It is a multiple. Will the Taoiseach give us the details of the full intent of the Financial Emergency Measures in the Public Interest (No. 2) Bill? No doubt it is a misnomer from the start.

An Ceann Comhairle: The detail of any legislation is inappropriate to the Order of Business.

Deputy Caoimhghín Ó Caoláin: I am entitled to this information. Will the Taoiseach indicate exactly when he expects the finance Bill to be published and how much time the Government intends providing for a full debate on the measures contained therein?

The Taoiseach: As I indicated to the Deputy previously, I cannot discuss issues that will come up in the budget announcement which will require legislative approval, part of which will be the Bill to which the Deputy referred. It will be published after the announcements are made so I cannot divulge it prior to the Minister announcing it in the House. With regard to the question on bank restructuring, it is an issue that will be approved by the Government later this week, it will be published and it will be arranged for it to be taken next week.

An Ceann Comhairle: A number of Deputies are offering but with their co-operation we will note their names and call them on the next available opportunity and have a short sos between now and 3.45 p.m.

Sitting suspended at 3.40 p.m. and resumed at 3.45 p.m.

Financial Resolutions 2011

Budget Statement 2011

An Ceann Comhairle: Before calling on the Minister for Finance, I remind Members that the budget documents being circulated remain confidential until the Minister has announced them. They should not be taken or sent by any means from the House before the conclusion of his statement. I now call on the Minister for Finance, Deputy Brian Lenihan, to make his Budget Statement.

Minister for Finance (Deputy Brian Lenihan): This has been a traumatic and worrying time for the citizens of our country. They are concerned that we had to seek external support to help us with our economic and financial difficulties. They are worried about the impact of this momentous and difficult decision on all our lives. Yet, in fact, even in this most intractable and complex crisis, there are clear signs of hope.

Amid the turmoil in the financial sector over recent months, it is very easy to lose sight of the fact that economic activity in this country has stabilised. From a drop of 7.6% in 2009, GDP will record a small increase this year. Recovery in the real economy is beginning to take shape. As anticipated, this recovery is being led by exports. Our exports increased by nearly 7% in real terms in the first half of this year. Output in the manufacturing sector was up 12%

in the third quarter, while surveys point to continued strong growth in export orders for both goods and services. Agriculture and the agri-food sector has strengthened this expansion. The growth is broadly based and is being driven not only by a pick-up in demand in our trading partners, but also by the significant improvements in competitiveness that have been achieved in recent years. Yes, domestic demand remains weak, as households and businesses continue to work off the excesses of the boom. However, continued export growth will protect and expand high-value employment and stimulate domestically trading sectors of the economy. This, in time, will reduce unemployment, help build confidence among households and firms and stimulate renewed growth in consumer spending and investment.

There are signs too that conditions in the labour market are beginning to stabilise. The live register has fallen for the third month in a row, the first time since early 2007. Redundancies in the past three months were more than 30% lower than in the same period last year. Our underlying budget deficit has stabilised at 11.6% of GDP. Our tax revenues are ahead of target, despite a weak start to the year, and our spending has been brought under control. So our actions to stabilise the public finances have made progress. The balance of payments is expected to record a small surplus next year, meaning that the economy as a whole will be paying its way in the world. These data taken together paint a picture of an economy that is returning to growth after a deep and prolonged recession. For the period out to 2014, real GDP is forecast by my Department to increase by an average of almost 2.75% per annum with real GNP growing by an average of just more than 2% per year in the same period.

So if the real economy is poised to grow, why do we need the help of the IMF and the EU? The answer is that we need their support to break the vicious cycle that has threatened our national finances and our banking system since the second quarter of this year. Following the Greek crisis this spring, funding for the State and our banks became increasingly expensive. The rising costs of dealing with the banks that became evident during the autumn and the growing concerns about the prospects for the global economy reinforced doubts among international investors about the sustainability of our public finances and our capacity to fix the financial system unaided. The joint programme of assistance, involving stand-by resources of up to €85 billion, provides us with the firepower we need to restore market confidence, strengthen the financial sector and press ahead with our plans to reduce the budget deficit and facilitate the economy's return to sustainable growth.

Without this support, there would have been serious doubts about the ability of the State to raise funds at reasonable cost to pay for key public services and to provide a functioning banking system to support economic activity. That is the reality. We are in a position to contribute one fifth of the fund ourselves from the National Pensions Reserve Fund and domestic cash balances. As I said last week, it is not credible to suggest we could have retained a sovereign wealth fund while expecting others to make resources available to us. The policies set out in the joint programme, which closely reflect our national recovery plan, are not a new departure. They are a continuation of the Government's strategy for recovery which has remained steadfast since the onset of the crisis.

Over the last two and a half years, the Government has worked hard to get its spending back under control. We have made very difficult decisions and our citizens have demonstrated enormous forbearance in accepting the need for those decisions. We have secured an overall adjustment of €14.6 billion. Without this adjustment, our underlying deficit would already have ballooned to more than 20% of GDP.

The budgetary adjustments we plan for the coming four years are large. But if we postpone them, even bigger and more wrenching adjustments will be needed at a later date. Our pro-

[Deputy Brian Lenihan.]

posed budgetary measures have been laid out in considerable detail to give certainty to households and firms so that they can plan for the future.

It is the Government's strong view that the economy can continue to grow while we make the budgetary adjustments outlined in the national recovery plan. We need to ensure our economic growth is built on solid foundations that are sustainable socially, economically and environmentally.

The Government has committed to the introduction of a new national performance indicator to allow a variety of quality of life measurements to be assessed and reported on a regular basis, complementing traditional economic data. This will be used to guide policy development. It will allow the public to assess the progress being made across a range of indicators.

The CSO is working on the development of this new national welfare index. Our attractiveness as a country in which to live is an important part of our overall competitiveness.

EXPENDITURE AND TAX ADJUSTMENTS

This time last year, it was assumed that an adjustment of €7.5 billion would lead to a deficit of 3% of GDP by 2014, the target year agreed with our European partners. Given the medium-term growth prospects have been revised down and our debt interest costs have risen, this adjustment has had to be revised upwards to €15 billion.

In the national recovery plan, we have set out the timetable for achieving this adjustment over the next four years. These targets are reflected in the joint programme of assistance. As the European Commission has more conservative forecasts for the medium-term, we have been given an extra year to reach the 3% deficit target required under the Stability and Growth Pact. But this changes neither our targets nor our timetable for reaching them. As outlined in the plan, €6 billion of the overall adjustment is being made in today's budget. The scale of this adjustment is demanding but it demonstrates the seriousness of our intent.

In simple terms, the gap between Government receipts and spending is almost €19 billion this year. This gap must be closed. We got into this position by seeking, with the full support of those opposite, to spread the benefits of the boom across every section of the population. Between 2000 and 2008, public spending increased by over 140%, while the consumer price index increased by just 35%. Working-age social welfare rates are now more than twice their rate in 2000. Over the same period, the State pension almost doubled. These increases were well ahead of the cost of living.

At the same time, taxation was reduced and the proportion of income earners exempt from income tax increased from 34% in 2004 to an estimated 45% this year. All of this was made possible by the very large property-related tax intake during the boom years. In our dramatically changed budgetary circumstances, it is clear the State can no longer afford this level of social provision.

The changes I am announcing today are substantial but it is important to keep things in perspective. The current spending reductions set out in the national recovery plan out to 2014 will bring total gross voted current spending back only to 2007-08 levels. The income tax measures in the plan will bring us to levels prevalent as recently as 2006. Those years were not times of hardship. The reductions will impact on living standards but the fact is social welfare rates are still high in this country and much higher than our nearest neighbour.

Budget 2011 continues the task of bringing the cost of our public services back to levels that can be sustained by our economy. I do not propose to repeat here today the spending

reductions that have already been outlined in the national recovery plan and are set out again in the Estimates published today.

SOCIAL PROTECTION ADJUSTMENTS

The one area of expenditure in which decisions have not yet been detailed is social welfare. First, I want to confirm that the Government has decided there will be no reduction in the State pension this year. We have significantly increased the State pension over the last ten years and it is the Government's view that the security this has brought to older people should be preserved.

In the case of working-age rates of payment, there will be a reduction of about 4%. The Government has maintained these payments at a rate which far exceeds total inflation since 1997. The 2011 basic working-age payment will be almost 117% more than it was in 1997. Cumulative inflation over the same period was around 40%.

Regrettable as they are, the impact of the reductions is lessened by continued low inflation. The rates in question will still be slightly ahead of the 2007 working-age rates of payment. We have built up a generous level of welfare provision over the last decade and though they must now be reduced somewhat, our record of commitment to those in need stands up.

Over the next four years, further reductions in social welfare spending are unavoidable if we are to reduce the budget deficit. The size, nature and composition of these reductions will depend on the rate of decline in unemployment; the effectiveness of anti-fraud and control measures; and the reform of the benefits system. Our number one priority for 2011 and onwards must be economic growth and maximising employment creation. That demands improved competitiveness which is at the heart of the social welfare and labour market measures we have proposed.

Child Benefit

There will be a €10 reduction on both lower and higher child benefit rates with an additional €10 reduction for a third child only. These reductions will bring rates of payment back to the 2006 rate for the first and second child and to 2005 rates for the fourth and subsequent children with the rate for the third child reflecting the 2004 rate. The new rates are still three times higher than they were in 1997.

Details of the specific social welfare measures are set out in the summary of budget measures—

Deputy Michael Ring: Read them out.

Deputy Brian Lenihan: —along with a number of other changes to social welfare schemes and entitlements.

Extra Fuel Allowance Payment

In view of the harsh weather conditions experienced in recent weeks, I am allocating an additional €14 million to the fuel allowance scheme to enable a payment of €40 to households that receive the fuel allowance payment. The Department of Social Protection is putting measures in place to roll out this additional payment as soon as possible and many households will receive this payment this year.

[Deputy Brian Lenihan.]

Helping the Unemployed

We know from the 1980s the importance of equipping the unemployed with skills and keeping them close to the labour market. To that end, we are refocusing the national employment action plan to establish clearer pathways to employment by ensuring that State agencies interact early and often with those who have lost their jobs to provide opportunities for education, training or work experience placements as appropriate.

Building on the work placements and training places that have already been introduced, I am providing for an additional 15,000 activation places and supports for the unemployed at a cost of about €200 million.

- The skills development and internship programme will provide up to 5,000 places in the private sector with a contribution from that sector of an additional €38 million or so to pay some of the costs of the internships.
- The work placement programme will provide up to 5,000 places in the public service. The Tánaiste announced the scheme in the education sector last week and similar announcements for other sectors will be made by Ministers over the coming months.
- A new community work placement scheme will provide up to 5,000 additional places in the community and voluntary sector.

The labour activation measures will be complemented by the extension of the employer job (PRSI) incentive scheme to the end of 2011 and by the transformation of the business expansion scheme into a new employment and investment incentive.

The national recovery plan provides for reform of the labour market and the removal of barriers to job creation resulting from the current level of the minimum wage and inflexible employment agreements. The aim here is to provide more job opportunities, especially for the young.

CAPITAL SPENDING

We will continue to spend significant sums on investment to sustain growth and jobs. The Exchequer capital programme will amount to some 3.6% of GNP in 2011. This programme will be augmented by the investment programmes of the commercial State sponsored bodies.

In addition, the National Pensions Reserve Fund has confirmed it is willing to invest in Irish infrastructure assets on a commercial basis in partnership with third party institutional investors. The Government will help identify opportunities for the NPRF and other private investors.

ADJUSTMENTS TO PUBLIC SERVICE PAY

I want to acknowledge the substantial contribution made by public servants to national recovery to date. In my Department I see, day in day out and at weekends, the commitment above and beyond the call of duty shown by civil servants who have accepted significant pay cuts. More work is being done with fewer staff at lower cost. This is real public service reform.

To meet our targets, the cost of delivering public services must fall further. Savings will continue to be made through planned reductions in the number of public servants and through greater efficiencies in the way public services are delivered.

Despite the economic constraints, the Government has abided by the Croke Park agreement on pay, compulsory redundancies and pension terms. Public servants, their unions and their

managers, for their part, must keep their commitments to pursue flexibilities and reforms in every part and level of the public service. We have made commitments to a continued reduction in the cost of the public service. If the Government is to be held to its side of the agreement, those reductions must be delivered.

The Taoiseach and Ministers have already taken substantial reductions in their pay. The effect of the pension levy and the pay cuts introduced earlier this year amount to 28% in the case of the Taoiseach and 23% in the case of Ministers. The changes in PRSI introduced in this budget as they affect officeholders will bring about a further reduction in net pay for all office holders. Nonetheless, the Government has decided to introduce another reduction in the salaries of the Taoiseach, Tánaiste and Ministers. The salary of the Taoiseach will be reduced by over €14,000 per annum and the salary of Ministers will be reduced by over €10,000 per annum. This brings the overall reduction in the gross pay of the Taoiseach to over €90,000 and in the case of Ministers to over €60,000. Details to changes in the Government's transportation arrangements and Ministers' pay and pensions are set out in the accompanying documentation.

The Government believes there should be a maximum salary rate of €250,000 in the public sector. Only a few officeholder posts have salaries above this level at present but there is a larger number in the State agencies. While there are issues about the contractual position of incumbent post holders, I think the position of the Minister for Finance as a shareholder or statutory stakeholder in these companies can be used to enforce the objective of the maximum salary within a reasonable timeframe.

Deputies: Hear, hear.

Deputy Brian Lenihan: The 10% reduction in the pay of new entrants to the public service contained in the national recovery plan will be applied to the salary rate of those appointed to hold office in the Judiciary in 2011. The €250,000 maximum will be applied to all such offices.

A reduced maximum rate of pay of €250,000 will apply to the next President of Ireland. I want to record the significant contribution made by the current President who, since this downturn began, has waived a significant portion of her remuneration.

I intend to make provision for these reductions in legislation.

In addition to reduced pay rates, all new recruits to the entry grades of the public service must start at the first point of the relevant pay scale without exception. Although recruitment will necessarily be limited over the next number of years, this measure will ensure a medium-term reduction in the overall cost of public service pay.

PUBLIC SERVICE PENSIONS

The cost of providing public service pensions has increased significantly in recent years. Pensioner numbers have grown from 76,000 in 2006 to about 103,500 this year. That is an increase of 36%. Expenditure has risen by 56% from €1,433 million to €2,235 million in the same period.

Public service pensioners have so far been unaffected by the reductions imposed on serving staff. The Government considers it appropriate that those pensioners who can afford to should now share the burden of adjustment. Accordingly, public service pensions above €12,000 a year will be reduced by an average of 4%. Those on a pension below €12,000 a year, roughly equivalent to the value of the social welfare pension, will be exempted. The reduction will be applied fairly. Those on higher pensions will pay most. It will apply to former political officeholders, retired members of the Judiciary, and their survivors or dependants.

Deputies: Hear, hear.

Deputy Brian Lenihan: Public service pensions have until now been unaffected by the pay reductions. The grace period, under which previous salary levels are to be used to calculate pension entitlements, was due to expire by the end of 2011. This is being extended by two months to prevent a build up of public service retirements in 2011 and to spread the extra pension lump sum costs over a more manageable period in both 2011 and 2012. However, I want to make clear that public servants or officeholders retiring during the grace period will be subject to the pension reduction I am introducing today. Legislation to provide for this reduction will be brought before the Oireachtas later this week. Further details are provided in the summary of budget measures.

Reducing the income of pensioners is an exceptional measure, but these are exceptional times. The Government has to make savings, and pensions costs are a very significant part of public expenditure. Failure to reduce the cost of pension provision could undermine the longer-term viability of the public service pension system. Furthermore, it would be unfair if highly paid pensioners remained unaffected while serving staff on low pay have had their pay reduced.

A new single pension scheme for new entrants, which I announced in last year's budget, will come into effect in 2011. This will bring future public service pensions more in line with private sector provision. Pensions will be based on career average earnings rather than final salary, the pension age will be increased and post-retirement increases will be linked to retail price inflation rather than to pay. This new scheme is a crucial part of the longer-term reform required to put the public finances on a sound basis. The legislation will be published very shortly to ensure that the new scheme can be put into operation for new entrants in 2011.

TAXATION

A Cheann Comhairle, the primary purpose of the tax system is to provide the resources to pay for the services the public expect from the State. Our tax system no longer fulfils that purpose well. The line of least resistance would be to increase the rates, but revenue is generated by economic activity and not by increased tax rates. High tax rates on a narrow base of economic activity may raise far less revenue than lower rates on a much wider base. We cannot have a tax system that damages our potential to grow. That is why the Government has decided in the national recovery plan that two thirds of the required budgetary adjustment over the period from 2011 to 2014 should be through expenditure reductions and one third should be raised by taxation.

Our income tax system, as it stands today, is no longer fit for purpose. At one level, too few income earners pay any income tax. This year, just 8%, earning €75,000 or more, will pay 60% of all income tax while almost 80%, earning €50,000 or less will contribute just 17%. At another level, too many high earners have opportunities to shelter their income from tax. Both of these structural defects must be addressed. Our system is also unduly complex. With four separate charges on income, each rational in its own terms, it contains too many distortions, steps, and discontinuities. Our goal must be to create a system that is rational, sustainable and fair, and that delivers the resources needed for essential public services.

Income Tax

Such a system cannot be created in one budget, but today we take a major step forward in the reform process. In this budget, we will:

- abolish the income levy and the health levy;

- replace both with a single universal social charge, governed by one set of rules on a broad base;
- remove the employee PRSI contribution ceiling;
- increase the PRSI rate for the self-employed, higher earning public servants and officeholders;
- reduce the value of bands and credits by 10% in line with overall reductions in incomes;
- tackle excessive reliefs associated with private pension provision;
- abolish or restrict many tax reliefs that higher earners use to shelter income unfairly, and
- target the remaining reliefs more clearly on employment growth.

By broadening the base at both ends of the income spectrum, the nominal rates of tax can be kept lower while the effective rate can be raised in a way that is fair to all. In the measures I am presenting today, those on the new reduced minimum wage will not be brought into the tax net. The top marginal tax rate will be kept at 52% for all taxpayers.

As I said in the 2010 budget, the universal social charge requires that everyone makes some contribution, however small, to the provision of services. This charge is separate from income tax which is levied proportionately as income increases. The universal social charge does not apply to welfare payments.

The changes made today generally either maintain or enhance the incentive to work relative to social welfare. For a married couple with no children earning €25,000, their net income will fall by 2.8%, or €12 per week. For a similar family with two children, net income will fall by just 1%, or €5 a week. We must always ensure an appropriate balance between the rewards from work and income support from welfare. I believe that in these most difficult of circumstances we have struck the right balance in today's budget.

Our objective is to move steadily in the direction of an income tax system that is fair, universal in its application and more easily understood. This budget marks a decisive step towards a unified income tax system with a minimum of tax shelters, the broadest base and competitive rates. A unified income tax system with appropriate tax credits will facilitate the closer integration of tax with the welfare system.

Broadening the Tax Base

In last year's budget, I said high earners availing of tax incentive schemes must contribute more in the current difficult circumstances. The restriction of reliefs measure, which increased from 20% to 30% last year, is already having a significant impact. But we can and must do more. The national recovery plan contains a commitment to the abolition or the curtailment of tax expenditures and to the phased abolition of property-based legacy reliefs. The 16 measures identified in the plan will be given full legislative effect. Today, I will abolish or restrict a further nine reliefs bringing the total to 25. Full details are set out in the summary of budget measures.

Many property-based reliefs have been already abolished, but some legacy costs remain. Such costs will be further restricted as a result of today's changes. Three new measures in particular will be targeted at passive investors: restrictions on the carry forward capital allowances will start in 2011 and impact progressively over the next few years; from 2011, section 23 relief will be restricted to income from section 23 property; and a "guillotine" provision will ensure that all unused capital allowances after 2014 and section 23 reliefs are lost. This last provision will effectively terminate all property-based reliefs in 2014. Again, full details are set out in the summary of budget measures.

[Deputy Brian Lenihan.]

The base for capital acquisitions tax on inheritances and gifts is being broadened by reducing the tax-free thresholds by 20%. This reduction follows the economy-wide fall in asset values in recent years and builds on a similar measure introduced in supplementary budget 2009. Finally, I am increasing the deposit interest retention tax rate on ordinary deposit accounts by 2% to 27% and on longer-term deposit accounts by 2% to 30%.

Tax Treatment of Pensions

The national recovery plan contains a commitment to significant reform of pension tax relief. Today, I am abolishing employee PRSI and health levy relief on pension contributions. I am reducing the annual earnings cap for tax-relievable pension contributions. The portion of retirement lump sums above €200,000 will be subject to tax and the maximum allowable tax-relieved pension fund will be reduced. Employer PRSI relief on employee pension contributions is being reduced by 50% from 1 January next.

The effective tax rate on approved retirement funds will be increased by raising the deemed annual distribution of assets in those funds from 3% of end-year assets to 5% per year, with that distribution subject to full income tax each year. Details of all these measures are in the summary of budget measures.

Business and Employment

Two weeks ago, all political parties in this House supported a motion calling for the maintenance of the 12½% corporation tax rate. Our commitment to the 12½% rate was restated in the national recovery plan. I welcome recent comments by European finance ministers who understand the importance of this issue to Ireland. There will be no change to Ireland's corporation tax rate.

Better Focusing Tax Reliefs to Create More Jobs

Small and medium sized companies are the wellspring of employment and innovation in the economy. The business expansion scheme has helped companies to gain access to capital investments. But given that job creation and protection is the top priority, it is essential that schemes like the BES and the three-year corporation tax exemption for start-up companies are targeted and evaluated against jobs created or retained. Accordingly, the BES is to be revamped and renamed as the employment and investment incentive. This incentive will come into operation once the necessary approval from the European Commission has been received. In the meantime, the existing scheme will continue to operate.

Under the new incentive, the limit that can be raised by companies will be increased from €2 million to €10 million, and the amount that can be raised in any 12-month period will be increased from €1.5 million to €2.5 million. In addition, the certification requirements will be simplified. The new incentive will expire on 31 December 2013.

I have decided to extend the three year corporation tax exemption for start-up companies commencing a new trade in 2011 and to amend it so that the relief will be linked to the amount of employers' PRSI paid by the company. This change will focus the relief on employment creation, rewarding new companies that create jobs. I have also decided to extend the accelerated capital allowance scheme for energy efficient equipment for a further three years. Further details of the changes are set out in the summary of budget measures.

Bringing Confidence to the Housing Market

I am undertaking a fundamental reform of stamp duty on residential property transactions with immediate effect. This has three aims: to stimulate the property market, to provide necessary valuation information and to increase market transparency for the smooth operation of the market. There will be a flat rate of 1% on all residential property transactions up to a value of €1 million with 2% applying to amounts above €1 million.

In line with the base-broadening approach adopted in this budget, I am abolishing all existing reliefs and exemptions for stamp duty on residential property. This means that 1% will be paid on all residential property sales, new or old. If this system had been in place instead of the previous volatile one, it would have lessened the effect on tax revenue of the booms and busts in the market. The information gathered from this new regime can be used to compile data on house valuations to inform a valuation database. This data will bring a far greater degree of transparency to the operation of the housing market that has been previously absent. Markets operate best where buyers and sellers have reliable information available to them.

The new rates will apply to property transfers on or after tomorrow, 8 December 2010. A transitional provision will be put in place to ensure that anyone who has entered into a binding contract to purchase a residential property before 8 December 2010, and who executes the transfer of that property before 1 July 2011, will not lose out.

The tenant purchase scheme allows local authority tenants to purchase their homes at a discount. Today, I am announcing a short-term improvement in this scheme. This will allow greater access to tenant purchase by introducing a higher discount for existing tenants. The details of this enhanced scheme will be set out by the Minister of State with responsibility for housing.

Fostering Compliance Within the Economy

The construction sector has been at the vortex of this economic downturn. It will be some time before the sector returns to a sustainable level of output. In the meantime, the Government wants to ensure that existing employment levels are protected and allowed to grow by reducing black economy opportunities in the industry. Today, I am proposing significant reform of the relevant contracts withholding tax regime which applies to contractors in the construction, meat-processing and forestry sectors of the economy.

To foster compliance, a new withholding rate of 20% will apply to subcontractors registered for tax with an established compliance record, with the existing 35% rate retained for subcontractors not registered for tax. In addition, the system will be strengthened to enhance its effectiveness and reduce the opportunities for fraud. The proposed changes provide a cash flow benefit to registered subcontractors that will enable them to compete for business on a level playing field.

The recent cold weather conditions once again demonstrate the benefits of ensuring that homes are as energy efficient as possible. Today, I plan to introduce a new tax incentive in this area which will support employment while improving energy efficiency in homes. The new incentive will complement the grant aid that is available through the home energy savings scheme currently available from the Sustainable Energy Authority of Ireland.

Standard rated tax relief will be available on expenditure up to €10,000 on a list of approved works. The total relief available under the scheme in any one tax year will be €30 million which would allow for remedial works to be carried out on a minimum of 15,000 homes. Contractors employed to complete the work must be registered with the Revenue Commissioners. This incentive, together with the proposed changes in relevant contracts tax will support construction

[Deputy Brian Lenihan.]

businesses operating in the legitimate economy. Full details of the new incentive will be provided in the Finance Bill.

Supporting Tourism

An air travel tax on passengers departing Irish airports was introduced on 30 March 2009. The tax is expected to yield €105 million in 2010, despite the impact of volcanic ash on air travel earlier this year. Similar taxes apply in the UK, France, Australia, New Zealand and the US. An air travel tax will apply in Germany and Austria from January 2011. There had been calls for the abolition of the tax, which is blamed for the reduction in our visitor numbers. Having examined the issue in detail, I have decided to introduce a single revised rate of air travel tax of €3, to come into effect on 1 March 2011. I wish to be clear that this reduced rate is being applied on a temporary basis until the end of next year.

The position will be reviewed next year and the rate will be increased unless there is evidence of an appropriate response from the airlines.

Deputy Pat Breen: The Minister will not be there though.

Deputy Brian Lenihan: I do not want to see the reduction in the tax being used by airlines as an opportunity to raise their fees and charges. In conjunction with this initiative, the Dublin Airport Authority is prepared to introduce an incentive scheme for Shannon, Cork and Dublin Airports for 2011, to provide, subject to certain conditions, a full rebate of airport charges for any additional traffic above the current levels. The Dublin Airport Authority will provide further details of the scheme.

Indirect Tax

Excise will be increased by 4 cent per litre on petrol and 2 cent per litre on auto-diesel, both increases inclusive of VAT, from midnight tonight.

In the light of its success, the car scrappage scheme introduced last year will be extended for a further six months to 30 June 2011. The VRT relief provided in that period will be up to a reduced maximum of €1,250.

Deputy Charles Flanagan: That will get you through the campaign.

Deputy Brian Lenihan: I have also decided to extend the VRT relief for series production hybrid and flexible fuel vehicles for two years to end-2012. The rate of relief provided will be up to €1,500. The VRT relief for plug-in hybrid electric vehicles will continue at up to €2,500 until 31 December 2012.

A review will be undertaken of the excise duty payable for licences for on-trade and off-licence sales of alcohol products during 2011 to ensure that the system is both transparent and fair.

I am making the necessary arrangements to ensure that bets placed on the Internet by domestic punters are subject to the same level of betting duty as applies in main street betting shops. Details are set out in an annex in the accompanying documentation.

Full details of these measures and related measures are contained in the summary of budget measures.

A NEW START

Public debate of our current difficulties is focused, almost exclusively on our banks. Much of what is said is plain wrong. For example, it is regularly claimed that the taxpayer will end up bearing most or all of the cost of the banks' bad loans.

Deputy Pádraic McCormack: Why would he not?

Deputy Brian Lenihan: This is not the case. As the Governor of the Central Bank has previously indicated, over the period 2008 to 2012, the total loan losses of the domestically-owned banks are expected to reach €70 billion to €80 billion, equivalent to approximately half of this year's GDP. Loan losses on this scale are unforgivable. They reflect the recklessness of lending decisions during the bubble years and the weakness of the previous regulatory framework. We must ensure they never happen again.

What is almost entirely overlooked, however, is the fact that tens of billions of these losses have been absorbed by the private shareholders in the banks. It is clear there has been no taxpayer bailout for bank shareholders. Neither has there been a bailout for holders of banks' subordinated bonds. These bondholders have absorbed losses of about €7 billion to date and legislation to facilitate further burden-sharing by subordinated bondholders will be submitted to the Oireachtas next week.

Deputy Kathleen Lynch: It is called the social welfare Bill — burden sharing.

Deputy Brian Lenihan: There is a limit to burden-sharing. As I said in this House last week, there is simply no way this country, whose banks are so dependent on international investors, can unilaterally renege on senior bondholders against the wishes of our European partners and the European institutions. This course of action has never been an option during this crisis.

It is true the State has had to inject large amounts of capital into the banks. In return, the State will own the bulk of the banking system. The use of funds in the National Pensions Reserve Fund to recapitalise the viable banks is necessary to ensure that these institutions serve the needs of the economy.

The approach to fixing the banks agreed under the joint programme will not reverse any of the Government's banking policies. In fact, the very opposite is true. The programme builds upon and intensifies the measures introduced to date. The most senior members of the international team negotiating the programme have endorsed our policies.

CONCLUSION

This budget is the first instalment of the national recovery plan. The plan plots a course to sustainability for our country: sustainable public finances, sustainable public services, sustainable growth and sustainable employment. It is a sensible, rational plan that is proportionate and equitable in the circumstances in which we find ourselves. Everybody pays and those who can pay most will pay most. The plan calls on us all to take more responsibility for ourselves, to contribute to the support of local services and to pay more towards the support of college education. This budget is not captured by any sectional interest. The focus in the distribution of the tax burden, in the reductions in public spending and in the reforms it introduces, is the common good.

I believe that politics in this country must put the common good at the centre of the stage in all that it does.

Deputy Bernard Allen: Is it St. Paul?

Deputy Jim O’Keeffe: On the way to Damascus.

Deputy Alan Shatter: A very late conversion.

Deputy Brian Lenihan: The job of the Government on behalf of the State is to ensure that the common good is served. That requires saying “No” at least as often as saying “Yes”.

Deputy Lucinda Creighton: It is a pity Deputy Bertie Ahern did not know that.

Deputy Brian Lenihan: There has been much public debate about political reform during the current crisis; some of it has been the stuff of cheap headlines, and some of it has been constructive and innovative. Any reform proposals, whether they relate to the Dáil electoral system, the future of the Seanad, the composition of Departments or the size of Government, must have as their objective the pursuit of the common good.

Since I was appointed as Minister for Finance in May 2008, I have been dealing with the worst crisis in our history and one that has few international parallels.

Deputy Pádraic McCormack: Who caused it?

Deputy Dan Neville: It should not have happened.

Deputy Brian Lenihan: This is my fourth budget in that period. In every measure that has been introduced on behalf of the Government, we have sought to stabilise our public finances. In doing so, we have sought to protect those most in need. Analysis using the ESRI model has shown that the measures I have introduced on behalf of the Government’s have been progressive and have distributed the burden of adjustment fairly.

It is clear to us all what went wrong in our economy.

Deputy Tom Hayes: The Government does not believe it though.

Deputy Brian Lenihan: In the period leading up to the crisis, the construction sector and property prices grew to unsustainable levels. The appetite of a rampant building industry for labour and other resources put upward pressure on our cost structure. As a result, our competitiveness was damaged and we lost market share for our goods and services.

Deputy Emmet Stagg: The Minister must have been on the phone.

Deputy Brian Lenihan: Excessive public spending on the back of the enviable but transient taxes of the boom added to the overheating of the economy. A huge expansion in bank borrowing for property and construction-related investment was the final and most lethal domestic ingredient in the causes of our crisis.

Deputy Bernard Allen: The Government allowed it all to happen.

Deputy Brian Lenihan: The international financial crisis added pace and severity.

The Government has accepted that analysis: more should have been done to counter imbalances in our economy. I am not convinced that any alternative government would have done better.

(Interruptions).

An Ceann Comhairle: The Minister without interruption, please.

Deputy Brian Lenihan: We have taken steps to ensure that the mistakes that led to this crisis will never be made again. We have broken with precedent in key appointments. Professor Patrick Honohan, our foremost academic expert on banking, is a widely regarded Governor of the Central Bank. Mr. Matthew Elderfield, a highly qualified and experienced professional, is our new Financial Regulator. We have introduced new legislation to reform the regulatory framework for our banks and the Central Bank has greatly increased its resources.

We have set out a programme of budgetary reform in the national recovery plan and legislation providing for a fiscal responsibility law is in preparation. This will ensure that the principle of keeping the public finances on a sustainable footing is binding in law.

In other words, the Government has faced up to its responsibilities.

Deputy Bernard Allen: Is anybody in jail yet?

Deputy Brian Lenihan: We have acknowledged our mistakes, worked might and main to rectify them and put in place the measures to ensure that these mistakes can never be made again.

Our country must now move forward with confidence and purpose. The underlying strengths of our economy, built up over many years by our citizens and by the actions of successive governments, have survived this crisis.

- We continue to have a highly skilled, flexible labour force with one of the highest levels of formal education in the OECD.
- During the boom, we built a world class road network; we invested in our public transport, our education and social infrastructure. Continued capital investment in the next four years will ensure that the economy is well equipped for recovery.
- We have developed a highly competitive, pro-enterprise taxation system which incentivises innovation and high-value economic activity. The measures I have introduced today will benefit our domestic sectors that have been especially badly hit by this downturn. We will defend our 12.5% corporation tax rate against all comers.
- The actions we have taken in Government over the last two years have helped us to regain competitiveness. Wages have adjusted and costs have fallen. More needs to be done but we are pricing ourselves back into global markets and the performance of our export sector is the proof of our success.

We know we can have sustained, balanced, export-led growth in the economy. We had it in the past and we have what it takes to win it back if we pursue the correct policies. We have been through a tumultuous two years culminating in our application for external assistance. Today's budget is our first step in ensuring that we can get back firmly on our own feet. It is a substantial down payment on the journey back to economic health.

A Deputy: Turned the corner.

Deputy Brian Lenihan: We can emerge from this dark time as a stronger and fitter economy to provide sustainable jobs and decent public services for all our citizens.

There is every reason to be confident about the future——

Deputy Bernard Allen: An election budget.

A Deputy: Be patriotic.

Deputy Brian Lenihan: —of this economy and this country if we only have confidence, belief and faith in ourselves.

I commend this budget to the House.

Deputy Michael Ring: This budget is an attack on the blind and on the carers.

An Ceann Comhairle: Deputy Ring, please. I call Deputy Noonan, the speaker on behalf of the Fine Gael Party.

Deputy Michael Ring: It is an attack on the poor.

Deputy Charles Flanagan: Those who were leading the applause are the ones who have been apologising in the local newspapers—

Deputy Bernard J. Durkan: Hear, hear.

Deputy Charles Flanagan: —and they have been clapping here today.

An Ceann Comhairle: Deputy Flanagan, please. I call Deputy Noonan. I advise that each speaker, including Deputy Noonan, the speaker on behalf of the Labour Party and the speaker on behalf of Sinn Féin, will have 40 minutes.

Deputy Michael Noonan: This is the budget of a puppet Government, which is doing what it has been told to do by the IMF, the EU Commission and the European Central Bank. It is doing so in order that the State can draw down the bailout funds now that the country is insolvent. This budget is in an ironic way a fitting tribute to this failed Administration. Fianna Fáil, like the Bourbons, has learned nothing and forgotten nothing, and it is destined to continue its mistakes in this its last budget. These mistakes are easily recorded, but their consequences are tragic.

The Government's policies have wrecked the economy, destroyed the confidence of the people, put 450,000 people out of work, forced more than 100,000 of our young adults to emigrate, increased poverty and undermined any concept of social justice in our society. The Government has made three major mistakes and it continues to make them today. The two harsh budgets, which were introduced to correct the fiscal crisis, were incoherent in policy and undermined their own objectives. The Government never learned that one cannot cut and tax one's way out of a recession. One can only grow out of recession.

Deputy Paul Gogarty: Tell that to the Labour Party.

Deputy Michael Noonan: Consequently, its slash and burn policies were counter-productive and it failed to include measures to grow the economy and to protect and create jobs. The Minister has fallen into the same trap today — there is not a single progressive idea in the budget to support job creation or to get our economy growing again.

Deputies: Hear, hear.

Deputy Michael Noonan: On fiscal correction, the intentions of the Minister for Finance, Deputy Brian Lenihan, were sound but his policies were woefully misguided, so the more he did the worse it got. Then some months ago the country became insolvent, or to put it bluntly, we went bust.

The misguided budgetary policy would not on its own, however, have destroyed the country. The destruction of the county is due to the fatal banking policy. Think of the hubris of a small

country guaranteeing €450 billion of funds, think of the decision to bail out Anglo Irish Bank at a cost of €32 billion to the taxpayer, and think of the extraordinary imprudence of NAMA. Think of the failure of regulation, think of the child-like belief that the banks were telling us the truth and think of the failure to hold anybody to account. Think of the decision to keep the directors of the banks in place and the decision to recruit new management from the second tier of existing management. Think of the failure in the third year of investigation to forward a single file to the Director of Public Prosecutions.

Deputies: Hear, hear.

Deputy Michael Noonan: Think of the fatal ignoring of the principle of moral hazard, so that although shareholders were wiped out and those who borrowed recklessly were punished, those who lent recklessly were not punished but had their losses underpinned by the taxpayer. How could anyone have confidence in an Irish banking system underpinned by this set of policies promoted by the Minister and his colleagues in government?

The financial problems of the sovereign State were difficult but they were manageable. When, however, bank debt became national debt, the position became unsustainable.

Deputy Lucinda Creighton: Hear, hear.

Deputy Michael Noonan: The current budget deficit has shot up to 32% of GDP and the Government can no longer borrow. That is why it is out of the bond market because if it went to it, it could not borrow any longer. Ireland has become insolvent and that is why we have to be rescued by Europe and the IMF.

Deputy Paul Gogarty: We are rescuing them. If the Deputy listened, he might learn something.

Deputy Michael Noonan: In case anybody on the Front Benches or the backbenches thinks that this happened by accident, it did not; it is a direct result of the Minister's banking policies, which we pointed out to him, when he promoted them in the House, would not work. We pointed out that they would cause extra trouble and they have caused it now and that is how we find ourselves where we are. I wonder do members of the Government ever feel ashamed?

Deputy Seán Power: The Deputy is the one who knows all about shame.

Deputy Michael Noonan: I felt ashamed when I read the obsequious letters of the Minister for Finance when applying for assistance to Messrs. Juncker, Reynders, Rehn, and Trichet and separately to Mr. Strauss-Kahn of the IMF. The first two sentences in both of the Minister's letters reads as follows:

Ireland faces an economic crisis without parallel in its recent history. The problems of low growth, doubt about fiscal sustainability and a fragile banking sector are now feeding on each other, undermining confidence.

What a self-indictment; the Minister's critics could not have done better. It is an absolute indictment of his own policies as set out in both of the letters he wrote to our new masters in Europe and in Washington.

Deputies: Hear, hear.

Deputy Michael Noonan: If it was not so serious, it would be funny. When one reads the letters, they sound like confessions beaten out of him, as if one were reading a thriller. It is as

[Deputy Michael Noonan.]

if they water-boarded the Minister in Merrion Street and made him sign the letters, or perhaps they were motivated by the mock humility of the gombeen culture to think that he would get the €85 million more easily if it was a handout.

Deputy Paul Gogarty: The Deputy is coming up with a lot of——

Deputy Seán Sherlock: You were water-boarded a long time ago.

Deputy Michael Noonan: Is this a hit me now with the child in my arms intervention?

A Deputy: Bring on the child.

Deputy Alan Shatter: Deputy Gogarty should go back to playing his computer games.

Deputy Tom Hayes: He will not try that anymore.

An Leas-Cheann Comhairle: Deputy Noonan, without interruption.

Deputy Michael Noonan: The third and biggest mistake of the Government is to think that the purpose of all the pain and suffering is to restore Ireland to where it was in Bertie Ahern's time. The dream of restoring a lost Camelot is always a huge mistake. Bertie Ahern's Ireland is dead and gone and it will never be restored. The Galway tent is gone, the FÁS trips to Florida are gone, the subsidised travel from the SIPTU slush fund is gone.

Deputy Paul Gogarty: What about the National Toll Roads——

An Leas-Cheann Comhairle: Deputy Gogarty, allow the Member in possession to address this House without interruption.

Deputy Paul Gogarty: He should speak some sense.

Deputy Alan Shatter: The Deputy should go back to his computer games.

Deputy Michael Noonan: The flipping of property in the fashionable pubs of Dublin after work on Friday will not happen again. The bubble cannot be re-inflated and the Government policy designed to restore lost times cannot succeed. We need a new Ireland, a lean and more generous Ireland, where we support strong families and strong communities, where volunteerism is again honoured, and where people work hard and are rewarded for their work.

Deputies: Hear, hear.

Deputy Michael Noonan: We need a reformed political system and a talented, fit for purpose public service needs to be developed once more. We need new policies to support growth and jobs. A fatal flaw in this budget is that there is nothing in it to get the economy growing again. The Minister will recall that even though his four year plan published two weeks ago is based on a growth rate in 2011 of 1.75%, on 29 November, the European Commission marked that down to 0.9%. His figures will not reach target unless we have growth in the economy. He has been advised of that by the European Commission and he is still persisting in proceeding without any growth or jobs strategy.

We need a fair and just society where the test of any policy is in the answer to two very simple questions Is it a fair policy and does it protect the most vulnerable in society? It is against these objectives that I intend to measure this budget.

The Minister was very sparse in his detail today. Two minutes before he sat down we got a résumé of the main features of the budget. It is difficult to know quickly when he does not read out the major detail of the budget what exactly are the full implications of it. If we take the public expenditure area first, of the €6 billion correction, to which the Government has committed, €4 billion amounts to public expenditure cuts and €2 billion amounts to taxation. It is very difficult to know what the expenditure cuts are in the documents presented. We had an experience in the olden days when Mr. Haughey was king of country where a budget would be presented and when we came into Government we found the figures did not add up.

Deputy Conor Lenihan: The Deputy's party would provide excuses for two years.

Deputy Michael Noonan: More importantly, there were no policy decisions taken to underpin the expenditure cuts.

Deputy Dick Roche: It will be like 1987.

Deputy Michael Noonan: The Taoiseach will be in here tomorrow and I want him to state clearly the policy decisions that will underpin the expenditure cuts registered in the tables at the back of the circulated document. I hope the Government is not faking it. I want the Taoiseach to explain the expenditure cuts.

I notice that in the four year plan there is a figure of €700 million for the sale of State assets. The tables in the back of the circulated document put the figure at €660 million but there was not one reference to this in the Minister's speech. I am told the figures come from the intention to sell Bord Gáis and the Minister has permission from the European Commission to pay this into the Exchequer by way of dividend; yet the Minister was totally silent on it in his speech. When I see such things I worry about the accuracy of the Minister's figures.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Michael Noonan: He made no reference to a reduction in capital spending today but a quick look at the tables at the back of the document suggests the Government is taking approximately €1.8 billion out in capital spending. He has not nominated the key projects in those cutbacks. Is metro north proceeding, for example?

Deputy Michael Kennedy: It will not do so if Deputy Enda Kenny becomes Taoiseach. Deputy Reilly should get his leader to change his mind on that.

An Leas-Cheann Comhairle: Deputy Kennedy, please.

Deputy Michael Noonan: Where will be the heavy hits? The Deputy will be walking home and will have no metro. He will be walking to Swords.

Deputy Michael Ring: He will be staying home.

Deputy Alan Shatter: They may do it while Deputy Gormley is in Government.

An Leas-Cheann Comhairle: Allow Deputy Noonan to make his contribution.

Deputy Michael Noonan: As two thirds of the adjustment to get to €6 billion derives from public expenditure cuts, there is an onus on the Government to explain the figures. As the Minister for Finance did not do so, the Taoiseach could come to the House tomorrow morning to spell out the policy decisions taken that will underpin expenditure cuts up to €4 billion. The Minister for Finance did not do it today.

Deputy Alan Shatter: Hear, hear.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Michael Noonan: The income tax adjustments are equally puzzling. The Minister stated he would cut the tax credit by 10%, which is fairly obvious, although the universal social charge is still a mystery. This charge, as those with a long memory recall, comes from an announcement last year by the Minister that he intended to put the health levy, PRSI and the income levy together. When questioned in the budget debates, if I recall correctly, the Minister said the tax neutral position for this charge would be 7.5%. It would be tax neutral in that it would collect the same amount of revenue but have a distributional effect; it would be harder on poorer people and less onerous on wealthy people.

When I prepared the alternative budget proposals in the past few weeks, which were announced on Friday, we ran the proposals by the Department of Finance, which did an independent costing.

Deputy Paul Gogarty: The Deputy did not run it by Labour.

Deputy Pat Rabbitte: Somebody get Deputy Gogarty a soother.

Deputy Michael Noonan: The Department of Finance was of the view that the tax neutral position is now in excess of 9%, and if one wanted to collect extra income one would have to go beyond that. Curiously, the Minister mentioned in today's speech the introduction of a universal social charge but did not nominate the rate at which it would be introduced. That is not fair and when a budget is presented, it must be transparent. He cannot fool the people by announcing a universal social charge and not nominate in his speech the rate at which it will apply.

Deputy Michael Ring: It is a cover-up.

Deputy Michael Noonan: It is in the small print.

Deputy Paul Gogarty: It is in the appendix.

Deputy Tom Hayes: It was not in the speech.

Deputy Michael Noonan: As Deputy Gogarty pointed out, the rate is detailed in the appendix. Is the intent to be revenue-neutral or is the intent to collect extra revenue from the universal social charge?

Deputy Tom Hayes: That is the question.

Deputy Michael Noonan: That is a very important policy pronouncement which the Minister should have made in his speech but did not. There are many issues not clear in this budget.

Deputy Dick Roche: It is on page C.30

An Leas-Cheann Comhairle: Deputy Roche should be silent.

Deputy Dick Roche: I am trying to help the Deputy.

An Leas-Cheann Comhairle: The Deputy is able to make his presentation without your assistance.

Deputy Michael Noonan: The Minister does not have a high regard for carers with his income tax provision, as the tax credit for carers has decreased from €900 to €810. On top of that, he has cut the carer's allowance and did not exempt it like the old-age pension.

Deputy Shane McEntee: Shameful

Deputy Michael Noonan: Carers have it tough and it is a vulnerable area that should have been protected. The Minister did not do so.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Jack Wall: How does Deputy Gogarty feel about that?

Deputy Michael Noonan: I am glad the Minister exempted the contributory and non-contributory old-age pensions from the social welfare cuts but he did not exempt widows.

Deputy Shane McEntee: That is shameful.

Deputy Michael Noonan: Why would the Minister distinguish between old-age pensions and widows' pensions? What kind of social compass suggests that widows can afford the cut and old-age pensioners cannot?

Deputy Tom Hayes: They are just as vulnerable.

Deputy Michael Noonan: Why would he do this? Why would he cut blind persons' and invalidity pensions, as well as carers' pensions? The only exemption forced on him is the old-age pension. I do not understand why a Government would be so socially blind as to include vulnerable persons where the total tax take is so small anyway. The Minister could have got most of what he wanted from the main social welfare headings but he has hit invalidity and blind persons' pensions, along with carers and widows. That is what we mean on this side of the House when we say the Government does not really care about the most vulnerable. Our policy is to protect the vulnerable in our budget cuts.

Deputies: Hear, hear.

Deputy Michael Noonan: The Minister has cut jobseeker's allowance by €8 and made no increase in the child dependant allowance in social welfare; it remains the same as last year. Child benefit is down by €10 per child for the first and second child. What has the Minister got against third children? In his speech he stated there would be an extra €10 cut from the child benefit of the third child only. The fourth, fifth, 16th or 20th child's payment will not be cut.

Deputy Alan Shatter: Another Fianna Fáil solution to an Irish problem.

Deputy Michael D. Higgins: What would happen if there were twins?

Deputy Michael Noonan: Did some third child beat up the Minister coming home from school when he was a young fellow? What is the conspiracy against third children?

Deputy Pat Rabbitte: It is a new China policy.

Deputy Michael Noonan: I have no vested interest as I am a fourth child.

Deputy Alan Shatter: After the second child a mother will have to give birth to twins.

An Leas-Cheann Comhairle: Deputy Shatter, please.

Deputy Michael Noonan: Some of the changes in stamp duty are welcome as somebody has to act to get the property market going again. NAMA has destroyed the property market as it has taken everything out but put nothing back. Before leaving office the Minister should call people from NAMA into his office and tell them to put €2 billion or €3 billion of property on the market at fire-sale prices. These may be sold too cheaply but at least that would establish a floor in the property market and people would start again. Currently, everybody is watching prices continually falling and nobody will get into the market because they believe prices will fall further and people are waiting until they hit bottom. Somebody must put a floor on this and the only people with a big enough pool of assets is NAMA.

Deputy Bernard J. Durkan: That is absolutely right.

Deputy Paul Gogarty: We would get no money back.

Deputy Michael Noonan: A tranche of assets should be sold, even if they must be sold cheaply, to get the process started again. The 1% universal levy on all property, with 2% on properties worth more than €1 million, is onerous enough. It means nothing now because there is no market but it will be a heavy enough charge when the market picks up. I suggest that in the course of the finance Bill the Minister should consider a capital gains tax on the family home, which would be much less onerous. The problem with the proposal is it will hit everyone who is in negative equity and all those who paid significant stamp duty over the past ten years. If one made the change through the capital gains code, one could exempt these categories, from which one would not make a profit in any case. I am suggesting an alternative means of raising tax through stamp duty.

Many of the changes in public service pensions had been announced. While public servants will not like the levies, which had been announced previously in the four year plan, many of the former public servants to whom I have spoken told me that, ultimately, they do not object to being treated on an equal basis with existing public servants. In the times that are in it I will not quarrel with that view.

The Minister did not do anything for people in negative equity, which is serious gap. The Fine Gael Party has a proposal in this area for which it will not charge the Government a penny if it is implemented in the finance Bill. If one were to increase to 30% the tax relief available to those who bought at the top of the housing market between 2004 and 2008, it would save those with a mortgage of €300,000 about €900 per annum. This is a targeted relief which one could pay for by withdrawing mortgage relief for sales completed from June 2011 onwards. My party had this proposal costed by the Department. Anyone who buys a house from next June is buying at the bottom of the market. They do not need assistance through the tax code to buy property because they are buying at knockdown prices. I ask the Minister to examine these proposals and try to make some adjustments.

The Minister proposes a whole series of excise duties. We will examine these in the course of the debate on the financial resolutions tonight. He has also made proposals on the salaries of Ministers and Deputies and proposes to cap public servants' salaries. If we, in this House, do not start cutting our own prospects and salaries, we do not have the moral authority to prescribe tough medicine for others. It is not clear what the Minister proposes to do regarding Members. Will a Deputy of 30 years standing be considered a new Deputy if he or she is re-elected in March next? If so, will he or she be hit by the 10% reduction in salary for new public servants? Is that the Minister's intention? The phrase he used is ambiguous. The position should be spelt out explicitly and without riddles because members of the public want to know what is happening with our pay and conditions.

I thought the Minister would take the opportunity to introduce the changes in VAT he announced in the four year plan. It is the Government's intention — it has negotiated this in the deal with the IMF — to increase the 21% VAT rate to 22% in its second or third budget and 23% in its third or fourth budget. While the retail sector will not like this change, much of the goods on which the higher rate of VAT is charged are imported. The Minister should restructure his proposal in this regard and try to do something for employment by reducing the lower 13.5% rate of VAT to 12%. While it should be reduced further, if possible, the Minister can certainly afford to reduce it to 12%. The lower rate of VAT applies to domestic sectors such as the building and service industries, including restaurants, the food trade, bars, hairdressers and newspapers. Service industries are significant employers who have low margins. A small adjustment in the VAT rate would get people back to work in these sectors.

I am not making a political point in stating that the Minister could introduce a series of supply side measures to get more people back to work. Reducing the lower rate of VAT is one measure that would work because it would reduce costs and get people back to work. The Minister has tried to achieve this goal by reducing the minimum wage by €1. My proposal is an alternative approach which would probably provide good value.

The Fine Gael Party has also proposed that the 8.5% rate of employers' PRSI should be abolished for employees earning up to the level of the minimum wage. This, too, is a low cost measure which would save an employer who takes on a new worker €30 per week. It is difficult to employ low skilled young people at the bottom end of the market. For this reason, the Minister should consider what economists describe as supply side initiatives. While I am aware he does not have billions of euro to spend, the measures I propose are focused and targeted at increasing employment and securing more growth in the economy. They also have the great advantage of costing very little.

The Minister was silent on carbon tax. I thought the Green Party had convinced him that he should move again on carbon tax but he has chosen to move on excise on fossil fuels. He must make up his mind on how he will tax fossil fuels. Will he continue on the excise route or opt for carbon taxes? When one takes both options everyone is hit twice. It is not long since a significant increase in carbon taxes was introduced and now we have another increase in excise.

My primary objection to what the Minister is doing is that he does not have a jobs and growth industry. He did not mention the agricultural and food industry which is back on its feet, thank God.

Deputy Brian Lenihan: The Deputy should read page 2 of my statement.

Deputy Michael Noonan: Overall, the budget is incoherent, soft on the rich and hard on the poor.

The times ahead will be hard. The Government has sought to tie the hands of its successors with a series of very specific commitments over the next four years. If the Fine Gael Party is part of the incoming Government, we will stick to the targets set down but will renegotiate the specific measures envisaged for the next three budgets. I have been assured by Commissioner Rehn and Mr. Chopra of the IMF that they will co-operate with us in doing so.

Deputy Paul Gogarty: The problem is that Deputy Gilmore does not agree.

Deputy Michael Noonan: There is a flaw in Ireland's approach to Europe, one which arises from the hubris of the Celtic tiger years. Since we joined the European Union the Department of Foreign Affairs has taken the lead role in our relationship with the EU and individual member states. When Garret FitzGerald, whom I see in the Distinguished Visitors Gallery, was Minister for Foreign Affairs and Taoiseach, it was common for Ireland to enter into infor-

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mal alliances with other member states, particularly smaller countries, to advance our interests. We had close alliances with the Benelux countries in particular. In the past decade we have lost our way and forgotten the friends who used to protect our interests.

At a time when boastful Irish Ministers could clear any bar from Berlin to Barcelona with their lectures on how to get rich through property speculation and how Ireland was the wealthiest country in Europe and a model for all to imitate, it was easy to forget our friends. When Irish Ministers were the braggarts of Europe it was easy for our friends to forget us. We must now mend our hand. Our skilled diplomats must again be instructed to build alliances with member states who share our interests. The central role of diplomacy in protecting our interests and relationships in Europe must be restored.

In this regard, it was disgraceful that Ireland was not represented by a Cabinet Minister when a major new initiative, the issue of euro bonds, was being discussed at yesterday's meeting of the Council of Ministers. This is an example of neglect. While the Minister for Finance may have been busy with the budget, the document was completed at the weekend. Why did a Minister not attend yesterday's meeting which discussed a far-reaching proposal to introduce a euro bond given that acceptance of such a proposal could solve many of Ireland's problems? The president of the euro group, Mr. Jean-Claude Juncker, who is Prime Minister of Luxembourg, a country that is a traditional diplomatic friend of the Irish, was the main proposer of the introduction of a euro bond. No Irish Cabinet Minister was present at the meeting to push along a project that is in our vital interests.

Deputy Brian Lenihan: Would the Fine Gael Party have given us a pair today?

Deputy Michael Noonan: Despite everything that has happened, I do not believe our country is ruined beyond repair. If it were not for the banks, our problems would be manageable. With the recently announced initiatives to downsize the banks, we can come through this. The foundation stone of everything is certainty. The Fine Gael Party is committed to reducing the deficit to 3% of GDP by 2014 and to a total adjustment of €15 billion because we want to give people certainty. Once we have certainty we can build confidence in this country. This is the reason Fine Gael is committed to an extensive jobs and growth programme.

Once we have confidence people will grow in hope and optimism and begin to spend and invest again. This is the reason the Fine Gael Party believes the marginal rate of income tax must be kept low, the 12.5% of corporation tax is an essential component of our industrial policy and the 13.5 % rate of VAT should, as I proposed, be reduced to 12% when the standard rate is increased. fine Gael wants a pro-jobs tax policy so that the economy can grow and jobs can be created. My party believes we can meet our budgetary targets for the next two years and we hope that after two years of meeting our budgetary targets we will be back borrowing in the bond market at a much less penal rate than the 5.8% negotiated by the Government in the bail out package.

Fine Gael wants the IMF out of here. We are an educated, talented, accomplished people, well capable of running our own affairs.

Deputies: Hear, hear.

Deputy Michael Noonan: At times of crisis we tend to turn to the heroes of the past for inspiration — to Collins and Griffith, de Valera and Lemass. I know Members on all sides of the House do that and therefore I shall finish by reference to a quotation attributed to Michael Collins which we might all ponder. Collins said, “Give us the future. We have had enough of the past. Give us back our country to live in, to grow in, to love”.

Deputy Joan Burton: At the opening of his speech, the Minister, Deputy Lenihan, referred to households and businesses that continue to work off the excesses of the boom. He made the adjustments and cuts sound like a walk in the park just after the Christmas dinner or, alternatively, like joining the gym or going to Unislim. It is a way of working off the excess built up during the boom years. It is a pity that such slimming of income has been applied to working people and those on middle incomes because they are the people doing the heavy lifting in this budget. I daresay the Minister must be aware that people with children took the biggest cuts this year and last year. Let us remember child benefit is paid almost universally to women. I suppose that is a comment on how few women are Members of this House and what little political power women exercise compared to bankers. The Minister always says “Yes” to bankers but in his different budgets he always finds it difficult to make payments in respect of children.

The table of reductions in expenditure is spot on. Well done to the Minister, who has passed the first test in the memorandum of understanding. It is spot on for the IMF and the European Central Bank. The reductions of €2,192 million are very close to the figures in the memorandum so when they are sent over on Friday, as per the memorandum of understanding, I imagine the Minister will get one star for getting so close to the required figures. However, it is very noticeable that out of cuts of €2,192 million, the Department of Health and Children will take a cut of €746 million and the Department of Social Protection will take a cut of €873 million. Those two Departments, Health and Children and Social Protection, will take a hit of €1.6 billion from total cuts of €2.1 billion. That is a really heavy hit on a particular sector which, more than any other, encompasses the notion of social solidarity and need. We should remain a one-Ireland society. Yes, we had our billionaires but we should remain close to that notion. The principle of the Labour Party is that we are a one-Ireland society and those who have most should contribute most.

Coming after 13 years of Fianna Fáil misrule, this budget might be described as the last sting of the dying wasp but it is a fairly vicious sting and one that carries a long tail life, not only for today but for the coming four years. The people who will feel the biggest sting will be those with children. I shall return to that issue presently. There is enough austerity in today’s announcement by the Minister, Deputy Lenihan, to make even the most ardent Tea Party fan grin in delight. There is pain for the poor, money for the rich, particularly for the bankers, and the rolling back of the State.

In Ireland, we are now entering our third and a quarter year of fiscal austerity. It is very important that all the international cameras and press which have been covering this country should understand this fact. This is our sixth budget or adjustment statement since July 2008, shortly after Deputies Brian Cowen and Brian Lenihan were elected to their current offices. The first five budgets and adjustment statements took €14.6 billion out of the economy but those in the austerity and hairshirt camp want more. The Irish are a little like Oliver — “Please sir, give me some more austerity”. Today, €6 billion of further austerity will bring the total taken out of the Irish economy over three and a quarter years to an eye-watering €21 billion, or 16% of GNP.

I and my party met with the IMF on a number of occasions during the recent talks and it was very clear to us that those people clearly understood there is no modern example of a developed economy deflating to this extraordinary degree but claiming it can grow like Topsy. The €21 billion of deflationary reductions risks putting Ireland into the dreaded deflation spiral, the terror of the Hoover years of the Great Depression in the United States. That is why the Labour Party argued for an adjustment of €4.5 billion, which, of course, would be extremely tough. There is no doubt about that. However, we wanted to promote and leave room for the certainty of growth. I met Mr. Rehn when he was here and discussed the magic figure of €6 billion which had appeared. I talked with him about what had happened in Finland and Sweden

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during those countries' banking crises. Mr. Rehn told me that the Swedes had learned a great deal from the Finnish banking crisis and what the Finns did, in nationalising and taking the banks into temporary public ownership, and so on. Then he said, "And Ireland ... " but he left any further comment unspoken. Ireland did not learn from Finland or Sweden. This budget smacks of Ireland having done case studies in Japan, with all the unfortunate effects of zombie banking on that economy. Unfortunately, we have mirrored that situation to an extraordinary extent. Japanese people who live in Ireland talk continually about the close parallel between what happened in their economy and what is happening now in Ireland. Japanese people I know tell me what the next thing will be.

It is very unfortunate. Mr. Rehn, having delivered the €6 billion adjustment, I presume on behalf of the ECB, last week came back and reduced his forecast for the Irish growth rate to 0.9%. What has all the austerity and deflation done for us as a country so far? In more than two a quarter years of austerity, unemployment has risen from 4% to 14%, which is 435,000 people. Austerity has slashed growth, it has killed consumer confidence and turned us into a nation who are busy paying down debt or saving — anything but spending. Those who study the behaviour of people in depressions, in particular shopkeepers and not just economists, can tell one that in a great depression such as we in Ireland are enduring, people change their spending patterns permanently. People who know people who lived through the great depression in the USA know that those people remain what the Americans call "frugal" and "tight" right to this day because they had the searing experience of what happened to them then. Many people fear that all this austerity is doing the same to Ireland. When walking down Grafton Street, one used to see people with two or three shopping bags. One would need to be a very dedicated, well off fashionista to come from Grafton Street with two or three shopping bags nowadays. One is lucky to see one shopping bag, often just a tiny one tied up in a bow.

What else has austerity done? It has brought the return of the emigrant aeroplane. It is reckoned by the ESRI that by next April 100,000 people will have left this country, some of them our brightest and best young people who will have left during the austerity period of the first quarter of this budget. It is very sobering, particularly in regard to people who came home and began to build a life here and then left again. We know that GAA clubs throughout the country, not just in rural areas but even in Dublin, can no longer be sure of getting the guys and girls for teams at weekends because they have gone away to get work as, unfortunately, many of their grandfathers and grandmothers also did. It is very sad for people in Ireland to have to relive this experience.

The European Commission and ECB are understandably outraged at what they see as Ireland's fecklessness but should the punishment be visited disproportionately on the more vulnerable sections of Irish society? Ever since the fall of Lehman Brothers, the Government and orthodox economists have insisted that bank losses should be socialised whereas bank profits during the boom years were privatised. The debt burden which Ireland now carries, and which this budget is designed to ensure we repay, smacks more of reparations than of repayments. A more holistic approach adopted by our international "helpers", with burden sharing of the bank restructuring, including by bondholders and foreign banks, and a longer timespan would leave us better placed to repay and to be part of a European wide reflation. In the end, this would be better for Germany as well.

In one of Keynes's best known works, *The Economic Consequences of the Peace*, he predicted that reparations to be paid by the German people after the First World War and the Treaty of Versailles would produce an economic and political catastrophe. To quote Keynes, "If we aim deliberately at the impoverishment of Central Europe, vengeance, I dare predict, will not limp."

Europe and the European Union has an extraordinary range of achievements to its credit and membership of the Union has been exceptionally beneficial for Ireland and its people. The

European Union rests on a fundamental concept of solidarity. Without the glue of solidarity, Europe as a concept could be fatally undermined, not just in Ireland but in all those weaker countries, from Greece to Portugal and even to Spain, Belgium and Italy. A new Government should seek, as a priority, to renegotiate the terms. We need a cheaper interest rate, a longer timeframe and the kind of interest rates the IMF would normally apply to a country like Ireland, which could be as low as 3.2% and as high as 4.2%. That is the kind of interest rate the Government and its negotiators should have negotiated for our people.

I know that many people are nervous of market reactions to large public deficits and sluggish growth. Let us imagine the market reactions to no growth and much larger deficits. What has driven the panic in the bond markets over both Ireland and Portugal is just that. There was the belief that both economies would be stagnant in the coming years and, therefore, would become even more indebted because we were so mired in the consequences of our banking failure. Growth matters desperately to Ireland's prospects. Ireland, Spain and Portugal — all very different economies — are crudely lumped together in a bond market sin bin. We can escape from that sin bin if we can restore confidence in future growth from all sectors of the economy, not just the export sector. This means getting ordinary people buying and spending again, not just saving.

Who are the winners and the losers in today's budget? The winners are undoubtedly the banks, both Irish and foreign, which are hoovering up our money, not just to bail out Irish banks but to bail out the bondholders who so foolishly lent to our out-of-control bankers and developers. There is no doubt Ireland had exceptionally greedy and foolish bankers and developers, who borrowed like crazy when the flow of cheap money from the euro zone seemed literally like the gold at the end of the rainbow. There is no doubt Ireland and its failed system of governance and regulation carries the major share of the responsibility. However, some responsibility must be borne by those foreign banks which lent so recklessly and greedily. The ECB, from its lofty perch, should have been more familiar with bubbles.

Another class of winners are those developers and property tycoons whose comfortable exile has been enabled and abetted by our kind and generous Government regime, which permits those who owe billions of euro in unpaid loans safe and easy transfer of very large amounts of assets to spouses and family — perhaps all those tycoons with their multi-million pads in nice places like Connecticut, within easy commuting distance of New York city, like Mr. Dunne and Mr. Drumm. We read all about them in the newspapers, this weekend and every weekend. To use the Minister, Deputy Brian Lenihan's phrase, "they continue to party on" — it is Unislim for the rest of us but party time for them.

Who are the losers? A family with three children will lose €40 a month, which is in addition to the previous cuts in child benefit last year, where they lost a significant amount. Jobseeker's benefit is being reduced by €8 and there is a cut to disability benefit. Most of those on disability benefit have limited capacity for work and their expenses are normally higher due to their disability but their benefit is being cut by €8 per week to €188. In addition, a payment to a person who is blind is down by €8 to €188 per week and carer's benefit is also being cut by €8 to €204 per week. Payments for those with adult dependants have been decreased by €5 per week. Therefore, a couple in these categories will experience a reduction of over €13 per week. That is tough when one is on a fairly tight income. People in these categories are certainly losers.

Other losers are the small and medium businesses, in respect of which the budget does not mention the flow of credit. We were promised credit would flow like milk and honey once NAMA got under way. Instead, NAMA seems to involve a reverse proposition sucking life out of the economy because its operations are so large. NAMA is probably the biggest property company in western Europe and it dominates a huge sector of commercial activity. The people

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who provide professional services charge service fees of up to €240 million per year and NAMA is sucking the capacity out of banks to give credit to SMEs in the villages and towns of Ireland.

I believed the Government, including the Minister, would have had something to say about the people who are under water or in difficulty with their mortgages, particularly after the Government Members' experience of campaigning in Donegal. These mortgage holders are facing Christmas terrified that they may lose their homes. The Government, in addition to saying "Yes" all the time to bankers, could make an effort to provide people with certainty that they will not lose their family homes, particularly when those family homes are also the homes of their children.

A popular show that many teenagers like and produce is called "High School Musical", one of the hits of which is called "We're all in this together". Bearing in mind all the catch-phrases and soundbites that come from this dejected set of Ministers, nothing grates more than the sound of our two Brians repeating, "We're all in this together". I have news for them: nothing in this budget offers a shred of evidence that they really believe this themselves. Every line of the budget suggests the exact opposite.

At the end of this set of Fianna Fáil budgets and as a direct result of the Government's policy, the gap between rich and poor will have widened. Ireland, after this budget, will be a more divided society than ever. It is the disadvantaged who will carry the bulk of the cost and those whose reckless antics caused the disaster will survive best of all. While their wealth will be diminished, they will have escaped, waiting for the chance to strike and come back again.

The experience of past recessions shows the legacy of the past three years will be long-lasting. Unemployment at an early age can leave permanent scars. Many studies have shown that someone laid off during a recession suffers an earnings loss even when he returns to the labour market. He returns to less well-paid employment and earns less than those fortunate enough to remain in work. Even 15 to 20 years later, these losses continue to take their toll. There are wider social costs. The loss of a job has a marked impact on health and results in an average loss of life expectancy of one to one and a half years. Children suffer when their parents are laid off. They are more likely to fall behind in school and tend, on average, to earn less than the offspring of those who stay working.

It is remarkable how standard orthodox policies have come a cropper in the past few years. Unemployment is a case in point. According to the Tea Party types, countries with flexible labour markets and low minimum wages find it easiest to adapt to the more challenging environment while those countries that insist on higher wages for workers reap the consequences of being soft. However, it has not turned out like this. Remarkably, Spain, which took the orthodox route, has a youth unemployment rate of 40%. Germany and Norway, which have protected workers rights, have kept their jobless rate at a low level. Therefore, I do not buy the argument that there should be a reduction in the minimum wage.

We all know about the famous three Rs that are the bedrock of early education. There is another set of three Rs that became the bedrock of economic recovery in the post-Depression era and formed the basis of the post-war politics in Europe, irrespective of the country or party in power. These three Rs are reflation, redistribution and reform. If the Labour Party is in Government after the next election, reflation, redistribution and reform will be what its participation in government will be about.

Governments have abandoned financial regulation with the calamitous consequences that are evident today. Where would we be now if there had not been some international reflation in 2009 after the shocks of 2008? The Taoiseach constantly points out, correctly, that our export sector does well. It has continued to do well because of international reflation. However, if the rest of the world had experienced the deflation that Ireland has experienced, our export sector, which unfortunately is not as employment rich as it once was, would not be doing nearly so well.

The Government must bring the budget into balance by a reasonable target date. The least plausible way of doing this is to starve the economy excessively of money in the short term. An adjustment of €6 billion is excessive at present. Next year is not the first year of a four year plan. As stated, we have already endured two and a quarter very difficult years, and adjustments amounting to €14.6 billion in the past two years. Can the Taoiseach honestly state the adjustments have achieved their objectives? If he cannot claim this, how can he prescribe more of the same medicine?

Why is the Government doing what it is doing? To some extent, it is because it is mixing with the wrong people. It has forgotten the advice of religious teachers in school on the dangers associated with keeping bad company. The Taoiseach and his party mixed with developers for years and wined and dined with them. They gave the developers every tax break and subsidy they demanded. They now associate with bankers, who are totally obsessed with the security of their position and, therefore, with budget harshness. Do Members remember that after the Taoiseach very kindly bailed out Anglo Irish Bank on the first occasion, Mr. Seán FitzPatrick stated on the radio, without a moment of self-reflection, self-awareness or shame, that he wanted cuts to the old-age pension, child benefit and all the social welfare payments. He asked people to take their medicine and to give the money to him. This is what the Taoiseach achieved; he gave the little people the medicine and gave Mr. FitzPatrick's bank, Anglo Irish Bank, the money.

The Taoiseach: The Deputy used to tax people after the first €7,500, after the first €100.

Deputy Joan Burton: They are laughing up their sleeves at the Taoiseach ever since.

I would like the Taoiseach to take a break from the bond dealers and talk to workers, business people and parents——

Deputy Mary Coughlan: We do.

Deputy Joan Burton: ——to understand their position and what savage deflation has done to this country in this third year of adjustments. The Taoiseach is proposing that we have six full years of adjustments. That is the deal with the IMF. There have already been two years of savage deflation and the Taoiseach's deal with the IMF is for four more years. This amounts to six years of savage deflation.

The Taoiseach: What does the Deputy propose?

Deputy Mary Coughlan: We have not got the Labour Party's four year plan.

Deputy Joan Burton: The Government has many economists that work for it. The IMF and International Labour Organisation have carried out detailed studies. A recent study by them contains a message for the Government and the Taoiseach's party. The IMF-ILO study states:

Fiscal plans should be fair. There should be specific measures to protect the most vulnerable from the effects of the consolidation.

The risks involved with high levels of unemployment mean that economic policy should have a bias towards growth. There should be no fetish for austerity and targeted measures aimed at vulnerable groups of workers should be retained. Alongside that, countries should boost minimum wages, offer social protection and encourage collective bargaining.

When America entered the war after 1941 and the attack on Pearl Harbour, the anniversary of which is today, Churchill went to Newfoundland to meet Roosevelt where they set their aims for what their countries would be like after the war. What did Roosevelt insist, and Churchill agreed, on inserting in the war aims of the new society that would emerge after all

[Deputy Joan Burton.]

the difficulties? He insisted on building in social protection and employment and the growth of a society that had a social construct.

One day this recession will end. We know that. If the Taoiseach keeps having much to do with it, it will be a long time before it will end.

The Taoiseach: We will spend €20 billion on social welfare next year.

Deputy Joan Burton: It must be remembered that after the war the United Kingdom built the British national health service. What did the Finns do during their period of banking collapse? They built a universal preschool education system to put people back to work.

Deputy Mary Coughlan: Look at the tax they pay.

Deputy Joan Burton: They also concentrated on developing——

Deputy Mary Coughlan: The social welfare system in the United States of America is “You are out. Nobody cares.” That is not a European model.

An Leas-Cheann Comhairle: Tánaiste, please.

Deputy Joan Burton: ——world class indigenous companies.

Fianna Fáil aims or objectives will not lift the country from its incredible area of difficulty onto a higher plane where people become proud of their capacity, proud of their children’s educational achievement——

The Taoiseach: The Deputy said last week the economy was banjaxed.

Deputy Joan Burton: ——and proud of contributing to their society. The Taoiseach is not providing for that.

The Taoiseach: What is the Deputy providing for?

Deputy Joan Burton: It will take a change of Government to fix this society and this economy——

The Taoiseach: The Deputy said the economy was banjaxed, an economic corpse.

Deputy Joan Burton: ——and help it recover its sense of self, and help our young people in particular to use their talents and their education.

The Taoiseach: The Deputy should think about that when she is making her speeches.

Deputy Joan Burton: In terms of the statistics in the budget, I want to ask the Taoiseach about the universal social charge. It is very telling that his Government has chosen to use the term “charge” and not “contribution”. When the welfare state was built, the term that was always used was “contribution” because a contribution implied that if one contributed to one’s country and one’s State during one’s working life, one’s child or children would be assisted with their education. When people became older, society would also assist but instead of a contribution we now have a charge. In terms of the rates on the charge, the new charge will start at 2% for people earning from nought and €10,000, 4% for people earning from €10,000 to €16,000 and 7% for people earning over €16,000. For many people on the lowest levels of income that is a fairly hefty additional level of charge. It is significant.

The tables in the budget dealing with who pays tax are interesting. The numbers of people who are paying the standard rate of tax is increasing by 53,000. An additional 53,000 will be

paying the standard rate of tax and 91,000 people will be paying the higher rate of tax. A total of 144,000 people will be in the tax net.

The Taoiseach: Eighteen per cent.

Deputy Joan Burton: When we bear in mind the number of people who have become unemployed, it is quite a shift and it is borne in the tables at the back of the Budget Statement particularly by people in the middle income range. People in the middle and lower income ranges are taking quite an amount of the hit.

The Taoiseach: The higher they go, the more they pay.

Deputy Joan Burton: The Labour Party's approach was very clear. We suggested that the tax shelters, particularly the property-based tax reliefs which have cost this country so much, be closed this year. That would have allowed a slight easing in terms of people at the lower income level or people on social welfare. We also suggested that the pension reliefs, 80% of which are targeted at the top 20% of earners, should be drawn back. We proposed taking a leaf out of the Conservative Party's book in England and reducing the size of the pension pots and the draw downs. The Taoiseach has done a little of that but this yellow document before the House tonight containing the resolutions is actually a mini-finance Bill. For the first time ever, there will be only a couple of hours discussion on the finance Bill at the most.

The Taoiseach: Re-arrange the €2.5 billion in the Deputy's proposals.

An Leas-Cheann Comhairle: Please, Taoiseach.

Deputy Joan Burton: We proposed that the heavy lifting would be done by removing the tax breaks as a down payment, Taoiseach, just so that you understand——

An Leas-Cheann Comhairle: The Deputy should address her remarks through the Chair.

The Taoiseach: A total of 80% of the tax breaks were——

Deputy Eamon Gilmore: Look what the Taoiseach has done with the credits.

(Interruptions).

Deputy Joan Burton: Let us recall past events. In 2006——

The Taoiseach: No. Let us hear the Deputy's policy.

An Leas-Cheann Comhairle: Taoiseach, allow the Member to make her contribution.

Deputy Joan Burton: In 2006, I advised the Taoiseach that withdrawing the 1% stamp duty on contracts for difference would turn the Dublin exchange into a casino. I was right and he was wrong. I advised the Taoiseach, from the time he took up his stint as Minister for Finance, that he should get rid of the property-based tax reliefs by bringing them down slowly but what did he do?

Deputy Mary Coughlan: That is what he did.

Deputy Joan Burton: In the large print he said he was abolishing them but in the small print he allowed them to go out even further.

The Taoiseach: No new tax breaks.

Deputy Joan Burton: As a consequence, he blew the bubble and maintained it.

The Taoiseach: The Deputy must be joking.

Deputy Joan Burton: Had he had the insight——

The Taoiseach: Who brought in more property tax breaks than I got rid of? Deputy Ruairí Quinn.

Deputy Joan Burton: ——to bring them to an end then——

The Taoiseach: He brought in more property tax breaks.

Deputy Joan Burton: Mr. Regling——

The Taoiseach: The Deputy should look at the record.

A Deputy: We did a better job than the Taoiseach's party.

An Leas-Cheann Comhairle: Please Deputies.

The Taoiseach: The Deputy's party brought in tax reliefs for towns that were not even located on the seaside.

Deputy Joan Burton: Where are the greatest number of ghost estates that feature prominently in every article about Ireland? They are on what is called the Shannon corridor, upper and lower. That is where the bulk of the ghost estates are located.

The Taoiseach: Where lower?

Deputy Joan Burton: I apologise, middle. I am going geographically on a map from the Shannon Pot down to the middle, close to the Taoiseach's own area.

(Interruptions).

Deputy Emmet Stagg: A Leas-Cheann Comhairle, will you ask the Taoiseach to have some manners and stop interrupting?

Deputy Joan Burton: That is where the ghost estates are located.

The Taoiseach: Did the Deputy say——

An Leas-Cheann Comhairle: Taoiseach, allow the Deputy to make her contribution. There are only three minutes remaining.

Deputy Joan Burton: I understand the Taoiseach's regrets but all I can say to him is that the reduction in tax breaks should be a down payment by those people against a more general tax reform in Irish society. He has not done that in the budget today. He is rushing through these measures, such that the Greens will be able to go home to bed early. They will hardly have time to read it.

Deputy Ciarán Lynch: And maybe get some sleep.

Deputy Joan Burton: What are we going to do?

In the White Paper on Government expenditure published on Friday night, the bill for interest this year for Ireland is €5.1 billion. Three years ago Ireland was paying €1.5 billion a year in interest. I ask the Taoiseach to bear in mind all those women who will lose their child benefit and the heavy lifting, so to speak, they will have to do as a result. Of the €6 billion

adjustment, €5.1 billion will be the extraordinary bill for interest to be paid by Ireland under this fantastic deal the Taoiseach negotiated for us.

The Taoiseach: So we should not borrow. Deputy Burton's whole premise was that we should borrow much more and now she states we should not borrow.

Deputy Joan Burton: The people who were negotiating that deal, and the people in the Commission and the ECB, lost the run of themselves. Irish civil servants are good enough to produce quarterly figures instead of having the humiliation every Friday——

Deputy Eamon Gilmore: Every Friday.

Deputy Joan Burton: ——on the nail. It is like going back to the time when one was a child and one went to meet one's Dad to collect the wages from him. Instead, officials from the Department of Finance will be going on a Friday afternoon, cap in hand, with their list of figures. Could the Taoiseach's negotiators not have spared us that little extra humiliation? Look at the IMF deals for other countries. I have compared a number of them and when I read the Irish deal, I cringed for the small humiliations that were included in it, in my view, entirely unnecessarily. The Government ought to have had the courage to say, at least, "No", to a few of those.

Deputy Pearse Doherty: This budget is a disgrace. It is a full-frontal attack on the lowest income earners, those who are unemployed and those who are dependent on social welfare. What it amounts to is a recipe for economic suicide. It is another deflationary budget being brought in by this Government.

It is being brought in by a Government which claims to act in the national interest, by a political party which claims to be republican. It is at times like this that one must ask what would the founders of the State think about what has gone on earlier today in this Chamber. What would people who struggled to bring the Republic into being think — the people who gave their lives and the people who laboured to bring the Dáil into being and to bring the dream of the 1916 Proclamation into being? We have not got their yet, but I am sure that they would be ashamed of what has gone on in this Chamber today.

Before I walked in here and before the Minister for Finance rose to his feet to announce this budget I watched our national flag being taken down above this building, and I am glad that it was done because what has been done in here is economic treason. Not only is the Government happy to sell out our economic sovereignty to the IMF, but now it is selling out the Irish people.

I think back to a poem penned by Pádraic Pearse nearly 100 years ago, "Mise Éire", lines of which states:

Mór mo náir:

Mo chlann féin a dhíol a máthair.

My great shame:

My sons who sold out their mother.

That is what has happened here. The Minister has sold out the ordinary average people, who caused no harm to the Government and who have done nothing wrong in the State but try to get on in life. These people have tried to build the public services which we want to be proud of and have tried to go to school and to third level education so that they can be the entrepreneurs of the future. These are people who, through no fault of their own, are dependent on social welfare.

[Deputy Pearse Doherty.]

The Government has decided in this budget to launch an all-out attack on those people while at the same time protecting the elite in society, protecting the backsides of Members who sit in this Chambers. I have read through the documents accompanying the Budget Statement. Not one penny from a Deputy's gross salary will be reduced. How does the Government think the people listening to this at home or on the radio as they travel home from work can understand that a Deputy on over €92,000 per year should not take a pay cut but somebody on social welfare, somebody who is out working who has a child with a disability or who is on disability benefit needs to take a 4% reduction? Is that fair? Those are the questions people are asking. Ministers are talking about taking token wage cuts of €10,000, which, in reality,——

Deputy Mary Coughlan: Ní aontaím leis an Teachta.

Deputy Pearse Doherty: Mary, you are on much more than that and you should keep your mouth closed for just a couple of seconds.

Deputy Mary Coughlan: I am not known by my first name here.

An Leas-Cheann Comhairle: I should advise the Deputy, who is new to the House, that Members who are officeholders are addressed by their office in this House.

Deputy Pearse Doherty: The Minister, Deputy Coughlan, should keep her mouth closed while I am speaking because she is on much more than the €92,000——

An Leas-Cheann Comhairle: The Tánaiste.

Deputy Pearse Doherty: ——that Deputies get.

Deputy Arthur Morgan: Not for long.

Deputy Pearse Doherty: The token gesture that is being taken by Ministers in this budget does not go anywhere near far enough.

The Government is cutting the livelihoods of people who are trying to get on in this State. What have they done? What have the public sector workers done to the Government that it will sack 9,500 of them — 4,150 from health, 1,023 gardaí who will lose their jobs by the end of next year, and 1,063 teachers and front-line staff working in the education system? A total of 9,500 public sector workers are to be made redundant under the Government's plans.

What did the farmers do to the Government, which will reduce the REPS payments by €36 million? What did the students, who want to get educated in third level, do to the Government that it will increase the student fee to €2,000 and introduce a new fee for those on PLC courses of €200? God forbid, what did the primary school students do to the Government? It is introducing a new transport charge of €50 and increasing up to €350 the charge for those at second level. This budget is a disgrace.

Last year we heard the Minister for Finance tell us that the worst is over. Now we hear that low and middle-income families are to be hit with more punitive taxation increases and spending cuts. The Minister tells us that there is hope, but the only hope I can see is calling a general election. His Budget Statement is sparse in detail on the cuts but we can see in the documentation provided what these cuts will mean and how they will affect people in the years ahead. There is an €8 reduction for dole recipients, a €10 reduction in child benefit and €180 less in tax credits, excise on petrol and diesel is up, rental relief to be phased out, maternity benefit and adoptive benefit cut and there is to be a 5% reduction in capitation fees for student services and a reduction in student support grants. Some €746 million is to be taken out of the health budget. A total of one third of all of the cuts across departmental spending is coming

from health. This is at a time when the health service is completely buckled under the strain of the cuts that the Government has introduced in previous years.

Why are we doing all of this? Why is the Government introducing the budget that it has announced today? It is doing it to prop-up a failed banking policy. The policy behind this budget is not only morally wrong, but economic sabotage. Some €6 billion is being taken out of the economy in the most destructive and damaging way. The Government has decided today that somebody who earns over €1 million contributes enough but a person on the minimum wage, a person on social welfare or a person who has lost his or her job must pay more. The Government has lowered the disposable income of every spender in the real economy. What that means is that there will be less money to spend in the local economies, which will turn the screw tighter on local businesses and will mean more job losses in small and medium enterprises. What the Government has done is prolong the cycle of recession.

I do not know how the Minister had even the neck to come in here and present such a budget. The Government has failed the people of Ireland. It has given away our sovereignty in the same way that its partners gave away our natural resources back in the 1980s.

The Government has brought the IMF and the EU to our shores, and they are here to help the Government to protect foreign bankers and to bail out the bondholders. They are not here to bail out the Irish people. They are here for our tax euros. They are not here to protect us.

What is disgusting about all of this is that when the country is demanding political reform, when people are shouting out for serious politically reform, the Government is relying on the votes of two gombeen politicians who want their own wee pet projects in their own constituencies.

Deputy Noel Treacy: That is a disgraceful comment.

Deputy Martin Ferris: Deputy Treacy is a disgrace.

Deputy Pearse Doherty: The Government is willing to sell this budget. It is willing to sell the Irish people down the tubes——

Deputy Noel Treacy: They have the same mandate as Deputy Doherty.

Deputy Pearse Doherty: ——for a casino in Tipperary and a nursing home in Kerry. Shame on the Government.

An Leas-Cheann Comhairle: I should advise Deputy Doherty----

Deputy Noel Treacy: That is outrageous.

Deputy Pearse Doherty: It is the reality.

An Leas-Cheann Comhairle: Please, Deputy Treacy.

Deputy Noel Treacy: Have him withdraw it.

An Leas-Cheann Comhairle: Deputy Treacy, allow the Chair to deal with that.

Deputy Noel Treacy: I am sorry, a Leas-Cheann Comhairle.

An Leas-Cheann Comhairle: It is not appropriate to refer to any Member of the House in that fashion.

Deputy Pearse Doherty: I understand that I did not name the gombeen Deputies and there may be questions over who they are but the point stands. The fact is we can no longer afford this type of politics. We simply cannot afford it. We need a new type of politics.

During the course of writing the budget speech, did the Minister for Finance ever consider what it would mean to ordinary people on the street who are suffering because of what he and his Government have done? When was the last time he took a trip to a social welfare office and spoke to those dependent on the dole? When was the last time he visited a school completely made up of prefabs with more than 30 children in a classroom with only one teacher? These are the questions I would like to ask him. It is easy to talk about statistics and about people as groups but the Minister for Finance and many others in the Government are members of the political class and the elite. It does not matter to them what effects the cuts will have on the ground because they will never have to experience them. The same goes for the right-wing economists who will be cheering on these measures of austerity. The reality is that the Government and these Ministers will never see a dole queue. They will never have to choose between paying their bills or putting food on the table. They will never have to send their children to school hungry. They will never have to emigrate. What we will see is the Minister for Finance, his colleagues and the backbenches trotting down to the Dáil bar and celebrating another budget after which they will be driven home in their ministerial cars. They will take home their wages every week and when they retire or are kicked out of office, they will have a great pension to live on for the rest of their days.

Deputy Mary Coughlan: The Deputy has lost the run of himself.

Deputy Pearse Doherty: That is why they are absolutely out of touch and why they will be booted out of office.

Last year, we heard the Minister for Finance tell the House that the budget for 2010 was the harshest budget that would be needed. What has happened is that the Minister and the Government have repeatedly misled the Irish people. If spending cuts were the solution then we would not have a deficit now and we would not have to be back here. We would not have a problem with our public finances. The clear message I want to give today is that there is an alternative and a better way and Sinn Féin has put forward that better way. It is clear, deliverable and costed alternative based on fair taxation, eliminating waste, growing the economy and creating jobs. Our alternative protects the most vulnerable——

Deputy Mary Coughlan: How?

Deputy Pearse Doherty: ——but asks those who have a bit more to pay a bit more. Our alternative would see the cuts announced today reversed. I am calling on everybody going into the next general election and who wants to go into government to commit themselves to reversing the budgetary cuts announced today. No party can go into the next election campaigning against these cuts while unwilling to reverse them. Sinn Féin's alternative says "No" to IMF and EU interference and tough luck to the bondholders.

Deputy Mary Coughlan: How is the Deputy going to pay for everything?

Deputy Pearse Doherty: They gambled and lost.

Deputy Mary Coughlan: How is he going to pay for it?

Deputy Pearse Doherty: Their debt is bank debt, not sovereign debt——

Deputy Mary Coughlan: We have to pay €19 billion and €17 billion next year——

Deputy Pearse Doherty: —and they have to accept a market solution to a market problem.

Deputy Mary Coughlan: How?

Deputy Pearse Doherty: The principle of this is that the Irish taxpayer should not and will not be the insurance policy for the bondholders who took a gamble and lost. If we proceed with this banking plan, then the budget and the four year plan are already redundant. The plan aims to adjust €15 billion from the State's finances over a period of four years. It is a figure that sits in splendid isolation from the €85 billion bailout negotiated for the banks.

Deputy Mary Coughlan: It is not for the banks.

Deputy Pearse Doherty: We cannot afford this banking policy or the loan from the IMF and the EU. Most importantly, we cannot afford the Government. We need real negotiators to deal with the banks and not a red cent should go into the banks until their debts are restructured either through burning the bondholders or having a debt for equity swap.

The addition of €67.5 billion towards sovereign debt will incur debt servicing of huge proportions over the coming years, and we simply cannot afford it. It is important to emphasise that €17.5 billion of the €67.5 billion will come from the pockets of the Irish people. Who decided this figure could be lumped into the bailout from the IMF and EU? It is being presented to the Irish people as them coming in to rescue us. Again, we see a Fianna Fáil spin in action, trying to tell us that they are coming in with a package but in reality much of this is our own money that is bailing out—

Deputy Mary Coughlan: The Deputy's policy would mean we would have to cut social welfare by two thirds in July because we would not have the money to pay for it. It is very unfair to the people to think that.

Deputy Pearse Doherty: —not ourselves or the people being hammered by the Government, but bailing out the banks and bondholders.

Our public finances can be fixed.

Deputy Mary Coughlan: The Deputy will not have the public finances that he needs.

Deputy Pearse Doherty: The crisis we are in is the result of the Government's deeply flawed banking policy. What the Government is trying to do is turn a banking crisis into a sovereign debt crisis and it has been aided by its partners in the EU. All of this is about political choices. It is about having the political will to stand up and put ordinary people first. That is what the Government should be doing today and it is what Sinn Féin would do. Those on the Government benches know the budget will cause untold hardship for hundreds of thousands of people. It will mean little hope of economic recovery in the years ahead. It is a disaster for society and a disaster for the economy.

Deputy Arthur Morgan: And you do not care, Mary.

Deputy Mary Coughlan: I do.

Deputy Pearse Doherty: It is a disaster for the young people who wanted to build a future here and it is a disaster for the families they will leave behind. The ESRI estimated that by the end of next year 120,000 people will have emigrated. It is 90 years since the foundation of the State and Fianna Fáil has once again used emigration as a safety valve at a time of rising unemployment.

Deputy Mary Coughlan: No, we do not.

Deputy Pearse Doherty: These young people leaving our shores should be the next generation of Irish entrepreneurs, scientists, doctors, teachers and engineers. These are the people who can rebuild our economy and deliver the public service which the public demands. In this State, we train nurses at a cost of €90,000 per nurse and next year 90% of them will leave our shores while at the same time our hospitals will remain understaffed. I would say to any young person who is planning to leave to stay and change Ireland. We can get rid of the Government and it does not have to be replaced with parties with similar policies——

Deputy Mary Coughlan: By busting in the gates of the Taoiseach's office?

An Leas-Cheann Comhairle: Tánaiste, please.

Deputy Pearse Doherty: We can build a better Ireland.

Deputy Mary Coughlan: It was a fine presentation because the Deputy can walk into his offices. He is entitled to do so.

Deputy Pearse Doherty: We can be part of consigning the corruption, cronyism, greed and incompetence to history.

Deputy Arthur Morgan: The truth hurts.

Deputy Mary Coughlan: Is that what the Deputy is calling for, busting in the gates of the Taoiseach's office?

An Leas-Cheann Comhairle: Deputy Doherty without interruption.

Deputy Pearse Doherty: The young people of Ireland can be the new generation to achieve real political change and build a sustainable economy.

Deputy Mary Coughlan: The Deputy is welcome to walk in the door.

Deputy Arthur Morgan: The Tánaiste should listen and learn.

Deputy Pearse Doherty: I know the Tánaiste does not like this. We all heard her on BBC speaking about how great it was that our young people were leaving Ireland——

Deputy Mary Coughlan: I never said that.

Deputy Pearse Doherty: ——but she should speak to the mother who is crying and who will never know whether her son or daughter will ever return again. Speak to such people and she might understand.

Deputy Mary Coughlan: As a young man, the Deputy is giving no hope to the people.

Deputy Pearse Doherty: The people of Ireland deserve better than this budget and the people of Ireland deserve better than this Government.

Deputy Mary Coughlan: And Sinn Féin will do it for them?

An Leas-Cheann Comhairle: Please, Tánaiste.

Deputy Aengus Ó Snodaigh: Yes.

Deputy Arthur Morgan: Absolutely.

Deputy Mary Coughlan: It will not have the money to pay for social welfare, teachers or gardaí. There will be no money in July to pay all these people.

Deputy Arthur Morgan: The Tánaiste made a bags of it.

An Leas-Cheann Comhairle: Allow Deputy Doherty without interruption.

Deputy Martin Ferris: Cronyism got the Government where it is.

Deputy Pearse Doherty: Nobody should think——

Deputy Mary Coughlan: How is the Deputy going to pay for it?

Deputy Pearse Doherty: I will spell it out to the Tánaiste.

Deputy Mary Coughlan: Let us hear the Deputy's tax proposals and austerity measures.

An Leas-Cheann Comhairle: Deputy Doherty without interruption. Allow the Deputy to address the House. We are debating the budget. Let everybody be heard.

Deputy Arthur Morgan: She cannot handle the truth.

Deputy Pearse Doherty: Nobody should think that we in Sinn Féin underestimate the magnitude of the problems in our public finances. We have a structural deficit apart from the banking crisis that must and can be addressed. It has been caused by the Government's steadily eroding the tax base, allowing unemployment to rise and allowing a culture of waste and excess to develop in sections of the public sector. Latterly, it has been added to by the Government obsession of the banks and the debt servicing interest that will be incurred by this.

We can reduce the structural deficit but it must be done hand in hand with growing the economy in a sustainable way. Sinn Féin has put forward a six year plan to reduce the deficit to within the Stability and Growth Pact, beginning with an immediate €4.671 billion reduction of the deficit in 2011. This can be made if public spending is eliminated and the taxation system is overhauled. We have identified more than €1 billion in wasteful spending and more than €4 billion through making the taxation system fairer. When we put forward our six year plan, the Taoiseach excluded us from the talks in Government Buildings.

Fine Gael and Labour leapt on the four year bandwagon and were invited to join the consensus on cuts, which they did all too willingly. We said it could not be done in four years and that the cuts would make everything worse. What have we seen since? The European Union has already extended the adjustment period by a year to 2015 and it is widely accepted that even that is too optimistic. Again, we have been proven correct.

If the Government laid out a credible strategy to restore the economy to a growth trajectory, the bond markets would have more confidence that Ireland would be able to pay its debts and, therefore, yields would lower accordingly. The Government strategy to date has simply focused on the deficit, without enough attention to the wider economy which is the engine that provides both tax revenue and contributes to overall GDP. The deficit is a result of our economic woes, not the cause. If we treat the causes — unemployment and the tax collapse — the deficit will be treated. The four year plan is a joke. It is an accountancy exercise with no economic impact assessment. If taking €4 billion out of the economy in 2009 reduced the tax take by €7 billion, what will a €6 billion adjustment do? Also, it is based on the most ludicrous assumption of growth ever imagined by a Government about to slash the State's finances. The Minister

[Deputy Pearse Doherty.]

announced average projected growth rates of 2.75% today. He should get real. The international community is laughing at him.

I now want to deal with some of the specifics of this budget. Bad economics, tax cuts, deregulation and tax subsidies for speculators during the boom got us into this mess and the bad economics of this budget, with its spending cuts, slashing of incomes and stealth taxes will dig the hole deeper. The four year plan indicated that €3 billion would be taken out of the social welfare budget by 2014. Details on what this means have been revealed by the Minister today. People have lost their jobs and these unemployed people are sitting at home tonight in cold houses. However, the additional €40 fuel allowance announced today will only go to households in receipt of the fuel allowance. The Minister pointed to low inflation as a justification for cutting social welfare rates by 4%, but prices for many essential goods and services have actually increased. All one need do is look for example at health, education, transport and energy costs, which have all increased.

A survey conducted by Sinn Féin of 278 social welfare recipients last week clearly demonstrated that families on social welfare simply cannot afford to take the hit. Almost 90% of those surveyed will go without bare essentials, whether food, heating or Christmas presents. How are people supposed to live on the welfare allowances announced by the Government? Cutting social welfare should be the last thing the Government does in a time of economic difficulty. Cutting social welfare will have a detrimental effect on the economy and society. Welfare payments are always returned to the economy. They are not saved or invested abroad but spent in the real economy. They are spent on rent, mortgages, food, utilities and other essentials. Cutting welfare is a false economy and will only cause misery and hardship for those on the receiving end of the policy. If less money is spent, the economy will contract, businesses will struggle and more jobs will be lost. More people will be reliant on social welfare.

Do these cuts make any sense? Of course they do not. However, cutting benefits is the policy the Government is pursuing. Sinn Féin is absolutely opposed to any cuts in social welfare and to the cuts announced today. We have shown where the revenue could be raised to ensure that welfare rates are protected. It is a matter of political choice whether to start cutting at the top where the highest paid and the wealthy can afford to take cuts or at the bottom as the Government has done, targeting those struggling to get by and barely able to survive from day to day. Any Deputy who votes for these cuts deserves to be kicked out at the next general election.

The Minister has told us that it is too complicated a task to make the tax system fairer. Why is it too complicated a task to reform the taxation system so that those on huge salaries contribute more, but not too complicated to consign the poorest to a life of scrimping, saving and poverty? If one looks at the public finances, it is apparent that we have less of a spending problem and more of a tax raising and retention problem. There is ample room for overhauling the taxation system, without turning Ireland into a high tax economy. Sinn Féin has shown how this can be done and how €4 billion could be immediately raised, with the least negative impact and effect on the economy. Instead, the tax changes in this budget once again target the least well off, those on the minimum wage and the low paid.

One of the biggest spins pedalled by the Government is that we must extend the tax system to those who do not pay any tax. This compounds the ignorance of the Irish tax structure. Let us set the record straight. Ireland relies disproportionately on indirect taxation and always has done. For every €100 received by the State in direct taxes, some €146 is paid in indirect taxes by every man, woman and child. These taxes disproportionately hit lower income earners. Yesterday, I was asked in an interview whether I thought such a large group should not pay

any taxes. I replied that it was easy to talk about groups, but that we should break it down and look closer at the issue. We believe that a person earning €300 a week already pays enough tax. Today, the Government has told us how much it thinks they should pay. This extra tax must now be absorbed into all their other bills, their rent, food, child care and electricity. Which service does the Government think they will think drop first? They cannot afford to drop any of them. The tax increases announced today are spread across the board and fail to target those who have the ability to pay. This is a big mistake, one that will damage the economy and consumer spending.

The changes in taxes and bands will be as follows, based on a 10% reduction. The cut off point for the standard rate tax band will be reduced from €36,400 for a single person to €32,760, putting more people in the higher tax rate bracket. The cut off point for the standard rate tax band will be reduced from €45,400 for a one income married couple to €40,860. The cut off point for the standard rate tax band will be reduced from €72,800 for a two-income married couple to €65,520 and the cut off point for the standard rate tax band will be reduced from €40,400 for a single parent family to €36,360. It is clear the screw is being tightened once again on the lowest paid, punishing them for the Government's incompetence and the recklessness of the banks, but there are no increases in tax for top earners. No 48% tax band has been introduced nor has a wealth tax been introduced.

The decision to abolish the income levy and health levy and to create a universal charge is a step backwards. This is a flat tax and this change will benefit the better off. The cost will be the same for everybody, regardless of their ability to pay. We did not support the income levy when it was first introduced, but at least it was somewhat measured, so that those on lower incomes would pay less and those on higher incomes more. However, the universal levy will in effect represent a cut for top earners, while lower earners will be brought deeper into the tax net.

The Minister did not mention any increases in VAT today, but we know they are coming. These increases will push up the cost of living, disproportionately hit low earners and will cause chaos for businesses, particularly those trying to survive in Border communities. We need to start from the top down and make those who have most pay most. That seems totally alien to the Government. A wealth tax could and should have been introduced as part of this budget. Wealth taxes have been successfully implemented in other European countries and form an essential part of those governments' revenue streams. However, rather than introduce a wealth tax, our Government prefers to cut social welfare benefits and to drag the low paid deeper into the tax net. Despite the economic collapse, there is still considerable wealth in this State.

The top 1% of the population in this State owns 20% of all the wealth. Our proposed wealth tax would raise €1 billion at a conservative estimate in the form of a 1% income linked tax on all assets including property worth in excess of €1 million but excluding working farm land.

The Government could have introduced a range of other measures to raise revenue while making the tax system fairer. It could have immediately standardised all discretionary tax reliefs to raise €1.1 billion, introduced a third tax rate of 48% on incomes in excess of €100,000 to raise €410 million or increased capital gains tax to 40% to raise €240 million. None of these measures has been introduced.

The cuts to public spending bear no logic. The amount being cut will be detrimental to services that are already struggling. Health and education will suffer most of the brunt.

Salaries of public servants should have been capped at €100,000. This would have saved €350 million for the State per year. The Government instead chose to make aesthetic cuts to the

[Deputy Pearse Doherty.]

highest paid civil servants. The head of the HSE earns in excess of €300,000 per year. The heads of our semi-State companies earn more again. Pdraig McManus of the ESB was reported as earning over €750,000 per year, at a time when this Government introduced three budgets that took the legs from those on low incomes or social welfare.

The Taoiseach and the rest of the Ministers earn more than most of their European counterparts even though they bankrupted the State. The Minister for Finance claims that very few people in the public sector earn over €250,000 but a report published in the summer found that 66 public servants in Ireland, including 37 judges, the head of NAMA and the head of the NTMA, receive more than €500,000 each. Even with the so-called pay cuts taken by the Taoiseach and Ministers, the Taoiseach still earns €36,000 more than David Cameron.

The Tánaiste: We do not have No. 10. We do not have chefs and servants.

Deputy Pearse Doherty: The Secretary General of the Department of Finance still earns more than the permanent secretary to the treasury and the CEO of An Post earns more than the managing director of Royal Mail. We still earn far more than our neighbours in these areas but the Government made empty gestures to address this issue.

The Tánaiste: I do not think €100,000 is an empty gesture.

Deputy Pearse Doherty: The message that comes from this Government is that protecting its own backside is its first and foremost concern. The same sort of yapping continues to come from the benches opposite.

The Tánaiste: A salary reduction of €100,000 is no empty gesture.

An Leas-Cheann Comhairle: Allow the Deputy to continue.

Deputy Pearse Doherty: Through the successful efforts of the Minister for Health and Children, Deputy Harney, our public health budget subsidises the private health care sector to the tune of billions of euro although not everyone can afford private health care. This is where savings could have been made instead of sacking nurses, cutting front-line services and closing wards and beds. That is what Ministers would have done if they had any moral fibre.

Once again the Government has opted for flat rate reductions in child benefit, which is paid to every child in recognition of the fact that this State does not provide free health care, free education or free anything for children. In this State, a parent has to pay a doctor an average of €60 to have a six week old baby treated. If the Tánaiste believes that some parents can afford to get by without this benefit, she should have gone after their incomes through the tax system. She cannot justify going after the payment in a way that hits poor and rich alike.

Health spending is to be cut by €1.4 billion over the term of the four year plan. The Government wants to take out €746 million next year. The health system is already in crisis, with services being cut across the State. I have seen first-hand in Sligo and Letterkenny hospitals the destruction that successive budgets have done to our health service. One has only to consider the distance that many patients are forced to travel to access health services, the length of the waiting lists or the numbers who are waiting on trolleys.

If these cuts are implemented there is no doubt that waiting lists will lengthen. Understaffing will result in further misdiagnoses and more people will be left on trolleys for days. These health cuts will cost lives. Even while waiting lists grow and patients suffer as they wait for operations, over 1,500 beds lie closed in our public hospitals due to cuts. The cuts in this budget will close hundreds, if not thousands, more public hospital beds. Prescription charges have

already been imposed on medical card holders while drug companies continue to make vast profits. In the past week an average of 300 patients were on trolleys in accident and emergency units in our public hospitals.

The recruitment ban in the health services means that fully trained nurses and doctors are being educated to the highest standard but forced to emigrate with their degrees. This budget will accelerate the brain drain from our health services. Supporting and funding preventative health makes sense and saves money. Cutting funds for these services makes no sense. Has nothing been learnt from the disastrous health cuts of the 1980s? The cruel reality in the years ahead will be that if one has money one will live but if one cannot pay, one may die.

Overall, this is a terrible budget for education. In times of recession we need to make education the gateway to recovery. Year after year, this Government did the opposite by imposing cuts on the disadvantaged, school buildings, special needs and capitation grants, as well as charging fees to students. This Government is intent on making education the preserve of the rich. Gone are the days of free education and back are the days of underfunded schools and exorbitant fees.

The Government is introducing an overall reduction of 21% in capital expenditure for education, including 9% for primary schools and a whopping 20% for secondary schools. This is a scandalous situation. Children will continue to be educated in prefabs. Money will continue to be wasted by being paid in rent to private prefab suppliers. Classes will be unable to cope with more children and less room. We could have invested in school buildings. We could have created much-needed employment in the construction sector by taking off the dole those who have skills to build schools and classrooms.

The capitation funding for primary schools is being reduced by 5%. Schools are already struggling with large class sizes and limited resources. The Government is now limiting these resources even further. The capitation grant pays for the day-to-day running of schools. The reduction will force schools to rely on families to fund raise in order to keep their doors open. Special needs education is being cut by 2%. We have already seen special education classes close down and special needs assistants sacked. What happened to protecting the vulnerable?

Grants to secondary schools will be cut by 9%, VECs will suffer a 3% cut and the registration fee is being increased to €2,000. This is tantamount to introducing tuition fees through the back door. The Government purports to want to build a knowledge economy. The reality is this fee will lead to thousands of young people being unable to attend college or get a third level education.

Once again the Government has brought forward a budget that contains no real funding for a stimulus plan. It has rolled out Minister after Minister to speak about stimuli. The IDA and Enterprise Ireland have announced job creation numbers to beat the band but nobody has spelt out how this will work or how it will be paid for. The Government estimated in the four year-plan that there would be a 0.25% net employment loss in 2011. There are almost 450,000 people unemployed now, yet the Government is planning for even higher unemployment levels. Fianna Fáil and the other parties talk about stimulus, but none of them has real plans or costings to back this up. Sinn Féin has a plan. We propose a once-off transfer of €7 billion from the National Pensions Reserve Fund for a jobs stimulus. This amount is the equivalent of what was pumped into our banks at the start of this year. Instead, the Government is agreeing with the IMF and the EU in proposing to take billions from the same pensions reserve fund and put it into a black hole, which is the banking system. With the right policies and supports, jobs can be created in sectors such as agrifood, tourism, IT and green technologies. We can have a new generation of entrepreneurs and revitalise the co-operative sector.

[Deputy Pearse Doherty.]

The Government can always find additional billions to invest in banks but it cannot find a single cent to invest in economic recovery. We have shown where money can be found. It is the domestic economy, in which people live, that is flatlining and that needs attention.

The public will not take this budget on the chin. They have forced the Government to call an early election and they gave their assessment of the Government's budget and economic plans in the Donegal South West by-election. They have given their assessment and they will give it again in the new year, when the people have their opportunity to do so.

No one believes Deputy Michael Noonan will be a better or fairer Minister for Finance than the Minister, Deputy Brian Lenihan. His actions as Minister for Health give the answer to that question. Fine Gael subscribes to the same economic policies as the Government. It is farcical for that party to make a judgment on the budget. No one can understand why Fianna Fáil and Fine Gael are still two separate parties. They are joined at the hip, as is seen in their policies.

It is clear that the Labour Party will accept and implement Fine Gael policies, because it has no alternative to offer. Deputy Eamon Gilmore's personal ratings may still be high in the polls, but more and more people are beginning to see that the emperor has no clothes.

The Government needs to go and the budget needs to be scrapped. All parties need to give a commitment to introduce a budget after the general election to reverse these cuts.

Sitting suspended at 6.25 p.m. and resumed at 6.55 p.m.

Financial Resolutions 2011: Allocation of Time: Motion

An Ceann Comhairle: I call on the Minister of State at the Department of the Taoiseach, Deputy John Curran, to move a motion in respect of arrangements for dealing with the financial resolutions.

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

That notwithstanding anything in Standing Orders, the financial motions by the Minister for Finance shall, for the purpose of debate, be moved and grouped together in accordance with the schedule below and proceedings thereon and any amendments thereto shall, in the case of each group, be brought to a conclusion by one question which shall be put from the Chair not later than the times as indicated: Resolutions Nos. 1 to 4, to conclude at 7.40 p.m.; Resolutions Nos. 5 to 9, to conclude at 8.30 p.m.; Resolutions Nos. 10 to 14, to conclude at 9.20 p.m.; Resolutions Nos. 15 to 18, to conclude at 10.10 p.m.; Resolutions Nos. 19 to 23, to conclude at 11 p.m.; Resolutions Nos. 24 to 33, to conclude at 11.40 p.m.

An Ceann Comhairle: Is the House in agreement?

Deputy Eamon Gilmore: No, I cannot agree to that proposal. We have before us an unusually large number of financial resolutions in connection with this year's budget, a total of 34 financial resolutions. To my recollection, most budgets would normally have perhaps half a dozen financial resolutions which would be dealt with in the period of time to which we refer. I do not have a particular objection to the resolutions being grouped for the purposes of debate but I object to the resolutions being grouped for the purposes of being voted upon. These resolutions are being introduced under the Provisional Collection of Taxes Act 1927. I am advised that this Act envisaged that Dáil resolutions in respect of measures under that Act would be decided upon individually and that a serious question would arise as to the validity of a resolution which is done on a grouped basis. I am further advised that the wrong statutory formula is used in a number of the resolutions but I am sure we can deal with this in the course of the

debate. My principal objection is that in effect what is being presented to the House is a book of resolutions which really amounts to a Finance Bill, having that significance in terms of the range of measures it proposes to deal with. I do not object to having the measures grouped for the purposes of debate but it is not acceptable to the Labour Party that they would be voted upon on a group basis. The voting of the measures on a group basis will arguably cause more votes than might be necessitated. If we are voting on a grouped basis, we will be voting on groups some of whose measures we may be quite happy to agree with. If there is one proposal in a group with which we are not in agreement, it will cause us to vote against it and thereby vote against the lot. The view of the Labour Party is that we should debate the measures in groups but each of the 34 financial resolutions should be voted upon separately.

Deputy Brian Hayes: I agree with Deputy Gilmore's observations about the process. This is an unprecedented situation where a total of 34 separate resolutions are being put to the House. Not all of these resolutions come into effect as and from midnight. Quite a number of the resolutions will not take effect until January. Why, therefore, is the House being asked to group these resolutions now and to vote on them before midnight, when up to 40% of them do not come into effect until January of next year? It is a normal procedure on budget night that the financial resolutions take effect from midnight this evening but not all of them take effect from that time. As Deputy Gilmore said, the Opposition would agree with quite a number of measures.

However, the fact that they are being grouped means there will be an omnibus vote on each of the groups and effectively the House will be unable to divide on each individual resolution.

An Ceann Comhairle: I wish to point out that the proposal is in accordance with precedent.

Deputy Arthur Morgan: I know it is and I also know it is for the purpose of trying to expedite getting the financial resolutions through the House as quickly as possible, but it is cumbersome in so far as it will probably result in a vote on all the groupings which would not necessarily be the case were they taken on a more separated basis.

The Taoiseach: As the Ceann Comhairle has said, this is in accordance with precedence — perhaps not in more recent times, but when there were, thankfully, different types of budgets that were being considered, and we were talking about reducing rates and duties because of the surplus positions in our finances at the time. There are precedents for this in the 1990s and earlier under successive Governments. It is a means by which people can conduct the proceedings. The question was asked as to when these become effective. It is important that we give certainty on all these matters and that the House passes these financial resolutions tonight in respect of all these issues. As regards when they come into effect, people need to know and plan, and cannot hang around. One of the pillars of the argument coming from the Opposition was the need for certainty; this gives it certainty.

We are providing for focused discussion on these resolutions, some of which are not controversial at all. If, because of the grouping of the resolutions, there is one against which Deputy Gilmore wants to vote and not others, I would be in the Chair's hands as to whether he can take the one rather than the group — I am not sure that is available to him. Under Standing Orders, if we were taking the group vote anyway, the Deputy could indicate that there were three with which he was happy, but was voting against in respect of a particular resolution and that would cover him.

An Ceann Comhairle: We need a decision on this matter before we proceed.

Question put:

The Dáil divided: Tá, 82; Níl, 78.

Tá

Ahern, Bertie.
 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.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.

Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistram, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 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'Keefe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Allen, Bernard.
 Bannon, James.
 Barrett, Seán.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.

Creighton, Lucinda.
 D'Arcy, Michael.
 Deasy, John.
 Deenihan, Jimmy.
 Doherty, Pearse.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Grealish, Noel.
 Hayes, Brian.
 Hayes, Tom.

Níl—*continued*

Higgins, Michael D.	O'Mahony, John.
Hogan, Phil.	O'Shea, Brian.
Howlin, Brendan.	O'Sullivan, Jan.
Kehoe, Paul.	O'Sullivan, Maureen.
Kenny, Enda.	Penrose, Willie.
Lynch, Ciarán.	Perry, John.
Lynch, Kathleen.	Quinn, Ruairí.
McCormack, Pádraic.	Rabbitte, Pat.
McEntee, Shane.	Reilly, James.
McGinley, Dinny.	Ring, Michael.
McGrath, Finian.	Shatter, Alan.
McHugh, Joe.	Sheahan, Tom.
McManus, Liz.	Sheehan, P.J.
Mitchell, Olivia.	Sherlock, Seán.
Morgan, Arthur.	Shortall, Róisín.
Naughten, Denis.	Stagg, Emmet.
Neville, Dan.	Stanton, David.
Ó Caoláin, Caoimhghín.	Timmins, Billy.
Ó Snodaigh, Aengus.	Tuffy, Joanna.
O'Donnell, Kieran.	Upton, Mary.
O'Dowd, Fergus.	Varadkar, Leo.
O'Keeffe, Jim.	Wall, Jack.

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

Question declared carried

Financial Resolutions 2011.

An Ceann Comhairle: If I could have some ciúnas, we will proceed, as a limited time is available for this debate.

The Taoiseach: I move the following financial resolutions:

Financial Resolution No. 1: Excise (Mineral Oil Tax)

(1) THAT for the purposes of the tax charged by virtue of section 95 of the Finance Act 1999 (No. 2 of 1999), that Act be amended, with effect as on and from 8 December 2010, by substituting the following for Schedule 2 to that Act (as amended by section 64(1)(d) of the Finance Act 2010 (No. 5 of 2010)):

“SCHEDULE 2

Rates of Mineral Oil Tax

(With effect as on and from 8 December 2010)

Description of Mineral Oil	Rate of Tax
<i>Light Oil:</i>	
Petrol	€576.22 per 1,000 litres
Aviation gasoline	€576.22 per 1,000 litres
<i>Heavy Oil:</i>	
Used as a propellant	€465.70 per 1,000 litres
Used for air navigation	€465.70 per 1,000 litres

[The Taoiseach.]

Description of Mineral Oil	Rate of Tax
Used for private pleasure navigation	€465.70 per 1,000 litres
Kerosene used other than as a propellant	€38.02 per 1,000 litres
Fuel oil	€60.73 per 1,000 litres
Other heavy oil	€88.66 per 1,000 litres
<i>Liquefied Petroleum Gas:</i>	
Used as a propellant	€88.23 per 1,000 litres
Other liquefied petroleum gas	€24.64 per 1,000 litres
<i>Coal:</i>	
For business use	€4.18 per tonne
For other use	€8.36 per tonne

(2) It is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 2: Excise (Air Travel Tax)

(1) THAT section 55(2) of the Finance (No. 2) Act 2008 (No. 25 of 2008) be amended by substituting the following for paragraph (b)—

“(b) Air travel tax shall be charged, levied and paid at the rate of €3 per departure of a passenger on an aircraft from an airport.”.

(2) THAT this Resolution shall have effect as on and from 1 March 2011.

(3) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 3: Excise (Vehicle Registration Tax)

(1) THAT, as on and from 1 January 2011—

(a) the repayment of amounts of vehicle registration tax in respect of the registration of certain new vehicles in accordance with the provisions of section 135BA of the Finance Act 1992 (inserted by section 107 of the Finance Act 2010)), be extended to such vehicles registered on or before 30 June 2011 up to a maximum amount of €1,250, and

(b) section 135BA of the Finance Act 1992 be amended in subsection (5) by substituting “that person’s spouse or civil partner (within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010)” for “that person’s spouse”.

(2) THAT, with effect as on and from 1 January 2011, the Finance Act 1992 (No. 9 of 1992) is amended by substituting the following for section 135C (as amended by section 108 of the Finance Act 2010 (No. 5 of 2010) with effect from that date):

“135C.—(1) In this section—

‘electric vehicle’ means a vehicle that derives its motive power exclusively from an electric motor;

‘electric motorcycle’ means a motorcycle that derives its motive power exclusively from an electric motor;

‘flexible fuel vehicle’ means a vehicle that derives its motive power from an internal combustion engine that is capable of using a blend of ethanol and petrol, where such blend contains a minimum of 85 per cent ethanol;

‘hybrid electric vehicle’ means a vehicle that derives its motive power from a combination of an electric motor and an internal combustion engine and is capable of being driven on electric propulsion alone for a material part of its normal driving cycle;

‘plug-in hybrid electric vehicle’ means a series production vehicle that derives its motive power from a combination of an electric motor and an internal combustion engine, where the electric motor derives its power from a battery that may be charged from the internal combustion engine and an alternating current (AC) electric mains supply and is capable of being driven on electric propulsion alone for a material part of its normal driving cycle.

(2) (a) Where a person first registers a category A vehicle or a category B vehicle during the period from 1 January 2011 to 31 December 2012 and the Commissioners are satisfied that the vehicle is—

(a) a series production hybrid electric vehicle, or

(b) a series production flexible fuel vehicle,

then the Commissioners shall remit or repay to that person an amount equal to the lesser of—

(i) the vehicle registration tax which, apart from this subsection, would be payable in respect of the vehicle in accordance with paragraph (a) or (c) of section 132(3), or

(ii) the amount specified in the Table to this subsection which is referable to the vehicle having regard to its age.

(b) In this subsection ‘age’, in relation to a vehicle, means the time that has elapsed since the date on which the vehicle first entered into service.

TABLE

Age of vehicle	Maximum amount which may be remitted or repaid
New vehicle, first registration	€1,500
Not a new vehicle but less than 2 years	€1,350
2 years or over but less than 3 years	€1,200
3 years or over but less than 4 years	€1,050
4 years or over but less than 5 years	€900
5 years or over but less than 6 years	€750
6 years or over but less than 7 years	€600
7 years or over but less than 8 years	€450
8 years or over but less than 9 years	€300
9 years or over but less than 10 years	€150
10 years or over	Nil

[The Taoiseach.]

(3) (a) Where a person first registers a category A vehicle or a category B vehicle during the period from 1 January 2011 to 31 December 2012 and the Commissioners are satisfied that the vehicle is a plug-in hybrid electric vehicle, then the Commissioners shall remit or repay to that person an amount equal to the lesser of—

(i) the vehicle registration tax which, apart from this subsection, would be payable in respect of the vehicle in accordance with paragraph (a) or (c) of section 132(3), or

(ii) the amount specified in the Table to this subsection which is referable to the vehicle having regard to its age.

(b) In this subsection ‘age’, in relation to a vehicle, means the time that has elapsed since the date on which the vehicle first entered into service.

TABLE

Age of vehicle	Maximum amount which may be remitted or repaid
New vehicle, first registration	€2,500
Not a new vehicle but less than 2 years	€2,250
2 years or over but less than 3 years	€2,000
3 years or over but less than 4 years	€1,750
4 years or over but less than 5 years	€1,500
5 years or over but less than 6 years	€1,250
6 years or over but less than 7 years	€1,000
7 years or over but less than 8 years	€750
8 years or over but less than 9 years	€500
9 years or over but less than 10 years	€250
10 years or over	Nil

(4) A category A electric vehicle or a category B electric vehicle first registered during the period 1 January 2011 to 31 December 2012 is exempt from vehicle registration tax where the Commissioners are satisfied that such vehicle is a series production electric vehicle.

(5) An electric motorcycle first registered during the period 1 January 2011 to 31 December 2012 is exempt from vehicle registration tax where the Commissioners are satisfied that such vehicle is a series production electric motorcycle.”.

(3) IT is hereby certified that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 4: Excise (Vehicle Registration Tax)

(1) THAT, as on and from 1 January 2011, section 132 of the Finance Act 1992, be amended by substituting the following for subsection (3)(d):

“(d) in case it is—

(i) a category C vehicle, or

(ii) a category N1 vehicle that, at the time of manufacture has less than 4 seats and has a technically permissible maximum laden mass that is greater than 130 per cent of the mass of the vehicle with bodywork in running order,

at the rate of €50.”.

(2) IT is hereby certified that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

The taking together of Financial Resolutions Nos. 1 to 4, inclusive, was agreed by the House in the vote on the allocation of time motion. Financial Resolution No. 1, relating to mineral oils, petrol and diesel, provides for an increase with effect from midnight tonight to the rates of mineral oil tax on petrol and auto diesel which, when VAT is included, amounts to 4 cent on a litre of petrol and 2 cent on a litre of auto diesel. The rate of aviation gasoline, which is aligned to the petrol rate, and the rates for heavy oil use for non-commercial navigation and flying, which are aligned to the auto diesel rate, are increased accordingly. The expected yield from these increases, inclusive of VAT, is approximately €106 million in a full year. These measures will increase the consumer price index by approximately 0.13%.

Compared to Northern Ireland the price of petrol was around 10 cent cheaper in the State and auto diesel around 20 cent cheaper. While the increases being made tonight will narrow the differential, it will still remain significant.

It should also be noted that the UK is due to increase its standard VAT rate by 2.5% from 17.5% to 20% with effect from 4 January 2011. In addition, excise on petrol and auto diesel is due to increase by slightly under 1% from 1 January 2011. The overall effect of these changes will be to increase the price of petrol and auto diesel in the UK and Northern Ireland by around 4 cent per litre in early 2011.

Financial Resolution No. 2, relating to air travel tax, provides for the introduction, with effect from 1 March 2011, of a single rate of air travel tax of €3 per departing passenger on a temporary basis.

This new rate of tax replaces the existing distance-related rates of €2 and €10. People will recall that the €2 rate relates to trips of less than 300 miles and the €10 rate relates to those of more than 300 miles. Some 97% of the tax has been in respect of the €10 rate.

It is estimated this measure will cost the Exchequer approximately €56 million in taxation next year. Ireland is not unique in applying a tax on air travel and a number of countries within the EU apply similar taxes, including the UK and France. Going further afield, both Australia and New Zealand apply similar taxes. The US has introduced a tourist tax on tourists travelling there by air and furthermore, Germany and Austria are currently in the process of introducing an air travel tax to apply from January next year. The rates of tax applied by many of those countries are higher than Irish rates, and substantially so in some cases. The trend in Europe is towards applying a tax on air travel.

There have been calls to abolish the tax on the basis that it adversely affects the number of people travelling to Ireland. I have difficulty in accepting that proposition and consider that the impact of the air travel tax is being overstated. The numbers travelling appear to be more closely related to other factors, including the level of economic activity.

Notwithstanding reservations, it has been decided that a single revised rate of air travel tax of €3 will come into effect on 1 March 2011. Let me be clear that this is being applied on a temporary basis until the end of 2011 and the position will be reviewed next year; the rate will

[The Taoiseach.]

be increased unless there is clear and decisive evidence of an appropriate response from the airlines through increasing capacity and numbers travelling to Ireland by air. As the Minister for Finance stated in his Budget Statement, in conjunction with this initiative the Dublin Airport Authority is prepared to introduce an incentive scheme for 2011 whereby it will provide, subject to certain conditions, a full rebate of airport charges for additional traffic delivered above a certain threshold based on 2010 passenger levels. The DAA will provide further details of that scheme.

Financial Resolution No. 3 regards the car scrappage scheme and the vehicle registration tax, VRT, relief for hybrid and flexible fuel vehicles. This resolution amends sections 135(b) and 135(c) of the Finance Act 1992 to provide for an extension of the car scrappage scheme introduced in the 2010 budget until 30 June 2011, and to extend to 31 December 2012 the vehicle registration tax available with a lower threshold for certain hybrid and flexible fuel vehicles.

The key features of the extended scrappage scheme include it taking effect from 1 January next and running to 30 June 2011. Up to €1250 VRT relief will be provided and it is available against the VRT liability on the registration of new category A vehicles, or passenger vehicles, with a level of CO₂ emissions of not more than 140 g/kg. This takes in bands A and B in motor tax. A passenger car over ten years old must be scrapped at an authorised treatment facility in the State and a certificate of destruction issued.

The scrappage scheme introduced in last year's budget has been successful in contributing towards a large increase in new car sales in 2010, as they have increased 57% on the same period the previous year. It has contributed to the maintenance of jobs in the motor industry. Approximately 16,500 low-emission cars have been sold under the scheme up to the end of November, and the scheme is being extended to allow the industry to get the maximum benefit from its traditionally busiest period for new car sales in the first half of the year.

The resolution also extends the VRT relief available against the purchase of serious production hybrid and flexible fuel vehicles which is due to expire at the end of the December. It is being extended for a further two years until 31 December 2012, with the maximum VRT relief available in that period of €1,500. To the end of November 2010, approximately 3,000 flexible fuel and 1,200 hybrid vehicles have been purchased.

Financial Resolution No. 4 addresses an unanticipated consequence of a provision introduced in the Finance Act 2010 which was to amend section 130 of the Finance Act 1992, whereby a small number of light commercial vehicles which would previously have been charged at the category C VRT rate of €50 will from 1 January 2011 without this amendment be charged the category B rate of 13.3% of the open market selling price. In order to rectify this anomaly and ensure that these vehicles will continue to retain the low VRT rate, it is necessary to amend the charging provisions for category C vehicles to ensure that such light commercial vehicles remain within that category.

The revised classification for vehicles introduced in the Finance Act 2010, with effect from 1 January 2011, was introduced as an anti-avoidance measure, as in some cases people were altering the specifications of vehicles; for example, extra body weight may have been added to the vehicle so as to change the classification and thereby considerably reducing the VRT liability. Many such alterations are also seen to be a safety risk.

Deputy Simon Coveney: On the point on which we voted, it is unfortunate——

An Ceann Comhairle: I advise the House that we will have limited time to discuss these resolutions and there are many hands reaching towards me.

Deputy Damien English: The Ceann Comhairle should have said that to the Taoiseach while he was at it.

Deputy Enda Kenny: If the Taoiseach is going to read out a ten-minute script at the start of each one of these, the 20 minutes will not be long being used.

An Ceann Comhairle: The order of the House is quite specific.

The Taoiseach: I had to explain the matters. I am only being helpful.

Deputy Enda Kenny: I know the Taoiseach was doing the best he could to get through the speech.

Deputy Brian Hayes: It helps the debate.

Deputy Simon Coveney: I will try to be as concise as possible.

Deputy Enda Kenny: I am only making the point.

Deputy Simon Coveney: It is unfortunate that we must debate four resolutions at the same time because we support some but disagree with others. We must vote against all four as a result of the way this is structured. On the mineral oil excise, I do not understand why the cost of fuel is not being increased by applying an increase in carbon tax.. Perhaps the Taoiseach will explain why this is so. In the past number of budgets we have made a deliberate effort to introduce carbon taxation to Ireland to provide a cost for carbon and change the mindset towards carbon and its impact on the environment in terms of emissions.

There is no extra carbon taxation in the budget but there are increases in excises, and I do not understand why we are pursuing an excise increase when we could have raised the same amount of money by applying an increase in carbon taxation on fuel and by continuing to pursue the carbon strategy, which has now stalled. Perhaps I could get a response from one of the Government spokespersons on that issue.

The measure relating to air travel tax is the reason we are voting against this grouping. Fine Gael believes it is insane to charge people for the privilege of coming to Ireland on their holidays or on business while we are trying to stimulate activity in the Irish tourism sector. We raised approximately €105 million this year by charging people €10 to leave this island and next year we will continue to charge them €10 until March, although we know the measure does not work and is reducing passenger numbers through Irish airports. Even after this we will continue with the folly of charging people for the privilege of coming here while we spend considerable sums marketing Ireland abroad to get them here in the first place. It is a disincentive to people coming through Irish airports if we charge for the privilege, although it is difficult to calculate exact figures. Fine Gael has long made the case that we should abolish the air travel tax because it has not worked and is not working. The damage being done in terms of the tourist industry and visitor numbers to Ireland far outweighs the revenue stream provided for the Government.

The Taoiseach mentioned the incentive which the Dublin Airport Authority announced today, which is also flawed. If passenger numbers travelling through Cork, Dublin and Shannon airports next year go above a value of €23.5 million, the DAA will give a rebate to the effect of what it would have cost those extra passengers to travel through Irish airport. This will go

[Deputy Simon Coveney.]

to all the airlines, depending on the percentage of passengers attributable to different airlines. In other words they are not incentivising airlines to increase passenger numbers because even if that does not happen, an airline will get the benefit. If, for example, Ryanair provides extra passengers to get us past the €23.5 million value, all the airlines will get the benefit rather than the airline which provided the extra passengers. That makes no sense.

Deputy Enda Kenny: It is daft.

Deputy Simon Coveney: Each individual airport, whether Cork, Dublin or Shannon airport, should incentivise airlines.

Deputy Beverley Flynn: What about Knock Airport?

Deputy Simon Coveney: Today's announcement by the Dublin Airport Authority relates to Dublin, Cork and Shannon airports. The same position applies to Knock Airport.

Deputy Beverley Flynn: The Deputy is discriminating against Knock Airport.

Deputy Simon Coveney: I am not discriminating against anybody.

An Ceann Comhairle: I ask Deputies to refrain from engaging across the floor.

Deputy Simon Coveney: The Deputy's Government will shut down regional airports in the second half of 2011.

Deputy Beverley Flynn: I will make that point.

Deputy Damien English: Will Deputy Flynn vote against the motion?

Deputy Simon Coveney: The public service obligation for regional airports will be cut by 50% next year. Deputy Flynn should read what her Government is proposing.

Deputy Beverley Flynn: I know what I am proposing.

Deputy Simon Coveney: We need to have an aviation strategy that allows airports to incentivise airlines to increase passenger numbers.

I welcome the extension of VRT relief for electric transport, in particular, plug-in vehicles. I encourage the Government to be more proactive and aggressive in having a charging infrastructure established that such vehicles can use.

Deputy Eamon Gilmore: I will focus on two aspects of this group of proposals. Like the Fine Gael Party, the Labour Party proposed the abolition of the air travel tax. While I acknowledge that the Government has made a move in that direction by reducing the tax and has applied some conditionality to its application, this is one of the taxes, the disincentive effect of which is as much the fact that it is in place as it is the level at which it applies. While I understand that when the budget was being framed and calculations were being made, the Minister examined the amount and arrived at the proposal before us, in terms of its impact on passenger numbers and tourism leaving the tax in place means there is still a difficulty.

If the Government was moving in the direction of increasing excise on petrol and diesel, I, like Deputy Coveney, do not understand the reason this was not done by way of the carbon tax or carbon levy. This would have had a more general application than the use of the excise method. While I expected the budget to include an excise package — it is an understandable

measure — I am puzzled as to the reason the excise measure is focused on petrol. Why, for example, was the Irish Cancer Society's recommendation on excise on cigarettes not taken up? Why were the various recommendations to increase excise on alcohol for health reasons not taken up? There were expectations and a certain amount of speculation that the budget would include increases on excise in these areas.

Increasing excise on petrol and diesel affects the one area where costs have increased significantly in recent times. Even in recent days, the price of petrol and diesel has increased on the forecourt. Such increases impact directly on working people. The cost of travelling to work, doing business or running a van or vehicle associated with work will increase as a result of this measure. The proposal is misplaced. If excise was to be increased, other options were available. If the Government wanted to focus on carbon, it should have increased the carbon levy.

Deputy Caoimhghín Ó Caoláin: On behalf of the Sinn Féin Deputies, I oppose outright the proposed increase in excise duties on petrol and automotive diesel. It is incredible that the Government has made this choice. There is no question that this is a further tax on work and business. When one considers that those fortunate enough to have work must travel ever greater distances to access their employment one realises the net impact of what is involved here. People no longer use their cars for social purposes. The bulk of car use is directly related to accessing employment or the furtherance of specific business pursuits. The level of car use for social activities and such like is limited.

The proposition will have a hugely detrimental impact in the Border counties where we already have evidence of retail petrol and diesel outlets closing or significantly curtailing their business throughput because of the exodus north of the Border across a variety of attractions. We are putting another nail in the coffin of business outlets throughout the Border region, from Donegal through Sligo, Leitrim, Cavan and Monaghan to Louth and for a significant distance beyond these counties. That is one of the most certain outworkings of what is proposed. The measure is anti-business and anti-employment and the Government has again made a very bad choice.

On the air travel tax, while the reduction from €10 to €3 is welcome, the abolition of the tax would have had a much more imaginative impact in terms of the tourism sector and tourism market overseas. For the sake of €3, the Government could have gone the whole hog and had a major impact on the consciousness of tourism providers and organisers globally in terms of Ireland as a more keen destination for tourist traffic. A golden opportunity was lost by applying the brake in reducing the tax from €10 to €3. The Government should have gone the whole way and abolished the tax. This would have given a valuable fillip to the tourism industry, one of the most important sectors in terms of having any prospect of rejuvenated economic activity over the short time ahead.

Deputy John O'Donoghue: I greatly welcome the Government's decision to reduce the travel tax for international flights to €3. While there is no hard evidence to show this measure will result in an increase in the number of visitors to the country, there is, nevertheless, a perception that this is the case. The air travel tax, allied to airport charges, has been advocated by the chief executive of Ryanair as one of the principal reasons we are unable to attract the number of visitors we should attract. It is also cited as a reason Mr. O'Leary and his company should abandon PSOs. The proof of the pudding is in the eating and it is now a matter for Mr. O'Leary, Ryanair and other low charge airlines to establish the fruit of their words by increasing the number of visitors coming to Ireland in response to these changes.

I was interested in Deputy Ó Caoláin's intervention. The old Sinn Féin philosophy of "only our rivers run free" has been extended to having our petrol and diesel and even our drink run free.

Deputy Arthur Morgan: Our gas runs free for Shell.

Deputy John O'Donoghue: The world, as we are probably all aware, does not work like that. I wish we could go to utopia and have a utopian time. Unfortunately, the Deputy Ó Caoláin appears to be stranded at a crossroads somewhere between paradise lost and utopia, from which he has not returned.

With regard to Deputy Coveney's response to Deputy Flynn's legitimate intervention to the effect that she should read her brief, I resent that imputation. Deputy Flynn is one of our brightest young Deputies. Then again, coming from one of the few Cork men I know who does not know the difference between a pint of Guinness and a pint of Murphy's, his comment does not come as a surprise.

Deputy Simon Coveney: Deputy O'Donoghue should bear in mind what will happen to the PSO for Kerry airport.

Deputy Pat Breen: Speaking as a Deputy who represents a constituency that is deeply affected by the air travel tax, it is clear the Government does not understand the aviation business.

An Ceann Comhairle: The Deputy has made his point. I must call the mover of the motion.

Deputy Pat Breen: The cost of administering the tourism tax greatly outweighs the likely income from the tax. The Government has been selective in referring to countries which apply a similar tax. The Netherlands, for example, which has one of the busiest airports in Europe, Schiphol, abandoned its travel tax last year. It is one of the busiest airports around. There was a golden opportunity here but it has been missed. It is a sad reflection of how the Government—

An Ceann Comhairle: I must put the question.

Deputy Pat Breen: —treats the third largest tourism industry in the country.

Deputy Joe Carey: On the same point—

An Ceann Comhairle: I would love to accommodate every Member in the House but I do not have the time. I must call the Taoiseach and I am affording him ten seconds to reply.

Deputy Joe Carey: This is an issue I have raised many times in the House.

(Interruptions).

Deputy Joe Carey: There was a golden opportunity—

An Ceann Comhairle: The Finance Bill will be debated in the new year and Deputies will have plenty of opportunities.

Deputy Joe Carey: It will be too late.

Deputy Joe Costello: May I ask the Taoiseach a question?

Deputy Joe Carey: What the Government has done in this regard does not make sense. It has actually increased the tax by one euro.

An Ceann Comhairle: Deputy, I have to implement the order of the House for today, as was agreed. Resume your seat.

Deputy Joe Costello: I have one question for the Taoiseach that has not been asked. What right does the Dublin Airport Authority have to provide an incentive scheme in regard to a Government tax? Surely it is the function of the Revenue Commissioners to collect the tax, which cannot be foregone by the DAA. Surely that matter is not appropriate to the authority.

Deputy Beverley Flynn: On the same issue, a Cheann Comhairle——

An Ceann Comhairle: The Deputy has 20 seconds.

Deputy Jimmy Deenihan: What about the rest of the country?

Deputy Beverley Flynn: I, too, am concerned about this. I mentioned it to Deputy Coveney because I thought he would be interested given that his party leader occupies the same constituency as I do. I would like to know about the impact of this decision. Has it been considered in terms of Knock Airport——

Deputy Enda Kenny: Agreed.

Deputy Beverley Flynn: ——which is targeting the same core business as Shannon, Cork and Dublin Airports? I appreciate incentives must be provided but there should be a level playing field——

Deputy Pat Breen: We do not get a PSO, Beverley.

Deputy Beverley Flynn: ——and I would like to see the issue addressed later in the week.

Deputy Pat Breen: Shannon does not get a PSO.

A Deputy: That was not part of Deputy Flynn's deal with the previous Taoiseach.

Deputy Joe Carey: A Cheann Comhairle, briefly——

(Interruptions).

Deputy Joanna Tuffy: May I ask why there is not——

Deputy Pat Breen: This is a very emotive issue for everybody.

An Ceann Comhairle: Deputy Carey, you have been on your feet but the House has picked up the issue. I call the Taoiseach.

The Taoiseach: I say to Deputy Carey, fair is fair. We have to move on.

Deputy Joanna Tuffy: What is the Taoiseach talking about?

(Interruptions).

The Taoiseach: If we were to go the carbon tax route that would increase green diesel, home heating oil, etc. Under the programme, carbon tax increases are due in 2012 and 2014 and for that reason the excise duty was brought in as a route that would avoid increasing the price of other fuels. Advocating further increases on other fuels would not be a very sensible way to go and that is why we are not taking the carbon tax route on this issue.

We will see an increase in VAT rates from the British Exchequer. This is to keep the differential. What we are doing is presaging a change that is happening in the United Kingdom. Deputies will know that the price of diesel and petrol at filling stations is much less on the Republic side of the Border. I do not know what way it is with other operations.

[The Taoiseach.]

It is important that we ensure this measure for the DAA where there is an increase in overall numbers. As an airport authority, it is entitled to incentivise airlines and has often done so.

Deputy Pat Breen: Then why not abolish the tax?

Deputy Joe Costello: It is a Government tax.

The Taoiseach: The Government tax is separate. This is about increasing numbers. We must find a public-private arrangement that will help taxpayers generally by bringing more tourists to the country, perhaps even sending them down to parts of the county from where the Deputy comes. If we are to do that we must provide some incentivisation. The European Union is opposed to different rates or amounts being charged for different journeys. We can bring this to a uniform rate, to €3.

8 o'clock Deputy Flynn raised a very important question which needs to be addressed in the Finance Bill, namely, that we ensure airports that are not within the DAA remit but which have services available to the UK and elsewhere and would have attracted the higher rate heretofore are not be disadvantaged as they seek to innovate and prosper.

Deputy Beverley Flynn: Hear, hear.

An Ceann Comhairle: As it is now 7.40 p.m. I am required to put the following question in accordance with the order of the Dáil of this day.

Question put: "That Financial Resolutions Nos. 1 to 4, inclusive, be agreed to."

The Dáil divided: Tá, 82; Níl, 77.

Tá

Ahern, Bertie.
 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.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.

Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Mansergh, Martin.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.

Tá—*continued*

Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.

Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

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

McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 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 Paul Kehoe and Emmet Stagg

Question declared carried

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I move the following Financial Resolutions:

[Deputy Mary Coughlan.]

Financial Resolution No. 5: Income Tax

(1) THAT section 790A of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended —

(a) with effect as on and from 1 January 2011, by inserting the following after subsection (3)—

“(4) Notwithstanding subsection (2), for the purposes of subsection (1) the earnings limit for the year of assessment 2011 shall be €115,000.”,

and

(b) as respects the year of assessment 2010, by inserting the following after subsection (4) (inserted by this Resolution)—

“(5) Notwithstanding subsection (2), for the purposes of subsection (1) the earnings limit for the year of assessment 2010 shall be deemed to be €115,000 for the purpose of determining how much of a contribution or qualifying premium, as the case may be, paid by an employee or an individual in the year of assessment 2011, is to be treated by virtue of section 774(8), 776(3), 787(7) or 787C(3), as the case may be, as paid in the year of assessment 2010.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 6: Income Tax

(1) THAT Chapter 2C of Part 30 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended—

(a) in section 787O—

(i) in subsection (1)—

(I) in the definition of “maximum tax-relieved pension fund” by substituting “7 December 2005” for “the specified date”,

(II) in the definition of “personal fund threshold”—

(a) by substituting the following for paragraph (a):

“(a) (i) where the individual is an individual to whom the Revenue Commissioners have, before the specified date, issued a certificate in accordance with subsection (5), the amount stated in that certificate as being the individual’s personal fund threshold, and

(ii) in any other case, for the year of assessment 2010, as on and from the specified date, and for the year of assessment 2011, the lower of—

(I) €5,418,085, and

(II) (a) where no benefit crystallisation event in relation to the individual has occurred on or after 7 December 2005 and the individual has uncrystallised pension rights on the specified date, the amount of the uncrystallised pension rights on the specified date in relation to the individual, where the amount of those rights on that date exceed the standard fund threshold, or

(b) where one or more than one benefit crystallisation event in relation to the individual has occurred on or after 7 December 2005 and the individual has uncrystallised pension rights on the specified date, the aggregate of the amounts crystallised by those benefit crystallisation events and the amount of the uncrystallised pension rights on the specified date in relation to the individual, where the aggregate amount of those crystallised and uncrystallised rights exceed the standard fund threshold, and”,

and

(b) in paragraph (b) by substituting the “year of assessment 2011” for “year of assessment 2006”,

(III) by substituting the following for the definition of “specified date”:

“‘specified date’ means 7 December 2010;”,

and

(IV) in the definition of “standard fund threshold”—

(a) by substituting the following for paragraph (a):

“(a) for the year of assessment 2010, as on and from the specified date, and for the year of assessment 2011, €2,300,000, and”,

and

(b) in paragraph (b) by substituting the “year of assessment 2011” for “year of assessment 2006”,

and

(ii) by substituting the following for subsection (2)(b):

“(b) Where the administrator of a relevant pension arrangement has, before the specified date, used a valuation factor (in this subsection referred to as the ‘first-mentioned factor’) other than the relevant valuation factor referred to in paragraph (a), then, in such a case, the first-mentioned factor is the relevant valuation factor for the purposes of this Chapter and Schedule 23B.”,

(b) in section 787P—

(i) by substituting the following for subsection (1):

“(1) An individual’s maximum tax-relieved pension fund shall not exceed—

[Deputy Mary Coughlan.]

(a) the standard fund threshold, or

(b) the personal fund threshold, where—

(i) the condition set out in subsection (2) is met and the Revenue Commissioners have issued a certificate in accordance with subsection (5) or a revised certificate in accordance with subsection (6), or

(ii) the Revenue Commissioners have, before the specified date, issued a certificate in accordance with subsection (5).”,

and

(ii) in subsection (5)—

(I) by substituting “Subject to subsection (6), the Revenue Commissioners” for “The Revenue Commissioners”,

(II) by substituting the following for all of the words from “shall, on being satisfied” to the end of the provision:

“shall, within 30 days of receipt of the notification or, as the case may be, the late notification, or such longer time as they may require for the purposes of this subsection, issue a certificate to the individual stating the amount of the personal fund threshold.”,

and

(III) by inserting the following after subsection (5):

“(6) Notwithstanding subsection (5), the Revenue Commissioners may at any time withdraw a certificate issued in accordance with that subsection (in this subsection referred to as the ‘first-mentioned certificate’) and issue a revised certificate if, following the issue of the first-mentioned certificate, the Commissioners are not satisfied that the calculation of the personal fund threshold contained in the notification referred to in subsection (2) or, as the case may be, the late notification referred to in subsection (4) was correct.”,

(c) in section 787Q(1) by substituting “7 December 2005” for “the specified date”,

(d) in section 787R—

(i) by substituting the following for subsection (2):

“(2) The persons liable for income tax charged under subsection (1) shall be the administrator of the relevant pension arrangement under which the benefit crystallisation event arises and the individual in relation to whom the benefit crystallisation event occurs and their liability shall be joint and several.”,

and

(ii) in subsection (4)—

(I) by deleting “on or after the date of passing of the Finance Act 2006”,

(II) in paragraph (b) by substituting “7 December 2005” for “ the specified date”,
and

(III) in paragraph (d) by inserting “whether issued before or after the specified date,” after “under section 787P(5),”,

and

(e) in section 787S—

(i) by substituting the following for subsection (1):

“(1) The administrator of a relevant pension arrangement shall, within 3 months of the end of the month in which the benefit crystallisation event giving rise to the chargeable excess occurs, make a return to the Collector-General which shall contain—

(a) the name and address of the administrator,

(b) the name, address and PPS Number of the individual in relation to whom the benefit crystallisation event has occurred,

(c) details of the relevant pension arrangement under which the benefit crystallisation event giving rise to the chargeable excess has occurred,

(d) the amount of, and the basis of calculation of, the chargeable excess arising in respect of the benefit crystallisation event, and

(e) details of the tax which the administrator is required to account for in relation to the chargeable excess.”,

(ii) by deleting subsection (2), and

(iii) in subsection (7)(b) by substituting “0.0219 per cent” for “0.0273 per cent”.

(2) THAT Schedule 23B to the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended—

(a) in paragraph 2(d) by substituting “7 December 2005” for “the specified date”,

(b) in paragraph 4 by substituting “7 December 2005” for “the specified date” in each place, and

(c) in paragraph 5 by substituting the following for subparagraph (2):

“(2) The adjustment referred to in subparagraph (1) is the amount crystallised by the previous benefit crystallisation event multiplied by the higher of 1 and the number determined by the formula—

$$\frac{A}{B}$$

where—

[Deputy Mary Coughlan.]

A is the standard fund threshold or, as the case may be, the personal fund threshold at the date of the current event, and

B is the standard fund threshold or, as the case may be, the personal fund threshold at the date of the previous benefit crystallisation event,

and where an individual did not have a personal fund threshold at the date of the previous benefit crystallisation event, the standard fund threshold at that date shall be used for B in the formula.”.

(3) THAT this Resolution shall have effect as on and from 7 December 2010.

(4) IT is hereby declared that it is expedient in the public interest that this resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 7: Income Tax

(3) THAT, as respects an amount regarded as a distribution of a specified amount made on or after 31 December 2010, the formula in section 784A(1BA)(c) of the Taxes Consolidation Act 1997 (No. 39 of 1997) for determining the specified amount be amended by substituting “5” for “3”.

(4) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 8: Income Tax

(1) THAT the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended by substituting the following for section 790AA:

“Taxation of lump sums in excess of the tax free amount.

790AA (1) (a) In this section—

‘administrator’, in relation to a relevant pension arrangement, means the person or persons having the management of the arrangement, and in particular, but without prejudice to the generality of the foregoing, references to the administrator of a relevant pension arrangement include—

(i) an administrator within the meaning of section 770(1),

(ii) a person mentioned in section 784, lawfully carrying on the business of granting annuities on human life, including the appointed person mentioned in section 784(4A)(ii), and

(iii) a PRSA administrator within the meaning of section 787A(1);

‘excess lump sum’ shall be construed in accordance with paragraph (e);

‘relevant pension arrangement’ means any one or more of the following—

(i) a retirement benefits scheme, within the meaning of section 771, for the time being approved by the Revenue Commissioners for the purposes of Chapter 1,

(ii) an annuity contract or a trust scheme or part of a trust scheme for the time being approved by the Revenue Commissioners under section 784,

(iii) a PRSA contract, within the meaning of section 787A, in respect of a PRSA product, within the meaning of that section,

(iv) a qualifying overseas pension plan within the meaning of Chapter 2B,

(v) a public service pension scheme within the meaning of section 1 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 (No. 7 of 2004),

(vi) a statutory scheme, within the meaning of section 770(1), other than a public service pension scheme referred to in paragraph (v);

‘specified date’ means 1 January 2011;

‘standard chargeable amount’ means the amount equivalent to the amount determined by the formula—

$$\frac{(\text{SFT}) - \text{TFA}}{4}$$

4

where—

SFT is €2,300,000, and

TFA is the tax free amount;

‘standard rate’ means the standard rate of tax in force at the time the lump sum is paid;

‘tax free amount’ means €200,000;

‘tax year’ means a year of assessment within the meaning of the Tax Acts.

(b) (i) For the purposes of this section, a reference to a lump sum is a reference to a lump sum that is paid to an individual under the rules of a relevant pension arrangement by means of commutation of part of a pension or of part of an annuity or otherwise.

(ii) Without prejudice to the generality of subparagraph (i), the reference in that subparagraph to the commutation of part of a pension or of part of an annuity, shall, in a case where an individual opts in accordance with section 772(3A) or, as the case may be, section 784(2A), be construed as a reference to the commutation of part of the pension or, as the case may be, part of the annuity which would, but for the exercise of that option, be payable to the individual.

(c) For the purposes of this section, references to a lump sum that is paid to an individual include references to a lump sum that is obtained by, given to, or made available to, an individual and references to a lump sum which was, or has, or had been paid to an individual shall be construed accordingly.

(d) For the purposes of this section—

[Deputy Mary Coughlan.]

(i) a lump sum (in this subsection referred to as the ‘first-mentioned lump sum’) shall be treated as paid before another lump sum (in this subsection referred to as the ‘second-mentioned lump sum’) if the first-mentioned lump sum is paid before the second-mentioned lump sum on the same day, and

(ii) a lump sum shall not be treated as paid at the same time as one or more than one other lump sum and, where but for this subsection they would be so treated, the individual to whom the lump sums are paid shall decide on the order in which they are to be deemed to be paid.

(e) For the purposes of this section the excess lump sum, if any, in respect of a lump sum that is paid to an individual on or after the specified date (in this paragraph referred to as the ‘current lump sum’) shall be—

(i) where no other lump sum has been paid to the individual on or after 7 December 2005, the amount by which the current lump sum exceeds the tax free amount, and

(ii) where before the current lump sum was paid, one or more lump sums had been paid to the individual on or after 7 December 2005 (in this section referred to as the ‘earlier lump sums’), then—

(I) where the amount of the earlier lump sums is less than the tax free amount, the amount by which the aggregate of the amounts of the earlier lump sums and the current lump sum exceeds the tax free amount, and

(II) where the amount of the earlier lump sums is equal to or greater than the tax free amount, the amount of the current lump sum.

(2) Where a lump sum is paid to an individual on or after the specified date, the excess lump sum shall be regarded as income of the individual in the tax year in which the lump sum is paid and shall be chargeable to income tax in accordance with subsection (3).

(3) Subject to subsection (4)(b)—

(a) where the excess lump sum arises in accordance with subsection (1)(e)(i), (1)(e)(ii)(I) or (1)(e)(ii)(II) (insofar as the amount of the earlier lump sums referred to in subsection (1)(e)(ii)(II) is equal to the tax free amount), then—

(i) so much of the excess lump sum as does not exceed the standard chargeable amount shall be charged to income tax under Case IV of Schedule D at the standard rate, and

(ii) so much of the excess lump sum, if any, as exceeds the standard chargeable amount shall be regarded as a payment to the individual of emoluments to which Schedule E applies.

(b) Where the excess lump sum arises in accordance with subsection (1)(e)(ii)(II) (insofar as the amount of the earlier lump sums referred to in that subsection is greater than the tax free amount), then—

(i) where the amount by which the earlier lump sums is greater than the tax free amount (in this paragraph referred to as the ‘first mentioned amount’) is less than the standard chargeable amount—

(I) so much of the excess lump sum, as does not exceed an amount equivalent to the difference between the standard chargeable amount and the first mentioned amount shall be charged to income tax under Case IV of Schedule D at the standard rate, and

(II) so much of the excess lump sum, if any, as exceeds an amount equivalent to the difference between the standard chargeable amount and the first mentioned amount, shall be regarded as a payment to the individual of emoluments to which Schedule E applies, and

(ii) in any other case, the excess lump sum shall be regarded as a payment to the individual of emoluments to which Schedule E applies.

(4) (a) The administrator of a relevant pension arrangement shall deduct tax from an excess lump sum payment in accordance with this section and remit such tax to the Collector-General.

(b) In so far as any part of an excess lump sum—

(i) is to be regarded as income of the individual for a tax year and charged to income tax at the standard rate in accordance with subsection (3)(a)(i) or (3)(b)(i)(I)—

(I) such income—

(a) shall not be reckoned in computing total income for the purposes of the Tax Acts, and

(b) shall be computed without regard to any amount deductible from or deductible in computing income for the purposes of the Tax Acts,

(II) the charging of that income in such manner shall be without any relief or reduction specified in the Table to section 458 or any other deduction from that income, and

(III) section 188 shall not apply as regards income so charged,

or

(ii) is to be regarded by virtue of this section as a payment to the individual of emoluments to which Schedule E applies—

(I) the provisions of Chapter 4 of Part 42 shall apply to any such amount, and

(II) the administrator of the relevant pension arrangement under which the lump sum is paid shall deduct tax from the payment at the higher rate for the tax year in which the payment is made unless the administrator has received from the Revenue Commissioners a certificate of tax credits and standard rate cut-off point or a tax deduction card for that year in respect of the individual.

[Deputy Mary Coughlan.]

(5) Subsection (2) of section 787G shall apply in respect of any income tax, being income tax deducted from an excess lump sum by virtue of subsection (3) of this section, by an administrator of a relevant pension arrangement of a kind described in paragraph (iii) of the definition of ‘relevant pension arrangement’ in subsection (1)(a) of this section, as it applies to income tax referred to in subsection (2) of section 787G.

(6) Where a lump sum is paid to an individual, on or after the specified date, under the rules of a relevant pension arrangement of a kind described in paragraph (iv) of the definition of ‘relevant pension arrangement’ in subsection (1)(a), the excess lump sum, if any, shall be charged to tax under Case IV of Schedule D for the tax year in which the lump sum is paid to that individual at the rate or rates determined in accordance with subsection (3).

(7) This section shall not apply to a lump sum that is paid to — (a) a widow or widower, (b) a civil partner (within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010), (c) children, (d) dependants, or (e) personal representatives, of a deceased individual.

(8) Section 781 shall have effect notwithstanding the provisions of this section.”.

(2) IT is hereby declared that it is expedient in the public interest that this resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 9: Income Tax

(1) THAT, as respects any payment to which section 123 of the Taxes Consolidation Act 1997 (No. 39 of 1997) applies (in this Resolution referred to as the “lump sum”) made on or after 1 January 2011—

(a) notwithstanding the provisions of section 201 of, and Schedule 3 to, that Act, income tax shall be charged by virtue of section 123 of that Act on the amount of the lump sum which exceeds the lesser of either—

(i) that part of the lump sum which, apart from this Resolution, would be exempt from income tax by virtue of section 201 of, and Schedule 3 to, that Act, including any deduction in computing the charge to income tax under paragraph 6 of that Schedule, and

(ii) €200,000,

(b) the amount of €200,000 referred to in *subparagraph (a)* of this paragraph shall be reduced by an amount equal to the aggregate amounts exempted from income tax, including any deduction in computing the charge to income tax under paragraph 6 of Schedule 3 to that Act, in respect of all payments to which section 123 of that Act applied which were paid before or at the same time as the payment of the lump sum,

(c) the amount determined in accordance with *subparagraphs (a)* and *(b)* of this paragraph shall be determined without regard to subsections (1A) and (2) of section 201 of that Act, and

(d) where 2 or more payments in respect of which tax is chargeable by virtue of section 123 of that Act are made to or in respect of the same person in respect of the same office

or employment, or in respect of different offices or employments, for the purposes of this Resolution this paragraph shall apply as if those payments were a single payment of an amount equal to that aggregate amount and the provisions of *subparagraph (a)* of this paragraph shall apply to that amount accordingly.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

I propose to speak on Financial Resolutions Nos. 5 to 8 together as they relate to pensions and on Financial Resolution No. 9, which concerns a related area, the taxation of tax-free termination lump sums. Against the very difficult and challenging budgetary situation facing this country, and as outlined in the national recovery plan, the tax base must be broadened and tax expenditure must be curtailed or abolished. Given the continuing very significant costs of pensions tax reliefs, such reliefs cannot escape attention in that regard. The national recovery plan specifically mentioned a number of the pension-related changes the Government has committed to making, in 2011 and over the three remaining periods of the plan. The changes announced in the Budget Statement today deliver on the commitment as regards 2011.

Apart from contributing to curbing the overall tax expenditure, these changes will bring further equity to the system by impacting, for the most part, on higher earners. Deputies will recall that the Commission on Taxation recommended that a pension lump sum taken on retirement should be tax free up to €200,000 and taxed at the standard rate of income tax on any balance above that amount. The commission also recommended that the correlation between the maximum tax relieved pension fund that can be built up by an individual, known as the standard fund threshold, and the annual earnings limit for pension contribution purposes should be maintained. This correlation has been broken in recent years as the earning limits fell from €275,000 in 2008 to €150,000 in 2009, with no corresponding contraction in the standard fund threshold. The commission recommended that *ex gratia* termination lump sums should also be tax free up to €200,000 and that any amount in excess of this should be taxed.

As flagged in the national recovery plan and as specified in the budget speech today, it has been decided to act on the commission's recommendations. A further reduction in the earning limits for pension contribution purposes is being made and the rate at which the national distribution for approved retirement funds is to be calculated is to be increased. The elimination of employee PRSI and pension contributions in 2011 and the changes to employer PRSI relief on employee pension contributions, which were announced today, will be dealt with in the context of legislation with which my colleague the Minister for Social Protection will deal. The Financial Resolutions before us give legislative effect, therefore, to the following budget measures pending the passing into law of the finance Bill of 2011.

Financial Resolution No. 5 provides for the reduction in the earnings limit which, in conjunction with age-related percentage limits, governs the maximum amount of tax relieved contributions an individual can make in any one year to pension products. The limit is being reduced from €150,000 in the current year to €115,000 for 2011. Deputies may be aware that the pension tax legislation provides for an individual who pays a pension contribution after the end of a tax year but on or before the return filing date for that tax year to elect to have the contribution treated as if paid in the earlier year. Clearly, with the reduction of the earning limits for 2011, individuals may well be tempted to retrospectively maximise their tax relief for 2010 where they have not done so already by allocating contributions made next year to 2010. This would give rise to significant tax refunds in 2011 that we simply cannot afford. Accordingly, the

[Deputy Mary Coughlan.]

resolution seeks to limit such exposure by deeming the earning limits for this year to be €115,000 as well as for the purpose of such elections.

Financial Resolution No. 6 provides for the reduction from €5.4 million to €2.3 million, with effect from today, in the limit on the maximum tax relieved pension fund that can be built up by an individual. This is known as the standard fund threshold. Individuals with pension rights in excess of this new lower standard fund threshold on budget day will be able to protect the capital value of those rights by claiming a personal fund threshold. Such transitional measures were also recommended by the Commission on Taxation to deal with circumstances where an individual's pension rights had already exceeded any revised lower limit. The legal advice to the Government was to the effect that the absence of such grandfathering arrangements, which also applied when the standard fund thresholds were first introduced on 7 December 2005, would be difficult to defend against constitutional and legal challenges. The personal fund threshold will be calculated on the aggregate of the capital value of pension benefits to which the individual has already become entitled since 7 December 2005 plus the capital value on budget day of any uncrystallised pension rights that the individual has — in other words, pension rights that the individual is building up but to which he has not yet become entitled. Where this amount exceeds the standard fund threshold of €2.3 million, that higher amount will be the individual's personal fund threshold.

However, that is subject to not exceeding the existing standard fund threshold of €5.4 million which would have been the maximum tax relief pension fund such individuals would have been able to build up before today. As before, a personal fund threshold will have to be claimed from the Revenue Commissioners by way of a notification and certification procedure. An individual who already has a personal fund threshold under the old regime will be able to retain it.

The resolution also ensures that the standard capitalisation factor for use in determining the value of defined benefit pension rights, for the purposes of estimating an individual's personal fund threshold and for the purposes of valuing pension rights when eventually drawn down, is to be 20 as before.

Financial Resolution No. 7 provides for an increase in the annual notional distribution for approved retirement funds which is calculated on the value of assets in an approved retirement fund as of 31 December each year. The amount of the notional distribution will be 5% of the value as compared to 3% as currently provided for. This new rate will apply to asset values at 31 December 2010.

Financial Resolution No. 8 provides for the taxation of pension lump sums above €200,000 with effect from 1 January next year. This resolution replaces the existing provision in the Taxes Consolidation Act of 1997 which already places a lifetime limit on the amount of tax free pension lump sum that can be taken by an individual from 7 December 2005. This limit was set at 25% of the old standard fund threshold and amounts to €1.3 million.

Under the new approach the maximum lifetime pension tax free sum will be €200,000 as from 1 January 2011. Amounts in excess of this tax free limit will be subject to tax in two stages. The portion between €200,000 and €575,000 will be taxed at the standard rate of 20% while any portion above that will be taxed at the individual's marginal rate of tax. The figure of €575,000 represents 25% of the new lower standard fund threshold of €2.3 million mentioned earlier and retains the link to the old approach. The standard rate charges effectively ring-

fence to ensure that no reliefs, allowances or deductions may be set or made against that portion of a lump sum subject to that charge.

It should be appreciated that tax free retirement lump sums taken on or after 7 December 2005 when the original limit was introduced will count towards using up the new tax free amount. In other words, if an individual has already taken tax free retirement lump sums of €200,000 or more since 7 December 2005, any further retirement lump sum paid to the individual on or after 1 January 2011 will be taxable. There is no question of those individuals somehow getting an additional tax free amount. These earlier lump sums will also count towards determining how much of a lump sum paid on or after 1 January 2011 is to be charged at the standard or marginal rate as appropriate.

It is also important to note that this is a lifetime limit and therefore it will apply to a single lump sum or where an individual is in receipt of lump sums from more than one pension product to the aggregate of those lump sums. The restriction applies to all pension arrangements including occupational pension schemes, retirement annuity contracts, PRSAs, public sector and statutory schemes. As before, there are certain exclusions from the pension lump sum tax charge. It will not apply, for example, to lump sum death-in-service benefits paid to widows.

Resolution No. 9 sets out the basis for the imposition of a lifetime limit on exempt *ex gratia* lump sum payments made primarily in respect of termination of employment as recommended by the Commission on Taxation. With effect from 1 January 2011, where an individual is in receipt of an *ex gratia* payment from their employer the aggregate amount which can be paid tax free will be €200,000, taking into consideration the tax free elements of any previous payment that individual had received. This restriction will have no relevance to the majority of employees. Its impact will primarily be confined to those in receipt of large *ex gratia* payments. I commend the resolutions to the House.

Deputy Damien English: I again register our objection to taking four or five resolutions together. It is not necessary to do that and it means that when we are in a position to agree on something with the Government, as with some of these, we cannot vote for it because we do not agree with lumping the resolutions together.

We have a serious problem with Resolution No. 5, which I will address, but I want to first comment on Resolutions Nos. 8 and 9. While the tax changes to the lump sum are welcome, most people have a problem with the lump sum itself, especially when they see the figures being paid out to retiring Ministers and various top civil servants. That is something not addressed in this budget bar through the tax system. The wrong message is going out on that but that is a separate discussion we can have during the debate on the entire budget. People become very annoyed when they see those lump sums being paid out at a time when they are struggling.

As a party we have a concern with Resolution No. 5. We proposed many changes to the pensions area in our alternative budget published last Friday. Some of them are very good but we tried to tackle the overall pension fund in a different way to individual people contributing into it. My concern is that this measure limits the amount of money a person can put into his or her pension fund in certain years. Fine Gael's proposal was to allow a person accumulate a fund that will give him or her an annual maximum pension of approximately €60,000 a year. We would discourage above that figure but we said we would facilitate a person accumulating enough of a fund to have a pension of €60,000 a year. That means that if a person is late starting to contribute to a fund he or she might not get a chance to accumulate enough money for that payment. The Government is preventing that.

[Deputy Damien English.]

In the current climate it is quite common for self-employed people to stop paying into their pension fund for several years because they just cannot make the contributions. They cannot even pay a wage, other than cashing in other investments and so on to survive. In a few years time when Fine Gael is in government, the country has recovered and those in self-employment have a chance to earn more money, they will be discouraged from putting money into their pension fund to pay out a pension to which they are entitled based on their years of work. This measure is unfair in that regard. It is penalising the wrong person.

The Government must realise the times in which we now live. Not everybody in business made money in the good times but certainly in recent years many people in business could not pay into their pension fund. They should be allowed to pay extra in years to come but they will not be able to do that because this measure will restrict them in that it will not be worth their while. It is a pity the Minister has lumped these resolutions together because we will oppose this one.

Deputy Róisín Shortall: I welcome the fact that finally the Government has recognised a need to do something on the pensions front. For years it has been in denial about the fact that our pensions system was more about facilitating tax avoidance than encouraging pension provision. The way in which it operates, as the Minister and her officials will be aware, has been inequitable. That is the reality. A total of €3 billion has been spent per year on tax relief on pensions and the vast bulk of that has gone to the top 20% of earners.

Side by side with that outrage, as I would regard it, almost 50% of workers do not have any private pension provision and therefore as a policy it was ineffective while the manner in which it operated was inequitable. I welcome these first steps in implementing reform in this area, but overall the Minister is not going anywhere near far enough.

The Labour Party, in its pension proposals, has estimated that it would be possible to save a minimum of €400 million in the coming year, and possibly up to €600 million, if there was a proper root and branch reform of the pensions tax relief system. That could be done in a way that would not impact on people with incomes of up to €100,000. We could ensure that there was still a major incentive for people on middle and modest incomes to make pension provision but, unfortunately, the Government has chosen to take a different route.

I find it extraordinary that in each of these five measures the Minister has a costing and a figure for each one of those. The Labour Party is extremely concerned that we have spent the past three years trying to get costings from the Minister for Finance, the Department of Finance and the Revenue Commissioners for different aspects of our pension provision and on every single occasion we have been refused and told that no figures were available. The reply to my last parliamentary question a few weeks ago denied that figures were available anywhere. I was told the Department was now approaching the pensions industry to try to get some estimates.

The Minister was not in a position to provide figures to the Labour Party in spite of the fact that a service was offered that she would cost our pre-budget proposals, and today she could come up with figures for each one of those measures. How did that come about? If she was unable to provide those figures last week and was unable to provide them over the past three years when we have been asking for them, can we believe these figures now? Are they accurate and how is it that the Government can just come up with them suddenly?

In respect of the individual proposals, we will not oppose the annual earnings limit but it could have been done in a much better way. We should take our example from what is hap-

pening in the UK where a cap is being introduced on the total amount of tax relief that can be claimed, whether the contribution is made by the employee or the employer. That is the weakness in these proposals and in the proposals signalled in the four year plan. All the Minister is talking about doing is limiting the employee contributions. The really big money, as the Minister well knows, is in the employer contributions and it makes no sense to exclude those from any new limits. Let us stop coddling ourselves on what is happening in the pensions area. Why does the Government continue to facilitate persons in jobs where their employers can fund their pensions generously and what is the rationale for not applying the same kind of limits to employer contributions as employee contributions?

On Financial Resolution No. 6, the maximum allowable pension funds, the Minister proposes to reduce the maximum standard fund threshold from the current €5.4 million to €2.3 million. It is a move in the right direction, but why has the Minister not gone further? A fund of €2.3 million will entitle a person to a pension of €100,000. I see no justification for taxpayers subsidising pensions for persons who end up with a pension of €100,000 at a time when the Minister introduced the universal social charge, which will impose additional taxes on persons on modest pensions. Pensioners with an income of under €40,000 will now be hit for an additional €2,000 through the universal charge and through the tax changes, and yet the Minister is saying it is acceptable that somebody would be subsidised to the tune of the top rate of tax relief to enable him or her to have a pension of €100,000. There is no justification or rationale for that. The Labour Party favours reducing the total fund to €1.6 million.

Financial Resolution No. 7 is a reasonable proposal and we do not have a difficulty with that. On Financial Resolutions Nos. 8 and 9 on the retirement lump sum, my party agrees with reducing the lump sum. The current lump sum of €1.3 million, that the wealthiest in society are entitled to take without paying a single cent of tax, is indefensible. It is an outrageous amount of money. There is no justification, socially or economically, for having such a regime. It is about time that lump sum was lowered. In recent years when we have had to take such austerity measures and when there is such hardship being caused to persons on low incomes, how can the Minister defend a situation where the wealthiest are walking off with €1.3 million tax free on retirement? It is scandalous that it was ever the case and it is scandalous that the Minister has allowed it to continue up to now.

I welcome the fact that the Minister is talking about now reducing that maximum tax-free lump sum to €200,000. I still think it is too high. It should come down below €150,000. That would be reasonable still.

I refer to the Minister's proposals for the transitional arrangements for persons who currently have funds in excess of the new threshold being proposed where he is allowing them to take a tax-free lump sum. He is changing this tonight — we are voting on it shortly — but the Minister will still continue to allow persons who have bigger funds to withdraw tax-free lump sums of €575,000. There is no justification——

An Ceann Comhairle: I am anxious to accommodate Deputy Morgan.

Deputy Róisín Shortall: ——for allowing that additional generosity. There is no basis for doing that.

However, the worst aspect of Financial Resolutions Nos. 8 and 9 is that they do not take effect until 1 January. Essentially, the Minister is telling those wealthy individuals to,——

Deputy Ruairí Quinn: Move their money fast.

Deputy Róisín Shortall: —move their money fast. They have three weeks to take €1.3 million tax-free and run. At a time when people cannot afford to put food on the table for their children and people are having their electricity cut off and cannot afford to heat their homes, the Minister is telling the wealthiest people coming up to Christmas to take the money and run, and the Government is prepared to allow them to take €1.3 million tax-free. It is a scandal. It is a disgrace that the Tánaiste should allow that transpire.

Deputy Arthur Morgan: I will be brief because I appreciate that others want to get in as well.

On Financial Resolution No. 5, my party would like to see the pension cap reduced. We propose its reduction to €100,000. I note the Minister has provided for €115,000 here. We also propose standardising pension tax reliefs, which, unfortunately, is not in this document.

On Financial Resolution No. 6, the Minister is allowing for a maximum pension fund on retirement for tax purposes to be set a €2.3 million. I suppose €2.3 million is not bad, really, when one measures it against the Minister's expectation that somebody can survive on €186 per week on jobseeker's allowance. Given the evidence, I remain to be convinced on a fair society.

On retirement lump sums cap of €200,000, I note that has come down substantially in recent years. Not that long ago it was €500,000. There has been a significant move here but, in fairness, it should have been lower.

Deputy Mary Coughlan: There is a different of perspective on a number of these issues that have been raised. In Fine Gael, there is a view that the sum, which will be €2.3 million and which was previously €5.4 million, might not even be adequate to deal with——

Deputy Róisín Shortall: Address the points made. We know the policies.

Deputy Mary Coughlan: Deputy English raised this issue and he is entitled to an answer.

Deputy English's view was that perhaps this would be more restrictive on persons who at a later stage in life may not be in a position to get an adequate pension.

Deputy Damien English: If they lost a couple of years.

Deputy Mary Coughlan: I suppose our perspective is that it was €5.4 million and it is now moved down to €2.3 million, and there would be adequate space in that for persons——

Deputy Damien English: No. It was the yearly amount.

Deputy Mary Coughlan: ——to address their financial needs, which, perhaps, is an opposing point which Deputy Shortall would have.

Deputy Shortall is correct in stating that this is a progressive tax measure being introduced into pension legislation. We now see a €200,000 limit as opposed to what was there heretofore. Anything over and above that will be taxable.

She raised an issue on others who have an established right to the money that they have accumulated. The legal advice to the Department of Finance is that these persons have their provision grandfathered and they have established a legal right to their entitlement.

Deputy Róisín Shortall: Why does that not apply to public sector pensioners? The Tánaiste seems to think it was all right to dip into public sector pensions.

An Ceann Comhairle: Allow the Tánaiste continue.

Deputy Mary Coughlan: After that, the changes will take place.

On the other issue Deputy Shortall raised, which is the employer's contribution, which is an argument which has been traditionally made by many on applying limits to the employer contribution, which would prevent the funding of certain individual pensions, there are issues being considered by the Department at present. It is under consideration.

Deputy Ruairí Quinn: Are these legal issues?

Deputy Mary Coughlan: No. This issue is being considered by the Department and the Minister in the context of the finance Bill which will be prepared for later on. The overarching message from these measures is that those who have acquired and who would prefer to acquire larger lump sums tax-free will not do so. We are now setting a threshold of €200,000.

Deputy Róisín Shortall: It is a bit late in the day.

An Ceann Comhairle: Deputy Shortall.

Deputy Mary Coughlan: We are also preventing situations whereby people obtained large *ex gratia* payments which were not taxed. This matter has also been addressed. Many of the concerns raised in providing an equity argument in the context of pension legislation are now being addressed in these resolutions being put to the House.

An Ceann Comhairle: We need to move on and make a decision. As 30 minutes have now elapsed I am required to put the question in accordance with an order of the Dáil of this day.

Question put: That Financial Resolutions Nos. 5 to 9, inclusive, be agreed to.

The Dáil divided: Tá, 82; Níl, 78.

Tá

Ahern, Bertie.
 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.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.

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

Tá—*continued*

Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donoghue, John.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.

O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Allen, Bernard.
 Bannon, James.
 Barrett, Seán.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deasy, John.
 Deenihan, Jimmy.
 Doherty, Pearse.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Grealish, Noel.
 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.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitt, 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.

Minister for Health and Children (Deputy Mary Harney): I move the following financial resolutions:

Financial Resolution No. 10: Income Tax

(1) THAT section 15 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended in the following manner for the year of assessment 2011 and each subsequent year of assessment :

(a) by substituting “€23,800” for “€27,400” in subsection (3),

(b) by substituting “€32,800” for “€36,400” in column 1 of Part 1 of the Table to that section,

(c) by substituting “€36,800” for “€40,400” in column 1 of Part 2 of the Table to that section, and

(d) by substituting “€41,800” for “€45,400” in column 1 of Part 3 of the Table to that section.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 11: Income Tax

(1) THAT the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended in the following manner for the year of assessment 2011 and each subsequent year of assessment :

(a) where an individual is entitled to a tax credit under a provision of the Taxes Consolidation Act 1997 mentioned in *column (1)* of the Table to this Resolution the amount of the tax credit shall, instead of being the amount specified in *column (2)* of the Table, be the amount of the tax credit specified in *column (3)* of the Table opposite the mention of the amount in *column (2)*.

TABLE

Statutory Provision	Existing tax credit	Tax credit for the year 2011 and subsequent years
(1)	(2)	(3)
Section 461 (basic personal tax credit)		
(married person)	€3,660	€3,300
(widowed person bereaved in year of assessment)	€3,660	€3,300
(single person)	€1,830	€1,650
Section 461A (additional tax credit for certain widowed persons)	€600	€540
Section 462 (one-parent family tax credit)	€1,830	€1,650

[Deputy Mary Harney.]

Statutory Provision	Existing tax credit	Tax credit for the year 2011 and subsequent years
(1)	(2)	(3)
Section 463 (widowed parent tax credit)		
(1st year)	€4,000	€3,600
(2nd year)	€3,500	€3,150
(3rd year)	€3,000	€2,700
(4th year)	€2,500	€2,250
(5th year)	€2,000	€1,800
Section 464 (age tax credit)		
(married person)	€650	€490
(single person)	€325	€245
Section 465 (incapacitated child tax credit)	€3,660	€3,300
Section 466 (dependant relative credit)	€80	€70
Section 466A (home carer tax credit)	€900	€810
Section 468 (blind person's tax credit)		
(blind person)	€1,830	€1,650
(both spouses blind)	€3,660	€3,300
Section 472 (employee tax credit)	€1,830	€1,650

(b) in section 461, by substituting “€3,300” for “€3,660”, in both places where it occurs, and “€1,650” for “€1,830”,

(c) in section 461A, by substituting “€540” for “€600”,

(d) in section 462, in subsection (2), by substituting the following for “€1,830” and all the words following that amount to the end of that subsection:

“€1,650, but this section shall not apply for any year of assessment—

(i) in the case of a husband or a wife where the wife is living with her husband,

(ii) in the case of civil partners (within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010) who are living together, or

(iii) in the case of cohabitants (within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010).”,

(e) in section 463(2)—

- (i) in subparagraph (i), by substituting “€3,600” for “€4,000”,
- (ii) in subparagraph (ii), by substituting “€3,150” for “€3,500”,
- (iii) in subparagraph (iii), by substituting “€2,700” for “€3,000”,
- (iv) in subparagraph (iv), by substituting “€2,250” for “€2,500”,
- (v) in subparagraph (iv), by substituting “€1,800” for “€2,000”, and

(vi) by substituting “cohabitants (within the meaning of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010)” for “a man and woman living together as man and wife”,

(f) in section 464, by substituting “€490” and “€245”, respectively, for “€650” and “€325”,

(g) in section 465, by substituting “€3,300” for “€3,660” in subsection (1),

(h) in section 466, by substituting “€70” for “€80” in subsection (2),

(i) in section 466A, by substituting “€810” for “€900” in subsection (2),

(j) in section 468, by substituting “€1,650” and “€3,300”, respectively, for “€1,830” and “€3,660” in subsection (2), and

(k) in section 472, by substituting “€1,650” for “€1,830”, in both places where it occurs, in subsection (4).

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 12: Income Tax

(1) THAT section 188 of the Taxes Consolidation Act 1997 (No. 39 of 1997), in relation to income tax age exemption and associated marginal relief, be amended for the year of assessment 2011 and each subsequent year of assessment by substituting “€36,000” for “€40,000” and “€18,000” for “€20,000” in subsection (2).

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 13: Universal Social Charge

(1) THAT—

(a) in this Resolution—

“aggregate income for the tax year”, in relation to an individual and a tax year, means the aggregate of the individual’s—

- (i) relevant emoluments in the tax year, including relevant emoluments that are paid in whole or in part for a tax year other than the tax year during which the payment is made, and

[Deputy Mary Harney.]

(ii) relevant income for the tax year;

“Collector-General” means the Collector-General appointed under section 851 of the Principal Act;

“employee” and “employer” have the same meanings as in section 983 of the Principal Act;

“excluded emoluments” means emoluments which have been gifted to the Minister for Finance under section 483 of the Principal Act;

“income tax month” means a calendar month;

“PAYE Regulations” means the Income Tax (Employments) (Consolidated) Regulations 2001 (S.I. No. 559 of 2001);

“Principal Act” means the Taxes Consolidation Act 1997 (No. 39 of 1997);

“relevant emoluments” and “relevant income” shall be construed in accordance with paragraphs (a) and (b), respectively, of the Table to paragraph (2) of this Resolution;

“similar type payments” means payments which are of a similar character to social welfare payments but which are made by—

(i) the Health Service Executive,

(ii) the Department of Community, Rural and Gaeltacht Affairs,

(iii) the Department of Enterprise, Trade and Innovation,

(iv) the Department of Education and Science,

(v) the Department of Agriculture, Fisheries and Food, or

(vi) An Foras Áiseanna Saothair, in respect of schemes mentioned in clauses (I), (II) and (III) of section 472A(1)(b)(i) of the Principal Act,

“social welfare payments” means payments made under the Social Welfare Acts;

“tax year” means a year of assessment within the meaning of the Tax Acts;

“universal social charge” has the meaning assigned to it by paragraph (2) of this Resolution,

and

(b) other words and expressions used in this Resolution have, except where otherwise provided or where the context otherwise requires, the same meaning as in the Tax Acts.

(2) THAT, with effect from 1 January 2011, there shall be charged, levied and paid, in accordance with the provisions of this Resolution, a tax to be known as “universal social charge” in respect of the income specified in paragraphs (a) and (b) of the Table to this paragraph.

TABLE

(a) The income described in this paragraph (in this Resolution referred to as “relevant emoluments”) is emoluments to which Chapter 4 of Part 42 of the Principal Act applies or is applied, including-

(i) any allowable contributions referred to in Regulations 41 and 42 of the PAYE Regulations,

(ii) the initial market value (within the meaning of section 510(2) of the Principal Act) of any shares, excluded from the charge to income tax by virtue of section 510(4) of that Act, appropriated in accordance with Chapter 1 of Part 17 of that Act,

(iii) the market value (determined in accordance with section 548 of the Principal Act) of the right referred to in section 519A(1) or 519D(1) of that Act, and

(iv) any gain exempted from income tax by virtue of section 519B(3) or 519D(3) of the Principal Act,

but not including—

(I) social welfare payments and similar type payments,

(II) excluded emoluments,

(III) expenses, in respect of which an employee may be entitled to relief from income tax, which fall within Regulation 10(3) of the PAYE Regulations,

(IV) any amount in respect of which relief is due under section 201(5)(a) of the Principal Act and paragraphs 6 and 8 of Schedule 3 to that Act,

(V) emoluments of an individual who is resident in a territory with which arrangements have been made under subsection (1)(a)(i) or (1B)(a)(ii) of section 826 of the Principal Act in relation to affording relief from double taxation, where those emoluments are the subject of a notification issued under section 984(1) of that Act.

(b) The income described in this paragraph (in this Resolution referred to as “relevant income”) is income, without regard to any amount deductible from or deductible in computing total income, from all sources as estimated in accordance with the Tax Acts, other than—

(i) relevant emoluments,

(ii) any emoluments, payments, expenses or other amounts referred to in clauses (I) to (V) of paragraph (a) of this Table,

(iii) any gains, income or payments to which any of the following provisions apply:

(I) Chapter 4 of Part 8 of the Principal Act;

(II) Chapter 5 of Part 8 of the Principal Act;

(III) Chapter 5 of Part 26 of the Principal Act;

(IV) Chapter 6 of Part 26 of the Principal Act;

[Deputy Mary Harney.]

(V) Chapter 1A of Part 27 of the Principal Act;

(VI) Chapter 4 of Part 27 of the Principal Act,

(iv) where section 825A of the Principal Act applies in respect of an individual for a tax year, an amount equal to the difference between—

(I) the individual's total income for the tax year had that section not applied for that year, and

(II) the amount of total income which if charged to income tax for the year would have given an amount of income tax payable equal to that which would be payable by virtue of the operation of that section,

(v) where section 1025 of the Principal Act applies in respect of an individual, the amount of any deduction for any payment to which that section applies, made by an individual pursuant to a maintenance arrangement (within the meaning of that section) relating to the marriage for the benefit of the other party to the marriage, unless section 1026 of that Act applies in respect of such payment,

(vi) where an individual is entitled to an allowance under section 284(1) of the Principal Act, other than where such an allowance is made on a lessor and an allowance made on an individual who is not an active partner (within the meaning of section 409A of that Act), an amount equal to the amount of that allowance,

(vii) where an individual is entitled to an allowance under subsection (3) of section 272 of the Principal Act of an amount determined in accordance with paragraph (a), (b), (c)(iii), (da), (db), (e) or (g) of that subsection, other than where such an allowance is made on a lessor of an industrial building or structure and an allowance made on an individual who is not an active partner (within the meaning of section 409A of that Act), an amount equal to the amount of that allowance, and

(viii) where an individual is entitled to an allowance under subsection (2) of section 658 of the Principal Act of an amount determined in accordance with paragraph (b) of that subsection, or an allowance under section 659(2)(a) of that Act determined in accordance with subsection (3A), (3AA) (3B) or (3BA) of that section, other than where such an allowance is made on an individual who is not an active partner (within the meaning of section 409A of that Act), an amount equal to the amount of that allowance,

and as if sections 140, 141, 142, 143, 195, 232, 234 and 664 of the Principal Act were never enacted and without regard to any deduction—

(a) in respect of double rent allowance under section 324(2), 333(2), 345(3) or 354(3) of the Principal Act,

(b) under section 372AP of the Principal Act, in computing the amount of a surplus or deficiency in respect of rent from any premises,

(c) under section 372AU of the Principal Act, in computing the amount of a surplus or deficiency in respect of rent from any premises,

(d) under section 847A of the Principal Act, in respect of a relevant donation (within the meaning of that section), or

(e) under section 848A of the Principal Act, in respect of a relevant donation (within the meaning of that section).

(3) THAT universal social charge shall not be payable for a tax year by an individual who proves to the satisfaction of the Revenue Commissioners that his or her aggregate income for the tax year does not exceed €4,004.

(4) THAT for the tax year 2011, and for each subsequent tax year, an individual shall be charged to universal social charge on his or her aggregate income for the tax year—

(a) at the rate specified in the second column of the Table to this paragraph corresponding to the part of aggregate income specified in the first column of that Table where the individual is aged under 70 years, and

(b) at the rate specified in the third column of the Table to this paragraph corresponding to the part of aggregate income specified in the first column of that Table where the individual is aged 70 years or over at any time during the tax year.

TABLE

Part of aggregate income	Rate of universal social charge Individuals aged under 70 years	Rate of universal social charge Individuals aged 70 years or over
The first €10,036	2%	2%
The next €5,980	4%	4%
The remainder	7%	4%

(5) THAT—

(a) an employer shall be liable in the first instance to pay universal social charge due in respect of any payment of relevant emoluments,

(b) as respects any payment of relevant emoluments made to or on behalf of an employee on or after 1 January 2011, universal social charge shall be deducted from such emoluments by the employer at any or all of the following rates:

(i) 2 per cent where the amount of the relevant emoluments does not exceed €193, in the case where the period in respect of which the payment is being made is a week, or a corresponding amount where the period is greater or less than a week;

(ii) 4 per cent on the amount of the excess:

(I) where the amount of the relevant emoluments exceeds €193, but does not exceed €308, or

(II) where, in the case of an employee who is aged 70 years or over at any time during the tax year, the amount of the relevant emoluments exceeds €193,

in the case where the period in respect of which the payment is being made is a week, or a corresponding amount where the period is greater or less than a week;

[Deputy Mary Harney.]

(iii) 7 per cent on the amount of the excess where the amount of the relevant emoluments exceeds €308, in the case where the period in respect of which payment is being made is a week, or a corresponding amount where the period is greater or less than a week,

and notwithstanding that the relevant emoluments are in whole or in part for some tax year other than that during which the payment is made,

(c) the provisions of Part 4 of the PAYE Regulations, with any necessary modifications, shall apply to universal social charge in respect of relevant emoluments and universal social charge payable by an employee shall only be recoverable from him or her by his or her employer by deduction in accordance with those provisions,

(d) within 14 days of the end of every income tax month the employer shall remit to the Collector-General the total of all amounts of universal social charge which the employer was liable to deduct from relevant emoluments paid by the employer during that income tax month,

(e) the Collector-General may, in writing, and unless the employer objects, authorise the employer to remit to the Collector-General, within 14 days from the end of such longer period (if any) but not exceeding one year, as may be so authorised, the total of all amounts of universal social charge which the employer was liable to deduct from relevant emoluments paid by the employer during that longer period,

(f) where a remittance referred to in subparagraph (d) of this paragraph is made by such electronic means (within the meaning of section 917EA of the Principal Act) as are approved by the Revenue Commissioners, that subparagraph shall apply and have effect as if “within 23 days of the end of every income tax month” were substituted for “within 14 days of the end of every income tax month” but, where that remittance is not made within that period of 23 days, subparagraph (d) shall apply and have effect without regard to the provisions of this subparagraph, and

(g) on payment of universal social charge, the Collector-General may send, make available or cause to be made available to the employer concerned a receipt in respect of the payment.

(6) THAT—

(a) an employer shall, in the case of an employee to whom he or she makes a payment of relevant emoluments, give to the employee, on the cessation of the period of employment to which the payment of universal social charge in respect of the employee relates, a certificate showing—

(i) the total universal social charge as respects the employee which the employer was liable to remit for the tax year in which the cessation occurs up to and including the date of cessation,

(ii) the dates of commencement (where applicable) and cessation within that year of the employment of the individual,

(iii) the rate of universal social charge payable as respects the employee, and

(iv) the total relevant emoluments paid to the employee in that year up to and including the date of cessation,

and

(b) the certificate specified in subparagraph (a) of this paragraph shall be in such form as may be provided or approved of by the Revenue Commissioners.

(7) THAT an employer shall record the following particulars in respect of each employee to whom payment of relevant emoluments has been made in a tax year—

(a) the amount of each payment of relevant emoluments,

(b) the amount of universal social charge deducted from each such payment,

(c) the total amount of universal social charge which the employer is liable to remit in respect of each such payment, and

(d) the dates of commencement and cessation within the tax year of the employment of the individual, where applicable.

(8) THAT the records specified in paragraph (7) of this Resolution shall be in a form approved of by the Revenue Commissioners and shall be retained by an employer for 6 years after the end of the tax year to which they refer.

(9) THAT sections 989, 990, 990A, and 991 of the Principal Act shall apply to universal social charge payable on relevant emoluments as they apply to income tax.

(10) THAT, where universal social charge is payable for the tax year 2011 in respect of aggregate income of an individual for that year, section 958 of the Principal Act shall apply and have effect as if, in accordance with this Resolution, universal social charge was payable for the tax year 2010.

(11) THAT universal social charge is under the care and management of the Revenue Commissioners and Part 37 of the Principal Act shall apply to universal social charge as it applies to income tax.

(12) THAT repayments of income levy (within the meaning of section 531A of the Principal Act) paid for the tax years 2009 and 2010 shall, to the extent that insufficient income levy has been paid in 2011 or a later year, be made out of universal social charge.

(13) THAT—

(a) where any income levy (within the meaning of section 531A of the Principal Act), in relation to an employee, remains unpaid for the tax year 2009 or 2010 and is not otherwise recovered (in this subparagraph referred to as the “underpayment”), the employer shall be treated, on receipt of a notice from an inspector of taxes or other officer of the Revenue Commissioners to the effect that this paragraph applies, as making a payment of relevant emoluments (within the meaning of paragraph (1) of this Resolution) to the employee in the tax year 2011 of an amount equal to the amount referred to in subparagraph (b) of this paragraph (in this paragraph referred to as “notional emoluments”),

(b) the amount of the notional emoluments shall be an amount which would produce an amount of universal social charge equal to the amount of the underpayment and which amount shall be set out in the notice issued under subparagraph (a) of this paragraph,

[Deputy Mary Harney.]

(c) where an employer is treated as making a payment of notional emoluments in the tax year 2011, the amount of the notional emoluments for the tax year shall be apportioned over the tax year to each week, in a case where relevant emoluments are paid weekly, or such corresponding period where relevant emoluments are paid for a period either greater or less than a week,

(d) the employer shall deduct universal social charge in accordance with this Resolution by reference to the part of the notional emoluments for the tax year apportioned to each such week or a corresponding amount where the period is greater or less than a week and, for the purposes of determining the amount of universal social charge to be deducted in accordance with this subparagraph, the part of the notional emoluments so apportioned shall be treated as the highest portion of the employee's relevant emoluments (within the meaning of paragraph (1) of this Resolution) for that week or other period.

(14) THAT, where any income levy (within the meaning of section 531A of the Principal Act) or universal social charge, as the case may be, remains unpaid after the end of a tax year, the amount of tax credits (within the meaning of the PAYE Regulations) and the standard rate cut-off point (within that meaning) appropriate to an employee for any subsequent tax year may be adjusted as necessary by an inspector of taxes or other officer of the Revenue Commissioners to collect unpaid universal social charge or income levy which is not otherwise recovered.

(15) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act (No. 7 of 1927).

Financial Resolution No. 14: Income Levy

(1) THAT the tax known as income levy imposed by section 531B (inserted by section 2 of the Finance (No. 2) Act 2008) of the Taxes Consolidation Act 1997 (No. 39 of 1997) shall cease to be charged with effect as on and from 1 January 2011.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act (No. 7 of 1927).

In 2010 it is estimated that almost 45% of income tax earners will be exempt from income tax and only 14% will pay income tax at the higher rate. For a single individual, the entry point to income tax is €18,300. A married, one income family does not start paying income tax until income levels are in excess of €31,950. It is evident that this situation has become unsustainable. We arrived at this situation by the very generous increases in credits and bands over several years. The combined value of the personal tax credit and the PAYE tax credit has increased by 92% since 2001, from €1,905 to €3,600 in 2010. The single standard rate band has increased from €17,780 in 1999 to €36,400 in 2010. This is an increase of 105%.

It is clear that we cannot afford such generous tax reliefs on income. In this budget, therefore, we have reduced the personal and PAYE tax credits by approximately 10% to €1,650 each from €1,830. We have reduced the single standard rate band to €32,800 from a value of €36,400. The married one income band has been reduced to €41,800 from €45,400 and the married two earner band has been reduced to €65,600 from €72,800. These measures will reduce the entry point to income tax for a single individual to €16,500 and for a married one income family to €28,800. These measures will return tax credits and bands to where they were in 2006. As a result of these measures, the numbers exempt from income tax in 2011 will be reduced to 38%

from 45%. The numbers exempt will be reduced to 843,400 from the 2010 figure of 982,900 — a reduction of almost 140,000.

Most important of all in these difficult times, it is estimated these measures will raise €830 million in 2011 and €1.1 billion in a full year. We will also reduce the age exemption limits from €20,000 for a single person and €40,000 for a married couple to €18,000 and €36,000, respectively. It is not unreasonable in these difficult times to reduce the entry point to tax for a married couple aged under 65 years with no children to €24,750 but maintain the entry point to tax at €40,000 for a couple over 65 years.

A new universal social charge is being introduced to replace the income levy and the health levy. The universal charge will be applied at a rate of 2% up to €10,036, 4% above that amount but below €16,016 and 7% above €16,016. A lower exemption threshold of €4004 will apply. Income earners over 70 years of age will not be liable for the higher rate of 7%. As with the levy, payments made by the Department of Social Protection will be exempt from the universal social charge. The charge is more equitable and has a wider base and lower rate when compared with the combined income levy and health levy. It is designed to apply across income levels in a smoother progression while addressing the irregularities caused by the step effects in the current system of levies and PRSI. The current combination of income levy, health levy and PRSI create a number of anomalies due to the entry point steps to each of these charges. The health levy has a step of 4% to €26,000, which results in an anomaly whereby an individual earning €25,500 per annum can receive an increase in income of €1,000 but only €320 in net pay. The introduction of the universal charge will resolve this issue. An individual on €25,500 who receives an increase of €1,000 will now be €690 better off. The charge is the first step in removing the irregularities due to the combination of levies and PRSI in the current system. The charge is revenue neutral in 2011 and will yield €420 million in a full year.

Financial Resolution No. 10 reduces the level of the standard bands. The single standard band is reduced from €36,400 to €32,800. Financial Resolution No. 11 reduces the level of income tax credits by approximately 10%. Personal PAYE credits will be reduced from €1,830 to €1,650. Financial Resolution No. 12 reduces the threshold for the exemption limit for persons aged 65 or older to €18,000 for a single or widowed person and €36,000 for a married couple where either spouse is aged over 65 years. Financial Resolution No. 13 gives statutory effect of the budgetary announcement that a new charge called the universal social charge will be introduced on 1 January 2011.

Deputy Enda Kenny: The Government got it completely wrong in this case. We oppose this group of Financial Resolutions because they will hit low and middle income earners. The imposition of income tax as proposed by the Government will destroy the traditionally low level of tax levied on the wedge between the employer's bill and the take home pay of the employee. The Government is going to force down the standard of living for those on low and middle incomes.

Fine Gael proposed not to increase income taxes in 2011 and we demonstrated this could be done by making savings of €250 million through 6,000 further redundancies in back office and administration throughout the public sector. There are further alternatives for making savings, such as greater cost reductions and further changes to the public service.

Under this imposition, a single person on the minimum wage will be worse off by €879 annually or €17 per week. If one takes account of the changes made in respect of income tax and the universal charge, such an individual will lose twice as much as if he or she was on welfare. This is a savage imposition on the lowest earners. It is not the kind of progression we need and, from that point of view, must be rejected.

According to the figures outlined in the budget, the income tax that is now to be imposed means a couple with three children and a single gross income of €50,000 will be worse off by

[Deputy Enda Kenny.]

€1,800. Such a family would be better off by €1,600 under the alternative plan proposed by Fine Gael, which makes it clear that it is not necessary to increase income tax in 2011.

The Minister for Health and Children, Deputy Harney, was previously an advocate of streamlining income tax and reducing the tax burden. She will be aware, therefore, that these proposals are short-sighted, lack ambition and will force down the living standards of people on low and middle incomes. They contain a series of landmines which were never acknowledged by the Minister for Finance. They are appallingly short-sighted and retrograde and, for these reasons, I oppose them resolutely.

Deputy Joan Burton: I wish to ask the Minister some questions about the universal social charge, which represents a significant change to our tax code. In effect, people will be charged for what they commonly understand as social provisions. I acknowledge that the PRSI rate of 4% is not being touched for most people but the universal charge is described in paragraph 2 of Financial Resolution No. 13 as a tax. It replaces the old health contribution and the levies that have applied since the advent of the financial emergency. As a tax, it will go into the general pool of taxation, whereas its name gives people to understand that it will be dedicated to social provision, including the areas of health and children.

The current health contribution is charged at a rate of 4% on income up to €75,000 but employees earning up to €500 per week, or €26,000 per year, are exempt. Under the new system, everyone with an income over €4,000 will be subject to the universal social charge at a higher rate. The rate of the levies in 2010 for an individual earning less than €75,000 was 2%. The universal social charge comes in at a very low level and individuals who earn more than €4,000 must pay the levy on their entire income.

The levy is reduced slightly for those who are aged 70 years and older. Every Deputy will be aware that medical card holders, including those who are aged 70 years or older, were exempt from the health contribution. I would be delighted to hear that the small print provides for this.

There are eight pages of text dealing with this levy, but I cannot find where it says that people in receipt of a medical card or who are over 70 are exempt from this new universal social charge. It is called a charge because it is general taxation and breaches the contributory principle that is at the heart of the social welfare contributory system, which is that one contributes when one works and receives entitlements in one's old age. I am surprised that Fianna Fáil opted for this measure. Perhaps it is a Progressive Democrat or a Green Party idea. I am surprised at the severity with which this measure is set out.

Can the Minister tell me I am wrong about medical card holders? As we all know, getting a medical card at present is pretty tough.

Deputy Brian Hayes: May I ask two questions, a Leas-Cheann Comhairle?

An Leas-Cheann Comhairle: Very good.

Deputy Brian Hayes: In the Budget Statement, the Minister for Finance gave us information I had heard a month ago when I was in the Department of Finance with my colleagues. The Minister said those earning more than €75,000 represent approximately 8% of all income tax payers and those 8% of taxpayers pay 60% of all income tax. Following the changes to income tax rates, how is that figure likely to change?

Second, Deputy Burton has made an important point. It is my understanding that the social insurance fund works on the basis that an individual makes a pay related social insurance,

PRSI, contribution and that contribution goes into the social insurance fund. This is not a finance measure; it is a social welfare measure. In good times we take money from the social insurance fund and in bad times we supplement it. What will now happen to the social insurance fund? Will it remain in place? With the abolition of the two levies, will the new charge go into that pot of money?

Deputy Seán Sherlock: The Minister for Finance said those earning the new reduced minimum wage would not be brought into the tax net. I seek clarification in this regard. Financial Resolution No. 12 states:

That, with effect from 1 January 2011, there shall be charged, levied and paid, in accordance with the provisions of this Resolution, a tax to be known as “universal social charge”.

This is an acknowledgment that the universal social charge is a tax.

What is the situation in respect of the minimum wage? The charge will not be levied on incomes up to €4,000, at 2% on incomes up to €10,036 and at 4% on the next €5,980. There needs to be further clarification of the position of people who are earning the minimum wage. The Labour Party interpretation is that this charge is a tax to be levied on those in receipt of the new reduced minimum wage. If that is the case, it is grossly unfair.

Deputy Arthur Morgan: The Minister described these measures as more equitable. This is completely wrong because low income earners will be paying a substantially higher proportion of their incomes than high income earners. That is grossly unfair. The Government could have introduced a wealth tax but it chose not to do so.

The universal social charge is not a social charge. It is a tax, and that is the end of it. A person earning the minimum wage has already been tapped for €40 per week. The Government now proposes to go back to the economic carcass of that person for a further €360 per annum. Can the Minister for Health and Children confirm that people on the new minimum wage will have to pay a charge of €360 per annum under this so called social charge? This is far from fair or equitable.

I welcome the abolition of the income and health levies, which were unfair. However, they did, at least, contain some element of relativity in that they captured higher income individuals.

Deputy Denis Naughten: What has been done with regard to tax credits is appalling. They have been cut by 10%, as the Minister for Health and Children has outlined. This is more than the percentage cut to ministerial pensions. A tax credit applied to carers, who save the taxpayer an average of €40,000 per year. We are not giving them basic recognition in the taxation system. Given the anomalies in the respite care grant, the tax credit is the only recognition some carers receive. That recognition is now being reduced by the proposal before us.

People with a disability and those who are visually impaired incur additional costs in going to work, and have a low rate of employment in any event. The visually impaired have additional costs in making adaptations to allow them to live independently or to get to and from work. It does not make sense to penalise the small number of people who avail of this tax credit, which will be the effect of the proposed measures.

The lowest cut of all is the reduction in the tax credit for a widowed person in the year of assessment. In the year when a person loses his or her spouse, we are cutting their tax relief by 10%, which is greater than the cut to the pensions of Ministers who will be leaving Government in a few months time.

I ask the Minister for Health and Children to justify these measures and explain why she, if she decides to retire, should be entitled to less of a cut than a widowed person in the year they become widowed. This is unacceptable, as is the cut in tax relief to someone looking after an

[Deputy Denis Naughten.]

incapacitated child. Some 64% of children with a disability must remain at home, saving the taxpayers €70,000 per year.

Deputy Seán Barrett: What will contributors get in return for the universal social charge? This is a con trick. It is more taxation.

Deputy Joan Burton: It is a tax.

Deputy Seán Barrett: The income levy was imposed as an emergency measure because of the financial circumstances the country was in. It was accepted on the basis that it would be dispensed with at some point. We are being asked to facilitate a con trick. We are being asked to pretend we are doing something that will give services to the public. We are about to concrete the income and health levies forever.

I can see an argument for breaking up the PRSI fund among the various health, pension and social welfare entitlements. That would have made sense to me. However, this universal social charge is an absolute con trick. I sincerely hope the public will see through it. How can the Minister for Health and Children stand over this income levy being consolidated into our tax code on an ongoing basis?

Deputy Kieran O'Donnell: Does the universal social charge relate exclusively to the income and health levies being combined, or will it encompass all PRSI payments? The Minister for Health and Children says the charge is revenue neutral. Will the tax be progressive or will the lower paid be charged a greater percentage of their incomes than higher earners?

The Minister says all taxpayers will suffer an equal hit. However, people earning approximately €16,000 will be coming into the tax net for the first time since 2006. They will also be liable for the universal social charge. How will revenue from the charge be used? The health levy was originally introduced for health use but I am not certain it was ever used for that purpose.

Deputy Róisín Shortall: I agree that this is a complete con. It is a new tax. We have been given all kinds of assurances about people on minimum wages not being included in the tax net. They are not in the income tax net but they are caught in the net with this charge. This charge started as a universal social contribution with an element of contributing and getting something back but this recently changed to a charge. It is a new tax, a new way of squeezing money out of people. It is shifting the burden of taxation from the better-off to low income people. This is the whole purpose of this charge and the Government should be honest about this purpose.

A number of points of clarification are required. Will the current exemptions applying to the health and the income levies apply to the universal charge? How will it interact with family income supplement? This charge kicks in for low income people at the level of €4,000. It is designed to bring people with incomes in the region of €4,000 into the tax net and it is fundamentally unfair. Pensioners are now going to be caught with the combination of this universal charge and the lowering of the age exemption, so that a pensioner couple, with an income of just under €40,000 will be caught for an additional tax of €2,000 a year as a result of this measure. This is about hammering people on low and modest incomes and nothing else.

Deputy Kathleen Lynch: I refer to people on very low incomes being taxed because that is what this charge does. To continue the point made by Deputy Barrett, what are the benefits of this tax? We all know that PRSI, pay-related social insurance, provided certain benefits which were available when needed but where are the benefits of this charge? Who decided on the different categories? It was always accepted that certain groups with particular needs were

exempted. However, it now seems there are two categories of people with regard to social welfare, the old-age pensioners — who, in this weather, would begrudge them the couple of bob they receive — and all the others. I could never understand how widows under 66 years and left with young families through no fault of their own and on a meagre income, have not been given the household package.

A friend of mine asked me to raise this question. I refer to those employed before 1995 and post-1995 in the public sector and to whom different rates of PRSI apply. The people employed after 1995 were given an increase in their salary because it was recognised they were paying a higher contribution. Will all of those people be caught for the one charge if they earn €75,000?

Deputy Mary Harney: I wish to correct a drafting error in Financial Resolution No. 13. At sub-paragraph (ii), the Department of Community, Rural and Gaeltacht Affairs, should read the Department of Community, Equality and Gaeltacht Affairs. At sub-paragraph (iv), the Department of Education and Science should read the Department of Education and Skills.

I refer to the tax wedge mentioned by Deputy Kenny. Even after the changes made today, Ireland will have the lowest tax wedge in the EU for a single person, at 31.4%—

Deputy Seán Barrett: The Minister is joking.

Deputy Mary Harney: —and the tenth lowest in the OECD. The rate of 31.4% places Ireland first in Europe and tenth in the OECD.

Deputy Enda Kenny: There was no need to do it.

Deputy Mary Harney: We are taking income tax, or take-home pay, back to where it was in 2006. With regard to the questions raised by Deputy Burton, it applies to all income other than income of less than €4,000. It does not include welfare income.

Deputy Joan Burton: It includes an occupational pension.

Deputy Mary Harney: Any income less than €4,004 is excluded but all income over €4,004 is included. This is applied at 2% up to €10,000, at 4% between €10,000 and €16,000 and at 7% above that.

Deputy Róisín Shortall: It is really a poverty trap.

Deputy Mary Harney: No, I mentioned in my opening comments that if somebody on a salary of €26,000—

Deputy Joan Burton: People on €26,000 were exempt from the old health contribution.

Deputy Róisín Shortall: What about the salary of—

An Leas-Cheann Comhairle: Please allow the Minister to answer the questions.

Deputy Mary Harney: The health levy only applied to salaries over €26,000 and the income levy applied to salaries over €15,000. The minimum wage will still be excluded from tax but will be included in this charge.

Deputy Seán Sherlock: The Minister is catching them at 4%

Deputy Mary Harney: Yes, that is correct.

Deputy Ruairí Quinn: The Minister's script describes this charge as a tax. The Minister's statement is—

Deputy Mary Harney: I will explain. The health levy is going and approximately €2 billion from the health levy will go into the health service.

An Leas-Cheann Comhairle: Please allow the Minister to respond to a whole series of questions as we have only three minutes left.

Deputy Mary Harney: The health levy goes to fund the public health system, a total of approximately €2.1 billion in 2010 with a shortfall of €400 million because of the level of unemployment. We recently moved a Supplementary Estimate to provide for this. Instead of this being an appropriation-in-aid from the Revenue and the Department of Social Protection, it will go into the central Exchequer and will be re-diverted back. This means an element will go to fund the health system but PRSI is not being included. The Minister said last year that he intended to include PRSI but it became very complicated to do this in one year so it is not being done at the moment.

In reply to Deputy Naughten, it is not——

Deputy Joan Burton: A person on a medical card was exempt from the contribution but that exemption does not apply now.

An Leas-Cheann Comhairle: Please allow the Minister to apply.

Deputy Mary Harney: The medical card exemption does not apply for anyone.

Deputy Joan Burton: That is very tough.

Deputy Mary Harney: The medical card should be for medical needs and it has become a passport for school transport and many other things. We need to decouple it. One of the reforms being examined is to have a higher element of medical need attached to the medical card rather than the pure income which is not always fair.

Deputy Joan Burton: That is very tough.

Deputy Mary Harney: Deputy Naughten referred to Members' and Ministers' pensions being hit by 4% but the figure is 12%. Pensions at our level will be hit by a 12% reduction. When the Minister referred to 4% he was referring to an average of 4% but we will be subject to a reduction of 12% in pensions. All credits are being reduced by 10%.

Payments to haemophiliacs, hepatitis C victims and thalidomide victims will be exempt.

An Leas-Cheann Comhairle: I will allow a brief question from Deputy Creighton who has not contributed.

Deputy Arthur Morgan: The new minimum wage will be charged at €306 per year.

Deputy Mary Harney: The new minimum wage will be €15,000 and it will be outside the tax net.

Deputy Damien English: It will not be outside the tax net.

Deputy Róisín Shortall: The social charge will apply to it.

Deputy Mary Harney: The charge will apply but I said the income tax will not apply.

Deputy Róisín Shortall: It will be taxed.

Deputy Damien English: Income tax will apply.

Deputy Mary Harney: The income levy applied to it previously.

Deputy Róisín Shortall: Does the Minister regard that as fair?

Deputy Seán Sherlock: The minimum wage is subjected to tax.

Deputy Mary Harney: I take the Deputy's point.

Deputy Róisín Shortall: So they lose €40 a week and then they are taxed on top of that. That certainly incentivises people to work all right.

Deputy Lucinda Creighton: There is much confusion with regard to these measures. I refer to the example of income tax proposed on a single person with no children and taxed under schedule D with a gross income of €10,000 per year. The proposed income tax would amount to €230, with PRSI of €400. A person would lose €480 per year. The percentage change of net income is 5.3%, whereas for a person on €175,000 gross annual income it is as little as 0.9%. I find it very difficult to understand how the Minister could stand up earlier and inform the House that this is an equitable or fair budget, because it clearly targets low paid workers and there is no incentive for them to work on that basis.

An Leas-Cheann Comhairle: It being 9.20 p.m., I must put the question in accordance with the order of the Dáil of this day.

Question put: "That Financial Resolutions Nos. 10 to 14, inclusive, be agreed to."

The Dáil divided: Tá, 82; Níl, 78.

Tá

Ahern, Bertie.
 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.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.

Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistram, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 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.

Tá—*continued*

O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.

Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Allen, Bernard.
 Bannon, James.
 Barrett, Seán.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deasy, John.
 Deenihan, Jimmy.
 Doherty, Pearse.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Grealish, Noel.
 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.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 O'Sullivan, Maureen.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 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 Paul Kehoe and Emmet Stagg.

Question declared carried.

Minister for Health and Children (Deputy Mary Harney): I move the following financial resolutions.

Financial Resolution No. 15: Stamp Duties

(1) THAT for the purposes of stamp duty charged by virtue of the Stamp Duties Consolidation Act 1999 (No. 31 of 1999)—

(a) the following sections of that Act shall cease to have effect—

(i) section 83A (inserted by the Finance Act 2001 (No. 7 of 2001)),

(ii) section 91A (inserted by the Finance Act 2004 (No. 8 of 2004)),

(iii) section 92, and

(iv) section 92B (inserted by the Finance (No. 2) Act 2000 (No. 19 of 2000)),

and

(b) Schedule 1 to that Act be amended—

(i) under the Heading “CONVEYANCE or TRANSFER on sale of any property other than stocks or marketable securities or a policy of insurance or a policy of life insurance.”—

(I) by substituting the following for paragraphs (1) and (2):

“(1) Where the amount or value of the consideration for the sale is wholly or partly attributable to residential property and the instrument contains a statement certifying that the consideration for the sale is, as the case may be—

(a) wholly attributable to residential property,
or

(b) partly attributable to residential property,

and that the transaction effected by that instrument does not form part of a larger transaction or of a series of transactions in respect of which, had there been a larger transaction or a series of transactions, the amount or value, or the aggregate amount or value, of the consideration (other than the consideration for the sale concerned which is wholly or partly attributable to residential property) would have been wholly or partly attributable to residential property:for the consideration which is attributable to residential property

1 per cent of the first €1,000,000 of the consideration and 2 per cent of the balance of the consideration thereafter but where the calculation results in an amount which is not a multiple of €1 the amount so calculated shall, if less than €1, be rounded up to €1 and, if more than €1, be rounded down to the nearest €.”,

(II) in paragraph (3)—

(a) by substituting “paragraph (1) does” for “paragraphs (1) and (2) do”,

(b) by substituting “paragraph (1)” for “paragraph (2)” in each place, and

[Deputy Mary Harney.]

- (c) by substituting “shall, if less than €1, be rounded up to €1 and, if more than €1, be rounded down to the nearest €.” for “shall be rounded down to the nearest €.”,

(III) in paragraph (4)—

- (a) by substituting “2 per cent” for “9 per cent”, and
- (b) by substituting “shall, if less than €1, be rounded up to €1 and, if more than €1, be rounded down to the nearest €.” for “shall be rounded down to the nearest €.”,

and

(IV) in paragraph (15) by substituting “Where paragraphs (7) to (13) apply” for “Where”,

and

(ii) under the Heading “LEASE.”—

(I) by substituting the following for clauses (i) and (ii) of paragraph (3)(a):

“(i) the amount or value of such consideration for the lease is wholly or partly attributable to residential property and the instrument contains a statement certifying that the consideration (other than rent) for the lease is, as the case may be—

(I) wholly attributable to residential property,
or

(II) partly attributable to residential property,

and that the transaction effected by that instrument does not form part of a larger transaction or of a series of transactions in respect of which, had there been a larger transaction or a series of transactions, the amount or value, or the aggregate amount or value, of the consideration (other than the consideration for the lease concerned which is wholly or partly attributable to residential property and other than rent) would have been wholly or partly attributable to residential property:

for the consideration which is attributable to residential property

1 per cent of the first €1,000,000 of the consideration and 2 per cent of the balance of the consideration thereafter but where the calculation results in an amount which is not a multiple of €1 the amount so calculated shall, if less than €1, be rounded up to €1 and, if more than €1, be rounded down to the nearest €.”,

(II) in clause (iii)—

- (a) by substituting “clause (i) does” for “clauses (i) and (ii) do”, and

(b) by substituting “clause (i)” for “clause (ii)” in each place,

and

(III) in clause (iv)—

(a) by substituting “2 per cent” for “9 per cent”, and

(b) by substituting “shall, if less than €1, be rounded up to €1 and, if more than €1, be rounded down to the nearest €.” for “shall be rounded down to the nearest €.”.

(2) THAT, subject to paragraph (3) of this Resolution, paragraph (1) of this Resolution shall have effect as respects instruments executed on or after 8 December 2010.

(3) Paragraph (1) of this Resolution shall not apply as respects any instrument executed before 1 July 2011 where—

(a) the effect of the application of that paragraph would be to increase the duty otherwise chargeable on the instrument, and

(b) the instrument contains a statement, in such form as the Revenue Commissioners may specify, certifying that the instrument was executed solely in pursuance of a binding contract entered into before 8 December 2010.

(4) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 16: Income Tax

(1) THAT, as respects any payment or crediting of relevant interest (within the meaning of Chapter 4 of Part 8 of the Taxes Consolidation Act 1997 (No. 39 of 1997)) made on or after 1 January 2011, the definition of “appropriate tax” in section 256(1) of the Taxes Consolidation Act 1997 be amended—

(a) in paragraph (a) by substituting “27 per cent” for “25 per cent”,

(b) in paragraph (b) by substituting “27 per cent” for “25 per cent”, and

(c) in paragraph (c) by substituting “30 per cent” for “28 per cent”.

(2) THAT, as respects any dividend paid or credited to a special share account or a special term share account (within the meaning of Chapter 5 of Part 8 of the Taxes Consolidation Act 1997), section 267B of the Taxes Consolidation Act 1997 be amended in respect of dividends paid or credited on or after 1 January 2011—

(a) in subsection (2)(b) by substituting “27 per cent” for “25 per cent”, and

(b) in subsection (3)(b) by substituting “27 per cent” for “25 per cent”.

(3) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

[Deputy Mary Harney.]

Financial Resolution No. 17: Life Assurance Policies and Investment Funds

(1) THAT section 730F(1) of the Taxes Consolidation Act 1997 (No. 39 of 1997), as respects the happening of a chargeable event in relation to a life policy (within the meaning of Chapter 5 of Part 26 of that Act) on or after 1 January 2011, be amended—

(a) in paragraph (a) by substituting “30 per cent” for “28 per cent”, and

(b) in paragraph (b) by substituting “(S+30) per cent” for “(S+28) per cent”.

(2) THAT Chapter 6 of Part 26 of the Taxes Consolidation Act 1997, as respects the receipt by any person of a payment in respect of a foreign life policy (within the meaning of Chapter 6 of that Part) or the disposal in whole or in part of a foreign life policy (within that meaning) on or after 1 January 2011, be amended—

(a) in section 730J (a)—

(i) in clause (I) of subparagraph (i) by substituting “27 per cent” for “25 per cent”,

(ii) in clause (II)(a) of subparagraph (i) by substituting “(S+30) per cent” for “(S+28) per cent”,

(iii) in clause (II)(b) of subparagraph (i) by substituting “30 per cent” for “28 per cent”, and

(iv) in clause (I) of subparagraph (ii) by substituting “(H+27) per cent” for

“(H+25) per cent”,

and

(b) in section 730K—

(i) in paragraph (a) of subsection (1) by substituting “(S+30) per cent” for “(S+28) per cent”, and

(ii) in paragraph (b) of subsection (1) by substituting “30 per cent” for “28 per cent”.

(3) THAT Chapter 1A of Part 27 of the Taxes Consolidation Act 1997, as respects -the happening of a chargeable event in relation to an investment undertaking (within the meaning of section 739B(1) of that Act) on or after 1 January 2011, be amended—

(a) in the formula in section 739D(5A) by substituting “(G x 30)” for “(G x 28)”, and

(b) in section 739E(1)—

(i) in paragraph (a) by substituting “27 per cent” for “25 per cent”,

(ii) in paragraph (b) by substituting “30 per cent” for “28 per cent”, and

(iii) in paragraph (ba) by substituting “(S+30) per cent” for “(S+28) per cent”.

(4) THAT Chapter 4 of Part 27 of the Taxes Consolidation Act 1997, as respects—

(a) the receipt by any person of a payment in respect of a material interest in an offshore fund (within the meaning of Chapter 4 of that Part), or

(b) the disposal in whole or in part of a material interest in an offshore fund (within that meaning),

on or after 1 January 2011, be amended—

(i) in section 747D—

(I) in paragraph (a)(i)(I)—

(a) in subclause (a) by substituting “(S+30) per cent” for “(S+28) per cent”, and

(b) in subclause (b) by substituting “27 per cent” for “25 per cent”,

(II) in paragraph (a)(i)(II)—

(a) in subclause (a) by substituting “(S+30) per cent” for “(S+28) per cent”, and

(b) in subclause (b) by substituting “30 per cent” for “28 per cent”,

and

(III) in paragraph (a)(ii)(I) by substituting “(H+27) per cent” for “(H+25) per cent”,

and

(ii) in section 747E(1)—

(I) in paragraph (b)(i) by substituting “(S+30) per cent” for “(S+28) per cent”, and

(II) in paragraph (b)(ii) by substituting “30 per cent” for “28 per cent”.

(5) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 18: Capital Acquisitions Tax

(1) THAT, as respects a gift or an inheritance taken on or after 8 December 2010, the definition of “group threshold” in paragraph 1 of Part 1 of Schedule 2 to the Capital Acquisitions Tax Consolidation Act 2003 (No. 1 of 2003) be amended ?

(a) in subparagraph (a) by substituting “€244,000” for “€304,775”,

(b) in subparagraph (b) by substituting “€24,400” for “€30,478”,

and

(c) in subparagraph (c) by substituting “€12,200” for “€15,239”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

These financial resolutions set out measures which build upon previous budget measures in broadening the tax base and forming part of a move away from taxes on labour and consumption to wealth and sources of wealth. Financial Resolution No. 15 provides for a major reform of the change to stamp duty on transactions of residential property. The change involves simplification of the system by lowering the rates of stamp duty and abolishing a number of exemp-

[Deputy Mary Harney.]

tions and reliefs. The stamp duty reforms, as announced by the Minister for Finance in the budget, have two aims — stimulation of the property market and commencing the necessary infrastructure for the commitment in the national recovery plan for a site valuation tax.

A new 1% rate is being introduced for all transactions of residential property valued up to €1 million. This represents a significant reduction from the current rate of 7% for amounts between €125,000 and €1 million. A new rate of 2% will apply to amounts above €1 million, replacing the current rate of 9% for these properties.

The changes in rates will act as an important stimulation to the property market by removing uncertainty and will have a positive knock-on effect on connected activities leading to increased revenue for the Exchequer. It will also significantly reduce the cost of house purchase for persons seeking to move home or purchase their first home. For example, the stamp duty on a property valued at €200,000 is €5,250 at the current rate and this will fall to €2,000, representing a saving of €3,250, or 62%. Similarly, a house valued at €300,000 will now be charged at €3,000 instead of €12,250.

In line with the base-broadening measures in this budget and to pay for the new rates, the Minister will abolish all existing reliefs and exemption stamp duty on residential property including first-time buyer's relief, relief from stamp duty on new houses under 125 sq. metres, reduced stamp duty on new houses over 125 sq. m, relief in respect of residential property transfer and exemption for residential property valued under €127,000.

In addition, he is abolishing the site to child relief from stamp duty, which is the relief applying to transfers of site from a parent to a child under an acre in size and below €500,000 in value for the purposes of building a house for occupation by the child.

Some house purchasers will now be liable to stamp duty and a small number purchasing second hand houses valued below €145,833 will have to pay more than previously. However, the recent fall in property prices means the overall cost in the transaction for purchasers is much lower than the majority of purchasers would pay.

The new rates will apply to property transfers on or after 8 December 2010. A transitional provision will be put in place to ensure anyone who has entered into a binding contract to purchase a residential property before 8 December and who executes the transfer of that property before 1 July next will not be disadvantaged. It should be noted that as a result of the changes, stamp duty will now be payable in all residential property transactions, and this information will be used to compile a database of house valuations which will underpin the development of the new site value tax announced in the national recovery plan. The finance Bill will contain details of this database, which will be established in advance of the site valuation tax.

Financial Resolution No. 16 amends section 256(1) of the Taxes Consolidation Act 1997 to give statutory effect to the new rates of DIRT applicable to deposits held in banks and other financial institutions. The changes in rates are as follows. The general 25% rate which applies to deposit interest, including deposit interest arising on special savings and special terms accounts, will be increased by two percentage points to 27%. In addition, the 28% rate is also being increased by two percentage points to 30%, and this rate applies to interest not payable annually or at more frequent intervals, or where the interest cannot be calculated until maturity of the investment. This includes investments such as tracker bonds, where the amount of interest payable depends on the changes in the financial or other index over a number of years. The resolution also amends section 267B of the Taxes Consolidation Act.

The measures relating to DIRT in this budget build upon measures undertaken in earlier budgets by the Minister. The rate increased from 20% to 23% in the 2009 budget and from

23% to 25% in 2009 supplementary budget. These changes form part of a remove from taxes on labour and consumption, as I stated earlier. In overall terms, the combined projected additional yield from the budget DIRT exit tax changes is estimated to be €22.5 million in 2011 and €30 million in the full year.

Financial Resolution No. 17 gives statutory effect to the budget announcement that the rate of tax applying to life assurance policies and investment funds is being increased with effect from 1 January. This amendment applies to the rates of exit taxes on domestic life assurance policies and investment undertakings under the gross roll-up regime introduced in the Finance Act 2000. It also increases the rates of taxes which apply to profits and gains on life assurance policies and investment funds in other EU member states, EEA states and OECD countries with which Ireland has double tax agreements.

Under gross roll-up investments, investments may accumulate without the imposition of a tax. However, an exit tax applies when a chargeable event occurs, such as the receipt of payments from or the disposal of investments in the life policy or fund, or the ending of each eight-year period following the acquisition of the policy or the units in the fund. There are varying rates of tax in these investments, depending on the frequency of payments to the investor, and additionally in the case of the foreign investments, on whether the income or gains are correctly included in the investor's tax return.

An Leas-Cheann Comhairle: There are many speakers looking to contribute to the section.

Deputy Mary Harney: Financial Resolution No. 18 relates to capital acquisitions tax. This modifies group (a), (b) and (c) tax-free thresholds by 20%. These group thresholds depend on the relationship of the person making the gift or inheritance to the beneficiary of that gift or inheritance. The current thresholds are €414,799 for group A, and this will be reduced to €332,084; group B is reduced from €41,481 to €32,108; and group C moves from €15,239 to €16,604.

An Leas-Cheann Comhairle: I ask Deputies to be as brief as possible.

Deputy John O'Donoghue: I very much welcome the Government's decision to introduce the new flat rates of 1% and 2% for stamp duty, as it is a progressive move. Unfortunately, over the years successive Governments began to recognise stamp duty as a revenue gathering exercise but historically it was never meant to be so; it was originally introduced in order to keep a record of the housing stock and sale and purchase of same. As the years rolled on it became a tax-collection exercise. The fact that there were different percentages for different valuations illustrated beyond any doubt that what I am saying was the intention.

As the property market expanded, the return from this tax, as it became, increased. As the volatility of the market surged, the amount of tax yielded from stamp duty increased in parallel. It gave a false impression and heralded false dawns, and the fact that it was meant in the first analysis to be a register of properties as opposed to a revenue gathering exercise was forgotten, and to be truthful, it became a convenient and subtle way — if I might use the term — to collect funds from citizens. Naturally, there was a tendency by all Governments not to upset the apple cart and it was never upset to any great extent until today.

The new provision will create a great deal of certainty in how to proceed in future on valuations and allow us to understand, perhaps for the first time in many decades, precisely how we stand regarding the value of property in this country. It will also provide us with a valuation base for property.

[Deputy John O'Donoghue.]

I am not given to the overestimation of officials in the Department of Finance, no more than I am given to underestimating the proficiency of the Department, nor would I for one moment accuse them of subterfuge because I know them to be very honest and decent civil servants. However, I am slightly concerned about the statement to the effect that today's provision helps us to form a valuation base. I hope that in future this will not be a valuation base or springboard to a property tax.

Deputy Pat Rabbitte: I do not disagree with the history provided by Deputy O'Donoghue on stamp duty and how it came to play such a significant role in the property transactions which took place here over the past 15 years in particular. It is not quite true to say nobody upset the apple cart as I remember a former colleague of the Minister for Health and Children famously announcing that his party had decided to abolish stamp duty. The quote is indelibly framed in my mind as he said we "did not need the money". How things have changed, as we need it now.

The only question which arises is how fair is this provision. Is this preparatory to the introduction of a property tax? Is this an interim measure or is this likely to be a permanent feature of the landscape? I ask the Minister to address that issue.

The current exemptions, which it is proposed to abolish, are not entirely to be sneezed at. The reliefs and exemptions which applied for property below a certain valuation and, in the case of first-time buyers, to houses below a certain square footage are not inconsequential. I ask the Minister to address that issue.

On the issue of DIRT, I am not sure I understand the difference between the two DIRT rates. What is a long-term DIRT account as distinct from an ordinary DIRT account? Are the former savings accounts which mature after three or five years and to which the higher DIRT rate applies? In the circumstances in which we find ourselves we cannot very much disagree with the measure.

The subsequent resolutions in respect of tackling the increase in the rate of life assurance exit tax and reducing the thresholds for capital acquisitions tax are not designed to yield a great deal of income and the Labour Party does not take particular exception to them.

The debate should focus on stamp duty. Is it envisaged that the proposed changes will be permanent? I ask the Minister to respond on the exclusion of current exemptions and indicate how the changes will knit into the finance Bill in terms of the property tax about which the Government gave a commitment to Ajai when he was here. Will Mr. Chopra be on the telephone to find out how this tax is to be implemented if we depart from it in any way?

Deputy Enda Kenny: He may not get through.

Deputy Brian Hayes: The accompanying documentation provided indicates that revenue from stamp duty in 2011 is expected to be €36 million over the full year. On how many transactions is this estimate based? I am not aware of many transactions being completed last year. Certainly the difference between the projected figure and the many billions of euro collected in stamp duty in the past ten years is significant.

I concur with Deputy O'Donoghue that the introduction of levies of 1% on all transactions up to €1 million and 2% on all transactions of more than €1 million will bring some element of certainty to the stamp duty regime. I suspect, however, that there are few houses in my constituency or that of the Minister which will sell for more than €1 million.

The debate on the stamp duty measure ignores one group which is about to be clobbered again. I refer to those who are caught in negative equity. Let us consider the case of a couple who bought their home for €400,000 or €500,000 at the height of the boom and paid the guts of €50,000 to the State by way of stamp duty. The value of their asset will have reduced by 40% or 50% and may be worth €300,000. If they are fortunate enough to be able to afford to sell their home, they will be hit a second time. Changes in the stamp duty regime and measures elsewhere in the budget do not do anything for those, including many of our constituents who are caught in negative equity.

Not once in his Budget Statement did the Minister for Finance refer to those caught up in this position. Notwithstanding that the measures will move us towards a better stamp duty system, one group is trapped in a nightmare. They were hit by the initial stamp duty they paid to the State, hit a second time by a substantial fall in the value of their asset and will be hit a third time if they are lucky enough to sell their house.

Deputy Arthur Morgan: Some of the proposed changes, especially the measures on stamp duty, are somewhat academic because I do not envisage they will deliver a substantial increase in revenue to the Exchequer. People cannot secure loans to purchase a second-hand car, much less obtain substantial mortgages to purchase homes. I used the qualification “somewhat” when I described the changes as academic because the second element of this measure is that it will function as an intelligence gathering exercise. I concur with Deputy O’Donoghue that the proposal lays a foundation for a property tax as it will provide some indication of house values. It is typical of the Government to seek to introduce a property tax rather than a wealth tax. Taxing people who can barely pay their mortgages or in some cases cannot pay them is hardly a correct or wise approach.

I welcome the proposal to increase DIRT tax from 25% to 27%, although I would have preferred the rate to increase to 30%. Such a measure could be a little unfair but it would encourage people to utilise their money by investing it or putting it to uses other than allowing it to lie idle in banks. To that extent, the 2% increase in DIRT tax is useful.

Deputy Seán Ardagh: I support the reduction in the stamp duty rates to 1% and 2% and hope the measure will boost the housing market. The banks must come up to the mark following this measure because people who are seeking loans and are capable of repaying them are being stymied by banks’ refusing to lend to them.

While I acknowledge Deputy Rabbitte’s point regarding the abolition of exemptions for first-time buyers and purchases of houses with certain floor areas and so forth, all taxes should be made as simple as possible. In this respect, the introduction of a 1% rate of stamp duty for properties sold for less than €1 million and a 2% rate for properties sold for in excess of €1 million is the correct approach.

Deputy Noonan suggested that the National Asset Management Agency should dump a couple of billion euro worth of housing on the market to achieve floor prices. I agree with the thinking behind the Deputy’s proposal, albeit not the process. Recently, a number of housing estates were placed on the market by receivers or liquidators at low prices. NAMA and the banks should exert pressure to accelerate the process in respect of companies that are in dire trouble from which they will not be able to emerge. A housing bank should be placed on the market to create a floor in prices.

I concur with Deputy Morgan on the changes to DIRT tax. An increase of 2% in the rate is reasonable because a substantial amount of the money held in savings should be invested in businesses to create employment.

An Leas-Cheann Comhairle: I call Deputy Ciarán Lynch and ask him to be brief.

Deputy Ciarán Lynch: I would like to speak for as long as previous speakers.

An Leas-Cheann Comhairle: As only ten minutes are available, I would like to leave some time for the Minister to respond.

Deputy Ciarán Lynch: We are witnessing a deathbed conversion by the Government on the question of tax versus property reliefs and a belated admission that the latter are unsustainable. The exemption threshold for stamp duty is set at €127,000, a modest price to pay for a house even in today's deflated market. Why was consideration not given to introducing a baseline threshold of 1% on house purchases? A threshold creates circumstances in which people become fearful of exceeding the sum in question and inhibits prices from exceeding a certain level.

I would like to hear what consideration was given to introducing a 1% tax on the first euro spent on the purchase of a house.

Another issue mentioned by Deputy Hayes and other speakers was negative equity which, according to figures, will generate an estimated income of €36 million next year. I am not sure how that figure was arrived at given that the market is not active in any way and when there are people in negative equity the chances of second-hand home sales taking place next year will be very low. A particular concern is repossession whereby a person's home is sold against his or her will. Will the 1% tax apply? Will the person be taken to the High Court, have the home repossessed and when banking and legal fees are cleared remain in negative equity after the sale with a tax to pay as an additional penalty?

The language used by the Minister today is very worrying. He spoke about stimulating the property market. This was the type of language that got us into the difficulty in the first instance. The situation was that investment property was favoured over residential home occupation. I am very concerned to hear this sort of language being reintroduced.

10 o'clock What we need to see in the housing market is normalisation whereby residential ownership is preferred over investment development. Key to that, although it seemed to be secondary in the Minister's presentation, is the issue of a house price register data base. That appears to be an aside to the taxation model after which, when the taxation measures are put in place, we will consider having a house price register data base. We should have heard about such a data base tonight because it is a key issue and an immediate priority. It would provide the sort of normalisation that would bring back confidence to the housing market.

Deputy Joanna Tuffy: When the Government tinkered with stamp duty before the predicted consequences did not happen. What was said would happen did not transpire; very often the opposite effect was seen in the property market.

We are being given very little information as to the reasoning of the Government in this respect and it would have been much more helpful, for example, had we been given a table with the old stamp duty rates being compared to the proposed rates. I note, for example, that, on page 33, 2% is substituted for 9%. Will the Minister clarify what the 9% figure comprised? Why is 2% being substituted? I have a vague idea what may be the reason but perhaps the Minister will clarify. The point needs to be made that whatever were the wrongs of the previous stamp duty regime, it did not cause the property bubble. The fact that we were getting so much money from stamp duty may have made the Exchequer too reliant on the property bubble but stamp duty of itself did not cause the bubble. One point about the old regime was that people

were differentiated. First-time buyers were differentiated from investors. That seems to have gone now and everybody is to be treated the same way. We may want to get the property market moving again but we do not want to encourage and help vulture investors to come here and buy property on the cheap. Will the Minister explain what the 9% charge was so that we may be sure about what we are doing?

Deputy Noel Ahern: I welcome the change. I understand the point some Members are making. They regret that first-time buyers will not get the benefits they previously did. Traditionally, we always tried to stand up for and support the first-time buyer but, to be fair, such buyers are no longer the most needy group.

Deputy Joanna Tuffy: Are investors the needy group?

Deputy Noel Ahern: If such buyers can get a loan, they do rather well. The group people want to help now are those who bought houses or, in particular, apartments, some years ago and now want to trade up and buy a family home but are in negative equity. We probably cannot do anything very positive for them but at least we are now asking them to pay only 1% if they trade up with their negative equity rather than whatever the rate was — 5%, 7%, 9%, or whatever. This measure goes some way towards rectifying the situation for the group which is most needy at present.

Deputy Mary Harney: The Commission on Taxation recommended that we substantially lower the rate of stamp duty but broaden its base and the Minister clearly took that on board in his budgetary decision to make the rate 1% or 2%. I am trying to remember what the previous higher rate applied to; I believe it was €655,000. The first €125,000 had a zero rate, the next €875,000 was at 7% and for a price higher than that the rate was 9%. As I understand it, when one went over that price one paid 9% on everything. I remember during the last election, which seems such a long time ago, my colleague suggested that instead of jumping from 7% to 9% and paying 9% on everything that the rate be tiered. The situation may have changed even since then. At the time we were running enormous surpluses, as everybody knows.

The idea now is that everybody will pay something, either 1% or 2%, which is reasonable. In order to broaden the base there are to be no exemptions, including for new houses or lower-priced second-hand houses. It is not a prerequisite for a property tax but will provide key information and a data base in regard to site and property values which we have not had before. I have no doubt that such a database will be important in informing all of us about the upcoming site valuation tax which is mentioned in the four year plan.

Deputy Rabbitte raised the issue of DIRT. As I understand it, there are differences in products sold by insurance or investment holding companies, such as collective investment undertakings where interest is not paid on an annual or fixed basis but is rolled up and paid infrequently or on the maturity of the investment. When I asked if the 30% rate equates with the 28% rate on deposits and savings accounts where interest is paid frequently I was advised it is not scientific but is as close as possible to equating the two situations, as between—

Deputy Pat Rabbitte: I also intended to ask the Minister about age exemptions.

Deputy Mary Harney: We dealt with that before. They are being reduced by 10% and 25%, namely, 10% on credits and 25% otherwise. The same reduction of 25% applies to DIRT.

An Leas-Cheann Comhairle: Does Deputy Rabbitte wish to speak again?

Deputy Pat Rabbitte: I ask specifically about DIRT and about people who are retired or on pension, who have a nest egg or whatever. They saw the tax gradually rising from 20% in recent years to virtually 30% in some cases. I ask the Minister to clarify at what age exemptions will apply after this measure is implemented.

Deputy Brian Hayes: I have a brief supplementary question. There was a reference in the Minister's speech to a new discounted tenant household purchase scheme in which an additional discount would be given to tenants who wished to purchase their local authority home. Will the new stamp duty regulations apply in that case, given that the transactions are less €1 million?

Deputy Mary Harney: I will have to take advice on that because I understand the officials, too, must reflect on it.

Deputy Ciarán Lynch: Perhaps I may be of assistance to the House. The Minister proposes that the current tenancy purchase programme, at 3% for a maximum of ten years, will now be extended to 15 years, giving a 45% reduction in the purchase price of the local authority house. Two years ago during discussion on the Housing (Miscellaneous Provisions) Bill we proposed this to the Minister but he did not accept it at the time. If a person purchases a property from a local authority through a tenant purchase programme, will stamp duty apply?

Deputy John O'Donoghue: It is the €1 million question.

Deputy Mary Harney: Off the top of my head, if we are talking about everybody being equal, I would imagine it does, once one takes off the discount on the amount one actually pays. The officials will clarify that for me.

With regard to the exemption from DIRT, the annual exemption limit is currently €20,000 in the case of a single person and €40,000 in the case of a married couple. That has now been reduced to €18,000 and €36,000 respectively.

An Leas-Cheann Comhairle: As it is now 10.10 p.m. I am required to put the question in accordance with the Order of the Dáil of this day.

Question, "That Financial Resolutions Nos. 15 to 18, inclusive, be agreed to", put and declared carried.

Minister for Defence (Deputy Tony Killeen): I move the following financial resolutions:

Financial Resolution No. 19: Corporation Tax

(1) THAT Schedule 24 to the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended in paragraph 4 by adding the following after subparagraph (5)—

“(6) (a) The provisions of subparagraph (5), in relation to the allocation of deductions, shall not apply to relevant trading charges on income.

(b) For the purposes of clause (a) ‘relevant trading charges on income’ has the same meaning as in section 243A.”.

(2) THAT this Resolution shall have effect—

(a) for an accounting period of a company for which the return under section 951 of the Taxes Consolidation Act 1997 for the purposes of corporation tax is made by the company on or after 7 December 2010, and

(b) for any other accounting period, in relation to any claim to repayment of, or reduction of liability to, corporation tax for that accounting period where such claim is made on or after 7 December 2010.

(3) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 20: Income Tax and Corporation Tax

(1) THAT section 372AP of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended with effect as on and from 7 December 2010—

(a) in subsection (1), in the definition of “relevant period”—

(i) in paragraph (b)(ii) by substituting “after the date of such completion,” for “after the date of such completion;”, and

(ii) by inserting the following after paragraph (b)(ii):

“but in relation to a premises which is not a qualifying premises or a special qualifying premises on 30 June 2011 solely by virtue of not being let on that day under a qualifying lease, the relevant period shall begin on that day and this Chapter shall apply accordingly;”,

(b) in subsection (2) by substituting “Subject to subsections (3), (4), (5), (8A), (8B) and (8C),” for “Subject to subsections (3), (4) and (5),”,

(c) in subsection (3) by inserting the following after paragraph (b):

“(c) For the purposes of paragraph (a) and notwithstanding paragraph (b), no deduction shall be given under subsection (2)(a) for any chargeable period which begins after the chargeable period in which the relevant period ends.”,

(d) in subsection (8) by inserting the following after paragraph (b):

“(c) Notwithstanding any other provision of this section, paragraph (a) shall not apply where the event mentioned in subsection (7)(b) occurs on or after 1 January 2011.”,

and

(e) by inserting the following after subsection (8):

“(8A) Where the relevant period in relation to any qualifying premises or any special qualifying premises ends in any chargeable period ending—

(a) before 1 January 2011, or

(b) at any other time,

[Deputy Tony Killeen.]

then section 384 shall not apply to the amount of any excess (within the meaning of section 384(2)) in respect of eligible expenditure on that premises which is carried forward from that chargeable period ”

(i) where paragraph (a) applies, to the chargeable period ending in 2011 and each subsequent chargeable period, and

(ii) where paragraph (b) applies, to the next subsequent chargeable period and each subsequent chargeable period.

(8B) (a) Where, by virtue of subsection (2), any eligible expenditure to which this section applies falls to be taken into account for any chargeable period ending on or after 1 January 2011 in computing, under section 97(1), a deficiency in respect of any rent from a qualifying premises or a special qualifying premises, then, notwithstanding subsection (2), only so much of that eligible expenditure as does not exceed the amount of that rent shall be so taken into account and paragraph (b) is to apply as respects each subsequent chargeable period to any excess of that eligible expenditure over the amount of that rent (referred to in this subsection as ‘excess expenditure’).

(b) Where, as respects each chargeable period to which paragraph (a) applies, there is an amount of excess expenditure, that amount shall be treated, for the purposes of subsection (2) and this subsection, as if it were eligible expenditure to which this section applies which, by virtue of subsection (2), falls to be taken into account for the next succeeding chargeable period in computing under section 97(1) a surplus or deficiency in respect of any rent from the qualifying premises or the special qualifying premises.

(8C) For the purposes of subsections (8A) and (8B), section 485C(3)(ab) and paragraph 4 of Schedule 25C shall apply in determining the amount of any relief, to which this Chapter applies, to be carried forward from any chargeable period to each subsequent chargeable period.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

**Financial Resolution No. 21: Income Tax and Corporation Tax — Property Incentives
(Capital Allowances)**

(1) THAT in this Resolution—

“active partner” has the same meaning as in section 409A of the Principal Act;

“active trader” has the same meaning as in section 409D of the Principal Act;

“area-based capital allowance” has the meaning assigned to it by paragraph (5) of this Resolution;

“balancing allowance” means any allowance made under section 274 of the Principal Act;

“capital allowance” means any allowance or part of any allowance specified in paragraph (2) or (5) of this Resolution;

“chargeable period” has the same meaning as in section 321 of the Principal Act and a reference to a chargeable period or its basis period shall be construed in accordance with section 321(2) of that Act;

“Principal Act” means the Taxes Consolidation Act 1997 (No. 39 of 1997);

“relevant interest” has the same meaning as in section 269 of the Principal Act;

“residue of expenditure” shall be construed in accordance with section 277 of the Principal Act;

“specified capital allowance” has the meaning assigned to it by paragraph (2) of this Resolution;

“specified relief” has the same meaning as in section 485C of the Principal Act;

“Tax Acts” has the same meaning as in section 1 of the Principal Act;

“tax year” means a year of assessment within the meaning of the Tax Acts;

“writing down allowance” means any allowance made under section 272 of the Principal Act.

(2) THAT in this Resolution “specified capital allowance” means—

(a) any writing down allowance made under section 272 of the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act,

(b) any writing down allowance made under section 272 of the Principal Act and increased under section 273 of that Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act, and

(c) any balancing allowance made under section 274 of the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act, or

(d) any allowance made under Chapter 1 of Part 9 of the Principal Act as that Chapter is applied by section 372AX, 372AY, 843 or 843A of the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act,

that is a specified relief.

(3) THAT, notwithstanding any other provision of the Tax Acts, as respects the tax year 2011 and each subsequent tax year, the amount in relation to a building or structure of any specified capital allowance that is carried forward in accordance with either section 304 or

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305 of the Principal Act to the tax year 2011 or any subsequent tax year, being a tax year that is—

(a) 7 years after the year in respect of which such a capital allowance was first made in relation to the building or structure, in a case where the first such allowance was made at a rate equal to 15 per cent, or

(b) 10 years after the year in respect of which such a capital allowance was first made in relation to the building or structure, in a case where the first such allowance was made at a rate equal to 10 per cent,

shall, subject to paragraph (9) of this Resolution, be zero for all the purposes of the Tax Acts.

(4) THAT, notwithstanding any other provision of the Tax Acts, the amount in relation to a building or structure of any specified capital allowance that—

(a) is available to be carried forward, in accordance with section 308(3) of the Principal Act, to an accounting period beginning on or after 7 December 2010, or

(b) may be set, in accordance with section 308(4) of the Principal Act, against the profits of an accounting period preceding any accounting period beginning on or after 7 December 2010,

being an accounting period that begins—

(i) 7 years after the year in respect of which a capital allowance was first made in relation to the building or structure, in a case where the first such allowance was made at a rate equal to 15 per cent, or

(ii) 10 years after the year in respect of which a capital allowance was first made in relation to that building or structure, in a case where the allowance was made at a rate equal to 10 per cent,

shall be zero for all the purposes of the Tax Acts.

(5) THAT in this Resolution “area-based capital allowance” means—

(a) any allowance made under Chapter 1 of Part 9 of the Principal Act as that Chapter is applied by section 323, 331, 332, 341, 342, 343, 344, 352, 353, 372C, 372D, 372M, 372N, 372V, 372W, 372AC or 372AD of the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act, or

(b) any allowance made under Chapter 1 of Part 9 of the Principal Act as that Chapter is applied by virtue of paragraph 11 of Schedule 32 to the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act.

(6) THAT, as respects any chargeable period beginning on or after 7 December 2010 and notwithstanding any other provision of the Tax Acts—

(a) the amount of any area-based capital allowance, other than such an allowance made under section 274, for a chargeable period (in this paragraph referred to as the “first-mentioned chargeable period”) to be made in relation to a building or structure shall, instead of being determined in accordance with the provisions of the Tax Acts as they applied immediately before the passing of this Resolution and subject to subparagraph (c), be an amount determined in accordance with subparagraph (b),

(b) the amount referred to in subparagraph (a) is an amount given by the formula—

$$A \times \frac{1}{B}$$

where—

A is the residue of expenditure calculated as if the relevant interest in the building or structure had been sold on the last day of the chargeable period or its basis period that immediately preceded the first-mentioned chargeable period, and

B is the number of years or accounting periods, as the case may be, remaining in the period of 7 years beginning with the year or accounting period in which a capital allowance was first made in relation to that building or structure,

(c) the amount of any area-based capital allowance to be made in relation to a building or structure, including any allowance made in accordance with paragraph (a), shall, for all the purposes of the Tax Acts, be reduced, subject to paragraph (9) of this Resolution, to an amount that is equal to 80% of what that allowance would otherwise be if this subparagraph did not have effect, and

(d) where subparagraph (c) applies in respect of any capital allowance it shall not apply again as respects that allowance or any part of that allowance that is carried forward in accordance with section 303, 304 or 308, as the case may be, of the Principal Act to any other chargeable period that falls into the remaining period referred to in the meaning of “B” in subparagraph (b).

(7) THAT, notwithstanding any other provisions of the Tax Acts, as respects the tax year 2011 and each subsequent year—

(a) the amount of any area-based capital allowance to be made in relation to a building or structure, and

(b) the amount of any area-based capital allowance in relation to a building or structure to be carried forward in accordance with either section 304 or 305 of the Principal Act as those provisions are applied or modified by any other provision of the Tax Acts,

shall, subject to paragraph (9) of this Resolution, be zero for all the purposes of the Tax Acts where the allowance is made for, or carried forward to, a tax year that is 7 years after the tax year in respect of which a capital allowance was first made in relation to that building or structure.

(8) THAT, notwithstanding any other provision of the Tax Acts—

(a) the amount of any area-based capital allowance to be made in relation to a building or structure,

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(b) the amount of any such allowance that is available to be carried forward in accordance with section 308(3) of the Principal Act to an accounting period beginning on or after 7 December 2010, or

(c) the amount of any such allowance that may be set, in accordance with section 308(4) of the Principal Act, against the profits of an accounting period preceding any accounting period to which subparagraph (a) applies,

shall be zero for all the purposes of the Tax Acts where the allowance is made for, or carried forward to, an accounting period that is 7 years after the accounting period in respect of which a capital allowance was first made in relation to that building or structure or is available for setting against the profits of a preceding accounting period that is 6 years after the accounting period in respect of which a capital allowance was first made in relation to that building or structure .

(9) THAT—

(a) paragraphs (3), (6) and (7) of this Resolution shall not apply to an individual where any specified capital allowance or area based capital allowance is made in taxing a trade in relation to which trade the individual is an active partner or an active trader, and

(b) paragraph (6) of this Resolution shall not apply to a company where any specified capital allowance or area-based capital allowance is made in taxing that company's trade.

(10) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act (No. 7 of 1927).

**Financial Resolution No. 22: Income Tax and Corporation Tax — Property Incentives
(Restriction of Capital Allowances)**

(1) THAT in this Resolution—

“active partner” has the same meaning as in section 409B of the Principal Act;

“active trader” has the same meaning as in section 409D of the Principal Act;

“balancing allowance” means any allowance made under section 274 of the Principal Act;

“capital allowance” means any allowance or part of any allowance, to which paragraph (2) of this Resolution applies;

“chargeable period” has the same meaning as in section 321 of the Principal Act and a reference to a chargeable period or its basis period shall be construed in accordance with section 321(2) of that Act;

“Principal Act” means the Taxes Consolidation Act 1997 (No. 39 of 1997);

“specified amount of rent”, in relation to a building or structure and a person for a chargeable period, means the amount of the surplus in respect of the rent from the building or structure to which the person becomes entitled for the chargeable period, as computed in accordance with section 97(1);

“Tax Acts” has the same meaning as in section 1 of the Principal Act;

“writing down allowance” means any allowance made under section 272 of the Principal Act and includes any such allowance as increased under section 273 of the Principal Act; “year of assessment” has the same meaning as in section 3 of the Principal Act.

(2) THAT this paragraph applies to —

(a) any writing down allowance made for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act,

(b) any balancing allowance made for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act, and

(c) any allowance made under Chapter 1 of Part 9 of the Principal Act as that Chapter is applied by section 323, 331, 332, 341, 342, 343, 344, 352, 353, 372C, 372D, 372M, 372N, 372V, 372W, 372AC, 372AD, 372AX, 372AY, 843 or 843A of the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act, and

(d) any allowance made under Chapter 1 of Part 9 of the Principal Act as that Chapter is applied by virtue of paragraph 11 of Schedule 32 to the Principal Act for a chargeable period, including any such allowance or part of such allowance made for a previous chargeable period and carried forward from that previous chargeable period in accordance with Part 9 of the Principal Act,

that is a specified relief.

(3) THAT, notwithstanding any other provision of the Tax Acts, as respects the year of assessment 2011 and each subsequent year of assessment where, in the case of an individual who carries on a trade, including a trade carried on by 2 or more individuals in partnership, otherwise than as an active trader or an active partner, a capital allowance, in relation to a building or structure, is made to the individual either in taxing that trade or by means of discharge or repayment of tax to which the individual is entitled by reason of the individual carrying on the trade concerned then,—

(a) the capital allowance shall be made to the individual only in computing the income or profits from the trade concerned, and

(b) the capital allowance shall not be made in computing any other income or profits or in taxing any other trade or in charging any other income to tax.

(4) THAT, notwithstanding any other provision of the Tax Acts, as respects any chargeable period commencing on or after 7 December 2010, in computing the amount of profits or gains for the purposes of Case V of Schedule D—

(a) any capital allowance in respect of a building or structure to be made to a person shall —

(i) not exceed the specified amount of rent from the building or structure for that chargeable period,

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(ii) be made in charging the specified amount of rent under Case V of Schedule D for that chargeable period, and (iii) be available in charging the specified amount of rent,

(b) section 278 of the Principal Act shall apply with any modifications necessary to give effect to subparagraph (a), and

(c) section 305(1)(c) shall apply in relation to a capital allowance to be made in accordance with subparagraph (a).

(5) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 23: Income Tax — Artists' Exemption

(1) THAT section 195(3) of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended as respects the year of assessment 2011 and each subsequent year of assessment:

(a) in paragraph (a), by substituting “subject to paragraphs (aa) and (b)” for “subject to paragraph (b)”, and

(b) by inserting the following after paragraph (a):

“(aa) The amount of the profits or gains which shall be disregarded for the purposes of the Income Tax Acts by virtue of paragraph (a) shall not exceed €40,000 for a year of assessment .”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act (No. 7 of 1927).

I wish to deal with Financial Resolutions Nos. 19 to 23, inclusive. Financial Resolution No. 19 deals with the treatment of relevant trading charges on income and the compensation of the relief due in respect of foreign tax paid by a company on its foreign income. In general, relevant trading charges on income are paid on royalties paid in the course of a trade. Schedule 24 of the Taxes Consolidation Act 1997 sets out how the amount of such relief is computed.

Paragraph 4(5) of that Schedule 24 permits a company to allocate certain charges on income as it thinks fit for this purpose. It has been generally accepted that paragraph 4(5) does not permit a company to allocate relevant trading charges on the income in this matter. This financial resolution puts the position beyond doubt. The resolution will be effective as from today. It will apply to, first, all returns for corporation tax, second, all claims to repayment of corporation tax and, third, all claims to reduction of liability to corporation tax made to the Revenue Commissioners from today.

Financial Resolutions Nos. 20 to 22, inclusive, deal with the restriction and the phased abolition of property based legacy reliefs related to section 23 type reliefs on capital allowances. In the period since budget 2006, virtually all the area based and property tax incentive schemes have been terminated. Subject to transitional arrangements on projects already in the pipeline, all of the urban renewal, town renewal, rural renewal, accelerated capital allowances for hotels, capital allowances for holiday cottages, student accommodation, multistorey car parks, third

level educational buildings, sports injury clinics, park and ride facilities and general rental refurbishment schemes have by now come to an end. In addition, most of the remaining property reliefs in the health and child care areas have been abolished, with similar transitional arrangements.

Different variations of these schemes have been in existence in one shape or another since the early 1980s and even though the schemes have, by and large, ended, there is still an ongoing legacy cost to the Exchequer as the various tax reliefs which were originally given are gradually being used up by the investors. The Government has clearly stated in the national recovery plan that in current circumstances it is no longer acceptable that measures abolished as far back as 2006 should continue to cost almost €400 million per annum. We have committed to the phased abolition of these legacy reliefs over the period of the plan.

The restriction of reliefs measure which was introduced in 2007 and further enhanced in 2010 has already curtailed the ability of individuals to utilise these reliefs, thereby spreading the cost over a much longer period. Although the annual Exchequer cost of these schemes is expected to decline in future years anyway, the way in which the reliefs are claimed against taxable income means it may take considerable time before the tax system is finally clear of them. In the context of the national recovery plan, the Government has decided to take steps to curtail this legacy cost over a much shorter and definite time period. These steps are provided for in Financial Resolutions Nos. 20 to 22, inclusive, which will commence with immediate effect.

There are two broad categories of tax relief which are addressed in these measures and they apply equally to companies and to individuals. These are tax relief for residential rental accommodation, commonly known as section 23 type relief, and accelerated capital allowances in regard to the provision of a wider variety of buildings and structures. These allowances can be made over seven, ten and greater than ten year periods, depending on the circumstances. The third category of residential relief which applies to owner occupiers is unaffected by these current measures. There is a natural end date to this form of relief in any case.

Under the heading of section 23 type relief, the following changes are being introduced with immediate effect. The current rules require that to avail of the relief the property must be let under a qualifying lease for the first ten years. From 1 January 2011 any relief which is not used in the ten year period will be automatically lost. Properties which have already passed the ten year deadline will not be allowed to carry unused relief forward in 2011 while all other properties will lose it once the ten year deadline has been reached.

Until now, section 23 type relief can be set against all rental income of that person. From 1 January 2011 the use of the relief will in all cases be restricted solely to rental income from the section 23 property itself. Currently, when a person sells a section 23 property within the ten year period, any relief already given to him or her is clawed back and given to the new owner, who only has to hold the property for the balance of the period. From 1 January 2011 the claw-back will continue to apply but the new owner will get none of the relief.

Finally, for section 23 properties which remain unsold as of 30 June 2011, the ten year period will begin on that day. If such a property is not sold for a further two years, for example, there will only be a further eight years in which to claim the relief. In effect, this new measure will ensure that all section 23 type relief will end by 30 June 2021.

Under the heading of capital allowances there are two discrete but interlinked classes of changes which are being introduced in these financial resolutions. The first change will narrow the range of incomes to which the allowances can apply while the second change will curtail the ability of the person to carry forward unused allowances beyond certain deadlines. All of

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these measures apply with effect from today. The measures will only apply to capital allowances arising under the various incentive schemes to which I referred earlier and only to persons who are passive investors in the relevant businesses. By that, I mean those who are not actively engaged in the conduct of the respective businesses. These prescriptions are already well understood and are already provided for in a related context in tax law.

With immediate effect, where any individual becomes entitled to capital allowances in respect of a building or structure for use in a trade, those allowances may only be set against the income of that trade. The allowances can no longer be used against income from another trade or against any other form of income. This restriction will apply to allowances arising in any particular year as well as those carried forward from a previous year.

Where a person has let a building or structure and is receiving rental income from it, capital allowances may only be set against the rental income from the building or structure itself. This restriction is analogous to one restricting the use of section 23 type relief. Currently, the rate at which normal capital allowances for industrial buildings is given is 4% per annum over 25 years. Under the various property and area based tax incentive schemes, this period can be shortened to seven or ten years, and in some cases to periods greater than ten years but less than 25 years. Obviously, the annual rate of allowances is higher when the period is shorter, and these are commonly known as accelerated capital allowances.

The changes which are being introduced will apply with effect from today and are as follows. For the seven and ten year schemes, any unused capital allowances carried forward beyond the seven or ten year end dates will be lost. This will apply both to circumstances where the end date has yet to be reached and those where the date is already passed. In the latter case, the carried forward amount will be lost immediately. Where the capital allowance is given over a period greater than ten years, this period is now being revised downwards to seven years from the year it was first claimed. The consequences of this are that, in circumstances where this seven year period has already elapsed, any capital allowances which have yet to be given, as well as those carried forward in the current year, will be lost. Where the seven year period has not elapsed, the aggregate of capital allowances not yet given by that time will be reduced by 20% and given over the balance of the seven year period. In all cases, any capital allowances carried forward beyond the seven-year period will be lost.

The reason for introducing the amount of future capital allowances by 20% in these circumstances is to take account of the fact that these allowances are now being made available faster than would otherwise have been the case. In fact, these types of schemes tended to frontload the allowances, typically with 50% of the total allowance being made available in the first year. The impact of the 20% reduction in these circumstances is modest.

A guillotine will be introduced to terminate all unclaimed and unused capital allowances arising after or carried forward from 2014 as well as unused section 23 relief carried forward from 2014. An impact assessment will be undertaken of the effects of the phased abolition of the property based measures and the guillotine provision.

In conclusion, I accept these are radical changes to the terms of these property schemes. However, the current economic circumstances demand that these radical steps be taken now rather than later. I am confident that, over the course of the national recovery plan, the Exchequer impact of the legacy of these area based and property tax incentive schemes will have been significantly reduced by this series of measures. On that basis, I commend these financial resolutions to the House.

Financial Resolution No. 23 amends section 195 of the Taxes Consolidation Act 1997 in regard to the income tax exemption which currently applies to the earnings of artists. The effect of the resolution will be to limit for the tax year 2011 and subsequent tax years the amount of the exempt income to €40,000 per claimant per annum. In section 195 there is currently no limit on the amount which can be claimed per annum, although the high earners restriction introduced in 2007 and extended in 2010 may limit the amount of an artist exemption in cases where gross income reaches €125,000. Over a full tax year, this measure is expected to produce a saving of approximately €14 million.

Deputy Brian Hayes: With regard to Financial Resolutions Nos. 20 to 22, inclusive, the Minister is correct to state this is quite a radical change. Nonetheless, it is a change that has been largely supported on this side of the House, at least in respect of bringing to an end some of the reliefs that have been in place for some time. How is it possible that a figure of €100 million is given as a potential saving in a full year? It presupposes that we know the total number of individuals who have been able to obtain the section 23 relief thus far. If the Minister claims that a saving of €100 million can be made in a full year, will he inform the House as to the number of individuals affected by the roll-up?

The Minister stated that the guillotine provision will be introduced by 2014, by which time all the unused capital allowance must be lost. Why was 2014, which is three years from now, selected as the date? Given the desire to have a greater yield, why was an earlier date not set? The Minister said the full impact statement has yet to be determined. One would have expected that it would have been in place before the decision was arrived at.

With regard to the changes to the artists' exemption, many people have been arguing for some time that we should have been moving in this direction. I hope the change will not destroy the possibility of Ministers on the other side of the House writing their memoirs when they move to this side of the House in the next few weeks or so.

Deputy Michael Creed: Would the Deputy call that a work of art?

Deputy Brian Hayes: A work of art and creativity will be very much in vogue at that stage.

Some measures, particularly those in Financial Resolutions Nos. 20, 21 and 22, have been advocated for some time. I am interested in hearing answers to the questions I have posed.

Deputy Pat Rabbitte: The Minister stated, in introducing the measures on property-related legacy issues, that the cost was €400 million. Is the yield of €100 million a quarter of this? Does it mean the changes being made to the schemes will result in a yield that is 25% of the yield that might accrue if the pruning were more severe? What are the considerations in trying to make the restrictions more severe? Are there contractual issues or others that constrain one? Reliefs in this area fuelled the system that resulted in much of the overhang of housing and apartments. The section 23 relief, which is probably the best known, will be restricted in application to income from section 23 property as distinct from rental income.

The wish is to try to have some kind of market operating again in terms of disposing of the overhang in urban areas, where there is undoubtedly pent-up demand. However, young people and first-time buyers do not want to move if they believe that, in six months, values will have fallen by another 7%. It is very difficult to know the floor in circumstances such as these. It is important that some kind of market be regenerated where there is a population and demand, for all the obvious reasons, but some of what are referred to as legacy relief schemes have outlived their usefulness and ought to have been brought to an end or pared back long before

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now. Why is €100 million the figure determined for a full year? Why not €200 million in a full year? What difference would the latter figure make? Are there contractual or constitutional impediments in the way of pruning more severely?

What judgment was brought to bear on the capping of the earnings threshold for artists? As with many exemptions that served a very useful role at one stage, the artists' exemption came to be abused. I do not know the result of the cost benefit analysis. If one makes the threshold relatively harmless, is the exemption of any value in attracting artists to live here who might not otherwise consider doing so? Does the Minister believe the threshold of €40,000 is well judged?

Deputy Aengus Ó Snodaigh: Ba mhaith liom déileáil leis an exemption ó thaobh ealaíontóirí. As with Deputy Rabbitte, I would like the Minister to explain where the €40,000 figure has appeared from. It seems to have come from nowhere. It does not account fully for the context in which artists earn their money. A sum of €40,000 may sound like a lot of money but if one is an artist working on a commission that takes two years, one must pay tax for one year rather than two years when one gets paid.

The circumstances of many artists must be borne in mind. Most of them will not even reach the threshold. Certain artists who formerly enjoyed the artists' tax exemption disappeared from our shores as soon as there was a hint of capping the exemption. Some big bands are included in this regard. I do not believe the exemption was ever intended for rich artists, but perhaps it was. It may be the only good legacy of Mr. Charlie Haughey. Ireland has benefited from it.

There needs to be a cost benefit analysis. The Minister referred to encouraging tourism. One attraction of having internationally famous artists here or their works is that people will travel to view where an author grew up or to see a work of art. Will the Minister explain where the figure of €40,000 came from? We should not have an open-ended exemption but should bear in mind that a threshold that would benefit tourism and artists would be higher than €40,000.

Deputy John O'Donoghue: Every Member of the House will agree that the perception of today should never be utilised for formulating the policy of tomorrow, but that reality should. In that context, it is extremely important that in dealing with the Financial Resolutions, we remind ourselves that behind every collapsed developer and building company are thousands of workers, including plumbers, carpenters, bricklayers, brick carriers and many others who——

Deputy Enda Kenny: And carpet fitters and carpetbaggers.

Deputy John O'Donoghue: ——find themselves unemployed and who have little prospect of working in the construction industry in this country in the foreseeable future.

I fully understand why the Government has brought forward the provisions it has introduced this evening. As implied by Deputy Rabbitte, the market was over-fuelled. There are more than 2,000 ghost estates, not just in urban centres but in other centres across the country. Seán Lemass, the former esteemed Taoiseach, reputedly said, "Tell me how many bags of cement you sold last year and I'll tell you the state of your economy." I appeal to Members of this House, in accelerating our desire to ensure a property bubble of the nature that occurred does not recur, to remind ourselves that one day not so far away a future Government will have to come into this House and ignite the spark of the construction industry again. Its failure to do that at some stage in the future will mean a continuum of unemployment for thousands of ordinary workers. When we use euphemisms to describe the collapse of the building industry,

let us also ensure we remind ourselves of where precisely we are coming from, where we are and to where we must get back.

Deputy Enda Kenny: And that when it is reignited it will not get out of control like the last time.

Deputy John O'Donoghue: With regard to the artists' exemption, it would be remiss of me and of Members of the House, and I compliment Deputy Ó Snodaigh on doing so, not to remember the contribution the artists' exemption has made to Ireland and its people. It was the brainchild of the great Irish poet, Anthony Cronin, who happily is still with us, who inspired Charles Haughey, the then Taoiseach, to bring forward this relief. It was not meant to make millions for any given individual. It was not meant to set up record companies, and it certainly was not meant to create an elite. It was meant to give expression to Ireland's unique cultural identity and in that context it was also meant as a haven for great artists who might come into this country and give expression through painting, poetry, novels or other ways to Ireland's history and cultural heritage. To that extent, let it be said, it was an enormous success.

I understand the economic exigencies which see the ceiling come down to €40,000 and I understand the philosophy behind that, but I am greatly minded of the words of William Butler Yeats who said one should never seek to extract the marrow from the bone. He wrote:

What need you being come to sense,
But fumble in a greasy till
And add the halfpence to the pence
And prayer to shivering prayer, until
You have dried the marrow from the bone.

Deputy Michael Creed: I remind Deputy O'Donoghue that Yeats also wrote: "All changed, changed utterly: A terrible beauty is born." Regrettably, that is the reality we are coming to face in painful and stark terms in the context of this year's budget.

I am particularly interested in two issues, the first of which is the changes in section 23 reliefs. What is the basis for the Government's decision to restrict the rowing back of reliefs just to the section 23 developments? For example, we have developments in the student accommodation area which were equally attractive and which fuelled extensive provision, overly extensive in certain locations. What is the basis for the singling out of section 23? Why is it that others were or were not looked at as the case may be? Is the figure of €100 million a guesstimate or is there some scientific basis behind it?

I am also interested in the artists' relief, although not so much on the basis of the figure of €40,000. I would preface my remarks along the lines of the previous speaker and Deputy Ó Snodaigh to say that in times such as those in which we now live, very often the only ray of hope and light relief we get is from the artistic community. It is very important that especially those who are struggling to make a living, many of whom have operated on incomes at or below the minimum wage, are given every assistance possible.

I am interested in what constitutes artistic endeavour, and the Minister might address this in his response. We have ghost written autobiographies of former leaders of this country which qualify currently for exemption under the artistic endeavour clause in this scheme. That is

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not for what it was ever intended. It must be about creativity. It must be about fostering a climate of——

Deputy Pat Rabbitte: There was a fair amount of creativity in one of two of them to which the Deputy is referring.

Deputy Michael Creed: Yes, certainly, but——

Deputy John O'Donoghue: And in ones to which the Deputy is not referring.

Deputy Michael Creed: We have strayed a long way from the original *raison d'être* for it. This is an attempt to go back to basics but critical to that would be a clear definition of what constitutes artistic endeavour. As I understand it, it is a question of a negotiation or a conversation between the Revenue Commissioners and the artist. That is too loose an arrangement to be acceptable. I note the former Minister is nodding his head to the effect that it may not be that loose an arrangement but that is the impression that has been given. The Minister might clarify that matter.

Deputy Seán Ardagh: I want to declare an interest in that I claim relief under section 23. I want to refer to this measure not in regard to my case but to a more general case. Deputies Ó Snodaigh and I are in an area where there are hundreds if not thousands of empty section 23 apartments along Cork Street and in that vicinity. Many people who have purchased and are the landlords in those apartments are civil servants, public service workers and people who earn a PAYE income. They are good landlords who look after their tenants. Some of them operate through the rental accommodation scheme. The amount of trouble that emanates from the section 23 measure is minimal in comparison with the rogue landlords who sometimes operate in the multi-unit old houses who act in a totally different manner. If those hundreds of apartments are to sell in my constituency, for a two-bed apartment one is talking about €250,000 and if one gets a rental income of €1,000 a month, €250,000 at 5% is €12,500, the interest on the loan would not be covered by the rent, leaving aside management charges, insurance cover and all the other items.

I would like the Minister to consider in the Finance Bill the implication of the loan that has been taken out on the understanding that there would be the wherewithal to pay it from other rental income that would have offset to some extent the tax that would otherwise have been paid. There is no way that in ten years the capital cost of any section 23 apartment will be covered by the rental income from that 23 apartment. It is inconceivable, unlikely and cannot be done.

In regard to the artists' exemption, most of the artists in this city earn significantly less than €40,000. They are more likely to earn €20,000, €25,000 or €30,000 per annum. Taking into account actors who are resting, which is the term commonly used, for a long period, the idea of having a €40,000 base is excellent. At the same time it means that those such as Bono and other members of U2 and major authors who can afford it will be able to pay on the basis of what they can afford.

Deputy Pearse Doherty: Ar Rúin Airgeadais 20, 21 agus 22, iarraim ar an Aire na faoisimh cánach atá ar fáil faoi alt 23 a shoiléiriú. Nuair a bhí mé ag éisteacht leis an Aire Airgeadais níos luaithe, dúirt sé go gcuirfí deireadh leis na faoisimh seo i 2014. Ag amharc ar na sonraí, áfach, tá sé soiléir go mbeidh cuid dóibh ar fáil go dtí 2021. Iarraim ar an Aire é sin a shoiléiriú.

Níl dabht ar bith go bhfuilimid ag bogadh sa treo ceart. Tá mo phairtí ag rá le fada an lá gur cheart dúinn deireadh a chur leis na faoisimh seo. Is mór an trua gur ghlac sé an oiread ama seo don Rialtas tús a chur leis an bpróiseas sin.

Ba mhaith liom cuid de na pointí atá déanta agam a shoiléiriú i mBéarla. I note in this speech earlier today the Minister for Finance, on the property based reliefs, stated, “This last provision will effectively terminate all property-based reliefs in 2014.” He went on to state that all details are set out in the Summary of Budget Measures. When one looks at the Summary of Budget Measures, it does not seem that all those property reliefs will be finished in 2014. If we look at the section 23 reliefs for properties that have yet to be sold, what is being proposed here is that the ten year qualifying period for unsold properties will kick-start on 30 June 2011, regardless of them being sold. Therefore, the summary continues, “in such cases no Section 23 relief will be available after 30 June 2021.” Is it the case that section 23 reliefs will still be made available to people ten years from now, and further than that, up to 30 June 2021? How does that correspond with the Minister’s statement today that this will effectively terminate all property based reliefs in 2014? That takes me to the second point. Why are we looking at 2014 for the guillotine? Why can we not introduce the guillotine earlier?

Even in the case of the section 23 properties that are not sold, why are we starting the effective ten year period on 30 June 2011? Why are we not starting it tonight, next week or in January? Why are we giving that additional six month period? Are we serious about phasing out these reliefs? What are the blocks here? Are there legal blocks to stop us introducing the guillotine earlier? Can we not phase out these reliefs any quicker?

These people gambled on property. I disagree fundamentally with one of the previous speakers, Deputy O’Donoghue, when he spoke about fuelling the construction sector. We want to fuel the construction sector. That is why we are arguing to build schools, hospitals and roads, but we will not start building property again to lie idle and then provide reliefs for the next ten or 11 years on the back of which persons may claim tax exemptions. I seek clarification on those points.

Deputy Tony Killeen: There were a number of questions on the section 23 and other property reliefs. As participants joined the schemes at different stages, many have availed of some of the reliefs at this point. Others have availed of less of them. That is why 2014 was selected as a median date in terms of addressing all of the considerations, which are many when one considers the various schemes and the differences that arose between the various properties. Some of them, I understand, are as old as 20 years. The belief was that some measures which were introduced in 2006 would have the impact of finishing these schemes much quicker than has been the case but, because of the nature of their design over several years that has not been possible and the decision to go with 2014 is a median that seems to be acceptable, and reachable, which is an important consideration.

Deputy Rabbitte asked about the constitutional and legal considerations, if there are any. The legal advice is that the restriction on the property reliefs is legally sound. However, there is also advice that the speed in closing down the reliefs needs to be proportionate. That is a standard consideration in matters of this nature in any event. The advice also suggested that it was appropriate to have a full assessment of the impacts before the complete shutdown of the scheme in this instance.

Deputy Pat Rabbitte: Is the Minister stating that a €200 million saving as distinct from a €100 million would not be proportionate?

Deputy Tony Killeen: I will come to that in a minute on how the €400 million and the €100 million is reached.

The final close down in 2014, the guillotine which I mentioned, is designed to allow for this assessment to take place on the full impact of the way they are being wound up and to ensure that all possible impacts are identified and taken account of in view of the considerations mentioned by Deputy Rabbitte and others.

Based on the latest data, the cost of the legacy reliefs was estimated at €400 million and when developing the initiative to terminate the schemes, the timescale of four years was taken as being a median being acceptable in terms of achieving the assessment and in terms of winding down in a proportionate manner, and on that basis the €100 million arises as a quarter of the €400 million.

The points made by Deputy Ardagh were considered when this proposal was being developed and the view was taken that, no more than anybody else in society, those who were involved with the section 23 schemes ought also to make a contribution towards the financial adjustments being made currently.

Deputy Creed asked about student accommodation and all of the other schemes which I listed at the beginning of my contribution — there are approximately a dozen of them in all. They all are restricted by the capital allowances restriction and, in fact, in most instances have been restricted previously, both in 2006 and earlier this year. The figures are based on the Exchequer costs in recent years, and the Exchequer costs have dropped in the past year.

D'iarr an Teachta Ó Dochartaigh ceist faoi na faoisimh cánach a chríochnóidh i gcoitinne i 2014. Dúirt sé go mairfidh cuid acu go dtí 2021. Baineann na faoisimh áirithe leis na foirgnimh faoin scéim seo nach bhfuil díolta go fóill, agus nár thosaigh an tréimhse deich mbliana a mbaineann leo go fóill. Mar a dúirt an Teachta, caithfidh iarracht a dhéanamh bheith cothrom do dhaoine sa scéim ghinearálta. Ní chóir go gcuirfí deireadh leo anois láithreach, de bharr na fadhbanna a luaigh an Teachta Rabbitte agus Teachtaí eile. Is é sin an fáth go bhfuil cuid dóibh, a bhaineann leis an chás a luaigh an Teachta Ó Dochartaigh, á choinneáil.

Most of the Deputies mentioned the exemption in reliefs for artists. The first point to bear in mind is that the Commission on Taxation recommended that this exemption be finished and the Government took the view that there were some benefits, as outlined by several Deputies. Luaigh an Teachta Ó Snodaigh cuid díobh nuair a bhí sé ag caint.

Deputy John O'Donoghue: I would say there were not too many votes on the Commission on Taxation.

Deputy Tony Killeen: Deputy O'Donoghue will appreciate that one must take a balanced view of these matters.

That was the background against which the decision was taken. It is well to bear in mind that the Commission on Taxation recommended the abolition.

The average income of the artists availing of the scheme is of the order of €32,000. This is a little above the average. Many Deputies will have heard from various artists that the benefits from participation in, or having the availability of, the scheme are considerable for those on fairly low or modest earnings. On that basis, the Government considered that going with the Commission on Taxation proposal was not a good idea. I can assure Deputy Brian Hayes that I have no plans to write memoirs. I regret somewhat that I did not keep a diary of some of the events.

Deputy Enda Kenny: There are others over there who will write them.

Deputy Tony Killeen: In any event, no doubt there will be plenty.

Deputy Enda Kenny: They are already half-way through them.

Deputy Tony Killeen: I think I have answered most of the questions.

Deputy Pearse Doherty: I return to the section 23 reliefs for properties that are not sold. The Minister spoke of proportionality, but it is wrong if the Government is willing to allow for section 23 reliefs to be paid up until 2021. The whole country is demanding that we end these property based reliefs. I stated already that the Government is moving in the right direction, but it is fundamentally wrong to allow property based tax reliefs to continue for a period of 11 years.

If we park that point to one side now and say that I will lose the argument that we should introduce a guillotine on these the same as we are doing in terms of the 2014 measure, it may be proportionate for us to only allow the reliefs for the houses that are not sold for a five year period so that at least they would be phased out over half the period that the Minister is accepting. Why can we not introduce the ten-year period for these reliefs now? Why are we allowing six months prior to the ten-year period kicking in? I refer back to the Minister's statement today which he made to the Dáil but during which he spoke to the nation when he said that effectively all property tax reliefs will be finished by 2014. This is simply untrue given the measures contained in these resolutions which will allow property tax reliefs until 2011 and a grace period of six months before the start period kicks in.

Deputy Tony Killeen: I should have made clear that in the assessment and measure of what is proportionate — which is somewhat difficult to measure from this perspective — it may well be that the closing date about which Deputy Doherty complains may come under the 2014 guillotine, but at this point the assessment has not been carried out; it will be carried out during that timescale and may well impact on the closure date for the cases about which the Deputy has expressed concern.

An Ceann Comhairle: We have reached decision time on this group. I am required to put the following question in accordance with the order of the Dail of this day.

Question, "That Financial Resolutions Nos. 19 to 23, inclusive, be agreed to", put and declared carried.

Minister for Defence (Deputy Tony Killeen): I move the following financial resolutions:

Financial Resolution No. 24: Income Tax

(1) THAT section 120A of the Taxes Consolidation Act 1997 (No. 39 of 1997), providing for exemption from income tax of certain childcare facilities, shall cease to have effect for the year of assessment 2011 and each subsequent year of assessment.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

[Deputy Tony Killeen.]

Financial Resolution No. 25: Income Tax

(1) THAT section 472C of the Taxes Consolidation Act 1997 (No. 39 of 1997) shall cease to have effect as on and from 1 January 2011.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 26: Income Tax

(1) THAT subsection (5E) of section 118 of the Taxes Consolidation Act 1997 (No. 39 of 1997), providing for exemption from income tax of expenses incurred by a body corporate in connection with the payment of annual membership fees of a professional body on behalf of a director or employee, shall cease to have effect for the year of assessment 2011 and each subsequent year of assessment.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 27: Income Tax

(1) THAT section 473 of the Taxes Consolidation Act 1997 (No. 39 of 1997), in relation to income tax allowance for rent paid by certain tenants, be amended—

(a) as respects the year of assessment 2011 and each subsequent year of assessment by substituting, in the definition of “specified limit” in subsection (1)—

(i) “€3,200” for “€4,000” and “€6,400” for “€8,000” in paragraph (a), and

(ii) “€1,600” for “€2,000” and “€3,200” for “€4,000” in paragraph (b),

(b) by inserting after the definition of “appropriate percentage” the following definition—

“‘new claimant’ means any individual who is not entitled to relief under this section on 7 December 2010;”,

and

(c) by inserting the following after subsection (10)—

“(11) The reduction in income tax provided for by subsection (2) shall not apply for any year of assessment in the case of an individual who is a new claimant.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 28: Income Tax

(1) THAT, as respects approved share option schemes, section 519D of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended by inserting the following after subsection (7):

“(8) The exemption from income tax authorised by subsection (2) in respect of the receipt of the right referred to in subsection (1) shall not apply where the right is received on or after 24 November 2010.

(9) The exemption from income tax authorised by subsection (3) in respect of any gain realised by the exercise of the right referred to in subsection (1) shall not apply where the gain from the exercise of the right is realised on or after 24 November 2010.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 29: Income Tax

(1) THAT, as respects relief for new shares purchased on issue by employees, section 479 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended by inserting the following after subsection (8):

“(9) The deduction authorised by subsection (2) shall not be made in respect of eligible shares where those shares are subscribed for on or after 8 December 2010.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 30: Income Tax

(1) THAT, as respects the application of section 985 of the Taxes Consolidation Act 1997 (No. 39 of 1997) to certain perquisites, section 985A of that Act be amended—

(a) in subsection (1A) by substituting “Subject to subsection (IB), subsection (1)” for “Subsection (1)”, and

(b) by inserting the following after subsection (1A):

“(IB) Subsection (1A) shall not apply to shares or stock referred to in that subsection received on or after 1 January 2011.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 31: Income Tax

(1) THAT section 248 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended by inserting the following after subsection (5):

“(6) Notwithstanding subsection (5), the deduction authorised by that subsection shall not exceed—

(a) as respects the year of assessment 2011, 75 per cent of the deduction that would but for this subsection be authorised by that subsection,

[Deputy Tony Killeen.]

(b) as respects the year of assessment 2012, 50 per cent of the deduction that would but for this subsection be authorised by that subsection,

(c) as respects the year of assessment 2013, 25 per cent of the deduction that would but for this subsection be authorised by that subsection, and

(d) as respects the year of assessment 2014 and each subsequent year of assessment, zero per cent of the deduction that would but for this subsection be authorised by that subsection.

(7) This section shall not apply to a loan made after 7 December 2010.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 32: Income Tax and Corporation Tax

(1) THAT section 141 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended, as respects distributions made out of disregarded income (within the meaning of that section) on or after 24 November 2010, by inserting the following after subsection (10):

“(11) This section shall not apply to distributions made out of disregarded income on or after 24 November 2010.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 33: Income Tax and Corporation Tax

(1) THAT section 234 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended, as respects income from a qualifying patent (within the meaning of that section) which is paid to a person on or after 24 November 2010, by inserting the following after subsection (8):

“(9) This section shall not apply to income from a qualifying patent which is paid to a person on or after 24 November 2010.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 24 relates to section 120A of the Taxes Consolidation Act 1997 which provides for an exemption from benefit-in-kind charge for employer-provided child care. The capital cost of the provision of certain free or subsidised child care facilities by employers is exempt from benefit-in-kind charge on the employees that avail of such facilities. This relief was introduced in 1999 to encourage employers to invest in child care facilities and thus increase the overall supply of child care places. At the time of its introduction there was a scarcity of child care places and the costs associated with child care were increasing. The provisions were amended in 2001 to permit a number of smaller employers to come together in the provision of child care facilities. However, the Revenue Commissioners have indicated that in practice

only larger employers avail of the relief. The Commission on Taxation in its report recommended the abolition of this exemption citing equity due to the likelihood that only large employers have the ability to make the necessary investments. It is now proposed that this provision be abolished with effect from 1 January 2011. The cost to the employer of providing such a benefit in kind for each individual employee will now be assessed as part of the employee's emoluments for the year and the appropriate taxpayer levies will be collected through the PAYE system. The estimated yield to the Exchequer will be €3 million in 2011 and €6 million in a full year.

Financial Resolution No. 25 relates to section 472C of the Taxes Consolidation Act 1997 which was introduced in 2001 to provide income tax relief for trade union subscriptions for trade union members. The amount of relief at present is €350 at the standard rate of tax which is equivalent to a tax credit of €70. As part of the national recovery plan and with a view to widening the tax base it has been decided that this relief will be abolished for the tax year 2011 and subsequent tax years. The estimated yield to the Exchequer will be €19 million in 2011 and €26 million in a full year.

Financial Resolution No. 26 relates to section 118(5E) of the Taxes Consolidation Act 1997 which provides for an exemption from benefit-in-kind charge where an employer meets the cost of professional fees or subscriptions on behalf of an employee or a director where the membership is relevant to the employment. This exemption is being removed with effect from 1 January 2011. In future, when an employer pays such fees the amount will be treated as a notional pay and PAYE and PRSI shall be deducted accordingly. Details will be published in the finance Bill.

Financial Resolution No. 27 is with regard to section 473 of the Taxes Consolidation Act 1997 which provides for tax relief at the standard rate in respect of rent paid by individuals for private rented accommodation which is their sole or main residence. Rent relief was introduced in 1982 and has been increased a number of times since its introduction. The provisional cost of rent relief in 2008 was €97 million. However, since 2008 rents have fallen considerably. CSO figures for the first ten months of the year show that rents fell by 14.5% in 2009 and a further 5.9% in 2010.

The level of rent qualifying for relief depends on an individual's marital status and age. The maximum tax credit available under the scheme for those over 55 years of age is €1,600 for a married couple and €800 for a single individual and it is €800 and €400 respectively for those under 55. The Commission on Taxation was of the view that in the same way that mortgage interest relief increased the cost of housing, rent relief increases the cost of private residential accommodation. For this reason, the commission recommended that rent relief should be discontinued.

Deputies will recall that in the budget for 2010 the Minister abolished mortgage interest relief for new mortgages taken out after 1 January 2013. Those entitled to that relief at present will retain it until 31 December 2017. It has now been decided to abolish rent relief on a phased basis over the same period. In order to maximise the Exchequer yields from this measure, new claimants will not be able to claim the relief with effect from today. Withdrawal of the relief over this period will be achieved by reducing the amount of rent that can be relieved by 20% in the years 2011 and 2012, with further annual reductions of 10% thereafter until 2018. Based on 2008 provisional figures, the annual yield to the Exchequer for such a phased withdrawal will be €19.4 million in 2011, €38.8 million in 2012 and the yield thereafter will increase annually until 2018 when the relief will be completely withdrawn.

[Deputy Tony Killeen.]

Financial Resolution No. 28 gives statutory effect to the budget announcement that tax relief for certain share option schemes will cease from 24 November 2010, the date of publication of the national recovery plan. Employees who are given options to purchase shares in their employer company at a predetermined price can make a gain when they purchase shares that have increased in value since the option was vented. Such gains are exempt from income tax where the employer company meets certain conditions and receives formal approval for the scheme from the Revenue Commissioners.

The Commission on Taxation was tasked with reviewing all tax expenditure with a view to assessing the economic and social benefits they deliver and to recommend the discontinuation of those that are unjustified on cost benefit grounds. It is recommended that this scheme be discontinued on the basis of the low employee participation rate compared with participation in unapproved share option schemes that do not allow such income tax exemption. The termination of this scheme is also motivated by the requirement to rebalance the public finances and to broaden our tax base. The scheme is estimated to have cost €500,000 in 2009, the most recent year for which estimates are available.

Financial Resolution No. 29 gives statutory effect to the budget announcement terminating the scheme that provides for a single lifetime income tax deduction of up to €6,350 for an employee who purchases shares in his or her employer company where those shares are retained for a period of three years without being sold. The Commission on Taxation recommended that the scheme be discontinued on the basis of the low employee participation rate. The most recent figures are for 2008 when 280 individuals participated at a cost to the Exchequer of €300,000.

Financial Resolution No. 30 gives statutory effect to the budget announcement that the taxation of an employee's emoluments in the form of shares or stocks would be brought within the PAYE collection system. Where an employee does not pay full market value for shares, the shares are treated as perquisites for income tax purposes and taxed at remuneration of the employment. However, unlike other types of remuneration the income tax charged on the value of such shares is paid through the self-assessment system and not through the PAYE system. This resolution brings the payment and collection of income tax and share rewards into the PAYE system and aligns the tax treatment with that of other types of benefits-in-kind received by employees. This measure will not increase the amount of income tax charged but may, depending on when shares are received, result in earlier payment of tax. In the case of employees, the payment of PRSI is linked to whatever remuneration is payable through the PAYE system. In addition, this resolution will bring the share rewards within the charge of PRSI.

Financial Resolution No. 31 is w section 248 of the Taxes Consolidation Act 1997 which was introduced in 1974 to incentivise individuals to invest in Irish companies by giving them tax relief in respect of interest paid on moneys borrowed to purchase an interest in or make a loan to a company. The relief was reviewed by the Department of Finance in 2005 when there was a general review of tax incentives. The findings at the time included that there was little evidence to show that the relief led to increased employment or had any notable effect on economic growth. It was also found that companies benefiting from the relief were not in general operating in sectors being actively supported by the State through Enterprise Ireland and that the majority of those individuals using the relief earned in excess of €200,000.

As a result of this review, the relief was curtailed in the budget for 2006 to exclude relief on interest for loans to acquire shares in certain companies. Despite this change, there has been a lack of evidence which demonstrates a return from this relief in terms of employment and growth. Given the cost of the relief, which was estimated at €48.5 million in 2008, and the need for the income tax base to be widened by the elimination of inefficient reliefs and incentives it has been decided that interest payable on such loans taken out after 7 December 2010 will not qualify for relief.

The relief in respect of interest on existing loans will be phased out. For the tax year 2011 relief will be given in respect of 75% of the interest paid; for the tax year 2012 relief would be given in respect of 50% of the interest paid; for the tax year 2013 relief will be given in respect of 25% of the interest paid; and for the tax year 2014 and subsequent years the relief will be abolished. It should be noted that the Government's commitment to supporting investment in small and medium Irish companies by their owners and other potential investors is not diminished by the winding down of this inefficient and expensive relief. The new business investment targeting employment incentive will employ a better focused scheme of tax relief to incentivise owners and others to invest in small and medium Irish companies.

The estimated yields for the Exchequer will be €12.1 million in 2011; €24.3 million in 2012; €36.4 million in 2013; and €48.5 million in 2014.

The purpose of resolutions Nos. 32 and 33 is to abolish the tax exemption for patent royalty income and the related exemption for distributions made by a company out of exempt patent royalty income. This is provided for in the four year plan and will yield an estimated €50 million in a full year. The measure takes effect from 24 November, the date of publication of the plan. The tax exemption for patent income which is available to Irish resident individuals and companies is provided for in section 234 and 141 of the Tax Consolidation Act 1997. Section 234 provides a tax exemption for royalty in respect of a qualifying patent, subject to an annual limit of €5 million. A qualifying patent is a patent in relation to which all the research, planning and development work leading to the patented invention was carried out in the State or in another country which is part of the European Economic Area.

Section 141 provides a tax exemption, subject to certain restrictions, for distributions made to Irish resident persons from companies' exempt patent income. The relief is being abolished on foot of a recommendation to this effect in the report of the Commission on Taxation, which recommendation the Government has accepted. As part of its terms of reference, the commission was asked to review all the expenditure to determine if the continued operation of the exemptions was justified on cost benefit grounds. The commission concluded that the relief has not resulted to any great extent in companies carrying out research and development activity and that the relief was being used in some cases by companies as a tax avoidance device to remunerate employees. It considered that there was a significant dead weight element to the relief and that it provided a windfall gain after a successful invention rather than an incentive to encourage new research and development. The Government agrees with the conclusions of the commission that available resources should be focused instead on the research and development tax credit scheme. That scheme provides a more direct and effective incentive for enterprises to innovate and invest in research and development activities and the scheme has been enhanced significantly by the Government in recent years for this purpose.

Deputy Michael Creed: I wish to address the issue of the removal of the benefit in kind exemption for employer provided child care. The yield is expected to be approximately €6

[Deputy Michael Creed.]

million in a full year. Access to and affordability of child care is a major issue as the cost of child care is the equivalent of a second mortgage and more for many families. I know of someone in Dublin who pays €2,400 a month for three children under school-going age. Child care facilities provided by an employer may seem to place employees in an enviable situation but we should consider what the consequences for employees would be of not having access to child care at an affordable price. Often people without affordable child care cannot take up employment opportunities.

Another aspect we should consider is community child care facilities that are scattered throughout the country. I must declare an interest in this area as one of my children is in such a facility. These facilities are subsidised through a tiered system and Deputy O'Donoghue, as a former Minister, can take some credit for the network of such facilities. However, we only have a patchwork arrangement. Some communities are well served with such facilities, while others have no access to child care. We could argue that the optimum provision is where employers provide a facility for their employees.

The expected yield from the removal of the exemption is only €6 million. Rather than remove it, we should be striving to provide a much more comprehensive pre-school child care arrangement at an affordable price. Instead, this proposal dismantles a positive development. I agree that it may only be public service employees or the employees of large corporations who benefit from employer provided child care and that the majority of employees of small companies do not have access to this type of facility. However, that does not mean that affordable child care provision is not laudable or should not be encouraged.

It seems that we have not thought through the issue of the affordability of child care. Given that we are going through a crisis, the Minister has with the stroke of a pen dismantled one of the most innovative provisions in terms of child care and is penalising beneficiaries without having put in place a comprehensive child care programme. This is a retrograde step. In terms of the minuscule amount of money this move will save, the Minister should step back from it.

We should be striving for a nationwide, comprehensive, community not-for-profit provision of child care that was subsidised in a tiered way relative to employment status. In the interim, we should not penalise employers who had the foresight to avail of the incentives that were there to provide a service for employees. In light of the costs involved for child care for young couples, the removal of the exemption is a seriously retrograde step. I appeal to the Minister, in the interest of the children and of the ability of parents to be able to afford to go to work, to revoke this decision. One could argue that subsidised community child care facilities sometimes act as a disincentive for people to take up employment opportunities but in this case we are talking about people who are working and availing of a service that has been provided by employers. Now, in one fell swoop, the Minister will dismantle this progressive service for the sake of a relatively small amount of money.

By its nature, child care affects younger people. These are the same people who are in negative equity and up to their necks in debt with mortgages they cannot afford and in danger of having their houses repossessed. Many of them are also in vulnerable employment situations. They already suffer enough stress, financial and otherwise. I appeal to the Minister not to dismantle what was an innovative provision in terms of child care, all for the sake of a minuscule amount of money in the context of the problems we face.

Deputy Eamon Gilmore: These resolutions deal with the abolition or phasing out of a batch of reliefs, the abolition of most of which were recommended by the Commission on Taxation.

In general, the Labour Party agrees with the removal of many of those reliefs, particularly in the circumstances in which we find ourselves. However, I have an issue with regard to the abolition of two of the reliefs. The first is the same one that has been raised by Deputy Creed. I agree with what he has said on that. The abolition of the exemption from benefit in kind for employer provided child care is a mistake. It is a mistake because it will hit a relatively small number of working parents. The provision of child care in places of employment is something that should be encouraged by the State. Working parents must go to considerable expense to provide child care and make child care arrangements. Many parents have to take a child to a child minder, drop another child to school and then get to work on time. The provision of child care in places of employment is the route we should be taking, particularly for very young children.

We should remember that it is not so long ago since we had a problem in this country with regard to maintaining staff in the workforce, particularly working mothers. Some years ago, much emphasis was placed on the measures that needed to be taken in order to provide adequate child care or incentives and supports for working mothers. Employers were encouraged to provide dedicated facilities in places of employment. It is a retrograde and mean step to row back on that provision. Not only is the amount involved, €6 million in a full year, relatively small but I also do not believe it will be realised. If the benefit-in-kind is removed, some employers who currently provide child care facilities may decide to discontinue doing so and the elimination of the arrangement will be the tipping point that causes some people to leave the workforce. As a country, we do not provide much encouragement for working parents, and working mothers in particular, to stay in the workforce. In many cases, child care is subsidised for parents who are not working, and rightly so. This exemption to benefit-in-kind helps parents who are working. It is not a sound argument to claim that only the larger employers offered child care. We should be trying to encourage more rather than fewer employers to likewise. I strongly support Deputy Creed on this matter and the Labour Party is opposed to the elimination of this relief. If necessary, we will oppose the financial resolution on those grounds.

The abolition of rent relief will, again, hit working people, and young workers in particular. Rent relief benefits young people who were frozen out of the housing market. These are the very people who are at present contemplating whether they will stay in this country or throw in the towel and emigrate. They are the people who will be affected by the 10% reduction in salaries of new entrants to the public service. I get e-mails from young graduates who ask me why they should be put on a lower rate of pay when they start working as teachers. Rent relief applies to people who are at work. Those who are not at work qualify for rent allowances.

The Taoiseach challenged the Labour Party on where we stood in regard to working people. These two provisions will directly hit working people and will be a disincentive for work. Many of the young people to whom I speak are starting despair for the future of this country. On top of cuts in pay and tax measures, the little bit of rent relief they received will now be taken away from them.

Deputy Aengus Ó Snodaigh: Aontaím le cuid mhaith den mhéid a bhí le rá ag an Teachta a labhair romham. I am surprised the Labour Party Deputy did not mention a third measure in this group of financial resolutions that will hit the working person, namely, the removal of tax relief on trade union subscriptions. Now is the very time when we should be encouraging those who still have jobs to retain their trade union membership so that they can have proper representation in a time of recession and ensure their pay and conditions are not further under-

[Deputy Aengus Ó Snodaigh.]

mined. Removing the relief will make it more expensive to be a member of a trade union, which is a retrograde step.

The other two measures only add to the pain this budget will inflict on the working poor, as well as those who have just about been getting by until now. Employers will be forced to discontinue providing child care facilities. Tax reliefs were supposed to benefit everybody by encouraging good practices. Many tax reliefs were, however, introduced to line the pockets of a small number of people in our society. We lack a system of universal child care which is free or, at least, cheap for young couples who labour under huge mortgages because of the property boom and the shortage of social housing. They must meet the high costs of child care simply to stay in work and pay their bills.

The rent charged on properties in Ireland is higher than in any other European country of which I am aware. Rent relief was a limited mechanism for those who could not avail of social housing because local authorities were not funded sufficiently. The budget further reduces the grants paid to local authorities, regeneration projects and social housing initiatives. People will as a result be forced to remain in rented accommodation but the tax relief they enjoyed to date will now be lost. We have not seen substantial reductions in rent in all parts of the country. Rents in Dublin have not decreased at the lower end of the market to the degree that would justify the removal of the relief.

The State has not yet ensured that all landlords are properly registered and inspected. Rent relief would have provided a mechanism to enforce standards among landlords. Once it is abolished, we will revert to the old practice of paying into the black economy because there will be no need for registration. These three measures are detrimental to the public good and should be opposed.

Deputy Seán Ardagh: I fully support Financial Resolutions Nos. 28 to 33, inclusive. Some of them were used in the past for tax avoidance purposes. These financial resolutions will simplify the tax code and put everybody on an equal footing. PAYE income is now involved, whether one is paid in shares or patent royalties. Those who are in a position to put this type of tax avoidance scheme in place should not be favoured. We are going some way towards improving the situation in that regard and I commend the Minister on that.

I take on board what Deputy Gilmore said about benefit-in-kind. It appears, however, that only larger employers have put these benefits in place. Other issues have arisen recently with regard to large employers who can give favourable treatment to employees. The question of the ESB and free electricity is a case in point. Large employers who are in a position to avoid tax because they have the necessary resources are favoured. It is unfortunate that some people will now have to pay benefit-in-kind tax on child care, but this is fair and equitable.

The Minister stated that abolishing tax relief on trade union subscriptions will save €26 million in a full year. Some trade union members may pay tax at 41% but I suspect the majority pay at 20%. Some may not pay tax at all. This implies an income to trade unions of approximately €130 million per year. This raises the question of what trade unions do with €130 million. Should there be more regulation, accountability, transparency and reporting of trade union funds and what they use them for? Like all well-governed institutions, they should be up-front with their members and with the public.

Deputy Emmet Stagg: They are totally up-front. Why is the Deputy casting a slur?

An Ceann Comhairle: Deputy Stagg, please allow Deputy Ardagh to speak.

Deputy Emmet Stagg: Trade union accounts are audited and published and Deputy Ardagh knows that. That is a deliberate slur on people who are not here.

Deputy Seán Ardagh: I know of two firms who received several million euro for professional services relating to NAMA. They are the accountancy firm, PricewaterhouseCoopers, and solicitors, Arthur Cox. Will the fees paid by Arthur Cox to the Law Society of Ireland and by PricewaterhouseCoopers to professional accountancy bodies no longer be exempt from tax? Professional bodies, such as the Law Society of Ireland, often provide services such as continuing professional development courses. Could one differentiate between fees which support the administration of such bodies and those which are used for education and training?

It is unfortunate that a number of people do not claim tax relief on the rent of private property because they do not know about it. I accept the need to reduce the relief because of the reduction in rents. This relief should be advertised more widely in order that those who are entitled to it actually get it.

Deputy Pat Rabbitte: I support the remarks made in respect of the Financial Resolution No. 24, especially by Deputies Gilmore and Creed. I do not know of any other member state of the European Union where a complete 180° flip on public policy could be done overnight. We are going from an entire system based on tax reliefs and incentives and tax-driven development to a razed earth where they will all be wiped out. The Minister's reply will be that the Commission on Taxation recommended this. We are all then supposed to bow the head and accept that we must do it. It is not as simple as that. One cannot even ask a Fianna Fáil colleague how long the bad weather will last but he will say: "We appointed Professor Patrick Honohan to the Central Bank, and he is really fantastic. No one could slur that man. He is marvellous."

Deputy John O'Donoghue: Deputy Stagg knows as well as I do that the Green Party has been in charge of the weather for some time.

Deputy Michael Creed: They have sorted out global warming.

Deputy Seán Power: Since the late Deputy Michael O'Leary was the first minister for snow.

Deputy Pat Rabbitte: Many incentives are completely overcooked, have outlasted their productivity and are unwise. The big ones, such as pension relief and property-based incentives are finally beginning to be dealt with. The ones we are talking about here, however, are largely Mickey Mouse measures. The savings are not worth talking about.

I understand why people outside this House call for leadership, authority and good example. We are in no position to contest that call. It is a reasonable and deserving proposition, but there is also a fair amount of begrudgery around. Why begrudge parents who happen to work for a good employer who has gone out of his or her way to provide child care in a fashion that qualifies for this exemption from benefit-in-kind tax? Why do we want to shut them down? Do we presume they will continue to provide child care if they do not get the tax exemption? For the sake of €6 million in a full year, I do not see the point of it.

I wish the Commission on Taxation had gone down through each of its proposals and said that each should be implemented. It did not do so. The commission pointed up certain things and gave background and information regarding individual tax breaks, shelters and incentives, but it was not prescriptive with regard to priorities.

[Deputy Pat Rabbitte.]

I take Deputy Ardagh's point on tax avoidance. I agree with bringing the transfer of share awards into the PAYE system and making them subject to tax at PAYE rates. I remember when tax relief for the purchase of new shares in an employing company was introduced. The Minister for Finance, Deputy Bertie Ahern, said this was a great idea designed to encourage industrial peace and good industrial relations in that type of company. The entire yield from this measure in a full year is €300,000. It is not long since we were following Mrs. Thatcher's property owning democracy. Now, everything has to go. I do not see the point.

I refer to Deputy Ardagh's point about the notional income of the trade union movement. As I understand, the trade unions are regulated by the Registrar of Friendly Societies, if that is still the case. The trade unions have to produce audited accounts. However, given the hole we have been landed in, I cannot make an argument to resist the change that is proposed here. It raises some meaningful income as distinct from something like the new shares purchasing scheme which raises damn all. People may point to the banks as a good reason for not having such a scheme but that is a different problem.

Deputy Gilmore highlighted the rent relief, which will hit a lot of low-paid people very hard. We are going in one direction with housing policy. We use tax as an instrument of social policy and then we change direction and go in the opposite direction. It is a little like the earlier discussion where Deputy Ardagh highlighted the unreasonableness, for example, of the write-down of section 23 reliefs against the section 23 property only. Not unreasonably, he pointed to examples in his own constituency where the new owner would not be able to pay the interest on the mortgage in return for the amount of rent he or she might get. That is very probably true but the question it raises is whether this is good housing policy.

It seems to me that like this proposal, they were all designed to drive the output of private housing and to transfer our social housing need into private housing and create and expand the need for housing supplement, which is hugely uneconomic and which has produced an entire category of person who is trapped in that apartment because if she goes to work, she loses her housing rental supplement. There are significant implications, policy-wise and it is now proposed that we reverse engines.

Deputy Ó Snodaigh is right in that it is also my experience in my constituency that at the lower end the rents have changed damn all although they have changed at the higher end. It is now proposed to end on a phased basis the rent relief to match the mortgage interest relief for young people who find themselves housed in these circumstances. They ended up there because they could not get a mortgage at the time, the price of housing was inordinate at many times their salary.

We have moved from one extreme to the other and we are all searching around for where savings can be made to contribute to something like the ball-park figure that is required. I am not so sure it is good leadership from this House to induce good employers who have gone out of their way to provide child care to either shut it down or to charge for it, or make whatever new arrangement they wish to put in place, no more than it is good industrial relations to kill off the share scheme which was probably minimally subscribed in this country. There are young workers in that €97 million the Minister hopes to save in a full year who are on the rent relief on that type of housing. When the sums are being done in *The Irish Times* tomorrow morning, this should be factored in because it will be a significant factor for many young people who have started work, such as young nurses and teachers.

An Ceann Comhairle: Three Deputies remain to speak, Deputies John O'Donoghue, Ciarán Lynch and Pearse Doherty with five minutes to accommodate them.

Deputy John O'Donoghue: On a day such as today and in recent times, it is very easy to forget the progress which we have made in recent decades. It is less than 50 years ago since, for example, a working woman in the public service had to retire on marriage. I recall that there were very few women in the workplace. I became Minister for Justice, Equality and Law Reform in 1997 and one of the first acts I had the privilege of performing was to introduce the equal opportunity programme, which provided in excess of €450 million for the provision of child care across the State.

It was an equal opportunity measure, the object of the exercise being to provide equality of opportunity, not to discriminate, nor to force anybody to do anything which he or she did not wish to do, but to provide equality of opportunity. It did that to a large degree. I accept it could have been better but insofar as the funding was available it was utilised well. Today, almost an equal number of women as man are in the workplace and this is a very welcome development. I predict that in a matter of years, there will be a greater number of females in the workplace than males. It is very important that equality of opportunity be maintained. The relief is small beer in that context and it is not of massive relevance. Nonetheless, the support in particular of community child care services is of fundamental importance as we look at the make-up or the components of our workplace today.

With regard to the issue of the trade union subscriptions, I greatly support trade unionism and the tradition of Larkin and Connolly. It would be a very bad day for any democracy were it to be the case that a trade union could not gather lawfully and protest on behalf of its members. However, I found it ironic and feel obliged to comment on the statement of Deputy Ó Snodaigh. I agree with the right of people to protest, I agree with trade unionism and I would always defend trade unionists but what I could never defend and what I could never stand over in a democracy is an elected representative of this House going out onto the street with a mob, seeking to break down the gates of Government Buildings to which he is entitled, as a Member of this House, to walk through——

(Interruptions).

Deputy John O'Donoghue: That is the road to anarchy and anarchy is the road to ruin.

Deputy Aengus Ó Snodaigh: Deputy O'Donoghue should look at the video and he would see the opposite is the case.

Deputy Ciarán Lynch: I will speak on the issue of rent relief. The Minister proposes to phase out this relief over a period of eight years. I ask him for an explanation of how this can be achieved. Does it mean that people will need to remain in singular accommodation over the next eight years or is it aimed at people who are currently in receipt of rent allowance in a multiple of locations over that period?

My colleague, Deputy Rabbitte referred to the fact that in the past decade and a half there was significant incentivisation in the property sector where investment properties were prioritised over residential properties. While this may have been redressed in the budget, it is ironic that those at the bottom end of tax reliefs are the first to face the chop on this issue. Those in receipt of rent relief are in income limbo. They are not earning enough to buy a home but they are earning too much to qualify for rent supplement. This vulnerable group is being targeted.

[Deputy Ciarán Lynch.]

The Minister for Finance indicated that a property price register database would be introduced. Perhaps it is about time we saw similar reform in the area of rent where we have a rental database and rents are calculated and identified in a more accurate and measurable way. Reform in this area is long overdue so that rents, as they are in other jurisdictions, are tied to the CPI and other matters. Ultimately people joining the workforce need to have some level of flexibility which can often mean travelling from one part of the country to another in order to take up work and in doing so not wanting to purchase a home meaning that rents are a critical factor. I ask the Minister redress the matter.

An Ceann Comhairle: I will have to leave Deputy Doherty and fit him in at another stage.

Deputy Pearse Doherty: May I speak briefly?

An Ceann Comhairle: Just very briefly.

Deputy Pearse Doherty: I listened to Deputy O'Donoghue earlier. There are many things I do not understand in the week I have been in this House. One thing I cannot understand is Deputy O'Donoghue sympathising with people who are losing their incomes because of these levies given that he is the same person who bled the expenses system dry, travelling to horse race meetings all over the world—

An Ceann Comhairle: The Deputy must speak to the motion.

Deputy Pearse Doherty: —and had to be kicked out of the position in which you now sit, a Cheann Comhairle.

Regarding the tax relief—

An Ceann Comhairle: I must put the question.

Deputy Pearse Doherty: —on trade union subscriptions, never did we have greater need for reliefs on such subscriptions, which should be at the lower rate of tax. At a time when the Government will reduce the minimum wage and employers will use it as a guise to drive down wages, I cannot understand how any party that claims to be on the left would support such a measure as getting rid of union tax reliefs.

An Ceann Comhairle: I must deal with another resolution before midnight.

Deputy Pearse Doherty: The Minister talked about phasing out rent reliefs. In effect in the next 20 minutes somebody entering into a rental contract will have no rent relief because new claimants into this system will not have rent reliefs after midnight.

An Ceann Comhairle: Deputy, please.

Deputy Pearse Doherty: Where is the proportionality in that? How do we allow section 23 property speculators—

An Ceann Comhairle: I am putting the question.

Deputy Pearse Doherty: —to continue up to 2021, but yet rent relief will be finished by tonight?

An Ceann Comhairle: The Deputy will be able to elaborate on budget debate tomorrow and on following days.

Deputy Pearse Doherty: How do we allow the owners of those buildings to continue to get mortgage interest relief but people in their own domestic homes do not get it, people in private rental accommodation will have it phased out and people entering the system from midnight will not get it? Where is the proportionality?

An Ceann Comhairle: I am putting the question.

Deputy Pearse Doherty: Where is the impact assessment into that?

An Ceann Comhairle: As it is now 11.40 p.m., I must put the question in accordance with the order of the Dáil of this day.

Question put: "That Financial Resolutions Nos. 24 to 33, inclusive, be agreed to."

The Dáil divided: Tá, 83; Níl, 27.

Tá

Ahern, Bertie.
 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.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gogarty, Paul.
 Gormley, John.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.

Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 McEllistrim, Thomas.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Mansergh, Martin.
 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'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.
 O'Keefe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Broughan, Thomas P.
Burton, Joan.
Costello, Joe.
Doherty, Pearse.
Ferris, Martin.
Gilmore, Eamon.
Higgins, Michael D.
Howlin, Brendan.
Lynch, Ciarán.
Lynch, Kathleen.
McGrath, Finian.
McManus, Liz.
Morgan, Arthur.
Ó Caoláin, Caoimhghín.

Ó Snodaigh, Aengus.
O'Shea, Brian.
O'Sullivan, Jan.
O'Sullivan, Maureen.
Penrose, Willie.
Quinn, Ruairí.
Rabbitte, Pat.
Sherlock, Seán.
Shortall, Róisín.
Stagg, Emmet.
Tuffy, Joanna.
Upton, Mary.
Wall, Jack.

Tellers: Tá, Deputies John Curran and John Cregan; Níl, Deputies Aengus Ó Snodaigh and Emmet Stagg.

Question declared carried.

Financial Resolution No. 34: General

The Taoiseach: I move:

THAT it is expedient to amend the law relating to inland revenue (including excise) and to make further provision in connection with finance.

Debate adjourned.

The Dáil adjourned at 12 midnight until 10.30 a.m. on Wednesday, 8 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].

Departmental Staff

1. **Deputy Paul Kehoe** asked the Taoiseach the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter.
[45853/10]

The Taoiseach: The information requested by the Deputy is detailed in the Table.

Name	Title	Annual Salary	Pension Arrangements
		€	
Joe Lennon	Taoiseach's Programme Manager	188,640	Scheme for established Civil Servants
Gerry Steadman	Taoiseach's Special Adviser	132,687	Scheme for established Civil Servants
Brian Murphy	Taoiseach's Special Adviser	132,687	Non-contributory Pension Scheme for Non-established State Employees
Deirdre Gillane	Taoiseach's Special Adviser	95,550	Non-contributory Pension Scheme for Non-established State Employees
Peter Clinch	Taoiseach's Special Adviser	181,243	A pension contribution equivalent to 11% of salary is made towards a pension fund, this is in accordance with Department of Finance guidelines
Padraig Slyne	Special Adviser to Minister of State & Government Chief Whip	96,295	A pension contribution equivalent to 11% of salary is made towards a pension fund, this is in accordance with Department of Finance guidelines
Eoghan O'Neachtain	Government Press Secretary	138,655	Non-contributory Pension Scheme for Non-established State Employees
Mark Costigan	Deputy Government Press Secretary	103,136	Non-contributory Pension Scheme for Non-established State Employees
John Downing	Deputy Government Press Secretary	109,382	Non-contributory Pension Scheme for Non-established State Employees
Sineád Dooley	Taoiseach's Personal Assistant with responsibility as Office Manager	66,519	Non-contributory Pension Scheme for Non-established State Employees
Peter Lenehan	Taoiseach's Personal Assistant	50,178	Scheme for established Civil Servants
Annette McManus	Taoiseach's Personal Assistant	48,297	Scheme for established Civil Servants
Denise Kavanagh	Taoiseach's Personal Assistant	57,251	Scheme for established Civil Servants
Yvonne Graham	Taoiseach's Personal Assistant	53,532	Scheme for established Civil Servants
Sarah McLoughlin	Taoiseach's Personal Assistant	53,532	Non-contributory Pension Scheme for Non-established State Employees
Aoife Ní Lochlainn	Personal Assistant to the Minister for the Environment, Heritage and Local Government	47,730	Non-contributory Pension Scheme for Non-established State Employees
Elaine Hogan	Taoiseach's Personal Secretary	42,446	Non-contributory Pension Scheme for Non-established State Employees
Colette Waters	Taoiseach's Personal Secretary	39,223	Scheme for established Civil Servants
Nicola Stapleton	Personal Assistant to the Government Chief Whip	49,637	Non-contributory Pension Scheme for Non-established State Employees
Shauna Curran	Personal Secretary to the Government Chief Whip	22,792	Non-contributory Pension Scheme for Non-established State Employees
Maura Stynes	Personal Secretary to the Government Chief Whip	23,167	Non-contributory Pension Scheme for Non-established State Employees a

Under the direction of my Programme Manager, Joe Lennon, the primary function of my Special Advisers is to monitor, facilitate and help secure the achievement of Government objectives and to ensure effective coordination in the implementation of the Programme for Government.

The role and duties of Special Advisers are described in Section 11 of the Public Service Management Act, 1997. In summary, these are:—

- (i) providing advice;
- (ii) monitoring, facilitating and securing the achievement of Government objectives that relate to the Department, as requested; and
- (iii) performing such other functions as may be directed.

My Programme Manager meets other Ministerial Advisers on a weekly basis. He monitors and reports to me on progress in implementing the Programme for Government. Each of my Advisers liaise with a number of Departments and act as a point of contact in my office for Ministers and their Advisers.

My Advisers attend meetings of Cabinet Committees and cross-departmental teams relevant to their responsibilities. They also liaise, on my behalf, with organisations and interest groups outside of Government.

Special Advisers are also tasked with giving me advice and keeping me informed on a wide range of issues, including business, financial, economic, political, environmental, administrative and media matters and performing such other functions as may be directed by me from time to time. In addition, a number of my advisers have specific responsibilities in relation to speech drafting.

The duties of the Government Press Secretary and the Deputy Government Press Secretaries are to liaise with the media on my behalf. Political correspondents are briefed on a daily basis by the Government Press Secretary and Deputy Government Press Secretaries. Through regular contact with Departmental Press Officers, they ensure that there is a co-ordinated approach to media matters. They also strive to ensure that relevant information and replies to press queries are communicated accurately, speedily and efficiently to the media.

The Personal Assistants and Personal Secretaries appointed by me have a range of duties and mainly provide administrative support and assistance in my Constituency Office and the Government Chief Whip's Constituency Office.

Departmental Appointments

2. **Deputy Fergus O'Dowd** asked the Taoiseach all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the terms of office they will serve; and if he will make a statement on the matter. [46381/10]

The Taoiseach: The details requested by the Deputy are set out in the table.

Name	Title	Body appointed to	Date of appointment	Term of Office	Salary since appointment up to last pay date in November 2010
					€
Deirdre Gillane	Special Adviser to the Taoiseach	Taoiseach's Special Adviser	31.05.10	Coterminous with the term of office of the Taoiseach	47,611
Padraig Slyne	Special Adviser to the Government Chief Whip and Minister of State	Special Adviser to the Government Chief Whip	24.03.10	Coterminous with the term of office of the Government Chief Whip	65,608
Nicola Stapleton	Personal Assistant to the Government Chief Whip and Minister of State	Personal Assistant to the Government Chief Whip	23.03.10	Coterminous with the term of office of the Government Chief Whip	29,277
Shauna Curran	Personal Secretary to the Government Chief Whip and Minister of State	Personal Secretary to the Government Chief Whip	23.03.10	Coterminous with the term of office of the Government Chief Whip	13,501
Maura Stynes	Personal Secretary to the Government Chief Whip and Minister of State	Personal Secretary to the Government Chief Whip	23.03.10	Coterminous with the term of office of the Government Chief Whip	13,723
Tony Donohoe, IBEC	Board member	National Economic and Social Council	January, 2010	*To Summer 2010	N/A
Mr Kevin Cardiff, Secretary General, Department of Finance	Board member	National Economic and Social Council	February, 2010	*To Summer 2010	N/A
Damian Callaghan Intel Capital	Chair of the Board	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Bernard Byrne, Chief Financial Officer, AIB	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Martin Kelly Partner, IBM VC Group	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Ray Nolan Software Entrepreneur	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Bernie Cullinan CEO Clarigen	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Helen Ryan CEO Creganna-Tactx Medical	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Hugh Brady President UCD	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A

Name	Title	Body appointed to	Date of appointment	Term of Office	Salary since appointment up to last pay date in November 2010
					€
Professor Peter Clinch Special Economic Adviser to the Taoiseach	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
John Corrigan Chief Executive NTMA	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Professor Frank Gannon Director General SFI	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Barry O'Leary CEO IDA Ireland	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Frank Ryan CEO Enterprise Ireland	Board member	Innovation Fund-Ireland Advisory Board	July, 2010	N/A	N/A
Dr. Patricia O'Hara Chairperson National Institute for Regional and Spatial Analysis (NIRSA)	Board member	National Statistics Board	October, 2010	3 years	Stipend of 5,714
Professor Philip Lane Trinity College Dublin (TCD)	Board member	National Statistics Board	October, 2010	3 years	Stipend of 5,079
Fergal O'Brien Irish Business and Employer's Confederation (IBEC)	Board member	National Statistics Board	October, 2010	3 years	Stipend of 5,079
Paul Sweeney Irish Congress of Trade Unions (ICTU)	Board member	National Statistics Board	October, 2010	3 years	Stipend of 3,809
Ciaran Dolan Irish Creamery Milk Suppliers' Association (ICMSA)	Board member	National Statistics Board	October, 2010	3 years	None to date**
Michael J. McGrath Assistant Secretary Department of Finance	Board member	National Statistics Board	October, 2010	3 years	N/A
Gerry O'Hanlon Director General Central Statistics Office (CSO)	Board member	National Statistics Board	October, 2010	3 years	N/A

*The term of office of the National Economic and Social Council (NESC) expired during Summer 2010. Nominations for a new Council have been received.

**Ciarán Dolan was appointed to the National Statistics Board (NSB) in October, 2010. In addition the Taoiseach formally made appointments in the Central Statistics Office in accordance with normal civil service arrangements.

State Bodies

3. **Deputy Lucinda Creighton** asked the Taoiseach the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46483/10]

The Taoiseach: There are 45 invoices due to be paid to private firms by NESDO totalling €119,717.12. All of these invoices will be paid within 15 calendar days.

Industrial Disputes

4. **Deputy Niall Collins** asked the Taoiseach the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if he will make a statement on the matter. [46521/10]

The Taoiseach: No industrial disputes, industrial actions or work to rule are presently being engaged in by staff of my Department.

Higher Education Grants

5. **Deputy Richard Bruton** asked the Tánaiste and Minister for Education and Skills if those on back to education allowance are liable to pay the proposed €200 charge for post leaving certificate courses, or will they be entitled to submit a maintenance grant application form to get payment of the charge; and if she will make a statement on the matter. [45910/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The cost of the proposed charge for PLC courses in the amount of €200 will be met by the Exchequer on behalf of those students who are eligible under the maintenance grant scheme for students attending PLC courses. Eligible students may include those in receipt of the Back to Education Allowance provided that they meet all of the terms and conditions of the relevant student grant scheme.

FÁS Training Programmes

6. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills if he will provide an outline of each service provided by FÁS which falls within the remit of his Department; the projected expenditure of FÁS in the current year for each area; the number of persons employed by FÁS in the delivery of these services; the number of persons assisted under each area in 2009 and to date in 2010; and if she will make a statement on the matter. [46176/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): I refer the Deputy to the answer I gave to question number 98 of 30 November 2010. As the National Employment and Training authority, the services provided by FÁS can be outlined as follows:

- Training services including the delivery of courses tailored to the needs of jobseeker's looking for employment and for those who are in employment including specially designed training interventions to allow Apprentices to qualify as craftspeople.
- Employment services including the delivery of Community-based employment and training programmes to allow for accessible learning in local areas, as well as jobsearch faci-

ties including guidance and resources for jobseekers with access to job vacancies, online CV profiling for employers and effective CV-to-job matching.

The FÁS 2010 budget for direct service delivery in each of these areas is set out in table 1. Table 2 sets out the number of beneficiaries of FÁS training and employment programmes in 2009 and in 2010 as at the end of September. Table 3 sets out the number of persons interviewed by the National Employment Service (NES) in 2009 and 2010 as at the end of October 2010. Finally, table 4 sets out the number of persons employed by FÁS in the delivery of training, employment and community services as well as providing a total complement of the Agency including all support services.

Table 1: FÁS Budget 2010 for Direct Service Delivery

	€ million
Training Services	381.4
Employment Services	54.2
Community Services	421.9
Integration support services funded by FÁS for the delivery of training and employment initiatives	14.0
Total	871.5

Table 2: Number of persons assisted* in FÁS Training and Employment Programmes

Year	Training Programmes	Employment Programmes
2009	129,988**	49,012
2010 (end of September)	115,915***	45,118

*The figures indicated in table 2 include persons currently in training or employment programmes, those who have completed their programmes and those who dropped out.

**Includes 14,944 persons who completed phase 2, 4 or 6 of off-the-job apprenticeship training.

***Includes 8,390 persons who completed phase 2, 4 or 6 of off-the-job apprenticeship training.

Table 3: Total Number of persons interviewed by the National Employment Service*

Year	Number
2009	205,835
2010 (end of October)	208,017

*The National Employment Service (NES) comprises FÁS and the Local Employment Service (LES) in the provision of services to jobseekers.

Table 4

FÁS Staffing	Number of persons employed
Overall (including support services)	1,985.84
Training Services	898.98
Employment Services	478.12
Community Services	224.18
Policy Support Unit for Employment and Community Services	70.82

7. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills if he will provide details on FÁS policy regarding client interviews and consultations including the number of interviews or consultations a jobseeker must attend; if attendance to interviews are mandatory; the frequency of interviews; the purpose and outcome of the interview; and if she will make a statement on the matter. [46177/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): FÁS Employment Services, under the National Employment Action Plan (NEAP) preventative strategy, systematically engages with unemployed persons on reaching three months unemployment. As part of this process, the Department of Social Protection (DSP) refers persons in receipt of unemployment payments to FÁS for assistance. NEAP clients are accorded priority in accessing training provided by FÁS Training Services.

If a jobseeker is referred to FÁS under the NEAP they must attend the first initial guidance interview. Depending on their individual needs they may attend for further guidance interviews on a voluntary basis. EAP clients who do not attend their initial guidance interview are notified to DSP. For other (non-EAP) jobseekers there is no mandatory requirement to attend interviews.

The frequency of interviews depends entirely on the needs of the client. Some clients may engage with the service only once or twice, while others may attend for interview many times during the course of their progression to employment through numerous interventions.

Following interview, clients may be referred to a range of training or employment programmes including Community Employment (CE) and the Work Placement Programme (WPP) or to access job search facilities including Jobs Clubs and self-service facilities. They may also avail of the Technical Employment Support Grant.

8. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills the total number of clients who were interviewed by FÁS during 2007; 2008; 2009 and to date in 2010; and if she will make a statement on the matter. [46178/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The information requested by the Deputy is being researched. I will respond to him substantively as soon as possible.

9. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills to provide in tabular form the total number of jobseekers interviewed once by FÁS during 2009 and to date in 2010; the total number of jobseekers interviewed twice by FÁS during 2009 and to date in 2010; the total number of jobseekers interviewed three times by FÁS during 2009 and 2010; the total number of jobseekers interviewed more than three times during 2009 and to date in 2010; and if she will make a statement on the matter. [46179/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The information requested by the Deputy is being researched. I will respond to him substantively as soon as possible.

10. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills the action he is taking to increase the number of FÁS interviews for jobseeker's during unemployment; and if she will make a statement on the matter. [46180/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): Through a redeployment of staff, and through working with the Local Employment Services

(LES), the National Employment Action Plan (NEAP) interview capacity has increased from just over 86,000 in 2008 to 154,000 in 2010. The Government is looking at ways to further increase this capacity.

Teaching Qualifications

11. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the number of post graduate teacher training places that have been confirmed for St. Patrick's College, Drumcondra and Mary Immaculate College, Limerick for the coming year; and if she will make a statement on the matter. [45806/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The 18 month post graduate course for primary teaching will commence in early 2011 for the purpose of enabling persons holding degrees (level 8) to qualify as primary teachers. In total there are 200 places available on the course. The number of places available in each College of Education offering the course is set out below:

- St. Patrick's College of Education, Drumcondra, Dublin 9 — 60 places;
- Mary Immaculate College, South Circular Road, Limerick — 60 places;
- Colaiste Mhuire, Marino Institute of Education, Griffith Avenue, Dublin 9 — 50 places;
- Froebel College of Education, Sion Hill, Blackrock, Co Dublin — 30 places.

Persons who successfully complete this course may be registered by the Teaching Council as qualified for service in the country's primary schools.

The closing date for receipt of completed application forms by the four Colleges is 10th December 2010. Further information regarding the courses is available on my Department's website or directly from the Colleges.

School Attendance

12. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the action that has taken place following the statement by her predecessor that schools closed by the bad winter weather in January would have to make up the days missed; if an audit has been carried out and if any schools opened later as a result; and if she will make a statement on the matter. [45817/10]

13. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the position regarding schools that have closed during the recent cold spell of ice and snow at the end of November-early December and if specific days have been mentioned to catch up on missed hours of education; the way this can be enforced; and if she will make a statement on the matter. [45818/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I propose to take Questions Nos. 12 and 13 together.

Following the bad weather last January, officials from my Department met with the relevant education partners. The main focus of those discussions was to ensure that any impact of the school closures on teaching and learning was addressed in an appropriate and sensible manner. The critical issue was to ensure courses were completed and that at second level the position of examination classes was given particular priority.

[Deputy Mary Coughlan.]

The position in relation to the recent weather conditions will vary from school to school. My Department's approach during exceptional and widespread adverse weather conditions is that schools should make all reasonable efforts to make up for lost time due to unforeseen school closures.

Departmental Funding

14. **Deputy Paul Gogarty** asked the Tánaiste and Minister for Education and Skills the sources of funding schools (details supplied) would have to enable them to cost-effectively minimise the risks of pipes and tanks freezing in view of the fact that they are operating in poorly insulated prefabs while waiting for final sanction for a proper school building; if any communications issued to or from the school following its decision to close up this week due to frozen pipes; and if she will make a statement on the matter. [45819/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school referred to by the Deputy may use their minor works grant which they received recently to carry out works to minimise the risk of pipes and tanks freezing. Emergency works grants are also 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.

My Department has no record of receiving any communication from the school in question following the school decision to close and no communication has issued from my Department to the school in relation to the matter.

Departmental Staff

15. **Deputy Paul Kehoe** asked the Tánaiste and Minister for Education and Skills the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by her; the annual salaries in each case; the pension arrangements in each case; and if she will make a statement on the matter. [45845/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The information requested by the Deputy is set out in the table.

Name	Title	Salary Scale	Pension Arrangements
Mr. Michael Shovlin	Special Adviser	€85,957-€105,429 (Principal Officer Higher Salary Scale).	Member of the Non-contributory Pension Scheme for Non-established State Employees. Member of the Spouses and Children's Contributory Pension Scheme for Non-established State Employees (Contribution of 1.5% of net salary).
Mr. Sean Perry	Press Adviser	€80,051-€98,424(Principal Officer Standard Salary Scale).	Member of the Non-contributory Scheme for Non Established Civil Servants. Member of the Spouses and Children's Contributory Pension Scheme for Non-established Civil Servants (Contribution of 1.5% of net salary).
Mr. Dermot Murphy* Civil Servant	Special Adviser	€80,051-€98,424 (Principal Officer Standard Salary Scale).	Member of the Contributory Pension scheme for Established Civil Servants (Contribution of 5% broken down to 3.5% of net salary and 1.5% of gross salary). Member of the Spouses and Children's Contributory Pension Scheme for Established Civil Servants (Contribution of 1.5% of net salary).
Ms. Paula O'Brien	Personal Assistant	€43,816 — €55,415 (Higher Executive Officer Standard Salary Scale).	Member of the Non-contributory Pension Scheme for Non-established State Employees. Member of the Spouses and Children's Contributory Pension Scheme for Non-established State Employees (Contribution of 1.5% of net salary).
Ms. Bridget Byrne*	Personal Secretary	€22,023 — €42,122(Secretarial Assistant Salary scale).	Member of the Non-contributory Pension Scheme for Non-established State Employees. Member of the Spouses and Children's Contributory Pension Scheme for Non-established State Employees (Contribution of 1.5% of net salary).
Ms. Marina Gaffney	Temporary Clerical Officer	€22,015 — €35,515(Clerical Officer Standard Salary Scale.)	Member of the Non-contributory Pension Scheme for Non-established State Employees. Member of the Spouses and Children's Contributory Pension Scheme for Non-established State Employees (Contribution of 1.5% of net salary).

*Attraction Allowance of up to 10% payable to these staff.

[Deputy Mary Coughlan.]

The duties of the above staff are to provide policy advice and administrative support to me in the undertaking of the functions of Tánaiste and Minister for Education and Skills.

The above appointments are subject to the pension related deduction (pension levy) in accordance with the Financial Emergency Measures in the Public Interest Act 2009. These appointments and the salaries paid are in accordance with the Department of Finance Instructions relating to the Appointment of Ministerial Private Office Staff.

Departmental Expenditure

16. **Deputy Brian Hayes** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 107 of 4 November 2010 when a response will issue; and if she will make a statement on the matter. [45858/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The information required to respond to Parliamentary Question No. 107 has been compiled and I can inform the Deputy that a reply will issue to him shortly.

Schools Building Projects

17. **Deputy M. J. Nolan** asked the Tánaiste and Minister for Education and Skills the position regarding an application for improvement works to be carried out to a school (details supplied) in County Carlow; and if she will make a statement on the matter. [45860/10]

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 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.

School Enrolments

18. **Deputy Brendan Howlin** asked the Tánaiste and Minister for Education and Skills the options available to persons (details supplied) in terms of securing a placement for their child; and if she will make a statement on the matter. [45881/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment

policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Under section 15(2)(d) of the Education Act 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the right of parents to send their children to a school of the parents choice are respected.

Section 29 of the Education Act 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under Section 29 of the Education Act, 1998 being upheld.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB will be able to offer assistance and advice on securing a school placement within the pupil's area. The contact details for the NEWB in your area is National Educational Welfare Board Block 3 South Dublin County Council Tallaght Dublin 24 Tel: 01 463 5513

19. **Deputy John McGuinness** asked the Tánaiste and Minister for Education and Skills if a place will be provided at a secondary school in Kilkenny for a person (details supplied) in County Kilkenny [45888/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

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Schools Recognition

20. **Deputy Jack Wall** asked the Tánaiste and Minister for Education and Skills the position regarding an application (details supplied); and if she will make a statement on the matter. [45905/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): In July 2008 Notifications of Intention to apply for recognition for a new primary school in Athy, County Kildare was received by my Department from the patron body referred to by the Deputy.

A review of the procedures for the establishment of new primary schools is currently being carried out under the Commission on School Accommodation. In the interim it is not proposed to recognise any new primary schools, except in areas where the increases in pupil numbers cannot be catered for in existing schools and which require the provision of new schools. The Commission is due to report to me shortly at which time I will have to consider the policy matters and necessary arrangements and revised procedures that will need to be put in place.

The establishment of new schools, including the one referred to by the Deputy, will be considered in this context.

School Placement

21. **Deputy Seán Ó Fearghaíl** asked the Tánaiste and Minister for Education and Skills the progress to date towards the realignment of primary school provision at a location (details supplied); if an official in her Department has been given specific responsibility for facilitating the initiative; if further meetings to discuss the realignment are planned; and if she will make a statement on the matter. [45914/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): I can confirm that agreement was reached with the school authorities of the schools referred to by the Deputy, for the realignment of both schools to become fully vertical co-education facilities.

In this regard, it was agreed in the longer term, that both schools would become 24 teacher schools with the requisite support staff in terms of special needs. It is not envisaged, therefore, that further meetings will be required with regard to the realignment process. I am pleased to advise the Deputy that a school building project for one of the schools is at an advanced stage of the tender process. Subject to no impediment arising, it is anticipated that the contract for the building project will be awarded in early 2011. A building project is also required at the second school to complete the realignment process. In this context, a site visit by my Department's technical staff was due to take place last week. However, it was not possible to complete the visit due to the adverse weather conditions. A visit will be re-scheduled and my officials will be in contact with the school authority in this regard. The matter is being handled by my Department's Planning and Building Unit.

The progression of a building project for this school, from initial design stage through to construction will be considered in the context of the school building and modernisation programme. In view of the level of demand on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

Teastas Gaeilge do Mhúinteoirí Iarbhunscoile

22. D'fhiafraigh **Deputy Arthur Morgan** den Tánaiste agus Aire Oideachais agus Scileanna Cé mhéad múinteoir nua-cheaptha a rinne an TGMI (Teastas Gaeilge do Mhúinteoirí Iarbhunscoile) i mbliana; cé mhéad iarrthóir a bhí ann sna blianta 2007-2010; agus cé mhéad pas agus teip a bhí ann; agus, sa chás nach n-éiríonn le hiarrthóir, an féidir ceapachán a dhéanamh, pé scéal é, i scoileanna Gaeltachta, agus i scoileanna eile ina bhfuil an Ghaeilge mar ghnáthmheán teagaisc. [45933/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Táthar ag tiomsú an eolais atá iarrtha faoi láthair agus seolfar ar aghaidh chuig an Teachta é a luaithe is féidir.

23. D'fhiafraigh **Deputy Arthur Morgan** den Tánaiste agus Aire Oideachais agus Scileanna Cé mhéad iar-bhunscoil Ghaeltachta atá ann ina bhfuil an Ghaeilge mar ghnáthmheán teagaisc (maidir le hábhair seachas an Ghaeilge) agus cad iad ainmneacha na scoileanna seo; cé mhéad iarbhunscoil Gaeltachta atá ag teagasc roinnt de na hábhair trí mheán na Gaeilge agus cad iad ainmneacha na scoileanna seo. [45934/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Foilsíonn mo Roinnse liosta na n-iar-bhunscoileanna uile ar a suíomh idirlín www.education.ie. Rangaítear iar-bhunscoileanna a sholáthraigh oideachas i 2009/10 trí mheán na Gaeilge d'iomlán a gcuid daltaí nó do chuid díobh mar “1” faoi cholún 5 ar an liosta seo. Cuirfidh mo chuid oifigeach cruachóip de liosta na n-iar-bhunscoileanna a bhfuil rangú “1” acu ar aghaidh chugat.

Special Educational Needs

24. **Deputy Pat Breen** asked the Tánaiste and Minister for Education and Skills when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [45944/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENO) for allocating special needs supports to schools to support children with special needs. All schools have the names and contact details of their local SENOs. Parents may also contact their local SENOs directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie. I will arrange for the details supplied by the Deputy to be forwarded to the NCSE for their attention and direct reply.

Schools Building Projects

25. **Deputy Pat Breen** asked the Tánaiste and Minister for Education and Skills the position regarding an application from a school (details supplied); and if she will make a statement on the matter. [45958/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The school to which the Deputy refers recently applied to my Department for funding for the replacement of prefabs and additional accommodation. The application is currently being assessed. My Department will convey a decision on the application to the school authority when the assessment process has been completed.

Grant Payments

26. **Deputy John Cregan** asked the Tánaiste and Minister for Education and Skills the grants that have been approved in recent years for a national school (details supplied) in County Limerick; the specific purposes for which the grants were approved; the total amount paid and if the full approved amounts were fully drawn down by the school [45967/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Details of the current and capital funding paid out to the school to which the Deputy refers from 2005 to 2010 are in the table for his information.

All approved amounts have been drawn down by this particular school.

[Deputy Mary Coughlan.]

Current & Capital Funding Provided To Knocklong NS 2005-End Nov 2010

Current Funding

Payment date	Description	Amount paid
		€
21-Nov-2005	Rem/Resource Equipment Grant	951.00
27-Jan-2006	Capitation Grant	13,577.52
23-Mar-2006	Ancillary Services Grant C49	17,375.00
16-Jun-2006	Free Book Grant	748.30
16-Jun-2006	Capitation Grant	4,119.98
31-Aug-2006	Pt Resource Arrears For 05/06	1,747.86
21-Sep-2006	Non-English Speaking Grant	6,348.69
17-Nov-2006	Deis Non—Ssp Grant	1,021.90
21-Nov-2006	Rem/Resource Equipment Grant	634.00
21-Nov-2006	Soundfield System	1,450.00
22-Nov-2006	Pt Teachers-16 Weeks Sep-Dec	1,177.00
14-Dec-2006	Standardised Testing Grant	450.00
25-Jan-2007	Capitation Grant	13,788.25
19-Feb-2007	P/T Teachers-21 Weeks Jan-June	1,545.00
22-Mar-2007	Ancillary Services Grant C49	19,206.00
30-Jul-2007	Capitation Grant	7,012.31
19-Sep-2007	Non-English Speaking Grant	6,348.69
19-Oct-2007	Pt Recon Arrears 06/07	3,202.04
12-Nov-2007	Free Book Grant	968.40
22-Nov-2007	Deis Non—Ssp Grant	1,079.12
27-Nov-2007	Pt Teachers-16 Weeks Sep-Dec	9,719.00
28-Nov-2007	Rem/Resource Equipment Grant	317.00
20-Dec-2007	Standardised Testing Grant	475.20
29-Jan-2008	Capitation Grant	16,038.79
20-Feb-2008	P/T Teachers-21 Weeks Jan-June	12,756.00
25-Feb-2008	Rem/Res Annual Equipment Grant 07/08	317.00
11-Mar-2008	Assistive Technology	1,010.68
04-Apr-2008	Ancillary Services Grant C49	20,907.00
30-Jun-2008	Capitation Grant	7,915.25
31-Jul-2008	School Books Grant	975.80
24-Nov-2008	Rem/Resource Equipment Grant	951.00
24-Nov-2008	Deis Non—Ssp Grant	1,128.18
24-Nov-2008	Pt Teachers-16 Weeks Sep-Dec	2,299.00
12-Dec-2008	Set Up Grant Ls/Rt Posts	318.00
12-Dec-2008	Standardised Testing Grant	496.80
30-Jan-2009	Capitation Grant	19,320.00
27-Feb-2009	P/T Teachers-21 Weeks Jan-June	4,088.00
30-Mar-2009	Ancillary Services Grant C49	20,305.00
24-Jun-2009	Ptt 07/08 Recon Arrears	3,852.59
30-Jun-2009	Capitation Grant	6,880.00
10-Jul-2009	Assistive Technology	739.27
29-Oct-2009	Ict Grant	5,000.00
27-Nov-2009	Ict Infrastructure	6,231.29

Payment date	Description	Amount paid
		€
17-Dec-2009	Standardised Testing Grant	471.60
27-Jan-2010	Capitation Grant	18,340.00
12-Apr-2010	Ancillary Services Grant C49	19,685.00
25-Jun-2010	School Books Grant	1,397.00
25-Jun-2010	Capitation Grant	7,060.00
28-Jun-2010	Assistive Tech Grant	874.00
28-Jun-2010	Assistive Tech Grant	874.50
11-Nov-2010	Ict Infrastructure	6,233.90
	Total Current Funding	299,727.91

Capital Funding

Payment date	Description	Amount paid
		€
05/08/2005	Furniture 2005	4,638.05
21/10/2005	Minor Works Grant	5,549.11
2005	2004 Devolved Prefab Grant (Total Grant 75,448 — Remainder Paid 2004	28,677.00
15/11/2006	Minor Works Grant	9,812.50
14/12/2007	Minor Works Grant	7,942.00
22/01/2008	Furniture Pre 2008d	1,802.90
19/12/2008	Minor Works Grant	8,053.00
2008/2009	Pas 2007	120,000.00
11/11/2009	Minor Works Grant	7,923.50
04/12/2009	Furniture 2009	2,500.00
22/11/2010	Minor Works Grant/PE Equipment	10,119.50
	Total Capital Funding	207,017.56
	Total Current & Capital Funding 2005 — End Nov 2010	506,745.47

School Accommodation

27. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Education and Skills if there are any plans to reform the process by which new Gaelscoileanna are set up and recognised by the State; and if she will make a statement on the matter. [45993/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): A review of the procedures for the establishment of new primary schools is currently being carried out under the Commission on School Accommodation. In the interim it is not proposed to recognise any new primary schools, except in areas where the increases in pupil numbers cannot be catered for in existing schools and which require the provision of new schools. The Commission is due to report to me shortly at which time I will have to consider the policy matters and necessary arrangements and revised procedures that will need to be put in place. The establishment of any new Gaelscoileanna will be considered in this context.

Redundancy Payments

28. **Deputy Charles Flanagan** asked the Tánaiste and Minister for Education and Skills in

[Deputy Charles Flanagan.]

relation to departmental circular 0058/2006, on redundancy arrangements for special needs assistants, with specific reference to a school (details supplied) in County Laois and having regard to the fact that an SNA post was terminated in accordance with the circular on the basis of the school's SNAs seniority list, on the principle of last in first out and if, having regard to a decision by the board of management in respect of the seniority position of staff members, consideration would be given towards the acknowledgement of a redundancy application in respect of a person; and if she will make a statement on the matter. [45995/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The case referred to by the Deputy is being examined by officials of my Department at present. The person referred to by the Deputy will be advised of the position as soon as possible.

Higher Education Grants

29. **Deputy John McGuinness** asked the Tánaiste and Minister for Education and Skills if she will review an application for a post leaving certificate maintenance grant applied for through Kilkenny Vocational Education Committee in respect of a person (details supplied) in County Kilkenny [46029/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant grant awarding authority i.e. the applicant's local authority or VEC. Where a grant application is refused, the reason for the refusal is given by the grant awarding authority. 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. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

Schools Building Projects

30. **Deputy Alan Shatter** asked the Tánaiste and Minister for Education and Skills in the context of the second phase of the tendering process for the construction of a school (details supplied) in Dublin 16, to make it a condition of the construction contract that in so far as is possible local persons are employed in the construction of the school and that this be a condition of the awarding of the contract; and if she will make a statement on the matter. [46164/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): It is a key principle, enunciated in the Public Procurement Guidelines, published by the NPPPU, that the public procurement function is discharged honestly, fairly, and in a manner that secures best value for public money. Contracting authorities must be cost effective and efficient in the use of resources while upholding the highest standards of probity and integrity.

The Guidelines require a competitive process carried out in an open, objective and transparent manner to achieve best value for money in public procurement. This is in line with EU Treaty principles and EU Directives on public procurement. The recently published Department of Finance Circular 10/10 was designed to provide small and medium enterprises with a level playing field for competing for public contracts.

Essential principles to be observed in conducting all procurement functions include non — discrimination, equal treatment, transparency, mutual recognition, proportionality, freedom to provide service and freedom of establishment. The Directives impose legal obligations on

public bodies in regard to advertising and the use of objective tendering procedures for contracts above certain value thresholds. The estimated cost of the project referred to by the Deputy is clearly above the relevant threshold and will require advertisement for tender in the OJEU as well as on the Governments etenders web-site.

In common with the rest of the Public Sector, capital works projects in schools are tendered under the standard Public Works Contracts as required by the Department of Finance and the Government Contracts Committee for Construction (GCCC). These contracts do not include provisions concerning the employment of local labour.

Question No. 31 withdrawn.

FÁS Training Courses

32. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Education and Skills the amount that has been drawn down of the €56 million that was made available to FÁS for short term courses in budget 2010; the number of training places created; and if she will make a statement on the matter. [46329/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): As at the end of October €51.8 million was drawn down by FÁS to provide for a range of short-term courses (courses of 45 to 105 days duration). This funding provided for 82,809 training places (both those who have completed and those currently still in training).

33. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Education and Skills the amount that has been drawn down of the €20 million that was made available to the activation fund; the number of training places created; and if she will make a statement on the matter. [46330/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): As part of Budget 2010, the Government announced the creation of a €20 million Labour Market Activation Fund, intended to deliver 3,500 places on training and education programmes for the unemployed. Its objective was to stimulate innovation in the provision of training and activation measures for jobseekers seeking to up-skill and get back into work. The Fund is being targeted to specific priority groups among the unemployed: the low skilled, and those formerly employed in declining sectors — construction, retail and manufacturing sectors, with particular emphasis on the under 35's and the long-term unemployed.

On 5th August, an additional allocation of €12 million, financed in part by savings in proposed European Globalisation Fund expenditure, was made available by the Department of Education and Skills, enabling funding to be offered to 33 additional projects. This brought total funding to €32 million for 59 projects proposing to provide up to 12,000 education and training places for the unemployed. Twenty-six projects providing for over 6,500 education and training places, in all geographical regions, benefited from the initial fund of €20 million.

In the main, Phase 1 projects are meeting their interim targets. As of mid-October some 3,441 or 52% of Phase 1 places were already filled, with further courses coming on stream between November 2010 and January 2011. On the basis of current information, it appears that the targets for places to be provided as set out in tenders by projects can be largely met. Thirty-three projects providing for some 5,400 places in all geographic regions benefited from the second tranche of funding allocated in August. Many projects are still in the process of recruiting participants. It is therefore not possible yet to state the total number of beneficiaries from the Fund.

[Deputy Seán Haughey.]

Contractual terms provide for payments to projects in three tranches — 40% on contract signature, 30% six weeks after programme start subject to achievement of interim activity and expenditure targets, and 30% on programme completion subject to achievement of education and training provision contracted for. As of end November 2010, €14.7 million had been paid to projects. It is anticipated that by year's end some €18 million will have been drawn from the Fund. The balance, €14 million, represents the commitment to projects for payments that fall due during 2011, subject to them meeting the delivery terms of the contract.

FÁS Training Programmes

34. **Deputy Mary Wallace** asked the Tánaiste and Minister for Education and Skills the details of the scheme for redundant apprentices and the rotation of apprentices scheme; the value of these schemes to the apprentice and to the employer; the number to be covered by the schemes; the way the schemes operate; and if she will make a statement on the matter.

[46344/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): A total of 477 apprentices were trained under the Redundant Apprentice Rotation Scheme which operated in 2009. That scheme was replaced in 2010 by the Redundant Apprentice Placement Scheme which aims to give redundant apprentices the opportunity to complete on-the-job training phases 3, 5 or 7 to enable them to progress in their apprenticeship. Under the Scheme, FÁS places a redundant apprentice with an approved employer who provides workplace training and assessment at phases 3, 5 or 7. This allows the apprentice to gain the required knowledge, skills and competence in their chosen trade. In order to obtain approval under the Scheme, employers must either be currently employing a registered apprentice or have previously trained a FÁS registered apprentice up to craftsperson status in the past 5 years. The benefit to the apprentice is that they can successfully progress to the next off-the-job phase of their apprenticeship or complete their apprenticeship. The benefits to the employer include the availability of an additional staff resource and a FAS employment subsidy of €250 per week for each 39 hour week worked. To date in 2010 a total of 417 redundant apprentices have participated in the Scheme.

Post Leaving Certification Courses

35. **Deputy Mary Wallace** asked the Tánaiste and Minister for Education and Skills the proposals regarding streamlining the position for post leaving cert students entering further education and the way greater clarity can be provided to applicants regarding who is providing which courses and the way the duplication of courses by different agencies can be eliminated so as to provide clarity to applicants accessing the courses rather than the present situation where an applicant does not know whether to do the course with FÁS, the vocational education committee or further education colleges; and if she will make a statement on the matter.

[46346/10]

Minister of State at the Department of Education and Skills (Deputy Seán Haughey): The Post Leaving Certificate (PLC) programme provides an integrated general education, vocational training and work experience programme for young people who have completed their Leaving Certificate and adults returning to education. Its purpose is to enhance their prospects of gaining employment or progressing to further or higher education.

FÁS provides training services, including the delivery of courses tailored to the needs of jobseekers looking for employment and for those who are in employment, including specially

designed training interventions to allow apprentices to qualify as craftspeople. FÁS also provides employment services, including the delivery of community-based employment and training programmes to allow for accessible learning in local areas, as well as jobsearch facilities, including guidance and resources for jobseekers with access to job vacancies, online CV profiling for employers and effective CV-to-job matching.

FÁS and the Irish Vocational Education Association (IVEA), representing VECs, signed a National Co-operation Agreement in June 2009. The Agreement is facilitating co-operation and collaboration between FÁS and VECs in the provision of further education and training, including planning service delivery and information on learning and progression options.

Higher Education Grants

36. **Deputy Mary Wallace** asked the Tánaiste and Minister for Education and Skills the position regarding processing of third level grant applicants on a county and agency basis; the steps she is taking to expedite the remaining files for processing and the other measures that can be taken to assist third level students in relation to the grant payments after the grant has been awarded; and if she will make a statement on the matter. [46351/10]

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. I am aware that the timing of payment varies between the 66 awarding authorities depending on a number of variables including the volume of applications received, staffing resources and whether or not properly completed application forms have been submitted. Work prioritisation across different functions, and how available staff are deployed to execute those functions are matters for the management of each VEC and local authority concerned.

This year's student grant schemes include a number of significant administrative and service improvements aimed at addressing the issue of delay, which include an initial roll-out of a new online grant application system. The new system, introduced in both Irish and English, is already operating in 11 grant awarding authorities. Building on this initial phase for the current academic year, the ultimate aim will be to make it available to all applicants nationally.

Key among the other improvements introduced are a complete overhaul of the grant application form, streamlined administrative processes, advance payments to awarding authorities and publication of the grant schemes some two months earlier than last year.

The Student Support Bill, which will provide for a fundamental and radical restructuring of the whole student grants administration function and provide for a single unified scheme is now listed to be taken at Report stage on 16 December 2010.

The table details the number of new student grant applications received, awarded, refused, on-going, cancelled, yet to be processed, transferred and the number paid by the local authorities and Vocational Educational Committees for the 2010/11 academic year up to the week ended 3 December 2010 unless otherwise stated. The information has been supplied to my Department by the local authorities and the Vocational Education Committees.

My Department is in constant contact with grant awarding authorities to monitor the situation in relation to the processing and payment of student grants. It recently wrote, on my behalf, to the heads of the grant awarding authorities to inform them that I am anxious to ensure that remaining applicants receive decisions on their grant applications as soon as possible and requesting their co-operation in prioritising this work in their Councils/Committees.

Local Authorities — Processing Position as at week ending 3.12.10

Local Authorities	Number of New Applications	Awarded	Refused	Ongoing/ Further Information or Documentation Requested	Cancelled/ Withdrawn	Yet to be processed	Transferred	Paid
Carlow Co. Council	233	158	25	40	4	0	6	151
Cavan Co. Council	293	174	26	53	7	17	16	174
Clare Co. Council	682	375	27	179	0	79	22	253
Cork City Council	775	267	69	198	6	137	98	208
Cork Co. Council	1,608	215	166	452	22	640	113	179
Donegal Co. Council	877	454	112	180	31	0	100	300
Dublin City Council	2,457	976	331	283	58	418	391	748
Dun/Rath Co. Council	827	254	101	250	14	111	97	197
South Dublin Council	863	292	93	206	14	123	135	213
Fingal Co. Council	996	241	167	173	0	311	104	101
Galway Co. Council	2,504	793	106	834	44	543	184	793
Kerry Co. Council	703	438	67	126	13	0	59	370
Kildare Co. Council	1,052	295	53	195	23	271	215	295
Kilkenny Co. Council	432	301	40	41	18	0	32	235
Laois Co. Council	396	257	41	23	17	5	53	257
Leitrim Co. Council	225	139	15	37	1	0	33	123
Limerick Co. Council	724	169	59	150	17	264	65	91
Limerick City Council	283	151	15	85	2	11	19	0
Longford Co. Council	207	128	18	32	8	0	21	112
Louth Co. Council	602	169	32	141	9	197	54	49
Mayo Co. Council	642	388	45	45	27	20	117	247
Meath Co. Council	735	195	118	218	4	200	0	147
Monaghan Co. Council	323	188	38	34	5	0	58	166
Offaly Co. Council	229	144	29	15	9	12	20	140
Roscommon Co. Council	481	321	38	45	21	0	56	321
Sligo Co. Council	301	164	22	66	18	0	31	137
Tipperary (NR) Council	312	197	21	51	13	10	20	159

Local Authorities — Processing Position as at week ending 3.12.10 — *continued*

Local Authorities	Number of New Applications	Awarded	Refused	Ongoing/ Further Information or Documentation Requested	Cancelled/ Withdrawn	Yet to be processed	Transferred	Paid
Tipperary (SR) Council	451	238	44	50	1	79	39	216
Waterford City. Council	174	81	27	42	7	0	17	72
Waterford Co. Council	537	346	23	0			11	317
Westmeath Co. Council	390	260	36	58	8	0	28	260
Wexford Co. Council	514	270	83	94	21	6	40	215
Wicklow Co. Council	776	326	53	131	10	138	118	159

VECs — Processing Position as at week ending 3.12.10

VECs	Number of New Applications	Awarded	Refused	Ongoing / Further Information or Documentation Requested	Cancelled / Withdrawn	Yet to be processed	Transferred	Paid
Co. Carlow VEC	337	312	15	6	0	2	2	132
Co. Cavan VEC	1,129	636	165	238	22	44	24	500
Co. Clare VEC	1,230	631	141	331	47	0	80	238
Co. Cork VEC	2,669	336	159	1,325	46	715	88	200
City of Cork VEC	1,130	338	195	347	24	35	191	137
Co. Donegal VEC	1,990	1,016	197	471	198	10	98	840
City of Dublin VEC	2,684	766	459	1,033	54	62	310	313
Co. Dublin VEC	2,893	429	272	1,133	41	737	281	154
Dun Laoghaire VEC	375	147	60	88	4	2	74	118
City of Galway VEC	627	421	57	71	8	0	70	314
Co. Galway VEC	1,921	805	118	245	40	558	155	194
Co. Kerry VEC	1,816	1,084	178	361	113	7	73	448
Co. Kildare VEC	1,310	418	145	549	20	55	123	0

VECs — Processing Position as at week ending 3.12.10

VECs	Number of New Applications	Awarded	Refused	Ongoing / Further Information or Documentation Requested	Cancelled / Withdrawn	Yet to be processed	Transferred	Paid
Co. Kilkenny VEC	848	418	102	67	0	201	60	131
Co. Laois VEC	709	298	75	178	15	79	64	88
Co. Leitrim VEC	403	235	24	61	9	36	38	72
City of Limerick VEC	572	329	79	60	84	20	0	0
Co. Limerick VEC	996	469	127	286	29	26	59	150
Co. Longford VEC	718	417	88	93	67	0	53	248
Co. Louth VEC	1,133	658	148	120	6	107	94	232
Co. Mayo VEC	1,538	581	18	0	31	908	0	175
Co. Meath VEC	1,307	518	154	358	58	157	62	142
Co. Monaghan VEC	847	453	103	0	40	171	80	183
Co. Offaly VEC	749	457	100	143	24	5	20	112
Co. Roscommon VEC	810	561	102	82	18	0	47	266
Co. Sligo VEC	944	383	49	391	37	40	44	203
Co. Tipperary NR VEC	929	425	119	232	46	70	37	202
Co. Tipperary SR VEC	756	597	45	49	30	0	35	215
Co. Waterford VEC	510	311	66	133	0	0	0	113
City of Waterford VEC	573	133	45	112	13	243	27	126
Co. Westmeath VEC	931	508	133	186	23	0	81	188
Co. Wexford VEC	1,768	307	215	803	19	249	175	372
Co. Wicklow VEC	1,038	417	103	218	22	161	117	116

Information from the following Local Authorities refers to week ending 29. 10.10 Wicklow

Information from the following Local Authorities refers to week ending 5. 11.10 Waterford County incomplete

Information from the following Local Authorities refers to week ending 19 11.10 Louth

Information from the following Local Authorities refers to week ending 26. 11.10 Westmeath

Information from the following VEC's refers to week ending 5. 11.10 Wexford

Information from the following VEC's refers to week ending 26. 11.10 Tipperary SR, Tipperary NR, City of Limerick, Mayo

Information from the following VEC's refers to week ending 19.11.10 Laois

Information from the following VEC's refers to week ending 12.11.10 Meath

This information has been supplied to the Department by the local authorities and the Vocational Education Committees.

State Bodies

37. **Deputy Mary Wallace** asked the Tánaiste and Minister for Education and Skills the steps she is taking to deal with the increasing reports and concerns regarding the non-handing over of payment to subcontractors of funds owed to them by contractors following works carried out on behalf of her Department for which her Department or its agencies have already paid the contractor and the substantial number of tenders that are being awarded to contractors from outside of the jurisdiction and the subsequent loss of income to the State and the consequential loss of jobs adding further costs to the State; and if she will make a statement on the matter. [46353/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The Deputy will be aware that under the GCCC (Government Construction Contracts Committee) Public Works Contracts there is no contractual relationship between my Department and domestic subcontractors engaged on school building projects. As such it is a matter for sub-contractors to agree terms and conditions for payment with the main contractor or other sub-contractors.

However, the issue raised by the Deputy has come to the Government's attention previously. As the Deputy will be aware, legislation on the matter is currently before the Upper House. In addition, a consultation process between the Department of Finance and the relevant industry and professional bodies has taken place to explore the legal, technical and procedural issues surrounding the regulating of payment and certain other matters under construction contracts and to provide for related matters. My Department has contributed to this consultation process and is supportive of the overall objectives.

With regard to contracts being awarded to contractors from outside the State, the Deputy will be aware that under national and EU procurement rules, companies from other Member States are entitled to tender for public competitions in Ireland. Similar protections apply for Irish companies seeking to tender for public competitions in other Member States.

Schools Building Projects

38. **Deputy John O'Mahony** asked the Tánaiste and Minister for Education and Skills the number of applications currently with her Department for new primary school buildings in County Mayo in tabular form; the position regarding these applications; and if she will make a statement on the matter. [46360/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Information in relation to the current school building programme along with all eligible applications for major capital works, including primary and post primary projects in County Mayo as referred to by the Deputy, is available on my Department's website at www.education.ie.

A table showing the major capital projects for primary schools in County Mayo, extracted from the website, is attached for the Deputy's information.

All applications for Major Capital Funding are assessed by my Department. Eligible projects are then assessed in accordance with the published prioritisation criteria for large scale building projects and assigned an appropriate band rating. The priority attaching to individual major capital projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website.

[Deputy Mary Coughlan.]

The progression of all large scale building projects, 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.

Mayo Primary and Post Primary Major Capital Projects

A1.3 Projects in Architectural Planning (July 2009)

County	Roll No.	School	Current Status	Band Rating	Project Description
Mayo	13667H	St. Josephs NS, Bonniclonlon, Ballina, Co. Mayo	Detailed Design	2.2	New School
Mayo	20142I	Scoil Iosa, Ballyhaunis, Co Mayo	In advanced Architectural Planning	1.4	Extension/Refurbishment

C1.1 Applications for Major Capital Works

County	Roll Number	School	Current Status	Application for	Provisional Band rating
Mayo	04796R	Brackloon N S Westport (Mayo)	Application	Extension/Refurb	Band 2
Mayo	05215W	S N Croi Iosa Ballina (Mayo)	Application	Extension/Refurb	Band 2
Mayo	07054L	Cullens National School, Knockduff, Beal Atha An Fheadha	Awaiting Appointment of Design Team	Extension/Refurb	Band 2
Mayo	08302J	Holy Trinity National School, Newport Road, Westport, Co. MAYO	Application	Extension/Refurb	Band 2
Mayo	11725I	Beheymore N S Ballina (Mayo)	Application	Extension/Refurb	Band 2
Mayo	12568A	Sn Inbhear Barr Na Tra (Mayo)	Application	New School	Band 2
Mayo	13145A	S N Naomh Colm Cille Westport (Mayo)	Application	Extension/Refurb	Band 2
Mayo	13174H	St Columbas N.S. Inishturk (Mayo)	Application	Extension/Refurb	Band 2
Mayo	13389F	Sn An Trian Lair Beal Atha Na Muiche (Mayo)	Application	Extension/Refurb	Band 2
Mayo	13659I	Beacan Mixed N S Began (Mayo)	Application	Extension/Refurb	Band 3
Mayo	13797U	Lecanvey N S Westport (Mayo)	Application	Extension/Refurb	Band 2
Mayo	14195U	An Gleanna Mhoir S N Crossmolina (Mayo)	Application	Extension/Refurb	Band 3
Mayo	14205U	S N Mainistir Muigheo Claremorris (Mayo)	Application	Extension/Refurb	Band 2
Mayo	14671D	S N Na Craobhaighe Carrowmore-Lacken (Mayo)	Application	Extension/Refurb	Band 2
Mayo	14808E	Irishtown N S Claremorris (Mayo)	Application	Extension/Refurb	Band 3

C1.1 Applications for Major Capital Works — *continued*

County	Roll Number	School	Current Status	Application for	Provisional Band rating
Mayo	15257V	Quignamanger N S Ballina (Mayo)	Application	Extension/Refurb	Band 2
Mayo	16021U	Lisaniska N S S N Lios An Uisce (Mayo)	Application	Extension/Refurb	Band 3
Mayo	16122D	Knock N S Claremorris (Mayo)	Application	Extension/Refurb	Band 3
Mayo	16173U	Kinaffe N S Swinford (Mayo)	Application	Extension/Refurb	Band 3
Mayo	16283E	S N Pol A Tsomais Beal An Atha (Mayo)	Application	Extension/Refurb	Band 3
Mayo	16832L	Muirisc Ns Muirisc (Mayo)	Application	Extension/Refurb	Band 2
Mayo	16904K	S N Lainn Cille Cathair Na Mart (Mayo)	Application	Extension/Refurb	Band 2
Mayo	18002D	Drumgallagh N S Ballycroy (Mayo)	Application	Extension/Refurb	Band 3
Mayo	18070U	Convent Of Mercy N.S. Claremorris (Mayo)	Application	Extension/Refurb	Band 2
Mayo	18175L	S N Beannchair Carrowmore (Mayo)	Application	Extension/Refurb	Band 2
Mayo	18542M	S N Naomh Padraig Castlebar (Mayo)	Application	Extension/Refurb	Band 2
Mayo	18561Q	S N Naomh Ioseph Raithini (Mayo)	Application	Extension/Refurb	Band 2
Mayo	19248R	St Anthonys Special Sc Humbert Way (Mayo)	Application	Extension/Refurb	Band 1
Mayo	19375B	St Brides Special Sch Pavilion Road (Mayo)	Application	Extension/Refurb	Band 1
Mayo	19451O	Newport Central Baile Ui Bhfiachain (Mayo)	Application	Extension/Refurb	Band 1
Mayo	19808G	Tavrane Central Ns Kilkelly (Mayo)	Application	Extension/Refurb	Band 3
Mayo	19812U	Foxford Central Ns Foxford (Mayo)	Application	Extension/Refurb	Band 1
Mayo	19832D	Scoil Raifteiri Faiche An Aonaigh (Mayo)	Application	Extension/Refurb	Band 2
Mayo	19903A	Kiltimagh Central Kiltimagh (Mayo)	Application	Extension/Refurb	Band 2
Mayo	19972T	S N Uileog De Burca Clar Chlainne Mhuiris (Mayo)	Application	New School	Band 2
Mayo	20037L	S N Padraig Naofa Louisburgh (Mayo)	Application	Extension/Refurb	Band 2
Mayo	20084U	Gaelscoil Bheal An Atha Corrai Mhuireann (Mayo)	Application	New School	Band 2
Mayo	20230F	Scoil Phadraic Westport (Mayo)	Application	Extension/Refurb	Band 1
Mayo	20256A	Scoil Náisiúnta Thuar Mhic Éadaigh Trianláir (Mayo)	Application	Extension/Refurb	Band 2

39. **Deputy John O'Mahony** asked the Tánaiste and Minister for Education and Skills the number of applications currently with her Department for new post primary school buildings in County Mayo in tabular form; the position regarding these applications; and if she will make a statement on the matter. [46361/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): Information in relation to the current school building programme along with all eligible applications for major capital works, including primary and post primary projects in County Mayo as referred to by the Deputy, is available on my Department's website at www.education.ie. A table showing the major capital projects for post primary schools in County Mayo, extracted from the website, is attached for the Deputy's information.

All applications for Major Capital Funding are assessed by my Department. Eligible projects are then assessed in accordance with the published prioritisation criteria for large scale building projects and assigned an appropriate band rating. The priority attaching to individual major capital projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website. The progression of all large scale building projects, 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.

Mayo Primary and Post Primary Major Capital Projects

A1.3 Projects in Architectural Planning (July 2009)

County	Roll No.	School	Current Status	Band Rating	Project Description
Mayo	64570E	Our Lady's Secondary School, Belmullet, Co Mayo	In advanced Architectural Planning	2.2	Extension/Refurbishment
Mayo	64660F	Sancta Maria College, Louisburgh, Co Mayo	In advanced Architectural Planning	2.4	Extension/Refurbishment
Mayo	91461C	Ballyhaunis Community School, Knock Road, Ballyhaunis, Co Mayo	In early Architectural Planning	2.4	Extension/Refurbishment

C1.1 Applications for Major Capital Works

County	Roll Number	School	Current Status	Application for	Provisional Band rating
Mayo	64500G	Balla Secondary School Balla (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64510J	St Muredachs College Sligo Road (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64520M	St. Mary's Secondary School, Ballina	Awaiting Appointment of Design Team	New school	Band 2
Mayo	64590K	Naomh Iosaef Clochar Na Trócaire (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64640W	St Joseph'S Secondary School Foxford (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64690O	Scoil Muire Agus Padraig Swinford (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64691Q	Coláiste Mhuire Tuar Mhic Éadaigh (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64700O	Rice College Castlebar Road (Mayo)	Application	Extension/Refurb	Band 2
Mayo	64710R	Sacred Heart School Westport (Mayo)	Application	Extension/Refurb	Band 2
Mayo	72070D	Mchale College Achill Sound (Mayo)	Application	Extension/Refurb	Band 4
Mayo	72100J	St. Tiernan's College Crossmolina (Mayo)	Application	Extension/Refurb	Band 2
Mayo	72160E	Carrowbeg College Westport (Mayo)	Application	Extension/Refurb	Band 2
Mayo	76060U	Davitt College Springfield (Mayo)	Application	New School	Band 2
Mayo	91494R	St Louis Community School Kiltimagh (Mayo)	Application	Extension/Refurb	Band 2

Ministerial Appointments

40. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Education and Skills all appointments made by her in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if she will make a statement on the matter. [46373/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The information requested is currently being collated and will be forwarded to the Deputy as soon as possible.

Special Education Needs

41. **Deputy Pat Breen** asked the Tánaiste and Minister for Education and Skills if a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [46401/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) 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.

In considering applications for teaching and SNA support for individual pupils, the SENOs take account of the needs identified in the professional reports and decide whether the circumstances come within the Department's criteria. They then consider the resources available to the school to identify whether additionality is needed or whether the school might reasonably be expected to meet the needs of the pupil from its current level of resources.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

Schools Building Projects

42. **Deputy Darragh O'Brien** asked the Tánaiste and Minister for Education and Skills the progress with the construction of the new school building for an organisation (details supplied); and if she will make a statement on the matter. [46416/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The project to which the Deputy refers is at an advanced stage of the tender process. Subject to no impediment arising, it is anticipated that the contract for the building project will be awarded in early 2011.

Higher Education Grants

43. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills when education grants will be awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46423/10]

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.

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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. The process of assessing and paying third level or further education grants is a matter for the relevant local authority or VEC.

44. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the reason a lower rate of higher education grant has been awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46424/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant grant awarding authority i.e. the applicant's local authority or VEC. Where a grant application is refused, the reason for the refusal is given by the grant awarding authority. 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. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

45. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the reason a higher education grant has not been awarded in the case of a person (details supplied) in County Dublin who is currently attempting to go back to education following loss of employment; when this file will be reviewed; and if she will make a statement on the matter. [46425/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The decision on eligibility for a student grant is a matter, in the first instance, for the relevant grant awarding authority i.e. the applicant's local authority or VEC. Where a grant application is refused, the reason for the refusal is given by the grant awarding authority. 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. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

Special Educational Needs

46. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills when special needs assistance to cover full school attendance of a person (details supplied) will be provided; and if she will make a statement on the matter. [46426/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) 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.

In considering applications for teaching and SNA support for individual pupils, the SENOs take account of the needs identified in the professional reports and decide whether the circumstances come within the Department's criteria. They then consider the resources available to the school to identify whether additionality is needed or whether the school might reasonably be expected to meet the needs of the pupil from its current level of resources.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

I understand that access to SNA support has been granted for this child based on his current level of school attendance, and the NCSE have advised that the matter may be reviewed in light of any increased attendance.

My Departments Schools Division have advised that they have not, to date, received any application for the retention of home tuition support hours for this child. It should, however, be noted that the Schools Division home tuition scheme is designed to provide a measure of temporary interim educational support for children who do not have a school place. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

State Bodies

47. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Education and Skills the total amount of moneys owed to private firms by public bodies under the remit of her Department; and if she will make a statement on the matter. [46475/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): The procurement of goods and services by bodies under the aegis of my Department is an operational matter for the bodies themselves and therefore the information requested by the Deputy is not collated centrally.

For the Deputy's information I can confirm that public bodies under the aegis of my Department seek to ensure that prompt payment is made to all suppliers while at the same time satisfying the requirement, under the Public Financial Procedures, that invoices are correctly certified as being in order for payment.

Industrial Disputes

48. **Deputy Niall Collins** asked the Tánaiste and Minister for Education and Skills the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of her Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if she will make a statement on the matter. [46513/10]

Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan): There are four unions that represent the administrative and non administrative staff at my Department. The Association of Higher Civil & Public Servants (A.H.C.P.S.), the Public Service Executive Union (P.S.E.U.), the Civil Public & Services Union (C.P.S.U.) and the Irish Municipal Public & Civil Trade Union (IMACT). The four are parties to the terms of the Croke Park Agreement. None of the unions concerned are engaged in industrial action within the Department at this time.

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In line with the concept of Partnership my Department holds regular Partnership and Departmental Council meetings at which the unions are represented and they can place any issues of concern they may have on the agenda. In addition to this where a union has a particular concern affecting its members it can request officials at my Department to host a bi-lateral meeting to discuss the matter.

Election Management System

49. **Deputy Joe McHugh** asked the Minister for Finance the cost to the State of the Donegal South-West by-election held on 25 November 2010; and if he will make a statement on the matter. [45920/10]

Minister for Finance (Deputy Brian Lenihan): Under the Electoral Acts, the Minister for Finance indicates a time when, and the manner and form in which, accounts are to be rendered to him after an election. Returning Officers are required to finalise their accounts not later than 6 months after an election. In the case of Donegal South-West, this would not be until 25th May 2011 at the latest. Therefore, it will not be possible to give a final accounting for the by-election until then. However, the Department of Finance estimate that the cost of the By-Election would not exceed €450,000, including postage costs.

Garda Stations

50. **Deputy John O'Donoghue** asked the Minister for Finance the status of the new Castle-island Garda station that is being constructed; the way the project is proceeding; and if he will make a statement on the matter. [46223/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The Contractor commenced works on site on 3 August 2010. I can confirm that works are progressing well with demolitions, site set and foundation for the main building all completed. The project has progressed and the form of the main building is now evident. It is expected that the project will be completed in the fourth quarter of 2011.

Public Sector Staff

51. **Deputy Brian Hayes** asked the Minister for Finance the number of staff taken on by the office of the Financial Regulator in the past two years; the terms under which the new contracts were agreed; if flexi-time agreements are in place with new staff; the number of days leave taken by staff at the regulator broken down per month over the past two years; and if he will make a statement on the matter. [45838/10]

Minister for Finance (Deputy Brian Lenihan): Under the Central Bank of Ireland Act 1942 (as amended), the employment of staff in the Central Bank is a matter solely for the Central Bank Commission and the Governor and is not a matter in which I have a role. However, I have been informed by the Central Bank that the total number of staff taken on by the Irish Financial Services Regulatory Authority or the Central Bank to work on financial regulation since the start of December 2008 is 285, of whom 170 are on permanent contracts and 95 on temporary contracts. New senior professional staff cannot avail of flexi-time but other new staff may work up a maximum number of 7 flexi days per annum, subject to local business needs. The average number of leave days taken by new staff members in the period since the start of December 2008 is some 2 days per month.

Departmental Staff

52. **Deputy Paul Kehoe** asked the Minister for Finance the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45848/10]

Minister for Finance (Deputy Brian Lenihan): Since my appointment as Minister for Finance on 7 May 2008 the relevant staffing details are as follows:

Name	Title	Salary Range	Duties	Pension Arrangements
Alan Ahearne	Special Adviser	€88,490 -€109,455	Any duties which may be assigned to him from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.	No entitlement to Civil Service Superannuation. As Mr Ahearne is on secondment from NUI Galway, he remains a member of the University's superannuation scheme.
Cathy Herbert	Special Adviser	€84,066 -€103,982	Any duties which may be assigned to her from time to time as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.	Payments not exceeding 11% of salary are made to a nominated pension fund.
Maura Cosgrove	Personal Assistant	€43,816 -€55,415	Required to provide assistance to or for the office holder who selected her for appointment.	The terms of the Non-contributory Pension Scheme for Non-established State Employees and of the Contributory Spouses' and Children's' Pension Scheme for Non-established State Employees apply to this appointment.
Marian Quinlan	Personal Secretary*	€22,023 -€42,122	Required to provide assistance to or for the office holder who selected her for appointment.	The terms of the Non-contributory Pension Scheme for Non-established State Employees and of the Contributory Spouses' and Children's' Pension Scheme for Non-established State Employees apply to this appointment.

* This position attracts an allowance of 10%.

National Lottery

53. **Deputy Ciarán Lynch** asked the Minister for Finance if he will provide a breakdown of national lottery income by quarter for each year since 2007; the amount disbursed under each heading in each year; and if he will make a statement on the matter. [45864/10]

Minister for Finance (Deputy Brian Lenihan): The National Lottery Act 1986 provides that the surplus generated by the National Lottery be transferred to the Exchequer. The surplus is the total income from lottery sales after deduction of prizes and allowable costs. The surplus for each of the years 2007 to 2009 is as follows:

2007: €245m;

2008: €268m;

2009: €264m

Section 5 of the National Lottery Act 1986 provides that the surplus from the National Lottery may be used for the following purposes: sport and other recreation; national culture, including the Irish Language; the arts, within the meaning of the Arts Act 1951; the health of the community; and for such other purposes as the Government may determine. The following additional categories have been so determined: youth, welfare, national heritage and amenities.

In order to give effect to this statutory provision, the surplus from the National Lottery is transferred to the Exchequer on a regular basis and is applied to each year to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes. Since 2005, the allocations for the relevant subheads exceed the amount available from the National Lottery surplus. Each year, the amount transferred to the Exchequer from the National Lottery surplus, together with details of the total Exchequer allocations to the relevant subheads are set out in Appendix 1 of the annual “Revised Estimates for Public Services”.

Public Building Projects

54. **Deputy Joe McHugh** asked the Minister for Finance if he will provide or secure remuneration for construction companies that are unpaid by liquidated major construction companies for subcontracts completed on major public building projects; and if he will make a statement on the matter. [45865/10]

Minister for Finance (Deputy Brian Lenihan): Under the Public Works Contracts, a State contracting authority is contractually obliged to pay the main contractor in respect of work done. If a main contractor goes into liquidation before a State body has fully paid for work done then Company Law dictates that the debt is still due but is payable to the liquidator, who has specific obligations under Company Law about how to handle the various assets and liabilities of the liquidated Company.

For as long as a public body is still obliged to pay the liquidator for any amounts it owes to a main contractor, then any other action could have adverse consequences for the taxpayer. Therefore it would not be appropriate to put in place arrangements for direct payment to subcontractors.

Senator Feargal Quinn’s Construction Contracts Bill 2010 is currently before the Seanad. It seeks to provide some remedy for construction sector subcontractors who are unpaid for work done. The Government has been working closely with the Senator to bring his proposals into

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an effective scheme without exposing the taxpayer to further costs or risks. This is a complex area. The Bill will be progressing shortly.

55. **Deputy Joe McHugh** asked the Minister for Finance the number of construction companies to which the State awarded building contracts valued at more than €19 million in the years 1997-2010; the relevant number of building contracts; and if he will make a statement on the matter. [45866/10]

Minister for Finance (Deputy Brian Lenihan): The information sought by the Deputy is held by the individual contracting authorities concerned. They are not currently required to pass this information to the Department of Finance. I will seek to have the data compiled and communicated as soon as may be to the Deputy.

Tax Code

56. **Deputy M. J. Nolan** asked the Minister for Finance when a PAYE rebate will issue to a person (details supplied) in County Carlow [45882/10]

Minister for Finance (Deputy Brian Lenihan): I am advised by the Revenue Commissioners that there is currently no outstanding PAYE refund on record for the person in question. If the person in question requires further information they can contact Phil Reid in the Kilkenny Revenue office at 056 7783778.

Bank Guarantee Scheme

57. **Deputy Joan Burton** asked the Minister for Finance his views on recent reports (details supplied) that Anglo Irish Bank is exposed to significant derivative positions; if he will set out in detail the nature of any such exposures at Anglo Irish Bank, or any of the credit institutions participating in the eligible liabilities guarantee, including a breakdown by product type, category of counter parties and if the positions are hedging or trading positions; the nature and extent of any guarantees sought or granted in the context of such derivative exposures; and if he will make a statement on the matter. [45896/10]

Minister for Finance (Deputy Brian Lenihan): A guarantee has been provided for the Off-Balance Sheet (OBS)/ derivative exposures of Anglo Irish Bank. This includes foreign exchange instruments, interest rate instruments and other hedging arrangements. Anglo is the only institution that has availed of such a guarantee. As with all banks, Anglo Irish Bank is exposed to a number of risks and uncertainties in the normal course of its business activities. These risks include market risk (arising from Anglo's exposures to interest rate and currency movements). Derivatives are used by Anglo Irish Bank solely for the management of these risks and are not entered into for any speculative purposes. The bank's balance sheet exposure to these risks taken together with the risk mitigation provided by these derivatives are managed within risk limits which are approved by the bank's board of directors.

Anglo Irish Bank had recently indicated to the authorities that owing to the bank's financial situation and recent ratings actions their derivative counter parties required the provision of such a guarantee for such transactions with the bank. The ELG does not cover such liabilities.

The situation was reviewed by the NTMA who, based on the bank's concerns, recommended to me that the guarantee should be put in place given the financial issues the bank was currently experiencing. The Governor of the Central Bank was also consulted and the Central Bank confirmed it was agreeable to such a guarantee to help manage Anglo's balance sheet risks.

Under the terms of the guarantee package, Anglo management must continue to manage these derivative positions within pre-approved risk limits approved by the bank's board of directors.

It was concluded that it was important to avoid exposure to serious operational risks in the bank which could potentially arise without the continued support of the counter parties.

58. **Deputy Joan Burton** asked the Minister for Finance the total amount of senior and subordinated debt guaranteed under bank guarantee scheme on 30 September 2008, broken down by credit institution; the total amount of guaranteed senior and subordinated debt which matured and was redeemed under the terms of the original bank guarantee; the total amount of senior and subordinated debt issued to date in 2010 under the eligible liabilities guarantee; the total amount of senior and subordinated debt issued to date under the eligible liabilities guarantee which has matured and been redeemed; the total amount of senior and subordinated debt issued to date under the eligible liabilities guarantee which remains outstanding; the total amount of senior and subordinated debt issued before 30 September 2010; if he will provide a breakdown per institution in each case; and if he will make a statement on the matter. [45909/10]

Minister for Finance (Deputy Brian Lenihan): Information provided by the covered institutions in respect of covered liabilities guaranteed under CIFS related to senior unsecured debt in aggregate, a category that comprised medium-term notes and other senior debt such as commercial paper and certificates of deposits. The total amount of senior unsecured debt as at 30 September 2008 was in the region of €124 billion. A further €12 billion of dated subordinated debt was also guaranteed under CIFS at that date. Senior bonds and subordinated bonds to the value of €68.8 billion and €1.4 billion, respectively, matured and were redeemed at face value between 30 September 2008 and 29 September 2010. As is normal practice when bonds mature they are repaid, in this instance all were senior bonds and all were Government Guaranteed. Furthermore, under Irish law senior debt obligations rank equally with deposits and other creditors. I would like to remind the Deputy that subordinated debt is not an eligible liability under the terms of the ELG Scheme, and therefore no subordinated debt has been issued to date under that Scheme. Senior medium term notes amounting to €25 billion have been issued under the ELG scheme to-date — further detail on this number is disclosed on the NTMA website — www.ntma.ie. None of the medium term notes issued under the scheme have matured to-date. Much of the short-term senior debt issued under the ELG Scheme (i.e. commercial paper (CP) and certificates of deposit (CD)) will have, due to its nature, rolled over frequently, and it would not be either practical or meaningful to quantify amounts that have matured. Further detail on all CP and CD programmes certified under the ELG Scheme is also disclosed on the NTMA website — www.ntma.ie. Finally, owing to commercial sensitivities, my Department does not publish details of unguaranteed debt issued by participating institutions, and does not publish covered liabilities by institution.

Debt Card Charges

59. **Deputy Michael Noonan** asked the Minister for Finance if his attention has been drawn to concerns by retailers regarding the proposed increased fee for the use of debit cards which are to be introduced from next year (details supplied); if this arrangement has been sanctioned by him; and if he will make a statement on the matter. [45943/10]

Minister for Finance (Deputy Brian Lenihan): I understand the Deputy is referring to charges imposed on merchants by acquirers (in point-of-sale transactions, the entity (usually a bank) to which the acceptor (usually a merchant) transmits the information necessary in order to

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process the card payment) for the use of debit cards at the point of sale which are issued by certain international card schemes, and not the fees currently being charged for the use of Laser Card (which is an Irish-based debit card scheme managed by the Irish Payment Services Organisation on behalf of those Irish banks that operate the Laser Card Scheme). These charges include fees for items such as terminal rental, customer services, and dispute resolution services. They are a function of and are determined by the interchange fees set by the payment card schemes for the participating acquirers. Interchange fees are paid by the merchant's acquirer to the cardholder's bank every time a payment card is used. For debit cards, it is usually a small flat fee. While interchange fee levels vary depending on the type of payment card, the purpose is to reflect the real operating costs.

The European Commission's sectoral inquiry into retail banking in 2005 and 2006 found that interchange fee agreements in place at the time had the potential to act as an obstacle to a more cost-efficient payment cards industry and to the creation of a Single Euro Payments Area (SEPA). The European Commission subsequently launched anti-trust investigations against the interchange fees charged by the two largest international card issuers within the European Union. These investigations resulted in reduced interchange fees being put in place by both companies.

As Minister for Finance, I do not have any role in the regulation of such fees as they are a commercial matter between the given card scheme, the acquirer and their customers, however a list of interchange fees set by the international card schemes is available on those schemes' websites, as required by the European Central Bank.

Bank Guarantee Scheme

60. **Deputy Brian Hayes** asked the Minister for Finance of the €42 billion in senior bonds that exist within the Irish banking sector, the reason that €19 billion of this amount is not guaranteed as reported (details supplied); and if he will make a statement on the matter. [45947/10]

Minister for Finance (Deputy Brian Lenihan): The figures for the amounts of bonds outstanding in the Irish banking sector have not been published by the Department of Finance owing to market sensitivities and this response should not be taken as endorsing the figures quoted in the report. The main reason that bonds are not guaranteed under the Credit Institutions (Eligible Liabilities Guarantee) Scheme 2009 (the "ELG Scheme") is that senior bonds issued prior to an institution joining the ELG Scheme are not guaranteed under the Scheme.

In addition, the ELG Scheme allows participating institutions to issue unguaranteed liabilities, although the amounts under this provision are relatively small to date.

Liquor Licensing Laws

61. **Deputy Michael McGrath** asked the Minister for Finance the number of pubs in the Clonmel area that have had their licences renewed by the licensing office of the Revenue Commissioners, year-on-year since 2005. [45970/10]

Minister for Finance (Deputy Brian Lenihan): 2057I am advised by the Revenue Commissioners that the information for the Clonmel area specifically is not available year-on-year for the period since 2005. Previous to the introduction, by the Revenue Commissioners, of a new improved IT system for excise licensing in 2008, this information was not retained in a format suitable to provide the detailed local information requested. There have also been changes to and merging of District Court areas in Clonmel, Nenagh and Thurles over the past number of

years and this would distort any direct comparisons. The current number of live Publican's Licence (7-Day Ordinary) associated to Clonmel District Court area is 217.

However, the information, by licensing year, as it relates to County Tipperary is as follows:

Licence Type Pubs* Tipperary

Year	Number
2010**	443
2009	447
2008	467
2007	473
2006	497
2005	524

*Pubs: refers to ordinary pubs only, and does not include hotels with public bars, ordinary hotels (hotels that do not have a bar as such but which can serve drinks to residents on a tray), theatres, greyhound race tracks, or railway refreshment rooms.

**2010: refers to renewals for 2010 year to date.

Banking Sector

62. **Deputy Finian McGrath** asked the Minister for Finance if it is correct that staff at Bank of Ireland were told by directive not to go out celebrating at Christmas and the effects this would have on small businesses. [45976/10]

Minister for Finance (Deputy Brian Lenihan): 2057As I have previously indicated, the Government operates an arms' length relationship with the banks in which the State has a shareholding including Bank of Ireland. I have not been made aware of any such directive and I would not expect to be.

Public Sector Staff

63. **Deputy Leo Varadkar** asked the Minister for Finance the number of exemptions requested by Departments, local authorities and or State agencies to the current Amatorium on recruitment and promotion; if he will provide the full details in each such case including the requesting body; the reasons for the request; the number of staff requested, the cost of same and to provide in detail, his response to each such request. [45999/10]

Minister for Finance (Deputy Brian Lenihan): The moratorium on recruitment and promotion was introduced by the Government at the end of March 2009. The moratorium allows for certain general exemptions in the Education and Health Sectors for the filling of certain key posts as well as for the Local Authorities in relation to certain key posts. Information in relation to the posts covered by these general exemptions may be sought from the relevant Ministers.

Departments have been implementing the moratorium in respect of themselves and the bodies under their aegis. However, where a Department feels that a post should be filled, in either the case of a civil service post or in relation to a public service post in a body under the aegis of the Department, it requires the sanction of the Minister for Finance for an exception to the moratorium. Requests for exceptions are not made in respect of every vacancy.

The most recent round of monitoring on the exceptions granted to the moratorium on recruitment and promotion in both the Civil and Public Service was conducted in September 2010. This information is collected in a standard format and full details are outlined in table 1

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and table 2. Information is not collected on the cost of individual posts sanctioned. The next round of monitoring will be conducted at the end of quarter 4 2010.

Each request for an exception is assessed on a case by case basis. Approval to fill posts is based on the business case made including consideration of, for example:

- a. statutory posts which have to be filled for legal reasons;
- b. in a number of instances failure to fill posts could result in a breach of EU/international regulations etc.;
- c. safety related posts where a failure to fill them could leave the state open to potential legal liabilities or for security reasons;
- d. some specialist/technical posts which are required to ensure continuity of operations e.g. legal officers; laboratory staff, maritime safety, etc.;
- e. to ensure continuity of essential services.

It should be noted that in accordance with the terms of the moratorium, exceptions can only be sought by Government Departments and Offices after all internal possibilities of reassigning staff, reorganising work, etc. have been exhausted. In addition, as part of the Employment Control Framework 2010-2012 for the Health Sector, the HSE has discretion to fill a limited number of posts on exceptional grounds to support the development of integrated health care and its transformation programme. There must be suppression of posts of equivalent value in non-frontline areas for each new exempted posts or each exception made. Information on the individual exceptions sought by each Department in respect of Civil Service and Public Service posts is outlined in table 1 and table 2, respectively. Unless otherwise stated in the tables the information covers the period up to the 1st of September 2010.

Civil Service

Table 1 sets out the breakdown of exceptions to the moratorium which have been sought in respect of the Civil Service. Approximately 2,800 staff have left the Civil Service since the introduction of the moratorium in March 2009. Exceptions have been sought to fill 1,969 posts and of these 1,247 have been approved either in full or in part. However, only some 520 of these posts will in time involve recruitment of new staff. During this period the net reduction in civil service numbers has been 2,300, representing a decrease of some 6% on numbers serving numbers in the civil service. In addition sanction has also been given for some 276 temporary posts for Census 2011 and for various temporary 'summer relief' type posts.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Courts Service	5 Legal Researchers	Legal Researchers	5	Approved	01-Jun-09	5	Approved but next 6 Tip staff to be suppressed
	1 CO in Limerick from PAS CO panel	CO	1	Approved	18-Nov-09	1	1 CO from PAS
	1 CO in Waterford from PAS CO panel	CO	1	Approved	18-Nov-09	1	1 CO from PAS
	Dep Gen Solicitor (AP) acting to Gen Solicitor (PO) to be made substantive	Gen Solicitor	1	Approved	06-Nov-09	1	Sanctioned as substantive Gen Solicitor on basis of suppressing Dep Gen Solicitor post
	Tip staffs (criers and ushers) for judiciary	Tip Staff (criers and ushers)	5	Approved	11-Mar-10	5	Operational needs.
	Permanent Court messenger Galway	Court Messenger	1	Approved	21-Jan-10	1	Statutory requirements
	10 Judicial Fellowships to the High Court	Fellowships	10	Approved	16-Jun-10	10	Fellows considered to provide key support to the Judiciary
	4 Assistant Principal Officer posts in Dublin	Assistant Principal	4	Not Granted			3 to replace 4 normal retirements and 1 lateral transfer
	3 Executive Officers in Dublin	Executive Officer	3	Not Granted			2 to replace retirements and 1 to replace transfer
	1 Clerical Officer Wexford/Waterford	Clerical Officer	1	Not Granted			To replace staff member transferring to a Garda Station
	Service Officer with Allowance for Dublin	Service Officer	1	Not Granted			Vacancy created on retirement of incumbent
	1 Higher Executive Officer Wexford	HEO	1	Under Consideration			
	1 Executive Officer Clonmel	EO	1	Under Consideration			
Judicial Secretaries	CO	2	Under Consideration				

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
PRA	35 Technical Promotions	Examiner of Maps	35	Part Approved	During 2009	20	20 Mapping Draughtspersons promoted to next level. Old grade defunct while their new grade has big workload. Part Granted (no allowance for 15 staff)
	Deputy Registrar, Head of Operations (departmental grade, Director equivalent)	Deputy Registrar	1	Approved	09-Mar-10	1	Business Critical Post
	Mapping Adviser, (departmental grade, PO standard equivalent)	Mapping Adviser	1	Approved	09-Mar-10	1	Business Critical Post
	Personnel Officer, (PO standard)	PO	1	Approved	09-Mar-10	1	Business Critical Post
	2 AP higher and 2 AP std	AP	4	Part Approved	09-Mar-10	1	Promotions
	3 Service Officer Posts for Roscommon Office	Service Officer	3	Approved	11-Aug-10	3	
JELR	CEO Legal Aid Board	CEO	1	Approved	28-Aug-09	1	Statutory Post, extension for a 5 year fixed term contract
	CEO Equality Authority	CEO	1	Approved	23-Apr-09	1	Statutory Post, extension for a 5 year fixed term contract
	Employment Assistance Officer (EAO)	Employment Assistance Officer	1	Approved	06-May-09	1	Existing Civil Servant, cost neutral
	Garda Inspectorate — 2 members	Garda Inspectorate	2	Approved	07-Aug-09	2	2 new members of Inspectorate sanctioned for a 2 year period
	Deputy Chief State Pathologist	Deputy Chief State Pathologist	1	Approved	07-Jul-09	1	Exception made to make temp contract established (see file)
	Head of IT	Head of IT	1	Approved	17-Feb-10	1	Acting up allowance for 1 year
	2 Legal Researchers -INIS/ORAC	Legal Researcher	2	Approved	02-Feb-10	2	Renewal of Contracts for 1 year
	Director General (Dep Sec)	DG	1	Part Approved	25-May-10	1	Approved at lower level.
	International Policy (Asst Sec)	Asst Sec	1	Suppressed	01-May-10	0	—
JELR ISER 10 PO posts	PO	8	Part Approved	—	4	—	

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	JELR shared services (Payroll Project Team 1 AP, 2 HEOs and 1 EO)	Eo to AP	5	Under Consideration	—	—	—
	JELR shared services (1 AP, 2 EOs and 2 Cos)	CO to AP	5	Under Consideration	—	—	—
Legal Aid Board	12 Junior Solicitors	Solicitors	12	Approved	15-Apr-10	12	Value for Money
Office of Data Protection Commissioner	Commissioner, 5 year contract	Asst Sec	1	Approved	26-May-10	1	Statutory Post, extension for a 5 year fixed term contract
	National Manager of Detention School Services		1	Under Consideration			
	Deputy Director Probation Services		1	Refused			
	1 Senior Legal Researcher		1	Under Consideration			
	4 Legal Researchers		4	Under Consideration			
	Senior Investigations Officer	AP	1	Refused			
	3 Forensic Scientists Grade III		3	Refused			
	2 Scientists		2	Refused			
	Assistant Principal Probation Officer	AP	1	Refused			
	Probation Officers		5	Refused			
	3 Assistant Principal	AP	3	Part Approved	26-Aug-10	2	Business Critical Posts
	7 Executive Officers	EO	7	Part Approved	26-Aug-10	3	Business Critical Posts
	2 Senior Probation Officers	Senior Probation Officers	2	Approved	26-Aug-10	2	Business Critical Posts
	8 Probation Officers	Probation Officers	8	Approved	26-Aug-10	8	Business Critical Posts
	5 Community Service Supervisors	Community Service Supervisors	5	Part Approved	26-Aug-10	3	Business Critical Posts

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Refugee Appeals Tribunal	Chairperson of Refugee Appeals Tribunal		1	Approved	30-Aug-10	1	Statutory Post
	Assnt Sec		1	Under consideration			
Irish Prison Service	Renewal of Contract for the Director General	Director General	1	Approved	June 09	1	Renewal of 5 year contract
	Chief Officer competition	Chief Officer	1	Approved	31-Jul-09	1	Prison operational reasons.
	40 Recruit Prison Officers	Prison Officer	40	Approved	31-Jul-09	40	Prison operational reasons.
	3 Governor 1's	Governor	3	Approved	31-Jul-09	3	Prison operational reasons.
	2 Governor 2 posts	Governor	2	Approved	20/10/09	2	Prison operational reasons.
	1 Governor 2 Post	Governor	1	Approved	20/10/09	1	Prison operational reasons.
	Recruit grade prison officers	Prison Officers	40	Part Approved	23-Oct-09	40	Prison operational reasons.
	Mandatory Drug Testing (Allowances)	—	2	Approved	13-Oct-09	2	Prison operational reasons.
	Governor posts	Governor	15	Approved	01-Feb-09	15	Prison operational reasons.
	Recruit grade prison officers	Prison Officer	40	Approved	22-Jan-10	40	38 recruit prison officers and 2 psychologists
	Assistant Chief Officer	Asst Chief Officer	15	Approved	11-Feb-10	1	—
	Governor III	Governor	1	Under Consideration			Required for Transformation Implementation Team
	Assistant Governor	Asst Gov	1	Under Consideration			Required for Transformation Implementation Team
	Assistant Principal	Assistant Principal	1	Under Consideration			Required for Transformation Implementation Team
	2 Clerical Officers	Clerical Officer	2	Under Consideration			Required for Transformation Implementation Team
150 Prison Officers	Recruit Prison Officer	150	Approved	19-May-10	150	Prison operational reasons.	
14 promotions to Assistant Chief Officer	Assistant Chief Officer	14	Approved	05-Jul-10	14	Prison operational reasons.	
Allowance for campus Governor	Governor 1	1					

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	1 Assistant Principal	AP	1	Under Consideration			
	2 Clerical Officers	CO	2	Under Consideration			
	9 Chief Officer I	Chief Officer I	9	Under Consideration			
	9 Chief Officer II	Chief Officer II	9	Under Consideration			
	Psychologists Grade II	Psychologists Grade II	2	Under Consideration			
	4 Psychology Assistants	Psychology Assistants	4	Under Consideration			
	10 Nurse Officer Posts	Nurse Officers	10	Under Consideration			
	Coordinator of Education		1	Under Consideration			
	5 Governor III posts	Governor III	5	Approved	15-Jul-10	5	Prison operational reasons.
	2 Governor I posts	Governor I	2	Approved	15-Jul-10	2	Prison operational reasons.
	1 Assistant Governor	Asst Gov	1	Approved	15-Jul-10	1	Prison operational reasons.
	Psychologists Grade II	Psychologists Grade II	2	Approved	03-Sep-10	2	Prison operational reasons.
	150 Prison Officers	Recruit Prison Officer	150	Part approved	27-Sep-10	80	Prison operational reasons.
Garda Civilians	Acting up allowances			Not Granted	—	—	—
	GPO head of HR strategy	PO	1	Not Granted	—	—	—
	Head of Garda Info Services centre	PO	1	Not Granted	—	—	—
	Head of Training unit Templemore	AP	1	Approved	12-Mar-10	1	1 year contract extension
	IT staff 9	Various	9	Not Granted	—	—	—
	31 staff for emergency call answering	CO	31	Under consideration		—	—
	35 Staff for Garda Vetting Unit	CO	35	Under consideration			

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
D/E&S	Programme for Govt 22 Psychologist & 3 SENO staff	Psychologists/SENO	25	Approved	25-May-09	25	Extending a service and reducing spend on panel scheme
	Chief Inspector vacancy from retirement	Chief Inspector	1	Approved	Nov 09	1	Business Critical Post
	A/Secretary post	Asst Secretary	2	Part Approved	08-Oct-09	1	Business Critical Post
	CEO of State Examinations Commission	Asst Secretary	1	Approved	08-Oct-09	1	Business Critical Post
	School Inspectorate	10 Retired School Inspectors	10	Approved	03-Feb-10	10	
	NCCA	8 Education Officers (temp.)	8	Approved	22-Jun-10	8	Business Critical Post
	SEC	EAM (maths)	1	Approved	16-Sep-10	1	Specialist post
	NCCA	Director Curr. Assess.	1	Approved	22-Sep-10	1	Business Critical Post
D/Social Protection	New Management Board Structure	A/Sec and Director	4	Agree in principle to fill two of three A/Sec arising in '09 and to replace over '09 and '10 four departing Directors by two /Secs.	Decision by Minister 8/10/09 to proceed. Sanction issued 19 April '10 to appoint 2 A/Secs to replace 4 departing Directors.	4	Agreed to restructure responsibilities at Mgt Board level from 5 A/Sec and 5 Directors to 6 A/Sec and 1 Director.
	To fill vacancy resulting from retirement in Child Family & Supplementary Policy & Services	Asst Secretary	1	Approved	Oct-09	1	Business Critical Post
	Regional & Pensions Service Delivery	Asst Secretary	1	Approved	Oct-09	1	Business Critical Post
	General Register Office	Asst Secretary	1	Refused	—	0	—
	GPs required to operate med assessment scheme	Medical Assessors	4	Approved	09-Nov-09	4	Control function in monitoring validity of illness cases
	Dep Head for med assessment scheme	Deputy Chief Medical Advisor	1	Approved	13-Jul-09	1	To provide management level to ensure appropriate monitoring of illness cases
	Director — This is a statutory post	Chief Appeals Officer	1	Approved	23-Oct-09	1	Statutory Requirement to have Director in place

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Head of Office — renewal of contract	Pension Ombudsman	1	Approved	01-Apr-09	1	Statutory requirement to have Ombudsman in place
	3 posts sanctioned for Buncrana Office Donegal	Service Officer	3	Approved	24-Aug-09	3	Not possible to recruit Service Officer staff locally or via CAF
	8 Buncrana Office Donegal Promotions (Dundalk)	Staff Officer	8	Approved	06-Oct-09	8	Supervisory posts
	Promotions Dundalk Initiative	CO to SO	20	Approved	01-Jul-09	20	Reduce Live Register “waiting time” for new claimants
	Promotions Dundalk Initiative	CO to SO	25	Approved	23-Dec-09	25	Reduce Live Register “waiting time” for new claimants
	Sanction to run competition for PO post in Sligo	Principal Officer		Approved	18-Jan-10	1	No assignment to date
	Package of up to 100 posts being requested — 50 promotions in 2010 and 50 in 2011.	SO, EO and HEO, AP,	100	Part Approved	25-Mar-10	20	To deal with increases in the Live Register
	Social Welfare Appeals Officers (Retired)	AP	12	Approved	20-May-10	12	Backlog of Appeals office Claims requiring decisions
	Special Adviser to Minister	PO Standard	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Special Media Adviser to Minister	PO Standard	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Personal Assistant to Minister	HEO	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Personal Secretary to Minister	Personal Secretary	1	Approved	06-May-10	1	Ministerial appointments to D/SP
	Request to fill posts by internal competition	PO, AP and HEO	3	Approved	17-Aug-10	3	Essential to the maintenance of critical IT projects connected with increased workload arising from increases in the Live Register and also resulting from the integration of IT systems associated with transfers of functions to the D/SP. PO post is to be filled from existing internal panel while other 2 posts are to be filled from redeployment if possible.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Medical Assessors	Medical Assessors			13-Jul-10		Approval given to run competition — additional sanction will be required to fill posts. The Medical Review and Assessment Services (MRAS) is the principal control mechanism for illness, disability and carer payment schemes administered by DSP.
	Filling of Senior Management Posts	1 Deputy Secretary and 1 Assistant Secretary	2	Under Consideration			Business Critical Posts
D/AFF	Filling of 2 A/Sec posts	Assistant Secretary	2	Part Approved	19-Mar-10	1	
	Filling of vacancy in Direct Payment Schemes	Assistant Secretary	1	Approved	10-Jul-09	1	Business Critical Post
	Senior Management, technical and scientific (45) to address skills deficits and ensure EU directives compliance	Various	45	Part Approved	19-Mar-10	21	—
	Statutory posts	Audit & Senior management	2	Approved	19-Mar-10	2	—
	Acting up allowance	HEO	1	Approved	2/10/09	1	
	Senior Management and Technical Posts	Various	54	Part Approved	22-Sep-10	3	To cover financial risk re management of Programmes. Remainder of request still under consideration.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
D/EH&LG	To replace retiring and promoted Assistant Secretary	Assistant Secretary	1	Approved	19/6/09	1	Business Critical Post
	Request for 35 posts, 14 via promotion and 21 via recruitment	Various Tech and administrative grades	35	Part Approved	27/03/2010	22	8 Posts in the National Parks & Wildlife Service: 1 Grade 1 Inspector, 1 Grade 11 Inspector, 4 Grade 111 Inspectors, 2 Conservation Rangers. 6 Posts in Met Éireann: 1 Assistant Director, 1 Meteorologist, 4 Meteorological Officers 3 Other Professional/Technical Posts 1 Water Quality Inspector, 1 Principal Adviser (Environment Inspectorate), 1 Inspector Grade 111, 5 General Service Posts 1 Principal Officer, 2 Assistant Principals, 1 Administrative Officer, 1 Executive Officer.
	Met Éireann — Director	Director	1	Approved	18-Sep-09	1	Business Critical Post
	To replace Principal on loan	PO	1	Approved	29/1/10	1	Acting position
	To replace retired assistant secretary — Heritage Division	Assistant Secretary	1	Approved	21-Apr-10	1	Business Critical Post — already deferred for 1 year
Replace retiree	GIS Manager	1	Approved	10-Jun-10	1	Required technical post	
Enterprise, Trade and Innovation Labour Relations Commission	Reappointment of 2 Rights Commissioners	PO equivalent	2	Approved	28/04/2009	2	Non-discretionary volume of LRC cases and need to maintain state IR machinery.
DETI	Personal Assistant, Personal Secretary and 2 Civilian Drivers for Minister of State Kelleher	HEO, EO, Civilian Driver	4	Approved	06/05/2009	4	Political Appointments

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
DETI	Personal Assistant, Personal Secretary and 2 Civilian Drivers for Minister of State Lenihan	HEO, EO, Civilian Driver	4	Approved	12/05/2009	4	Political Appointments
ET&I (Labour Relations Commission)	Deputy Director of Conciliation Services	PO	1	Approved	29/5/2009	1	Business Critical Post in LRC necessary to maintain state IR machinery.
	Personal Assistant, Personal Secretary and 2 Civilian Drivers for Minister of State Calleary	HEO, EO, Civilian Driver	4	Approved	09/06/2009	4	Political Appointments
ET&I (Labour Court)	Reappointment of 2 Members of Labour Court	N/A	2	Approved	02/06/2009	2	Statutory posts needed for operation of divisions of Labour Court
ET&I (Office of Director of Corporate Enforcement)	Part-time services of retired High Court Judge	High Court Judge	1	Approved	03/06/2009	1	To adjudicate on legal documents in Anglo Irish Bank investigation
ET&I (Labour Relations Commission)	Reappointment of 2 Rights Commissioners	PO equivalent	2	Approved	13/08/2009	2	Non-discretionary volume of LRC cases and need to maintain state IR machinery.
ET&I (National Employment Rights Authority)	Solicitor	Solicitor	1	Application was refused	10/09/2009	0	
ET&I (Patents Office)	Request for higher duties allowances for 2 EOs	HEO	2	Approved	10/09/2009	2	Temporary replacements in Trademarks Division
ET&I	Renew contracts of 2 legal researchers	EO	2	Approved	16/09/2009	2	To provide research for drawing up Companies Consolidation bill. 2 EO posts to be suppressed for duration of temporary contract.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
ET&I (Labour Court)	Deputy Chairman of Labour Court	Assistant Secretary	1	Approved	31/01/2010	1	Statutory post. Filled by agreement by ICTU nominee.
ET&I	Additional 10 IT posts	HEO and EO	10	Partly approved	02-Jun-10	3	Critical ICT posts.
ET&I	Appointment of Legal Advisor on secondment from Office of AG	Legal Advisor	1	Approved	24-May-10	1	Critical legal skills requirement.
ET&I (Labour Court)	Filling of Ordinary member of Labour Court post	Principal Officer Higher	1	Approved	26-May-10	1	Statutory post. Filled by retention of member until new nomination is received.
Enterprise, Trade & Innovation	Minister O'Keeffe's Special Advisors	Principal Officer	2	Approved	18-May-10	2	Political Appointment
	Minister O'Keeffe's Personal Assistant	Higher Executive Officer	1	Approved	18-May-10	1	Political Appointment
	Minister O'Keeffe's Personal Secretary	Executive Officer	1	Approved	18-May-10	1	Political Appointment
	Minister of State Lenihan's Personal Secretary	Executive Officer	1	Approved	21-Jun-10	1	Political Appointment
	To give Acting Up to and AO for AP and consequential to EO and CO	AP, HEO, EO	3	Under consideration			
	To hold an internal competition to fill 2 AP posts	Assistant Principal	2	Under consideration			
Enterprise, Trade & Innovation	To renew the contracts of 2 Legal Researchers		2	Approved	09-Aug-10	2	Contractors working on legislation
Labour Court	To re-appoint the Chairman and 2 Ordinary Members		3	Approved	19-Jul-10	3	Statutory posts.
Labour Relations Commission	Re-appointment of a Rights Commissioner		1	Approved	19-Jul-10	1	Statutory post
NERA	To fill Legal Advisor vacancy	Solicitor (AP)	1	Approved.	13-Sep-10	1	Critical post that will save expenditure on external legal services.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Enterprise, Trade and Innovation	To fill PO vacancies	PO	3	Under consideration			
Enterprise, Trade & Innovation	Assistant Secretary post	Assistant Secretary	1	Under consideration			Ass Sec posts have reduced from 7 to 4 since April. Post in CSD area — arises due to retirement
NERA	To fill Accountant vacancy	Accountant Grade I	1	Under consideration			
CEGA	To start up and oversee new Irish SI translation unit.	Director	1	Approved	08/04/2009	1	Response to High Court ruling.
	To manage the translation of Statutory Instruments into Irish	Aistritheoir Grád II	1	Approved	08/04/2009	1	Response to High Court ruling.
	To manage the translation of Statutory Instruments into Irish	Aistritheoir Grád III	1	Approved	08/04/2009	1	Response to High Court ruling.
	Ministerial Staff	Personal Assistant (HEO)	1	Approved	06/05/2009	1	Political Appointment
	Ministerial Staff	Personal Secretary	1	Approved	06/05/2009	1	Political Appointment
	Ministerial Staff	Civilian Driver	1	Approved	30/04/2009	2	Political Appointment
	To translate documents into Irish for EU.	Detached National Expert	3	Approved	05/11/2009	3	Temporary fixed term contracts renewed for 1 year.
	To replace 2 Assistant Secretaries, one of whom had retired and the other promoted.	Assistant Secretary	2	Approved	23/04/2010 & 14/05/2010	2	Department was operating with only 1 Assistant Sec. Business critical post
Charitable, Donations and Bequests Office	To renew contract of Secretary to Commissioners.	Solicitor (AP)	1	Approved	11-Mar-10	1	Need for continuity during the changeover period leading to the setting up of the Charities Regulatory Authority.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
National Advisory Committee on Drugs	To recruit researcher into drugs.	Researcher (AP)	1	Approved	11-Mar-10	1	Sanction granted to Health Research Board to recruit and second the Researcher to the NACD. Post considered a 'Business Critical Post'.
	Minister Carey's Special Adviser	Principal Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister Carey's Media Adviser	Principal Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister Carey's Personal Assistant	Higher Executive Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister Carey's Personal Secretary	Executive Officer	1	Approved	19-Apr-10	1	Political Appointment
	Minister of State White's Personal Assistant	Higher Executive Officer	1	Approved	19-May-10	1	Political Appointment
	Minister of State White's Personal Secretary	Executive Officer	1	Approved	19-May-10	1	Political Appointment
	Minister of State White's Civilian Drivers	Civilian Driver	2	Approved	19-May-10	2	Political Appointment
	Ministerial Staff (Minister of State White)	Special Advisor	1	Approved	24-May-10	1	Political Appointment
	Additional Assistant Secretary Post	Assistant Secretary	1	Refused but Director post approved	22-Jul-10	1	Critical management post
Equality Authority	Filling of Legal Advisor post	PO	1	Under consideration			
Finance	Banking specialist (temporary fixed term contract for 3 years)	Banking Specialist (Assistant Secretary level)	1	Approved	21/8/09	1	Urgent need for expertise in banking area.
	Package of IT posts.	1 ICT AP, 2 ICT EOs, 1 promotion EO to HEO (ICT)	4	Approved	23/12/09	4	Is in line with the ICT staffing recommendations made by the Special Group on Public Service Numbers and Expenditure Programmes

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Assistant Secretary in CMOD 8 POs	Assistant Secretary Principal	1 8	Approved Approved	Jan 2010 12-Apr-10	1 8	Business Critical Post Business Critical posts in situation where staffing levels were already below approved revised limits
	Director, Language Training Unit; higher duties allowance	Assistant Principal	1	Approved	01-Oct-09	1	Business Critical post
	Employee Assistance Officer	Higher Executive officer	1	Under consideration			
	Second Secretary Financial Services Division	Second Secretary	1	Approved	21-Jul-10	1	Business critical post
Revenue	Promotion of 2 COs to EO	EO	2	Approved	24/6/09	2	Skilled staff. Newly commissioned Cutter to be launched and used in fight against illegal importation of drugs
	Package of 200 posts.	Various Grades	200	Approved	22/12/09	200	To fill key management, audit and policy posts to ensure effective tax collection through a mix of redeployment, internal promotion and open competition.
	To have internal competition for 2 CO positions in Print Room.	Clerical Officer	2	Approved	17-Feb-10	2	Open to Service Officers — regrading of 2 Service Officer posts to CO and filled by redeployment — with no overall increase in numbers.
	Completion of final 2 phases of 2003 Uplift Agreement i.e. uplift of 20 Tax Officers to EO; 28 Higher Tax Officers to HEO & 5 CO Programmers to EO JSA	Uplift of 20 Tax Officers to EO; 28 Higher Tax Officers to HEO & 5 CO Programmers to EO JSA	53	Approved	30-Mar-10	53	Revenue Integration to General Service grades. This was a legacy of the Revenue Agreement on Integration agreed with the Unions following the integration of Customs staff with Tax staff. End result is more effective casework management following targeted training.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Revenue Solicitor and Asst Secretary post in Investigations and Prosecutions Division	Revenue Solicitor and Asst Secretary	2	Approved	22-Apr-10	2	Particular responsibilities attaching to each post.
	Creation of additional posts with allowances at Terminal 2 Dublin Airport	6 Eos, 12 Cos	18	Under consideration			
Valuation Office	Promotions	Chief Superintendents of Mapping	2	Approved		2	Element of restructuring plan for VO.
	Higher Superintendents of Mapping	Higher Superintendents of Mapping	2	Approved		2	Element of restructuring plan for VO.
	Appeal Officer	Appeal Officer	1	Approved	01-Sep-09	1	Internal competition — no backfilling of resulting vacancies — overall numbers not affected.
	A minimum of 1 Asst Registrar (HEO) and 3 COs for Valuation Tribunal to deal with ongoing Tribunal Appeals arising from National Revaluation	1 Asst Registrar (HEO) and 3 COs	4	Approved	15-Apr-10	4	To ensure that the statutory deadlines for processing of appeals following the Revaluation process be met. Sanctioned on basis that an EO post be suppressed for 1 year, while an EO filled the HEO position on an acting up basis. 1 CO post to be filled on redeployment and the other 2 on temp contract for 11 mths each.
	3 Student Valuers	3 Student Valuers @ CO level	3	Approved	17-Jun-10	3	On 1 year contracts on 1st pt of the CO scale, replacing students
	To fill 2 Service Officer posts	Service Officer	2	Part Approved	01-Sep-10	1	Frontline post to be filled by redeployment.
C&AG	Vacancies at various Grades	4 PO, 4.7 AP, 14.5 HEO/EO, 1.7 CO (Total 24.9)	24.9	Approved	15-Mar-10	24.9	Extra responsibilities e.g. NAMA, new Accounting Standards, extra work on Revenue account
	1 Director of Audit	Assistant Sec level	1	Approved	30-Apr-10	1	Scale of operations and complex issues involved.

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Trainee Auditor to fill vacancies	Trainee Auditor	2	Approved	03-Aug-10	2	Temporary appointment to cover vacancy caused by secondment of a Detached National Expert to the EU, and relocation of other staff member.
OPW	Upgrade To fill vacancies	Architect Service Officers	1 3	Refused Approved	29/5/09 22/6/09	0 3	No viable alternatives to filling vacancy
	Commissioner (Property Management Services)	Commissioner (Assistant Secretary)	1	Approved	26-Aug-09	1	To enable OPW to effectively deliver on the current demands for its services made by Government, other Departments and their agencies and the public.
	Recruit 16 graduates at a reduced salary to replace those finishing the Graduate Architect Training Scheme.	Architect training programme	16	Approved	14/08/09	16	Participation in scheme for 5 years, — reduced salaries and fees
	To fill vacancy in new section	Quantity Surveyor	1	Approved	08/12/09	1	NPPOU section in Trim
	To fill possible vacancy in Director of the Botanic Gardens pending decision on 3 yr career break for incumbent to assume major positions in US	Acting up Director of Botanic Gardens	1	Approved	01-Apr-10	1	Provided that the previous post of the new Acting Director remain unfilled for the duration of the Director's absence on career break
	Filling of Management/Administration and Technical Posts	Various	142	Part Approved	24-Sep-10	2	Employee Assistance Officer and Payroll expert approved — business critical posts. Remainder of submission under consideration.
	National Procurement Service (NPS)	Various	21	Approved	04-Aug-10	21	Staffing of NPS — 12 Buyers, 2 solicitors, 1 analyst & 6 Admin, 1 Admin officer
Attorney General	Advisory Counsel Grade 111	Advisory Counsel Grade 111	1	Approved		1	Important legal post
	Head of Administration	Head of Administration	1	Approved	01-Jan-00	1	Principal post in charge of the office
	Assistant Parliamentary Counsel Grade 11	Assistant Parliamentary Counsel Grade 11	3	Approved		3	Important legal posts

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Advisory Counsel Grade 1 (Vacancy)	Assistant Secretary Level	1	Approved (acting-up basis for 3 yrs)	21-Sep-09	1	Business Critical Post
	Advisory Counsel Grade 11	Advisory Counsel Grade 11	1	Approved		1	Important legal post because of the workload in the office
	Dep Director	Deputy Secretary level	1	Approved	23-Feb-10	1	Business Critical Post (Internal TLAC type competition. Consequentials, if any, also sanctioned within ECF.)
	Advisory Counsel Grade 111	Advisory Counsel Grade 111	1	Approved		1	Important legal post because of the workload in the office
	Promotion AP to PO	PO	1	Approved		1	
Chief State Solicitor	Solicitor	Solicitor	1	Approved	23-Jun-10	1	Official appointed on completion of apprenticeship
	Solicitor	Solicitor (temp.) NAMA	1	Approved	08-Jul-10	1	High Court NAMA case
	Promotion Law Clerk to Legal Executive	Legal Executive	2	Approved	31-Aug-10	2	Trainee scheme
Central Statistics Office	Assistant Director General	Assistant Director General	1	Approved	22-Oct-09	1	Business Critical Post -approved on the basis any resultant internal vacancy is suppressed
	Assistant Director General for Macroeconomic and Environment Divisions	Assistant Director General	1	Approved	Agreed by Minister 14 April 2010	1	Business Critical Post
	Senior Statistician	Senior Statistician	1	Approved	30-Apr-10	1	Business case
	EO	EO	2	Approved	23-Jun-10	2	To assist BIM decent.
Defence	Night watchman	Night Watchman	1	Approved		1	To provide security at the Galway premises
	Director of Military Prosecutions	Director of Military Prosecutions	1	Approved		1	Statutory post
	Assistant Principal/Senior Systems Analyst	Assistant Principal/Senior Systems Analyst	1	Approved		1	Sanctioned in Galway as a result of the suppression of a PO and the transfer of his duties to Dublin
	Head Services Officer	Head Services Officer	1	Approved		1	Needed for the decentralisation of premises to Newbridge
	Services Officer	Services Officer	1	Approved		1	—

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Director	Director	1	Approved		1	—
	Principal Officer	Principal Officer	1	Approved		1	—
	Special Adviser	Special Adviser	1	Approved	09-Apr-10	1	Ministerial staff
	Special Adviser	Special Adviser	1	Approved	16-Apr-10	1	Ministerial staff
	Personal Assistant	Personal Assistant	1	Approved	09-Apr-10	1	Ministerial staff
	Personal Secretary	Personal Secretary	1	Approved	09-Apr-10	1	Ministerial staff
	Principal Officer	Principal Officer	1	Approved	05-Aug-10	1	PO vacancy arising from appointment of Director
	Principal Officer	Principal Officer	1	Approved	05-Aug-10	1	Retirement of PO in Galway
	Assistant Principal	Assistant Principal	2	Approved	05-Aug-10	2	Arising from filling of PO posts
DPP	To fill retirement vacancy	Head of Directing Division (between Asst Sec and Dep Sec)	1	Approved	05-Jun-09	1	Business Critical Post
	Chief Prosecution Solicitor	Chief Prosecution Solicitor (between Asst Sec and Dep Sec)	1	Approved	02-Nov-09	1	Business Critical Post
	Internal Promotion to Deputy Chief Prosecution Solicitor	Deputy Chief Prosecution Solicitor	1	Approved	23-Apr-10	1	Business Critical Post
	Internal Promotion to PO	PO (higher)	1	Approved	23-Apr-10	1	Business Critical Post
	Legal Researcher (temp.)	Legal Researcher (temp.)	1	Approved	23-Apr-10	1	Business Critical Post
	Head of Admin (allowance)	Head of Admin (allowance)	1	Approved	23-Apr-10	1	Business Critical Post
Foreign Affairs	5 Third Secretaries	Third Secretaries	5	Approved		5	From the 2008 competition to provide for succession planning
	Assistant Secretary	Assistant Secretary	1	Approved	19-Feb-10	1	Business Critical Post
	Counsellor and First Secretary	Counsellor and First Secretary	2	Approved		2	Business Critical Post
	Chairmanship of OSCE — temporary hiring of staff	3 Assistant Secretaries, 1 PO, 1 AP, 1 Third Sec, 2 Eos and 3 Clerical Officers	11	Under consideration			Business Critical posts essential to chairmanship of OSCE which has been approved by government
	staff in audit and control area of ODA	AP level dealing with audit, control and monitoring functions of ODA	10	Approved		10	Arises from FGS Irish Aid Management Review
	Special adviser to Minister	Special Adviser	1	Under consideration			Secondment from HEA

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Taoiseach	Assistant Principal	Assistant Principal	1	Approved		1	Head of the IT Unit to be filled from redeployment
	Administrative Officers	Administrative Officers	3	Approved		3	For succession planning
	Special Adviser to Minister of State Curran, Chief Whip	Special Adviser	1	Approved	30-Apr-10	1	Transfer of staff to Minister from previous Dept
	Staff for Minister of State/Chief Personal Staff	PA & 2 × Worksharing Sec Assistants	2	Approved	06-May-10	2	Transfer of staff to Minister from previous Dept
	Special Adviser to Taoiseach	Special Adviser	1	Approved	15-Jun-10	1	Transfer from DFA
	Promotion HEO to AP	AP	1	Approved	15-Jun-10	1	Business Case
	Promotion AP to PO	PO	1	Approved	15-Jun-10	1	Business Case
Transport	Coastal Sector Unit Managers	Coastal Sector Unit Managers	3	Approved		3	Needed for health and safety reasons
	Operations and Training Officer in the coastal service	Operations and Training Officer in the coastal service	1	Approved		1	Needed for health and safety reasons
	Assistant Secretary Vacancy from retirement (Public Transport)	Assistant Secretary	1	Approved	22-Oct-09	1	Key management level post
	A/Sec vacancy	Assistant Secretary	1	Refused			—
	Principal Officer	Principal Officer	2	Refused			To be filled from internal competition.
	Acting Up	Principal Officer	1	Approved	28-Feb-10	1	Pressures in connection with the setting up of the National Transport Authority
	Personal Staff for Minister for State Ciarán Cuffe T.D	1 × PA & 1 × Personal Sec	2	Approved	21-Apr-10	2	
Special Adviser for MoS Cuffe	Principal Officer	1	Approved	01-Jun-10	1	Political appointment	

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Chief Maritime Accident Investigator	Principal Officer	1	Approved (originally approved Nov 09). Transport sought amendment to condition of sanction but original sanction stands.	18-Aug-10	1	Critical post in new National Transport Investigation Unit
	Filling of existing and forthcoming vacancies in the Irish Coast Guard.	Various from EO to PO	31	5 approved with redeployment condition: Manager Volunteer Services (AP1), Divisional Controller (AP), Shift Watch Keeping Officer (EOx3)	19-Aug-10	5	Critical posts in the Irish Coast Guard
	Filling of vacancies in the Marine Survey Office	Various up to PO	11	2 approved with redeployment condition: Deputy Divisional Controller (AP), Surveyor in Charge (PO).	19-Aug-10	2	Critical posts in the Marine Survey Office
	Filling of PO post which had been deferred since Feb 2010	PO	1	Under consideration			Post has been deferred since Feb 2010- from Internal Panel
Health	DG of OMCYA	Deputy Secretary	1	Approved	23-Dec-09	1	Head of Office of Min for Children etc
	CEO Designate of Adoption Authority	Assistant Secretary level	1	Approved	01-Sep-10	1	Head of Adoption Authority as required under Adoption Act 2010
	Assessor of Youth Work	AP	1	Approved	30-Aug-10	1	Statutory Post

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
Tourism, Culture & Sport	Filling of two posts in Minister's Constituency Office by transfers from other Departments	Executive Officer	2	Approved	20-May-10	2	Posts vital to the functioning of the Constituency Office
	Minister Hannifin's Special Adviser	Principal Officer	1	Approved	27-Apr-10	1	Political Appointment
	Minister Hannifin's Press Adviser	Higher Executive Officer	1	Approved	27-Apr-10	1	Political Appointment
	Minister Hannifin's Personal Assistant	Higher Executive Officer	1	Approved	27-Apr-10	1	Political Appointment
	Renewal of contract for Director in Culture Ireland	Assistant Principal	1	Approved		1	Critical function of the Dept. Government priority. Equivalent post to be suppressed.
	Minister Hannifin's Personal Secretary	Executive Officer	1	Approved	27-Apr-10	1	Political Appointment
	Filling of PO vacancy	Principal Officer	1	Under consideration			Post is in CSD, which covers a wide area, and Dept already carrying other PO post which has not been filled
National Archives	Filling of vacancies to avoid the closure of the reading room	CO, EO and Service Officers	6	Part approved to fill 3 posts (1 CO and 2 Service Officers) by redeployment. Service Officers not available via redeployment so sanction given to recruit.	June/July/Aug 2010	3	Business critical, frontline posts.
Ombudsman	Senior Investigator	Principal Officer	1	Approved	30-Apr-10	1	Business critical management post.
State Laboratory	4 Student Analysts	Students	4	Approved	03-Aug-10	4	Temporary 7 month appointments

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
CENR	Assistant Secretary	Assistant Secretary	1	Approved	26-May-10	1	TLAC competition
	Temporary EO for 6 months	EO	1	Refused			
	To suppress 2 CO posts and replace with 2 EO posts	EO	2	Approved	01-Jun-10	2	Business needs of Department
	AO vacancy filled	AO	1	Approved	01-Jun-10	1	Business needs of Department
National Gallery	Renewal of temporary contracts	Security Attendant	15	Under consideration			
	Appointment of contractors to permanent posts	Security Attendant	7	Under consideration			
	Regularise position of Head of Conservation	Engineer Grade II (AK I)	1	Under consideration			
	To appoint staff on a fixed term basis for Master Development Plan	Head of Art Handling (HEO), MDP Project Manager (HEO), Paper Conservator (AKII), Painting Conservator (AKII), Art Handlers (x3)	7	Under consideration			
	Filling of permanent positions	Head of Exhibitions (AK I), Senior Curator (AK I), HEO, EO, Website Administrator (AK II), IT Officer (CO)	6	Under consideration			
			1,965.9		TOTAL	1,244	

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
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The Deputy may wish to note that an Independent Review Panel of the Department of Finance, comprising 3 Members, has also been established, chaired by Mr. Rob Wright. A Chairperson has also been appointed to the Implementation group on the Croke Park Agreement.

Temporary Posts for CENSUS of Population 2011 [CENTRAL STATISTICS OFFICE]

Central Statistics Office	Staff for the Household Budget Survey i.e. interviewers etc	Staff for the Household Budget Survey i.e. interviewers etc		Approved		85	These staff required for the Household Budget, Business Register and Annual Services Inquiry — 85 Temporary Contracts during 2009 & 2010
	ICT Executive Officer	ICT Executive Officer		Approved		2	Required for preparatory work on the Census of Population 2011
	Executive Officer	Executive Officer		Approved		4	Required for 18 months to work on the Census. Will be re-assigned to another department on completion of that work
	Clerical Officer	Clerical Officer		Approved		24	The CSO was asked to seek staff from other departments for a period of 10 months for Census of Agriculture work. In the event, staff were not available so sanction was later granted to appoint COs on temporary contract

Dept / Office Title	Exception Sought ¹	Grade	No of Exceptions Sought Promotion/ Recruitment Redeployment	Decision	Sanction Date	Exceptions Granted Promotion/ Recruitment Redeployment	Basis of Sanction
	Statistician	Statistician		Approved		1	To work full time on an OECD 'Programme for International Assessment of Adult Competencies'
	Executive Officer	Executive Officer		Approved		2	Also required for this programme
	Grades from Clerical Officer to Assistant Principal	Grades from Clerical Officer to Assistant Principal		Approved		158	These are internal CSO staff required from early 2010 to end 2011 to prepare for and finalise the Census 2011
	Census Liaison Officers, Regional Supervisors, Field Supervisors and Clerical Officers	Census Liaison Officers, Regional Supervisors, Field Supervisors and Clerical Officers		Under Consideration	—	—	—
	Temporary part-time enumerators	Temporary part-time enumerators		Under Consideration	—	—	—
				Total posts approved for CSO (temps):		276	

Public Service

Table 2 sets out the breakdown of exceptions to the moratorium which have been sought in respect of the wider Public Service. My Department has received 255 requests involving 1,919 posts. 182 requests have been sanctioned in full or in part in respect of 1,014 posts. 27 requests have been refused and a decision is pending in relation to 46 requests.

Table 2 — Requests for Exceptions in the Public Service

Department of Enterprise, Trade and Innovation

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	>Date Sanctioned	Comment
1	DETE — Enterprise Ireland	Retirement	Manager	1	Yes — on a permanent basis	1	May-09	Retirement
2	DETE — Enterprise Ireland	Graduate	Graduate	16	Yes — on a temporary/acting basis	16	May-09	16 graduate posts
3	DETE — Roscommon CEB	Vacancy	CEO	1	No	0	May-09	Vacancy
4	DETE Cork CEB	Replacing maternity leave	Administrative Officer	1	No	0	Jun-09	Replacing maternity leave
5	DETE — FAS DG	Statutory post	DG	1	Yes — on a permanent basis	1	Jun-09	Statutory post
6	DETE -NCA Registrar	No vacancy	AP-HAD	1	Yes — on a permanent basis	1	Jun-09	Registrar
7	DETE — Enterprise Ireland	Rollover of contract posts for overseas (4 sanctioned)	Various	53	Yes — on a temporary/acting basis	4	Jun-09	Rollover of contract posts for overseas (4 sanctioned)
8	DETE -PIAB	Renewal of contract posts (5 sanctioned)	CO	6	Yes — on a temporary/acting basis	5	Jul-09	Renewal of contract posts (5 sanctioned)
9	DETE -NCA student		Student	1	Yes — on a temporary/acting basis	1	Jun-09	Student
10	DETE — NCA	Retirement — Head of Corporate Services (other than the Incentivised Scheme of Early Retirement)	AP — STANDARD	1	Yes — on a permanent basis	1	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)
11	DETE — NCA	Retirement (other than the Incentivised Scheme of Early Retirement)	AP — STANDARD	1	Yes — on a permanent basis	1	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)
12	DETE — NCA	Retirement — Commercial Practises Division (other than the Incentivised Scheme of Early Retirement)	HEO (x5)	5	Yes — on a permanent basis	5	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)
13	DETE — NCA	Retirement (other than the Incentivised Scheme of Early Retirement)	EO (X3)	3	Yes — on a permanent basis	3	Aug-09	Retirement (other than the Incentivised Scheme of Early Retirement)

Department of Enterprise, Trade and Innovation — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	>Date Sanctioned	Comment
14	DETE — NCA		CO (X2)	2	Yes — on a permanent basis	2	Aug-09	
15	DETE — IAASA	Vacancy	Accountant	1	No	0	Aug-09	Vacancy
16	DETE — FAS	Decision of Rights Commissioner	Training Instructor	1	Yes — on a permanent basis	1	Sep-09	Decision of rights Commissioner
17	DETE — Interreg — Tradelinks 2 project	new project	Project Manager	1	Yes — on a temporary/acting basis	1	Sep-09	new project
18	DETE — Interreg — Tradelinks 2 project	new project	Financial Administrator	1	Yes — on a temporary/acting basis	1	Sep-09	new project
19	DETE — Interreg — Tradelinks 2 project	new project	4 Regional Coordinators	4	Yes — on a temporary/acting basis	4	Sep-09	new project
20	DETE — Interreg — Tradelinks 2 project	new project	4 Support Co-ordinators	4	Yes — on a temporary/acting basis	4	Sep-09	new project
21	DETE — Competition Authority	Incentivised Scheme of Early Retirement in the Public Service	Case Officer	1	No	0	Oct-09	Incentivised Scheme of Early Retirement in the Public Service
22	DETE — FÁS	Retirement (other than the Incentivised Scheme of Early Retirement)	ADG — Finance & IT	1	Yes — on a permanent basis	1	Oct-09	Retirement (other than the Incentivised Scheme of Early Retirement)
23	DETE — Forfas	New project — Self Financing — Manager of European Space Research Office	Manager	1	Yes — on a temporary/acting basis	1	Dec-09	New project — Self Financing
24	DETE — PIAB	Incentivised Scheme of Early Retirement in the Public Service	Legal Services Manager	1	Yes — on a temporary/acting basis	1	Jan-10	Incentivised Scheme of Early Retirement in the Public Service
25	DETE — Enterprise Ireland	Temporary Overseas Contract posts	Contract Posts (Overseas Jan-Mar 10) — Various Grades	2	Yes — on a temporary/acting basis	2	Feb-10	Temporary Overseas Contract posts
26	DETE — Enterprise Ireland	Support for Credit Review	CO	1	Yes — on a permanent basis	1	Mar-10	Support for Credit Review
27	DETE — Competition Authority	Request under consideration	Board Members 2	2	Request under consideration	0	Mar-10	Request under consideration

Department of Enterprise, Trade and Innovation — *continued*

>No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	>Date Sanctioned	Comment
28	DETE — Competition Authority	Statutory post	Chairperson of Board	1	Yes — on a temporary/acting basis	1	Mar-10	Statutory post
29	DETE — SFI	City of Science Project	Project Manager	1	Yes — on a temporary/acting basis	1	Mar-10	City of Science Project
30	DETE — SFI	City of Science Project	CO	1	No	0	May-10	PA for Dublin City of Science
31	DETE — FAS	Request under consideration		4	Request under consideration	0	Mar-10	Request under consideration
32	DETE — NSAI	Ongoing contracts	Various	4	Yes — on a temporary/acting basis	4	Apr-10	Ongoing contracts
33	DETE — NCA		3 Student posts	3	Yes — on a temporary/acting basis	3	May-10	
34	DETI — Forfas	Request under consideration	PO	1	Request under consideration	0		Request under consideration
35	DETI — Competition Authority	internship	CO	2	Yes — on a temporary/acting basis	2	Jun-10	Request under consideration
36	DETI — Competition Authority		Board Members 2	2	Yes — on a temporary/acting basis	2	Jun-10	
37	DETI — IAASA		Various	3	Yes — on a temporary/acting basis	3	Sep-10	
38	DETI — CEB	CEO	CEO	1	Request under consideration			Request under consideration
39	DETI — IDA		Various	4	Request under consideration			Request under consideration
40	DETI — Competition Authority	Chair/CEO Designate		1	Request under consideration			Request under consideration
41	DETI — NSAI		Certification Officer	1	Request under consideration			Request under consideration
42	DETI — Enterprise Ireland		Various	12	Request under consideration			Request under consideration

Department of Social Protection

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Family Support Agency	To cover Term-time vacancies in front line mediation service — Portlaoise + Sligo		1	Yes	1		
2	Family Support Agency	To cover Term-time vacancies in front line mediation service — Raheny + Wexford		0.8	Yes	0.8		
3	Family Support Agency	Temporary appointment due to end June 2009 — Castlebar FMS office		0.5	Yes	0.5		
4	Family Support Agency	Temporary appointment due to end June 2009 — Letterkenny office		0.4	Yes	0.4		
5	Family Support Agency	Supervision + Management of Mediation Service in Southern and Westerns Regions — temporary appointment due to end June 09		1.6	Yes	1.6		
6	Family Support Agency	Supervision + Management of Mediation Service in Southern and Westerns Regions — temporary appointment due to end January 10		1.6	Yes	1.6		
7	Family Support Agency	To cover Shorter Working Year Scheme vacancies in front line mediation service — Letterkenny, Portlaoise, Sligo, Raheny, Athlone, Wexford & HQ		4.5	Yes	4.5		
8	Family Support Agency	Temporary appointment due to end June 2010 — Castlebar FMS office		0.5	Yes	0.5		
9	Family Support Agency	Temporary appointment due to end June 2010 — Letterkenny office		0.4	Yes	0.4		
10	Citizens Information Board	Temporary ICT contracts due to end March 2010 — Dublin HQ		2	Yes	2		

Department of Defence

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Defence Forces	To retain the capacity of the organisation to operate effectively across all roles while contributing to the necessary public service economies	Cadets and army/naval service recruits. Promotion across a range of ranks. Acting up appointments for overseas deployment.	529	Yes	207	July 2009 and November 2009	Recruitment of 42 cadets and promotions across a range of ranks. 100 acting up appointments.
2	Defence Forces	Retirement of Military Judge which is a statutory post	Colonel	1	Yes	1	April 2010	Statutory post
3	Defence Forces	Retirement of Director of Military Prosecutions which is a statutory post	Colonel	1	Yes	1	June 2009	Statutory post
4	Defence Forces	Civilian employees. Temporary post and extension of contract.	Pharmacist	2	Yes	2	July 2009	
5	Defence Forces	Civilian employee contract extension.	Social Worker	1	Yes	1	July 2009	
6	Defence Forces	Civilian Employee. Management of provision of electrical services.	Foreman	1	Yes	1		
7	Defence Forces	Civilian employee to assist in the re-fit of Naval ships.	Welder	1	Yes	1	April 2010	
8	Defence Forces	Filling of GOC Air Corps	Brigadier General	1	Decision Awaited			Decision Awaited
9	Defence Forces	Filling of DCOS (Operations) vacancy which is a statutory post	Major General	1	Yes	1	July 2010	Statutory post
10	Defence Forces	Civilian employee. Management of provision of social worker service for the Defence Forces.	Principal Social Worker	1	Yes	1	September 2010	

Department of Tourism, Culture & Sport

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	National Library of Ireland	To fill Director post	Director	1	1. Yes, application was approved	1	18/12/09	Statutory position
2	National Library of Ireland	2 vacancies due to retirement and internal promotion	Keeper, Asst Keeper	2	1. Yes, application was approved	2	22/9/09	Due to the specialised nature of the work of the Library
3	Irish Sports Council	To fill Director post	CEO	1	1. Yes, application was approved	1	14/5/09	Statutory position
4	Arts Council	To fill Director post	Director	1	1. Yes, application was approved	1	20/8/09	Statutory position
5	Failte Ireland	temporary posts	Principal Officer (temporary)	1	4. Application was refused	0		
6	Failte Ireland	temporary posts	Principal Officer (temporary)	1	1. Yes, application was approved	1	13/1/10	Payment of acting up allowance paid temporarily due to maternity leave
7	Failte Ireland	E Business manager	Assistant Principal	1	1. Yes, application was approved	1	13/1/10	Post filled as a necessity for the development of the Tourism Sector
8	National Concert Hall	Fixed term contract post	IT Manager	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
9	National Concert Hall	Fixed term contract post	Financial Accountant	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
10	National Concert Hall	Fixed term contract post	Learn & Explore Administrative Assistant	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
11	National Concert Hall	Fixed term contract post	Graphic Designer	1	1. Yes, application was approved	1	19/11/09	Key post for the successful running of the National Concert Hall
12	National Concert Hall	Fixed term contract post	On line Marketing Executive	1	4. Application was refused	0		
13	National Concert Hall	Fixed term contract post	Lighting Technician/stage hand	1	4. Application was refused	0		
14	National Concert Hall	Fixed term contract post	Box Office Cashier Supervisor	1	4. Application was refused	0		
15	National Concert Hall	Fixed term contract post	Operations Assistant Manager	1	4. Application was refused	0		
16	National Concert Hall	Fixed term contract post	Own Promotions Executive	1	4. Application was refused	0		
17	Chester Beatty Library	To fill Director post	PO 1	1	1. Yes, application was approved	1	29/3/10	Key post
18	Irish Film Board	To fill Chief Executive Post	CEO	1	1. Yes, application was approved	1	1/9/2010	Statutory position

Department of Health

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	HSE	Front line post	Senior Locum	0.6	3. No decision to date	0		Further info awaited
2	Galway University Hospital	Critical management post	General Manager	1	1. Yes, application was approved	1	17/06/2009	
3	HIQA	Level of expenditure on external advice	Legal Advisor (AP1)	1	1. Yes, application was approved	1	31/07/2009	
4	HIQA	Operational reasons	Regional Operations Manager (PO)	1	1. Yes, application was approved	1	31/07/2009	
5	HIQA	Value for money	Health Technology Assessment — API	2	1. Yes, application was approved	2	31/07/2009	
6	HIQA	Value for Money	HTA — Engineer Grade I	2	1. Yes, application was approved	2	31/07/2009	
7	HIQA	Value for Money	HTA — Engineer Grade III	2	1. Yes, application was approved	2	31/07/2009	
8	HSE	New HSE structure	Regional Operation Director (Assist Nat., Dir)	4	1. Yes, application was approved	4	07/07/2009	
9	HSE	New HSE structure	Care Group (Assistant National Director)	4	1. Yes, application was approved	4	07/07/2009	
10	Mental Health Commission	Front line post	Consultant Psychiatrist	5	1. Yes, application was approved	5	31/07/2009	
11	Mental Health Commission	Front line post	Assistant Inspector (Occupational Therapist)	1	1. Yes, application was approved	1	31/07/2009	
12	Mental Health Commission	Service reasons	Staff Officer (Temp Contract Renewal)	1	1. Yes, application was approved	1	31/07/2009	
13	National Treatment Purchase Fund	Fair Deal requirements	EO / HEO	6	1. Yes, application was approved	6	31/07/2009	
14	Central Mental Hospital	Front line post	Mental Health Nurses	23	1. Yes, application was approved	23	31/08/2009	
15	St Loman's Hospital	Front line post	Mental Health Nurses	36	1. Yes, application was approved	36	31/08/2009	
16	Temple Street Hospital	Critical nursing management post	Director of Nursing	1	1. Yes, application was approved	1	20/10/2009	
17	Galway University Hospital	Key post for flu pandemic	Chief Medical Scientist	1	3. No decision to date	0		Further info awaited
18	HSE	Front line post	General Dental Surgeon	3	1. Yes, application was approved	2	25/11/2009	Sanction was only given for two of the three posts
19	HSE	Front line post	Principal Environmental Health Officers	2	3. No decision to date	0		Further info awaited

Department of Health — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
20	HSE	Front line post	Fire Prevention Officer	1	3. No decision to date	0		Further info awaited
21	HSE	Front line post	Clinical Perfusionist Post	1	3. No decision to date	0		Further info awaited
22	Children's Hospital, Crumlin	Front line post	Paediatric Intensive Care Unit (PICU) Nurses	5	1. Yes, application was approved	5	8/12/1009	The filling of these posts was to be met through redeployment first, and where this was not possible, suppression
23	Temple Street Hospital	Front line post	Paediatric Intensive Care Unit (PICU) Nurses	2	1. Yes, application was approved	2	8/12/1009	The filling of these posts was to be met through redeployment first, and where this was not possible, suppression
24	HSE	Development post for Primary Care Teams	Senior Dietician (Sligo/Leitrim/Cavan)	1	1. Yes, application was approved	1	18/01/2010	
25	HSE — St. James, Dublin	Critical maintenance post	Maintenance Manager	1	1. Yes, application was approved	1	18/01/2010	
26	HSE — St. Lukes Kilkenny	Front line post	Clinical Nurse Manager II	2	1. Yes, application was approved	2	18/01/2010	
27	An Bord Altranais	Front line post	Director of Operations	1	1. Yes, application was approved	1	01/07/2010	
28	Pharmaceutical Society of Ireland	Front line post	Pharmacist Chief II	1	1. Yes, application was approved	1	01/07/2010	
29	Pharmaceutical Society of Ireland	Front line post	Senior Pharmacist	3	1. Yes, application was approved	3	01/07/2010	
30	Food Safety Authority of Ireland	Critical to meeting statutory obligations / essential health & public safety requirements	Auditor — AP level	2	1. Yes, application was approved	2	01/07/2010	
31	Health and Social Care professions Council	Critical to meeting statutory obligations / essential health & public safety requirements	HEO	3	1. Yes, application was approved	3	01/07/2010	
32	Health and Social Care professions Council	Critical to meeting statutory obligations / essential health & public safety requirements	EO	1	1. Yes, application was approved	1	01/07/2010	
33	Mental Health Commission	Critical to meeting statutory obligations / essential health & public safety requirements	CO (temporary contract renewal)	3	1. Yes, application was approved	3	01/07/2010	
34	National Cancer Registry Board	Critical to meeting statutory obligations / essential health & public safety requirements	Statistician (Grade V)	1	1. Yes, application was approved	1	01/07/2010	

Note: Includes HSE exemptions sought between May 2009 and January 2010. Under the Employment Control Framework 2010-2012, HSE exceptions under the moratorium are at the discretion of the HSE HR National Director.

Department of Transport

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Road Safety Authority (RSA)	New Posts	Assistant Principals	3	not approved			
		New Posts	Higher Executive Officers	3	not approved			
		New Posts	Executive Officers	2	not approved			
		New Posts	Clerical Officers	3	not approved			
		New Posts	Vehicle Inspector	11	not approved			
2	Commission for Aviation Regulation (CAR)	Renew Contract	Principal Officer	1	Approved	1	Dec-09	Vacancy filled to meet statutory obligation
		Renew Contract	Assistant Principals	2	Approved	2	Dec-09	Vacancy filled to meet statutory obligation
		Renew Contract	Executive Officers	3	Approved	3	Dec-09	Vacancy filled to meet statutory obligation
3	National Accident Investigation Office	Filling Post	Principal Officer	1	Approved	1	Nov-09	Important for safety purposes
4	National Transport Authority	New Posts	CEO	1	Approved	1	Jan-10	Newly established Authority
		New Posts	Senior Management	4	Approved/ Not approved	3	Jan-10	Newly established Authority
5	Medical Bureau of Road Safety (MBRS)	Filling Post	Admin Manager	1	No decision to-date			
		Filling Post	Scientist	1	No decision to-date			
		Filling Post	Manager	1	No decision to-date			

Department of Agriculture, Fisheries and Food

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	Teagasc	These posts are long-term recurring positions that are filled on an academic year basis (Sept — June) only. The posts are of importance to the operation of Teagasc Colleges and to the welfare, health & safety of students	Student Supervisors, part time lecturers	3.5	Application was refused			Ban on recruitment and promotion in public service applies
	Teagasc	To support the delivery of the WIT funded B.Sc. (Hons) Business Management/Agriculture (Level 8) programme at Kildalton College in the 2009/10 Academic year, as it was not possible to deliver the programme from within existing resources.	part-time Lecturer	0.5	Application was refused			
	Teagasc	To fill three senior management posts, following the retirement of 5 Heads of Directorate (3 age grounds, 2 ISER)	Heads of Directorate — Assistant Secretary	3	Yes, application was approved	3	26/11/2009	Exceptional sanction granted based on organisational restructuring from 6 to 4 Head of Directorate posts
	Teagasc	Request for sanction to appoint a General Manager for Moorepark Technology Limited (MTL) (51% Teagasc ownership) following the retirement of the previous General Manager at MTL.	SPRO (Senior Professional Research Officer)	1	Application pending			MTL plays a critical role in technology transfer for Teagasc.
	Teagasc	Recruitment of a Research Scientist who won a prestigious EU grant (FP7 Marie Curie Intra European Fellowship) x 2 years.	Research Scientist	1	Yes, application was approved	1	13/04/2010	This is a fully-funded contract post and there will be no draw on exchequer funds.
	Teagasc	Retention of 10 joint self-financing Teagasc/Dairy Industry contract staff for three years to assist in the deliver of the joint Dairy Development programme.	Contract Advisors	10	Yes, application was approved	10	26/08/2010	Extension of the contracts of 8 self-funding contract advisers and recruitment of two self-funding contract advisers. These posts are fully funded. This programme is part of Teagasc's strategy to maximise industry involvement in Teagasc programmes to help achieve its goal of competitiveness as stated in the Teagasc statement of strategy.

Department of Agriculture, Fisheries and Food — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
	Teagasc	To recruit nine scientists for the Teagasc Agriculture & Horticulture research programmes.	Scientists	9	Application pending			Recent changes have seriously impacted on Teagasc's agriculture and horticulture research programmes. Opportunities for internal redeployment are quite limited due to the specialised nature of the roles and the lack of suitable staff to redeploy.
	Teagasc	Redeployment of 14 (Private College) employees to Teagasc following the closure of Warrenstown Private College	Teachers	14	Yes, application was approved	14	26/06/2009	This sanction was granted on condition that Teagasc identified savings in the wider organisation to facilitate the redeployment of these staff
	Teagasc	Teagasc have sought to redeploy another 38 Private College staff into the Organisation	29 Teachers, 3 secretarial, 3 matron, 3 maintenance	38	Application pending			Similar to Warrenstown, Teagasc is committed to identifying savings in the wider organisation to facilitate this redeployment proposal.
	Teagasc	Fully funded research posts	Contract Research Officers	43	Yes, applications approved	43	On a case by case basis between Nov 2009 and April 2010	These are fixed term contract posts and are self financing.
	Teagasc	REPS Staff	Advisory	18	Yes, application was approved	18	02/03/2010	Sanction to grant contracts of indefinite duration to these staff following Labour Court recommendation.
	Teagasc		Senior Management posts	6	Application has recently been received and has not yet been submitted to Dept. of Finance			
	Bord Iascaigh Mhara	Delivery of service	Eng. Grade 3	5	No Decision	2	30/06/2010	1 Seafood Technology Post1 Inshore Survey Officer
	SFPA	Fishery Control	See Comment	9	Application pending	—	—	1 National Director 2 Senior port Officers, one based at Castletownbere/Dingle and the second at Clonakilty 5 Sea Fisheries Protection Officers based at port offices and at Clonakilty 1 Clerical Officer based at Clonakilty
	MI	Temporary Laboratory Analysts	Lab services	2	Yes, application was approved	2	26/07/2010	Temporary labs analysts, fully funded EU posts

Department of Communications, Energy and Natural Resources

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Central Fisheries Board	To meet legal obligations under the Water Framework Directive	Technician (Hydroacoustics)	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
2	Central Fisheries Board	To meet legal obligations under the Water Framework Directive	Research Officer	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
3	Central and Regional Fisheries Boards	To meet legal obligations under the Water Framework, Habitats and Eels Directives	Fishery Officers	23	1. Yes, application was approved	23	28/07/2009	4 month seasonal positions.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
4	Eastern Regional Fisheries Board	For increased surveillance in the Dublin, Dundalk and Wexford districts.	Fishery Officers	3	1. Yes, application was approved	3	28/07/2009	6.5 month temporary positions.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
5	Shannon Regional Fisheries Board	To fill recently vacated post	Fisheries Environmental Officer	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
6	Western Regional Fisheries Board	Cover for maternity leave	Administrative Assistant, Grade IV	1	1. Yes, application was approved	1	28/07/2009	1 year temporary position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
7	Western Regional Fisheries Board	For housekeeper at Aasleagh Lodge	Summer Student	1	1. Yes, application was approved	1	28/07/2009	4 month seasonal position.Generates substantial own resources income for the Board.
8	North Western Regional Fisheries Board	To fill recently vacated post	Assistant Inspector	1	1. Yes, application was approved	1	28/07/2009	Permanent position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.

Department of Communications, Energy and Natural Resources — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
9	North Western Regional Fisheries Board	For increased salmon protection effort	Fishery Officers	3	1. Yes, application was approved	3	28/07/2009	3 month seasonal positions.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
10	Northern Regional Fisheries Board	To fill recently vacated post	Fisheries Environmental Officer	1	1. Yes, application was approved	1	28/07/2009	Permanent position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
11	Northern Regional Fisheries Board	For administrative support for the CEO/Assistant CEO	Administrative Assistant, Grade IV	1	1. Yes, application was approved	1	28/07/2009	6 month temporary position.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
12	Northern Regional Fisheries Board	To meet minimum staffing levels required to run angling centres.	General Operatives	2	1. Yes, application was approved	2	28/07/2009	5 month seasonal positions.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
13	Central Fisheries Board	For EU Life+ Programme	Research Officers (including Project Manager)	3	1. Yes, application was approved	3	28/07/2009	4 year contract positions.Externally funded: 50% EU, 50% National Parks and Wildlife Service.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
14	Central Fisheries Board	For EU Life+ Programme	Fisheries Assistant	1	1. Yes, application was approved	1	28/07/2009	4 year contract position.Externally funded: 50% EU, 50% National Parks and Wildlife Service.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
15	Shannon Regional Fisheries Board	Protection and conservation work at Scartleigh Dam	Fishery Officer	1	1. Yes, application was approved	1	28/07/2009	1 year contract position.Board would be unable to carry out contract with Kerry County Council who are fully funding this post.
16	Shannon Regional Fisheries Board	To fulfil contract with ESB to provide fisheries enforcement services on ESB fisheries in the Shannon region	Fishery Officers	2	1. Yes, application was approved	2	28/07/2009	1 year contract positions.Board would be unable to carry out contract with ESB who are fully funding this post.

Department of Communications, Energy and Natural Resources — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
17	Shannon Regional Fisheries Board	For EU Life+ Programme	Project Manager	1	1. Yes, application was approved	1	28/07/2009	5 year contract position.Externally funded: 50% EU, 50% National Parks and Wildlife Service and others.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
18	Shannon Regional Fisheries Board	For EU Life+ Programme	Research Officer	1	1. Yes, application was approved	1	28/07/2009	5 year contract position.Externally funded: 50% EU, 50% National Parks and Wildlife Service and others.Necessity to protect recent investment in the Inland Fisheries resource and in recognition of EU and statutory requirements applying to the Fisheries Boards.
19	Central Fisheries Board	For Marine Sports Fish Programme	Technician (Data Mining)	1	1. Yes, application was approved	1	28/07/2009	1 year contract position.Funded by Marine Institute and own resources
20	Geological Survey of Ireland	To facilitate participation by the INFOMAR programme team in two EU sponsored marine geology projects.	Specialist contract staff	4	1. Yes, application was approved	4	23/10/2009	Posts funded from EU sources at no cost to Exchequer.Participation in the projects will leverage external funding to the benefit of the economyParticipation in and attraction of such projects is a stated objective of the INFOMAR programme. The posts are for a three-year fixed term under specific purpose contracts linked to EU projects
21	Commission for Energy Regulation	To replace retiring Commissioner for Energy Regulation	Commissioner	1	1. Yes, application was approved	1	09/11/2009	5 year contract. Current and future role of the CER, both nationally and at a regional and EU level, justifies a full-time multi-member Commission.
22	Department of Communications, Energy and Natural Resources	To extend the contract of the Department's Research Coordinator by 50 weeks.	Research Coordinator	1	1. Yes, application was approved	1	18/11/2010	Work to be undertaken is a critical time-defined component of the Knowledge Society Strategy.No further renewal of contract beyond period specified.
23	Commission for Energy Regulation	To renew contract of employment of legal advisor	Level 4, Band A	1	1. Yes, application was approved	1	21/01/2010	Permanent contract. Significant savings can be realised from use of in-house legal advice compared with cost of procuring such advice from external sources.
24	Broadcasting Authority of Ireland	Replace Finance Officer	Finance Officer	1	1. Yes, application was approved	1	04/02/2010	Sanctioned on basis of redeployment from within the public service.

Department of Communications, Energy and Natural Resources — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
25	Ordnance Survey Ireland	Replace Principal HR/Corporate Services	Principal	1	3. No decision to date			
26	Ordnance Survey Ireland	Replace Assistant Principal, Corporate Services	Assistant Principal	1	3. No decision to date			
27	South Western Regional Fisheries Board	To fill recently vacated post	Inspector	1	3. No decision to date			
28	Central Fisheries Board	To formally assign staff member to role of Director of Finance and pay higher duties allowance in absence of post holder who is on sick leave.	Director	1	1. Yes, application was approved	1	16/03/2010	Agreed for up to six months.
29	Commission for Energy Regulation	For design and implementation of the Petroleum Safety Framework	Petroleum Safety Manager	1	1. Yes, application was approved	1	31/03/2010	Permanent post.Sanctioned on basis that new functions for petroleum safety conferred on the CER require specialist expertise.
30	Commission for Energy Regulation	To assist the Petroleum Safety Manager (see above) in the design and implementation of the Petroleum Safety Framework.	Support Analyst	2	1. Yes, application was approved	2	31/03/2010	Permanent posts.Sanctioned on basis that new functions for petroleum safety conferred on the CER require specialist expertise.
31	Sustainable Energy Authority of Ireland	Head of Department	Provide expert financial advice and support to CEO and board. Responsibility for organisation's financial control function.	1	1. Yes, application was approved	1	07/09/2010	Permanent post.Sanctioned on the basis that finance function requires specialist expertise.
32	Sustainable Energy Authority of Ireland	Senior Accountant	Manage, introduce and operate systems for financial resource allocation and business planning.	1	1. Yes, application was approved	1	07/09/2010	Permanent post.Sanctioned on the basis that finance function requires specialist expertise.
33	Sustainable Energy Authority of Ireland	Programme Manager EDRT	To lead and manage the design, development and delivery of a range of initiatives across domestic and non-domestic sectors through the Retrofit Programme.	1	3. No decision to date			
34	Sustainable Energy Authority of Ireland	Technical Standards Development Manager	Manage the design, development, implementation, maintenance and review of technical specifications for SEAI administered retrofit programmes.	1	3. No decision to date			

Department of Communications, Energy and Natural Resources — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
35	Sustainable Energy Authority of Ireland	Programme Executive Domestic Energy Efficiency	Support and assist initiatives on fuel poverty in context of retrofit programme	1	3. No decision to date			
36	Sustainable Energy Authority of Ireland	Legal and Contracts Executive	Provide advice and support to the National Energy Efficiency Retrofit Programme on contract framework agreements and Save As You Pay mechanisms.	1	3. No decision to date			
37	Sustainable Energy Authority of Ireland	QA and Inspection Manager	To design, implement and oversee a harmonised quality assurance framework across all retrofit programmes.	1	3. No decision to date			
38	Sustainable Energy Authority of Ireland	Programme Manager — Accelerated Capital Allowances	To deliver and manage the Triple E register of energy efficient products that underpin the ACA scheme.	1	3. No decision to date			
39	Sustainable Energy Authority of Ireland	Programme Manager — Energy Modelling	To manage and drive the development of energy modelling activity.	1	3. No decision to date			
40	Sustainable Energy Authority of Ireland	Data Management Executive	Provide a statistical data management and analysis service within the Authority's Energy Policy Statistical Support Unit	1	3. No decision to date			
41	Sustainable Energy Authority of Ireland	Programme Manager — Sustainable Energy	Ongoing management and development of the Home Energy Savings Scheme	1	3. No decision to date			
42	Commission for Communications Regulation	Senior Legal Counsel	To provide high-level, strategic, mission critical legal advice to the Commissioners and the organisation and to manage all legal matters arising from ComReg's remit and activities	1	3. No decision to date			

Department of Communications, Energy and Natural Resources — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
43	Inland Fisheries Ireland	Fishery Officers	Surveillance support	6	1. Yes, application was approved	20/09/2010	6	2 month seasonal positions.Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework
44	Inland Fisheries Ireland	Fishery Assistants	Operational support	23	1. Yes, application was approved	20/09/2010	23	2 month seasonal positions.Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework
45	Inland Fisheries Ireland	General Operatives	To run angling centres	3	1. Yes, application was approved	20/09/2010	3	2 month seasonal positions.Sanctioned on basis that appointments in line with agreement on seasonal staff at IFI in Employment Control Framework
46	National Oil Reserves Agency	Operations Engineer (Engineer Grade II)	To meet regulatory compliance responsibilities that arise from NORA's management of both Ringsend and Tarbert storage facilities, and the mitigation of risks associated with same to acceptable levels	1	3. No decision to date			

Department of Community, Equality and Gaeltacht Affairs

No.	Requesting Body	Purpose of Sanction	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
0	Nil requests		0		0		

Department of Education and Skills

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	Co Roscommon VEC	To replace retiring CEO; statutory post	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	26/6/09	Temporary 6 month appointment pending reorganisation of VECs. Extended to 28 Feb 2010. 17 February 2010 — further extended to 30 April 2010.
2	Department of Education & Science	Renewal of secondment of 276 teachers to Education Services	Teacher	276	1. Yes, application was approved	170	6/7/09	Continuation of highest priority teacher training and support. Partial approval granted. 276 posts were sought of which 170 were approved.
3	Church of Ireland College of Education	To replace retiring principal	Principal, College of Education	1	1. Yes, application was approved	1	6/7/09	Need for head of organisation.
4	Vocational Education Committees	To award a fixed term contract to fill one existing caretaker vacancy on a temporary basis to ensure the smooth running of Certificate examinations during June 2009. To give delegated sanction to award similar contracts in other VECs, in similar circumstances, during June 2009, should the need arise.	Caretaker	1	1. Yes, application was approved	1	27/5/09	To ensure uninterrupted running of State examinations. One immediate post sanctioned; delegated sanction to appoint others should the need arise.
5	NCTE	To fill 1 National Coordinator post; Renewal of contracts of 2 Project Officers; Renewal of either 1 Senior Administrative Assistant or 1 Secretary Grade III post	National Coordinator; 2 Project Officers; Senior Admin Asst or Secretary Grade III	4	1. Yes, application was approved	4	31/7/09	Majority of staff of NCTE employed on fixed term contracts. Need to reappoint a minimum number of these staff (4) to maintain services.
6	Co Dublin VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
7	Co Offaly VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	9/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. Extended to 28 Feb 2010. 17 February 2010 — further extended to 30 April 2010.
8	City of Waterford VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. Extended to 28 Feb 2010. 17 February 2010 — further extended to 30 April 2010.

Department of Education and Skills — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
7	Co Westmeath VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
8	Co Donegal VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
9	City of Limerick VEC	Replace CEO	Chief Executive Officer, VEC	1	1. Yes, application was approved	1	15/10/09	Temporary 3 month acting appointment pending reorganisation of VECs. 17 February 2010 — further extended to 30 April 2010.
10	Institute of Technology Tralee	To employ two Technicians to ensure the continued provision of certain courses	Laboratory Technicians	2	1. Yes, application was approved	2	23/9/09	To ensure the continued provision of certain courses
11	New Body amalgamating HETAC, FETAC & NQAI	CEO of NQAI/Interim CEO of new qualifications and QA Body	Chief Executive Officer	1	1. Yes, application was approved	1	22/12/09	CEO of NQAI and Interim appointment of CEO for the new body to be established amalgamating HETAC, FETAC and the NQAI
14	DLIADT	To replace 4 Technicians	Technician	4	1. Yes, application was approved	4	13/10/09	Health and Safety. Courses would have to be suspended
15	IoT Carlow	To replace 4 Technicians	Technician	4	1. Yes, application was approved	4	17/11/09	Health and Safety. Courses would have to be suspended
16	Galway-Mayo IoT	To replace 2.5 Technicians	Technician	2.5	1. Yes, application was approved	2.5	17/11/09	Health and Safety. Courses would have to be suspended
17	IoT Tallaght	To replace 2 Technicians	Technician	2	1. Yes, application was approved	2	17/11/09	Health and Safety. Courses would have to be suspended
18	IoT Tralee	To replace 2 Technicians	Technician	2	1. Yes, application was approved	2	17/11/09	Health and Safety. Courses would have to be suspended
19	IT Blanchardstown	To replace 5 staff on maternity leave	4 Lecturers and 1 Asst Lecturers	5	1. Yes, application was approved	5	16/10/09	Fixed purpose contracts to cover 5 staff on mat leave
20	IoT Sligo	Project Manager Higher Certificate in Custodial Care	Project Manager	1	1. Yes, application was approved	1	26/10/09	Fixed term contract to coincide with contract with Prison Service

Department of Education and Skills — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
21	Dublin Institute of Technology	To replace 6 Technicians	Technician	6	1. Yes, application was approved	6	17/11/09	Health and Safety. Courses would have to be suspended
22	Athlone IoT	To replace 1 Technician	Technician	1	1. Yes, application was approved	1	17/11/09	Health and Safety. Courses would have to be suspended
23	Commission to Inquire into Child Abuse	to retain 6 staff on rolling 3 month contracts to continue work of commission	2 x f/t EO, 1 x p/t EO, 1 x p/t IT Manager, 2 x p/t SO	4	1. Yes, application was approved	4	6/1/2010	To continue essential work of the Commission to Inquire into Child Abuse. Please note that the 6 posts equate to less than 4 WTE
24	FETAC	Appt of 3 staff on 3 year fixed term contracts to carry out EQARF project. Fully EU funded.	Director, Policy Officer, Project Administrator	3	1. Yes, application was approved	3	12/2/10	Fully funded by EU. FETAC won tender to carry out EQARF project.
25	Vocational Support Services Unit (VSSU)	To replace the deceased Director of the Vocational Support Services Unit	Professional Accountant Grade I	1	4. Application was refused			
26	Comhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)	Appt of 4 staff on initial one year renewable contracts to carry out the functions of COGG. 3 x Development Officer posts and one CO post. Upgrade one existing EO post to HEO level.	3 x Engineer Grade II, 1 x CO, 1 EO to HEO upgrade	4	4. Application was refused			To perform the functions of COGG. The provision of supports for the teaching of Irish at 1st and 2nd level.
27	FETAC	Ext of contracts for 1 year of 3 FETAC Monitors for monitoring and assessment of education providers	3 Monitors	3	4. Application was refused	0	28/4/10	
28	HEA	Ext of contracts of 3 EOs for various tasks	3 EOs	3	1. Yes, application was approved	3	28/4/10	Part approval granted — 3 posts for 7 months. 1 year extension sought.
29	DIAS	To appoint one experienced researcher, on a 13-month fellowship contract to assist on an externally-funded research project (Marie Curie Early Stage Research Training Project)	Researcher	1	1. Yes, application was approved	1	19/5/2010	To assist in the completion of an externally-funded research project. 1 x 13 month fixed-term contract
30	DIAS	To employ one junior post-doctoral researcher on a fixed-term contract for a six month period.	Junior post-doctoral researcher	1	3. No decision to date			

Department of Education and Skills — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
31	NEWB	Replacement of CEO	CEO	1	1. Yes, application was approved	1	20 May 2010	To continue the work of the CEO. 1 x 5 year fixed-term contract
32	Mayo VEC	Replacement of Education Officer	Education Officer	1	1. Yes, application was approved	1	11 May 2010	to replace vacancy at EO level. 1 for 6 months
33	Wexford VEC	Replacement of CEO	CEO	1	3. No decision to date			To replace, on an acting basis, the serving CEO who is on extended sick leave
34	Longford VEC	Replacement of CEO	CEO	1	3. No decision to date			To replace, on an acting basis, the retiring CEO (retirement effective 17 July 2010), appointment requested from 17 July 2010 to 30 September 2010
35	CDVEC	To renew the contracts of 21 School Librarians	Librarian	21	1. Yes, application was approved	21		
36	NCTE	To appoint 2 Project Coordinators to work on a pilot project to deliver Next Generation broadband to post-primary schools		2	4. Application was refused			
37	VECs	To fill vacancies of cleaning/maintenance staff in 33 VEC administrative offices, as they arise	Cleaner	33	4. Application was refused			
38	DIAS	To re-engage one Fellowship researcher for a 6-month period on an externally-funded research project (Marie Curie Project)	Researcher	1	1. Yes, application was approved	1 for 6 months		To continue working on an externally-funded research project
39	HEA	To engage 1 EO to provide admin support for the co-ordination of programme activities on the context of a European e-infrastructure project for which the HEA has secured funding under FP7	EO	1	1. Yes, application was approved	1 for period ending no later than 31 December 2010		To provide admin support for the co-ordination of programme activities on the context of a European e-infrastructure project for which the HEA has secured funding under FP7
40	NEWB	Transfer of one EO and one R&D Officer from SCP to NEWB on foot of amalgamation of school support services	EO and R&D Officer	1	1. Yes, application was approved	1	1 Sept 2010	

Department of Justice & Law Reform

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts sought	Decision	No. of posts granted	Date Sanctioned	Comment
1	Garda	Appointment of 3 Chief Superintendents & 10 Superintendents & 1 Assistant Garda Commissioner	1 Assistant Garda Commissioner, 3 Chief Superintendents, 10 Superintendents	14	Yes, application was approved.	14	22/05/2009	To replace key staff who are retiring
2	Garda	Appointment of 1 Assistant Garda Commissioner	1 Assistant Garda Commissioner	1	Yes, application was approved.	1	28/09/2009	To replace key staff who are retiring
3	Garda	Appointment of 1 Assistant Garda Commissioner, 9 Chief Superintendents, 14 Superintendents, 28 Inspectors, 120 Sergeants (172 posts in total)	1 Assistant Garda Commissioner, 9 Chief Superintendents, 14 Superintendents, 28 Inspectors, 120 Sergeants	172	No formal sanction given as an Employment Control Framework is in the process of being agreed with the Department of Justice for the Justice Sector. Its will then be a matter for the Garda to manage staff numbers within the agreed Framework and associated pay allocation.			
4	Garda	Reappointment of Garda to Garda Technical Bureau	1 Garda	1	Yes, application was approved.	1	09/03/2010	Reappointment of a Guard who had left force who had previously been given technical training and worked in the Bureau. 3 staff due to retire from the Bureau this year and this guard's training and experience would make him suitable too fill one of these posts.
5	Garda	Reappointment of Garda to the Garda Force	1 Garda	1	Yes, application was approved.	1	16/04/2010	Sanction was given on foot of legal advice from the Office of the Attorney General which advised that this Garda had a legitimate expectation that she would be re-appointed on the basis of an agreement between the Minister for Justice and the Garda Commissioner in 1980 regarding the extension of the categories to be considered for re-appointment which included members who resign from the Force to take up a post with UN.
6	Garda	Reappointment of 2 Garda to the Garda Force	2 Garda	2	Yes, application was approved.	2		Justice are seeking approval to the reappointment of 2 garda, 1 of whom who left the Force to take up UN posts and another who left to set up a Driving school.

Department of Justice & Law Reform — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts sought	Decision	No. of posts granted	Date Sanctioned	Comment
7	Irish Youth Justice Service	Extension of contracts for 27 staff employed in the Finglas and Oberstown Children Detention Schools.	10 Residential Childcare Workers, 4 Night Supervisors, 6 General Operatives, 1 Chef, 1 Assistant chef, 1 Assistance Maintenance Officer, 2 Clerical Officer, 1 Night Unit manager, 1 Assistant Deputy Director	27	Yes, application was approved.	27	26/06/2009	To facilitate the ordered restructuring of staffing in the youth detention centres prior to the closure of one detention centre.
8	Irish Youth Justice Service	Extension of contract for 1 worker at Trinity House	1 General Operative	1	Yes, application was approved.	1	02/09/2009	To maintain catering services at weekends.
9	Irish Youth Justice Service	Extension of contract for 5 workers at Trinity House	2 Residential Childcare Workers, 2 Night Supervisors, 1 Clerical Officer	5	Yes, application was approved.	5	18/09/2009	To facilitate the ordered restructuring of staffing in the youth detention centres prior to the closure of one detention centre.
10	Irish Youth Justice Service	Extension of contracts for 68 staff employed in the Children Detention Schools to 31 March 2010.	31 Residential Childcare Workers, 12 Night Supervisors, 13 General Operatives, 1 Chef, 1 Assistance Maintenance Officer, 6 Clerical Staff, 3 Night Unit Managers, 1 Assistant Night Unit Manager	68	Yes, application was approved.	68	25/09/2009	To facilitate the ordered restructuring of staffing in the youth detention centres prior to the closure of one detention centre.

Department of the Environment, Heritage and Local Government

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
1	An Bord Pleanála	Delay in filling staff complement due to industrial relations issue	SEO	1	Sanction was refused	0	09.06.09	Request for sanction does not fall within the "very limited circumstances" where Ministerial exceptions can be sought.
2	Private Residential Tenancies Board	PRTB wish to engage 30 COs rather than 22 agency staff for same cost	CO	30	Sanction was refused	0	21.05.09	Request for sanction does not fall within the "very limited circumstances" where Ministerial exceptions can be sought.
3	Environmental Protection Agency	Reappointment as term has expired	Director	1	Yes, sanction was given — on a permanent basis	1	11.09.09	Post is vital for operation of services
4	Wicklow County Council *	Incentivised Scheme of Early Retirement in the Public Service	Director of Services	1	Yes, sanction was given — on a temporary/acting basis	1	18.12.09	Post is vital for operation of services

Department of the Environment, Heritage and Local Government — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
5	Irish Regions Office	Contract expired	EU Programmes & Communication Officer	1	Yes, sanction was given — on a permanent basis	1	27.01.10	Post is vital for operation of services
6	BMW Regional Assembly	Contract expired	Auditor	1	Yes, sanction was given — on a permanent basis	1	24.03.10	Post is vital for operation of services
7	Environmental Protection Agency	New Post to Manage Dumping at Sea Permits	Technical Manager	1	Sanction was refused	0	08.03.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
8	Dublin Docklands Development Authority	Incentivised Scheme of Early Retirement in the Public Service	Secretary	1	No decision to date			
9	Dublin Docklands Development Authority	Contract is due to expire	Director of Finance	1	No decision to date			
10	Housing Finance Agency	To fill one full time and one part time EO posts to supply administrative support and loan book management	EO	1.5	Yes, sanction was given — on a permanent basis	1.5	08.03.10	Post is vital for operation of services
11	Housing Finance Agency	To fill a jobshare CO post due to a member of staff switching to job share	CO	0.5	Yes, sanction was given — on a permanent basis	0.5	08.03.10	Post is vital for operation of services
12	Housing Finance Agency	To fill 1 full time & 1 part time CO posts arising as consequential vacancies from the filling of the EO posts above	CO	1.5	Sanction was refused	0	08.03.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
13	Radiological Protection Institute of Ireland	To fill the post of Director of Advisory Services following the departure of Dr. Colgan to the IAEA	PSO	1	Yes, sanction was given — on a permanent basis	1	08.03.10	Post is vital for operation of services
14	Radiological Protection Institute of Ireland	Fill the consequential vacancy arising from filling the post of Director of Advisory Services	SSO		Sanction was refused	0	08.03.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
15	Radiological Protection Institute of Ireland	Fill the consequential vacancy arising from filling the post of Director of Advisory Services	SO		Sanction was refused	0	08.03.10	

Department of the Environment, Heritage and Local Government — *continued*

No.	Requesting Body	Purpose of Sanction	Grade	No. of posts	Decision	No. of posts granted	Date Sanctioned	Comment
16	Local Government Management Agency	Director of OLAM	Director	1	No decision to date			
17	Southern & Eastern Regional Assembly	To fill a first level controller post to implement the systems of controls for the Ireland Wales Programme	Grade 1V	4	Yes, sanction was given — on a permanent basis	1	19.04.10	Post is vital for operation of services
18	An Bord Pleanála	Contract Expired. Application to extend contract for 1 year	Planning Inspector	1	Yes, sanction was given — on a temporary/acting basis	1	23.04.10	Post is vital for operation of services
19	Dublin Docklands Development Authority	Sanction sought to acting up allowance for the Acting CEO	Acting CEO	1	No decision to date	0		
20.	Private Residential Tenancies Board	Sanction sought to extend temporary contract by 12 months	ICT Administrator	1	Yes, sanction was given — on a temporary/acting basis	1	15.07.10	Vital to ensure project completion which will negate the need for Agency staff
21.	Irish Water Safety Association	Sanction for a three year contract post sought	Educational Development Officer	1	Sanction was refused	0	05.08.10	Request for sanction does not fall within the “very limited circumstances” where Ministerial exceptions can be sought.
22.	Environmental Protection Agency	To fill the Programme Manager — Laboratory Services post after a retirement	Programme Manager — Level 1	1	No decision to date			
23.	Environmental Protection Agency	To fill the Programme Manager — Aquatic Environment post after a retirement	Programme Manager — Level 1	1	No decision to date			
24.	Environmental Protection Agency	To fill the post in the Office of Climate, Licensing & Resource Use after a retirement	Senior Scientific Officer — Level 2	1	No decision to date			
25.	Environmental Protection Agency	8 temporary fixed term purpose contract staff sought to cover maternity leave	Level 5 or 6 as appropriate	8	No decision to date			

Note: A Commission of Investigation into the Banking Sector has also been established, chaired by Mr. Peter Nyberg. The Commission is making a number of appointments to assist it in its work.

Tax Code

64. **Deputy Chris Andrews** asked the Minister for Finance if he will respond to claims by an organisation (details supplied) that investment and innovation will suffer as a result of ending a tax break on patent royalties, as contained in the four year plan announced last week and if he will consider reviewing this decision. [46006/10]

Minister for Finance (Deputy Brian Lenihan): The tax exemption for patent income has been in place for over 30 years and has applied to income received by an individual or company from a qualifying patent subject, since 2008, to an annual limit of €5 million. A tax exemption has also applied, subject to certain conditions, to distributions paid by companies from exempt patent income. These exemptions have been abolished with effect from 24 November 2010. I do not believe that the removal of this relief will have a significant adverse effect on investment and innovation. The decision to abolish the relief was taken on the basis of a recommendation to this effect by the Commission on Taxation. The Commission found that the relief has not had the desired impact on innovation and R&D activity and that, despite various refinements to the scheme over the years, it was not a particularly well-targeted measure providing good value for money. Abolition of the patent income exemption will yield €50 million to the Exchequer in a full year and this is provided for in the National Recovery Plan.

As part of its review all tax expenditures, the Commission on Taxation examined the relief for patent income to determine if its continued operation was justified on cost benefit grounds. The Commission concluded that the relief has not resulted to any great extent in companies carrying out R&D activity and that the relief was being used in some cases by companies as a tax avoidance device to remunerate employees. Indeed, changes have had to be made to the scheme over the years to counter abuses as they have arisen. The Commission considered that there was a significant deadweight element to the relief and that it provided a windfall gain after a successful invention rather than an incentive to encourage new research and development.

The Government agrees with the conclusions of the Commission and believes that scarce resources should be focussed instead on the R&D tax credit scheme. The R&D credit scheme provides a more direct and effective incentive for enterprises to innovate and invest in R&D activities and the scheme has been enhanced considerably in recent years to make it one of the most competitive of its kind anywhere.

A tax credit of 25% of the incremental expenditure incurred by a company in an accounting period on R&D activities can be offset against a company's corporation tax liability. The scheme has been improved in most Budgets and Finance Acts since its introduction in 2004.

Finance (No. 2) Act 2008 contained a number of very significant enhancements to the R&D tax credit scheme including;

- An option to carry-back unused tax credits for set-off against a company's previous year's corporation tax payments, if there is insufficient corporate tax liability in the current year, thereby creating a tax refund.
- A further option, if unused tax credits still remain, to claim payment of the remaining unused credits which will be paid in instalments over a 3 year period.
- Some of the expenditure on new or refurbished buildings used in part for R&D purposes will qualify for a tax credit, subject to a minimum level of R&D taking place there over a period.

The National Recovery Plan contains measures that will impact on all sections of Irish society. The abolition of the tax exemption for patent income would be less damaging to Ireland's

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competitiveness than, for example, an increase in the 12.5% corporation tax rate and the removal of the exemption is, perhaps, best seen in that light.

Human Rights Issues

65. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance further to Parliamentary Question No. 123 of 16 November, which members attended which meetings. [46152/10]

Minister for Finance (Deputy Brian Lenihan): The membership of the Cabinet Committee on Aspects of International Human Rights is:

Membership of Committee

Minister for Finance (Chair)	Mr B Lenihan TD
Minister for Justice, Equality & Law Reform	Mr D Ahern TD
Minister for Transport	Mr N Dempsey TD
Minister for Foreign Affairs	Mr M Martin TD
Minister for the Environment, Heritage & Local Government	Mr J Gormley TD
Minister for Communications & Natural Resources	Mr E Ryan TD
Attorney General	Mr Paul Gallagher SC

Proceedings and attendance at Cabinet Committees are subject to Cabinet confidentiality.

Pension Provisions

66. **Deputy Terence Flanagan** asked the Minister for Finance if he will provide a breakdown of income and expenditure from the National Pensions Reserve Fund over the past five years; the effect the EU and International Monetary Fund deal will have on the fund in the coming years; and if he will make a statement on the matter. [46181/10]

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 National Pensions Reserve Fund Commission — who control and manage the Fund — publish a report on the performance of the NPRF at the end of each quarter, as well as the annual reports of the Commission, on the Commission's website www.nprf.ie/home.html. The most recent quarterly report, to 30 September 2010, valued the Fund at €24.5 billion. A breakdown of income and expenditure of the National Pensions Reserve Fund over the past five years as detailed in the annual reports of the Commission from 2005 to 2009 is set out as follows.

€m

	2005	2006	2007	2008	2009
Opening Balance	11,689	15,419	18,900	21,153	16,142
Exchequer Contributions	1,320	1,446	1,616	1,690	3,993*
Investment Return	2,434	2,064	661	(6,676)	2,222
Total Expenses	(24)	(29)	(24)	(25)	(22)
Closing Balance	15,419	18,900	21,153	16,142	22,335

*Including €993 million in assets transferred from university and non-commercial semi-state pension funds.

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 Fund and the European Financial Stability Mechanism; bilateral loans from the UK, Sweden and Denmark; and the International Monetary Fund's Extended Fund Facility 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 Pension 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.

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.

State Bodies

67. **Deputy Niall Collins** asked the Minister for Finance the number of persons in each Government Department, commercial State agency-company, non-commercial State agency-company and other State bodies and quangos who earn in excess of €250,000 per annum, in tabular form identifying the number of such persons per entity; and if he will make a statement on the matter. [46183/10]

Minister for Finance (Deputy Brian Lenihan): On the basis of information currently to hand, the number of persons in Government Departments, Commercial State Agencies, non-Commercial State Agencies and other State Bodies who have salaries in excess of €250,000 per annum are set out as follows.

Sector	Organisation/Function	Numbers
Oireachtas	President	1
Judiciary	Chief Justice	1
	President of the High Court	1
	Judge of the Supreme Court	7
	President of the Circuit Court	1
Health Services Executive	Chief Executive Officer	1
Education	Vice President for Research UCD	1
Non Commercial State Sponsored Bodies	CEO of National Roads Authority	1
Commercial State Bodies	Chief Executive Officer Coillte Teoranta, ESB, Bord Gáis Éireann, An Post, RTE, VHI, Dublin Airport Authority, Iarnród Éireann, Irish Aviation Authority.	9

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In the Health Service Executive some Academic Consultants at professorial level are in receipt of remuneration in excess of that mentioned by the Deputy. While the HSE have confirmed that there are 168 Academic Consultants, it has advised that a break down of the numbers between professorial and other grades in the academic consultant stream by contract type is not available. Full details of current remuneration payable to consultant grades in the Health Service Executive in respect of each contract type can be found at www.hseea.ie.

Remuneration rates in the Central Bank Financial Services Authority of Ireland are solely a matter for the Board of the Bank and the Authority to determine while the remuneration packages of all National Treasury Management Authority staff (which includes the staff of the National Asset Management Authority) are negotiated on an individual contract basis and are confidential. With the exception of the posts of Chief Executive Officer, I have no role in determining the salary rates of employees in the commercial State bodies.

Tax Code

68. **Deputy Michael McGrath** asked the Minister for Finance his plans to make changes to the VAT treatment of books; and if he will make a statement on the matter. [46185/10]

Minister for Finance (Deputy Brian Lenihan): The supply of printed matter may attract one of three VAT rates, namely at the zero rate, the 13.5% reduced rate or the standard 21% rate. The general position is that books are zero rated, newspapers and periodicals are subject to the reduced rate and stationery and other printed matter are liable at the standard rate. The zero rate applies to printed books including atlases, children's picture, drawing and colouring books and books of music. The reduced rate applies to newspapers and periodicals including sectoral publications (sports, fashion, etc.), holiday brochures, prospectuses, catalogues and maps. The standard rate applies to wide range of goods including stationery, calendars, greeting cards, diaries, yearbooks and posters. All digitised publication regardless of their rate when printed (for example, a book liable at zero rate) are treated as a supply of a service liable at the standard rate. Printed matter that is purchased via download over the internet is also considered a service liable for VAT at the standard rate.

I have no immediate plans to change the VAT treatment of books. However, as stated in the National Recovery Plan 2011-2014, it is the Government's intention to examine further rebalancing of the VAT system and zero rated VAT items within the context of wider and ongoing EU level consideration of the matter. The VAT system is continually being reviewed at EU level and Ireland is part of that process.

State Bodies

69. **Deputy Joe Costello** asked the Minister for Finance if his attention has been drawn to the fact that Dun Laoghaire Harbour Company is seeking a restructuring of the harbour company with substantial redundancies; if this is related to the Croke Park agreement; and if he will make a statement on the matter. [46200/10]

Minister for Finance (Deputy Brian Lenihan): My Department is aware of recent developments in relation to the Dun Laoghaire Harbour Company including their rationalisation plans and proposals for staff redundancies. It is understood that the company is currently considering the expressions of interest it received from staff for voluntary redundancy. The structure of the commercial State port companies allows the ports the freedom to act commercially and to provide cost effective and efficient services to meet the needs of their customers, the State and the national economy. The Dun Laoghaire Harbour Company is designated as a

commercial State-sponsored body and as such does not come within the ambit of the Public Service Agreement 2010-2014, also known as the Croke Park Agreement.

National Recovery Plan

70. **Deputy John O'Donoghue** asked the Minister for Finance the number of measures in the national recovery plan that will have a specific effect on Kerry; and if he will make a statement on the matter. [46221/10]

Minister for Finance (Deputy Brian Lenihan): The National Recovery Plan 2011-2014 provides a blueprint for a return to sustainable growth in our economy by setting out the measures that will be taken to restore order to our public finances, identifying the areas of economic activity which will provide growth and employment in the recovery and detailing the reforms the Government will implement to accelerate growth in those key sectors. The measures included in the Plan are of national application and are not broken down on a county by county basis.

Personal Debt

71. **Deputy Mary Wallace** asked the Minister for Finance if he will list the steps taken by him to protect and assist families who are concerned about losing their homes and are experiencing difficulty in meeting mortgage payments; and if he will make a statement on the matter. [46357/10]

Minister for Finance (Deputy Brian Lenihan): List of steps taken:

No.	
1	Announced the extension of the Mortgage Interest Relief Scheme in my 2010 Budget Speech.
2	Requested the Financial Regulator to extend the moratorium on home repossessions from 6 to 12 months which came into effect 17th February 2010.
3	Established the Mortgage Arrears and Personal Debt Expert Group on 25th February 2010 to make recommendations to me on mortgage arrears and personal debt issues.
4	Brought the recommendations of the Interim Report by the Mortgage Arrears and Personal Debt Expert Group before Government on 6th July 2010.
5	Brought the recommendations in the Final Report by the Mortgage Arrears and Personal Debt Expert Group before Government on 17th November 2010.
6	Approved on 3rd December 2010 the amended Code of Conduct on Mortgage Arrears by the Financial Regulator, which will underpin many of the recommendations of the Mortgage Arrears and Personal Debt Expert Group.

I have spoken extensively in this House on the supports which are available to those homeowners who find themselves in difficulty. These supports include the Code of Conduct on Mortgage Arrears, the Mortgage Interest Subsidy Scheme and the services provided by the Money Advice Budgeting Services.

The Deputy will be aware of the Government's commitments under the Renewed Program for Government for introducing new measures to protect families having difficulties with their mortgage repayments and personal indebtedness under the headings *Protecting the Family Home* and *Helping Those in Debt*. Since the publication of the Renewed Programme for Government in October 2009 I have taken a number of steps to improve the position for such homeowners.

In my Budget speech in December 2009 the Government refocused mortgage interest relief on those who bought their homes at the peak of the market, many of whom find themselves in negative equity. Where a homeowner's entitlement to mortgage interest relief would expire

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in 2010 or after, they will now continue to receive it up to the end of 2017. In addition at my request the Financial Regulator after consideration extended the moratorium on mortgage arrears from 6 months to 12 months for all mortgage lenders with effect from 17 February 2010.

The Deputy will also be aware that on 25 February 2010, I announced the establishment of the Mortgage Arrears and Personal Debt Expert Group (Group), under the chairmanship of Mr. Hugh Cooney an insolvency accountant. The Group was charged with making recommendations to me on options for improving the current situation for families with mortgage arrears on their principal private residence and with personal debt.

Since then the Group submitted an Interim Report to me in early July and their Final Report in mid November. Both reports can be accessed on the Department of Finance's website at www.finance.gov.ie.

The Reports when combined include key recommendations to address the issues of communication between householders in arrears and their lenders, and the need for a more consistent assessment process by lenders of borrowers in difficulty in the form of an industry-wide Mortgage Arrears Resolution Process (MARP) including a range of forbearance measures. A Deferred Interest Scheme is also recommended for borrowers who can pay at least 66% of the interest, giving them additional time to get back on their feet.

Now that the recommendations of the Group have been published and noted by the Government, the task now is for lenders and the Financial Regulator to work closely together to ensure they are implemented. This process is well underway. A revised Code of Conduct on Mortgage Arrears by the Central Bank has just been published, with my approval, which underpins many of the Group's recommendations.

I am confident that the steps that I have taken in keeping with Government's commitments under the Renewed Programme for Government together with the existing Government supports will improve the situation for homeowners in difficulty with mortgage arrears and personal debt.

Tax Code

72. **Deputy John O'Mahony** asked the Minister for Finance the amount collected by him on stamp duty on ATM, credit and debit cards and cheques in 2007, 2008, 2009 and to date in 2010 in tabular form; and if he will make a statement on the matter. [46363/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that the net receipt from Stamp Duty on financial cards and cheques from 2007 to 30 November 2010, broken down both by year and type of card, is as set out in the table as follows:

Card Type	2007	2008	2009	2010 (To 30/11)
	€m	€m	€m	€m
Credit	72.4	107.3	61.6	10.7
ATM	18.0	10.6	2.7	0.1
Debit	0.0	0.0	1.0	0.0
Combined (ATM/Debit)	24.3	27.4	12.9	3.1
Cheques	18.6	30.5	37.4	29.2
Total	133.3	175.8	115.6	43.1

The main payment date for Stamp Duty on financial cards is in December, which accounts for the low yield in 2010 to date. In Budget 2008 the Stamp Duty on credit cards, ATM cards,

debit cards and combined cards was reduced, while the Stamp Duty on cheques was increased, which partly accounts for the changes in yield from those sources between 2008 and 2009.

Ministerial Appointments

73. **Deputy Fergus O'Dowd** asked the Minister for Finance all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46376/10]

Minister for Finance (Deputy Brian Lenihan): The following table list the appointments to bodies under the aegis of my Department in the past 12 months.

Name of Body	Name of Appointee	Date Appointed	Term of office	Income received
Conciliation and Arbitration Board for the Civil Service	Turlough O'Donnell Tom Wall Gerard Barry Kieran McGovern (Adjudicator)	All appointed 21st Jul 2010	30 Jun 2011	Nil €1,156 Nil €1,664
Implementation Body under Public Service Agreement 2010-2014	Mr PJ Fitzpatrick	2 Jul, 2010	Not Specified	€7,472
Disabled Drivers Medical Board of Appeal *	Dr. Jimmy Leitch Mr. Niall Mulvihill Dr. John O'Keeffe	Jul 2010 The appointments to the Disabled Drivers Medical Board of Appeal are made by the Minister for Finance on the nomination of the Minister for Health and Children.	4 yrs	The two doctors who attend each Appeal Board sitting with the Chairperson receive a session rate of €607.20 per doctor per hearing.
An Post National Lottery Company	Caroline Murphy Oliver Wilkinson (re-appointment)	06 Nov 2010 06 Nov 2010	3 Years 3 Years	€12,600 €12,600
Central Bank Commission	Professor John Fitzgerald Mr. Max Watson Mr. Michael Soden Mr. Des Geraghty Professor Blanaid Clarke	All appointed 01 Oct 2010	5 years 5 Years 4 Years 4 Years 3 Years	The fee payable to non ex-officio members of the Commission is currently set at €14,936 per annum.
National Pensions Reserve Fund Commission	Mr Paul Carty (Chair) Mr Knut N Kjaer Mr John A Canning Jr	1 Aug 2010 2 Apr 2010 2 Apr 2010	5 Years 5 Years 5 Years	€51,424 (chair) €34,283 (Ordinary member) €34,283 (Ordinary member)
National Treasury Management Agency (NTMA) Advisory Committee	Ms Tytti Noras Mr Brendan McDonagh Mr Kevin Cardiff	1 Aug 2010 1 Sep 2010 1 Feb 2010	5 Years 5 Years For term of appointment as Secretary General, Department of Finance	Both ordinary Members receive €22,500 None

Name of Body	Name of Appointee	Date Appointed	Term of office	Income received
Mortgage Arrears and Personal Debt Group	Mr. Hugh Cooney (Chairman) Mr. Brendan Burgess Dr. David Duffy Mr. Matthew Elderfield Mr. Pat Farrell Mr. Tom Foley Mr. Paul Joyce Ms. Patricia T. Rickard-Clarke		25th Feb 2010 to 16th Nov 2010	All work conducted by these appointees was on a pro bono basis — no income received
Valuation Tribunal	1. Fred Devlin 2. John Kerr 3. Patricia O'Connor	4 Jan 2010 4 Jan 2010 (reappointments) 22 Feb 2010 (new appointment)	All appointed for 5 Year term	€10,272 €11,893 €2,158
Credit Union Advisory Committee	Pádraig O'Cearbhail (Chair) Iris White Michael O'Conaill Gerry Murphy Noreen Byrne Denise O'Connell Donal McKillop	All appointed 01 Sep 2010	3 Years	€3,705 p.a. all other members receive €2,470 p.a.
National Asset Management Agency	Frank Daly (Chairperson) Michael Connolly (Chairperson of the Credit Committee) William Soffe Eilish Finan Brian McEnery Peter Stewart Steven Seelig John Corrigan Brendan McDonagh	22 Dec 2009 22 Dec 2009 22 Dec 2009 22 Dec 2009 22 Dec 2009 22 Dec 2009 26 May 2009 22 Dec 2009 22 Dec 2009	5 Years 5 Years 4 Years 4 Years 4 Years 3 Years 3 Years ex-officio ex-officio	€170,000 €150,000 €50,000 €50,000 €50,000 €50,000 €50,000

[Deputy Brian Lenihan.]

Notes: re-fees for NAMA

- the level of the respective fees for Chairperson and Ordinary Board Members originally set on appointment in December 2009 were revised on 10 March 2010;
- the fees payable for Chairperson and Chairperson of the Credit Committee are subject to conditions on availability and time;
- the Chairperson's fee is subject to the relevant pension abatement provisions;
- Ordinary Board Members may receive one additional fee of €10k if they act as a Chair of other Committees;
- all fees are subject to review in Spring 2011.

The Minister did not make appointments in Anglo Irish Bank — he approved certain appointments as sole shareholder.

These approvals included Chairman, Board members and senior management. The appointments were made by the Board.

Tax Code

74. **Deputy Bernard J. Durkan** asked the Minister for Finance when a tax refund will issue in the case of a person (details supplied) in County Kildare who has submitted all relevant and requested information to the Revenue Commissioners; when this matter is likely to be concluded in view of the ongoing nature of same; and if he will make a statement on the matter. [46434/10]

Minister for Finance (Deputy Brian Lenihan): I have been advised by the Revenue Commissioners that while the person concerned has submitted details in relation to his claim some items are still outstanding. The person concerned has been advised of the position and the outstanding details have been requested.

State Bodies

75. **Deputy Lucinda Creighton** asked the Minister for Finance the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46478/10]

Minister for Finance (Deputy Brian Lenihan): This question was answered in respect of my own Department on 11th November, 2010 under parliamentary question number 42270/10. I am interpreting public bodies in accordance with the definitions set out in the Freedom of Information Act 1997 and the information in respect of those bodies under the remit of my Department is set out as follows.

The *Special EU Programmes Body* (SEUPB) is committed to ensuring that all payments are made to suppliers on a prompt basis. Payments are issued to suppliers on a weekly basis and therefore no monies are owed to private firms by the SEUPB by the close of each working week.

The *State Laboratory* abides by the relevant legislation and Government policies regarding prompt payment for goods and services supplied by private sector organisations. The average time taken to pay invoices is 5 days, which is well within the Government policy objective of payment within 15 days and the usual period of credit allowed by suppliers.

The *Office of the Comptroller and Auditor General* abides by the relevant legislation regarding prompt payment for goods and services supplied by private sector organisations. Supplies

that are in order and that have been invoiced in accordance with agreed arrangements are paid as quickly as possible. At present in the Office, invoices with a value of €18,332.82 are being processed for payment by 8 December 2010.

In respect of the *Office of the Commission for Public Service Appointments*, with the exception of current invoices, all of which will be paid in accordance with prompt payment policy, this is a nil reply from this office.

The *Office of the Ombudsman* meets with the Government policy objective of making payment to suppliers within 15 days in that regard no monies are owed to private firms.

The *Public Appointments Service* abides by the relevant legislation and Government policies regarding prompt payment for goods and services supplied by private sector organisations. Supplies that are in order and that have been invoiced in accordance with agreed arrangements are generally paid within the Government policy objective of payment within 15 days and the usual period of credit allowed by suppliers. In that sense, therefore, no amount of money is owed to private firms as of 3rd December.

The *Valuation Office* abides by the relevant legislation and Government policies regarding prompt payment for goods and services supplied by private sector organisations. Supplies that are in order and that have been invoiced in accordance with agreed arrangements are paid comfortably within the Government policy objective of payment within 15 days and the usual period of credit allowed by suppliers. In that sense, therefore, no amount of money is owed to private firms.

I am informed by the *Office of the Revenue Commissioners and the Office of the Appeals Commissioners* that they abide by the relevant legislation and Government policies regarding prompt payment for goods and services supplied by private sector organisations. Supplies that are in order and that have been invoiced in accordance with agreed arrangements are paid promptly and over 99% of all invoices are paid within 15 days of receipt. The very small number of invoices falling outside this figure relates to cases where further information was required before payment could be made. In that sense, therefore, no money is owed to private firms.

The *Office of Public Works* abides by the relevant legislation and Government policies regarding prompt payment for goods and services supplied by private sector organisations. Supplies that are in order and that have been invoiced in accordance with agreed arrangements are paid promptly.

The table shows that in the quarter Jul-Sept 2010 66% of payments were made within the Government policy objective of payment within 15 days and 33% were paid within 16-30 days the usual period of credit allowed by suppliers. These statistics are also indicative for the current period.

Details	Number	Value	Percentage (%) of total payments made
		€	
Total payments made in Quarter	21,971	105,792,368.27	(100%)
Number of payments made within 15 days	14,432	98,438,071.34	(65.68%)
Number of payments made within 16 days to 30 days	7,219	6,928,836.94	(32.86%)
Number of payments made in excess of 30 days	320	425,459.99	(1.45%)
Disputed Invoices Included above	167		

Tax Code

76. **Deputy Finian McGrath** asked the Minister for Finance if he will support a matter (details supplied). [46486/10]

Minister for Finance (Deputy Brian Lenihan): In accordance with section 37(1) of the Value-Added Tax Consolidation Act 2010, the amount on which VAT is chargeable is the total consideration receivable by the supplier, “including all taxes, commissions, costs and charges whatsoever” but not including the VAT itself. VAT is an EU-wide tax and Irish VAT law must comply with the EU VAT Directives. Article 78 of EU Council Directive 2006/112/EC provides that the taxable amount shall include “taxes, duties, levies and charges, excluding the VAT itself”.

Accordingly, it is correct to include any carbon tax element of a utility bill in the amount on which VAT is chargeable. The same situation applies in the case of other excises, including for example excises on petrol, auto-diesel, tobacco and alcohol products.

Guidance in relation to the VAT treatment of the total consideration receivable by a supplier is set out in the *VAT Guide*. This publication is available on the Revenue website at www.revenue.ie.

Pension Provisions

77. **Deputy Richard Bruton** asked the Minister for Finance whether the pension ceiling of €150,000, soon to be reduced to €115,000, applies to public servants making additional voluntary contributions under pension schemes; if it applies to persons who are in a position to fund a pension through a limited company structure; and if he will make a statement on the matter. [46505/10]

Minister for Finance (Deputy Brian Lenihan): The annual earnings limit which (along with age-related percentage limits) determine the maximum tax-relievable contributions for pension purposes that an individual taxpayer can make in any year is being set at €115,000 for 2011 as compared with the limit of €150,000 for 2010. The annual earnings and age-related percentage limits apply to all contributions made by an employee, whether in the public or private sector, to an occupational pension scheme, including additional voluntary contributions, and to contributions made by individuals to personal pension plan arrangements such as Retirement Annuity Contracts (RACs) and Personal Retirement Savings Accounts (PRSAs). These limits do not apply to employer contributions except in the case of PRSAs.

While contribution-based controls have historically applied in the case of RACs and PRSAs, controls based on maximum allowable benefits apply in the case of occupational pension schemes. The main control that applies in that regard is that the maximum retirement benefit that can be funded for a scheme member cannot exceed two-thirds of the individual’s final remuneration. A separate life-time tax relieved pension fund limit (the Standard Fund Threshold or SFT) currently set at €5.4 million is also in place and where the capital value of a two-thirds pension would otherwise exceed that amount a punitive tax charge applies to the excess. The SFT applies regardless of the type of pension fund arrangement and, as mentioned in the National Recovery Plan, the SFT is being reduced. Details of the reduction will be outlined in today’s Budget documentation.

78. **Deputy Richard Bruton** asked the Minister for Finance if the plan to gradually reduce the pension relief from 41% to 20% will have the perverse effect of reducing tax earnings in the short term by encouraging persons to maximise their pension contributions in the coming years; and if he will make a statement on the matter. [46506/10]

Minister for Finance (Deputy Brian Lenihan): The full year saving from reducing income tax relief to the standard rate on contributions by employees and individuals to supplementary pension saving is estimated at about €500 million. As indicated in the National Recovery Plan 2011-2014, this estimate does not take account of the behavioural impact which would be likely to result from a change of this magnitude. The Deputy posits the view, in this regard, that a gradual reduction in the tax relief will encourage individuals to maximise their pension contributions in the coming years thus reducing the savings to the Exchequer. On the other hand, alternative views have been expressed to the effect that as pension savings and the tax relief arrangements for those savings represent deferred income and deferred taxation, the proposed changes in tax relief may discourage pension savings. The argument in this case is that individuals liable to tax at the higher income tax rate, including those on modest incomes, may consider that it would not be in their interest to continue to make contributions at a gradually reducing rate of tax relief if there is a risk that the pension income they will ultimately secure from those contributions might be taxed at a higher rate, notwithstanding that this would not be the outcome for many of those affected. Clearly it is difficult to predict what the behavioural impact of the changes is likely to be.

The National Recovery Plan recognises the potential disincentive effect on supplementary pension provision and for this reason the Government has indicated its willingness to engage with the pensions industry to examine potential alternative approaches to securing the quantum of savings from pension tax expenditures set out in the Plan.

Industrial Disputes

79. **Deputy Niall Collins** asked the Minister for Finance the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if he will make a statement on the matter. [46516/10]

Minister for Finance (Deputy Brian Lenihan): I am pleased to inform the Deputy that there is no industrial action, including work to rule presently being engaged in by staff of my Department.

Croke Park Agreement

80. **Deputy John McGuinness** asked the Minister for Finance the reason parliamentary questions tabled by this Deputy to each Minister regarding details and outcomes of the Croke Park deal have been answered only by him; if he will insist on each Minister responding to the parliamentary question giving his or her particular details as requested; the reason there is such a reluctance by Ministers to give specific details; and if he will make a statement on the matter. [46527/10]

Minister for Finance (Deputy Brian Lenihan): I am happy that the approach adopted in answering the question was appropriate. I answered the Parliamentary Questions tabled on behalf of fellow Ministers in relation to the Croke Park Agreement as my Department prepared the overall Civil Service and State Agency Action Plan, the contents of which apply to all Departments. This plan was based upon the action plans submitted by each Government Department to my Department. The Implementation Body has now reviewed and approved the Civil Service and State Agency Sectoral Plan. All Departments/Offices were requested to publish their local Action Plan on their website.

Medical Cards

81. **Deputy Michael Ring** asked the Minister for Health and Children the monetary value attached to a medical card; and if she will make a statement on the matter. [45834/10]

Minister for Health and Children (Deputy Mary Harney): There are two main factors associated with medical cards and GP visit cards, firstly the capitation and other fees paid to General Practitioners (GPs) and, secondly, the cost of drugs supplied to patients.

GPs who hold contracts under the General Medical Services (GMS) Scheme with the Health Service Executive (HSE) are remunerated through a range of fees and payments, most of which were amended in the Health Professionals (Reduction of Payments to General Practitioners) Regulations 2009, which came into effect on 7th July 2009. Included among these fees are more than 50 different capitation fees, which vary depending on the age and gender of the patient and the distance he or she lives from the GP's surgery. For example, fees currently range from €76.98 for a male patient under 5 years living 3 miles or less from the GP's surgery to €218.37 for a female aged 65-70 years living more than 10 miles from the surgery. In addition, there are special capitation rates of €280.31 for persons aged 70 and over residing at home and €896.07 for persons aged 70 and over residing in private nursing homes. There is also a range of additional payments; for example, in respect of out-of-hours consultations, temporary residents, special items of services (e.g. suturing), panel size, practice support allowances and locum expenses.

As regards the supply of drugs and medicines, effective from 1st October 2010, medical card holders will only have to pay a prescription charge of 50 cent per item subject to a maximum of €10 per month for each person or family. GP visit card holders avail of the Drugs Payment Scheme, which now involves a co-payment of the first €120 spent per family in any calendar month. Drugs costs vary significantly depending on the patient's medical condition.

My Department has been in contact with the HSE in relation to the average cost of a medical card per annum and the Executive has indicated that, given there were 1,598,823 medical card holders and 114,106 GP visit card holders on the 1st November, 2010, the variety of payment arrangements and the variation in drug costs under the GMS Scheme, a single average annual cost figure in respect of the medical card and GP visit card is not a sufficiently refined measure for policy options and decisions.

The estimated total expenditure in 2009 on the GMS Scheme was approximately €1.85 billion. The HSE Service Plan for 2010 shows the projected cost of the GMS Scheme this year as €2.032 billion. The Service Plan also shows a projected increase in medical card and GP visit card numbers of 144,000 and 16,111 respectively for 2010.

Job Losses

82. **Deputy John O'Donoghue** asked the Minister for Health and Children her views on the closure of a company (details supplied) in County Kerry resulting in a loss of 31 jobs; if she or her agencies could take steps to reverse the closure; and if she will make a statement on the matter. [46213/10]

123. **Deputy John O'Donoghue** asked the Minister for Health and Children the reason the Health Service Executive announced it would no longer supply funding to a company (details supplied) in County Kerry; and if she will make a statement on the matter. [46212/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 82 and 123 together.

As this is a service matter the question has been referred to the HSE for direct reply.

Mental Health Services

83. **Deputy Ruairí Quinn** asked the Minister for Health and Children if she will facilitate an organisation (details supplied) which is a community and member-led project for people with self-experience of mental illness with the provision of office space, suitable for a drop-in facility office in the Rathmines area; and if she will make a statement on the matter. [46420/10]

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.

Health Services

84. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when speech therapy will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46427/10]

141. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when speech therapy will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46428/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Question Nos. 84 and 141 together.

As the Deputy's questions relate to service matters I have arranged for the questions to be referred to the Health Service Executive for direct reply to the Deputy.

Ministerial Appointments

85. **Deputy Paul Kehoe** asked the Minister for Health and Children the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by her; the annual salaries in each case; the pension arrangements in each case; and if she will make a statement on the matter. [45850/10]

Minister for Health and Children (Deputy Mary Harney): The information requested by the Deputy is set out in the table:

Name	Title	Gross Annual Salary w.e.f. 01/01/2010 (Exclusive of Employer's PRSI)
		€
Ms Patricia Ryan	Special Adviser	138,655
Mr Derek Cunningham	Special Adviser — Press and Communications	124,046
Ms. Catherine Dardis	Personal Assistant	56,007
Ms. Rhonwen Hayes	Personal Assistant	56,278
Total		374,986

The Special Advisers are required to perform any duties which may be assigned to them as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997 and the Personal Assistants are required to provide assistance to or for the office holder who selected them for appointment.

[Deputy Mary Harney.]

Payments not exceeding 11% of salary in respect of superannuation contributions are made to a private personal pension fund on behalf of Ms Ryan and Ms. Dardis and therefore they have no entitlement to any Public Service superannuation scheme in respect of the period of their appointment. Mr Cunningham and Ms. Rhonwen Hayes are members of the Non-Contributory Pension Scheme and the Contributory Spouse's and Children's Scheme for Non-Established State Employees. There is no direct employer contribution to either of these schemes. These gross salaries are subject to the Pension Related Deduction introduced across the public service in January 2009.

Departmental Expenditure

86. **Deputy Brian Hayes** asked the Minister for Health and Children further to Parliamentary Question No. 159 of 4 November 2010 when a response will issue; and if she will make a statement on the matter. [45857/10]

Minister for Health and Children (Deputy Mary Harney): Compilation of the information sought by the Deputy in his original question involved a considerable amount of work by all units in my Department. The response is currently being finalised and will be issued to him shortly.

Medical Cards

87. **Deputy Michael Ring** asked the Minister for Health and Children when a person (details supplied) in County Mayo will be awarded a medical card [45873/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Funding

88. **Deputy John McGuinness** asked the Minister for Health and Children further to Parliamentary Question No. 104 of 14 October 2010 and the reply from the Health Service Executive of 4 November 2010, if she will confirm if an annual audit was carried out on the service users benefit fund and if so by whom; the amount now in the fund; and if she will make a statement on the matter. [45887/10]

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 Redress Scheme

89. **Deputy Seymour Crawford** asked the Minister for Health and Children when she last met with victims of Michael Neary or their representatives or both; if the issue of the excluded women under the terms of the Lourdes hospital redress scheme was discussed; if she made any specific commitments to those present; and if she will make a statement on the matter. [45889/10]

90. **Deputy Seymour Crawford** asked the Minister for Health and Children the measures she will take to fairly and justly meet the case and needs of those women whose suffering at the hands of the former obstetrician and gynaecologist Michael Neary has yet to be officially recognised and appropriately responded to; and if she will make a statement on the matter. [45890/10]

91. **Deputy Seymour Crawford** asked the Minister for Health and Children the advice she has received that led her to decide that women who had reached their 40th birthday were not to be included under the terms of the Lourdes hospital redress scheme she established; and if she will make a statement on the matter. [45891/10]

92. **Deputy Seymour Crawford** asked the Minister for Health and Children if she will meet again with a representative group of those women who have not been included with other victims of Michael Neary in accessing the State-established Lourdes hospital redress scheme and if she will meet with them in advance of Christmas; and if she will make a statement on the matter. [45892/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 89 to 92, inclusive, together.

I recently met with Patient Focus in the context of the Report of the Drogheda Review, prepared by Mr. T. C. Smyth.

The Lourdes Hospital Redress Scheme was established following an Inquiry into peripartum hysterectomy at Our Lady of Lourdes Hospital, Drogheda. The Inquiry was chaired by Judge Maureen Harding Clark S.C.

Judge Clark was requested by the Government to advise on an appropriate scheme of redress arising from the findings of the Report. Having received Judge Clark's advice, the Government approved the establishment of a non-statutory *ex gratia* scheme of redress in 2007, and appointed Judge Clark as its chairperson.

The Lourdes Hospital Inquiry did not extend to a wider examination of Mr. Neary's general practice or the clinical practice of his colleagues. However, Judge Clark became aware during the course of the inquiry that some patients of Mr. Neary had undergone bilateral oophorectomies — that is, the removal of both ovaries or a single remaining ovary — that may not have been clinically warranted. The inquiry also received medical reports from women who had undergone bilateral oophorectomy with relatively little evidence that the procedures were warranted.

Judge Clark took advice on a selection of oophorectomy cases involving younger women treated by Mr. Neary. She was advised that while it is sometimes necessary to remove both ovaries in the presence of serious disease, the occasion of such a radical procedure is not common. This led her to conclude that unwarranted oophorectomies performed by Mr. Neary on women aged under 40 be included within the scope of the Redress Scheme. The Scheme was advertised on 14th June 2007.

The Lourdes Hospital Redress Board has now concluded its work and all awards determined have been notified to successful applicants.

I was asked to consider an extension of the scope of the Scheme to include additional former patients of Mr. Neary outside of the terms of the Scheme. I gave due consideration to the request and consulted with Judge Clark in the matter, who advised against an extension. Acting on this advice, I decided against an extension of the Scheme and this was publicly communicated in November 2008.

The Government believes that the Lourdes Hospital Redress Scheme addressed the matter in as sensitive and timely a manner as possible. It was always the Government's intention that the women who qualified for the Scheme would receive adequate recompense and I believe that has been achieved in a fair and reasonable manner.

Medical Cards

93. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she will reinstate a general practitioner visit card for a person (details supplied) in County Cork; and if she will make a statement on the matter. [45894/10]

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.

94. **Deputy Thomas Byrne** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Meath. [45906/10]

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.

Care of the Elderly

95. **Deputy Michael Creed** asked the Minister for Health and Children the consideration given by her to the prospect of an intermediate care option for aged and vulnerable persons rather than the current option of long-stay nursing home care; the discussions she has had regarding this issue with the Irish Council of Social Housing and the engagement there has been between the Irish Council of Social Housing and the Health Service Executive; and if she will make a statement on the matter. [45908/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): It is in everyone's best interests that older people are supported and encouraged to remain self-reliant and to remain actively involved in their own well-being and that of their families, friends and the wider community. As the Deputy is aware, a range of services are available to support older people living in their own homes and communities for as long as possible and where this is not possible, provide them with access to appropriate residential accommodation.

I would like to point out that housing policy is a matter for my colleague, the Minister for the Environment, Heritage and Local Government. A sub-group of the cross-departmental team on sheltered housing, established by the Department of Environment, Heritage and Local Government to oversee progress in that area, has produced a draft protocol for inter-agency co-operation where there is a care dimension additional to accommodation needs. Representatives from my Department, the HSE, the Department of the Environment, Heritage and Local Government, the local authorities and the Irish Council for Social Housing participated on the subgroup. A draft protocol has been submitted to the Department of the Environment, Heritage and Local Government for further consideration by the cross-departmental team.

Health Services

96. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [45921/10]

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 Waiting Lists

97. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the current average and longest waiting times for an MRI in Crumlin Children's Hospital. [45929/10]

98. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the current average and longest waiting times for an appointment with an ophthalmologist in Crumlin Children's Hospital. [45930/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 97 and 98 together.

As these questions relate to service issues they have been referred to the HSE for direct reply.

Departmental Staff

99. **Deputy Billy Timmins** asked the Minister for Health and Children the position regarding a matter (details supplied); and if she will make a statement on the matter. [45936/10]

Minister for Health and Children (Deputy Mary Harney): Table 1 sets out the 2010 budget allocation and staff composition of the agencies directly funded by my Department. The information regarding staff reflects the position at the end of Quarter 2 2010, the most recently available data.

Table 2 sets out the staffing composition of the self funded agencies. Information is currently being compiled in relation to three agencies- the Adoption Authority, Office of the Ombudsman for Children and Office of the Disability Appeals Officer. This will be forwarded directly to the Deputy as soon as it is available.

Table 1: Agencies directly funded by the Department of Health and Children

Agency	2010 Allocation	Grade	No. of Staff
	€		
Food Safety Authority	17,427,000	Administrative Assistant	15.6
		Senior Administrative Assistant	9.6
		Technical Executive	20.2
		Higher Technical Executive	5.0
		Senior Technical Executive	4.0
		Press & PR Officer	1.0
		Manager	11.5
		Agricultural Officer	0.8
		Veterinary Officer	2.0
		Chief Specialist	5.0
		Director	3.0
		CEO	1.0
		Total	78.7
Food Safety Promotion Board	6,665,000	CEO	1.0
		Principal Officer (Higher)	1.0
		Principal Officer	1.0
		Assistant Principal (Higher)	1.0
		Assistant Principal	1.0
		Specialist in Public Health Medicine	0.8
		Senior Scientific Officer	4.0
		Senior Technical Executive	1.0
		Scientific Officer	1.0

[Deputy Mary Harney.]

Agency	2010 Allocation	Grade	No. of Staff
	€	Higher Executive Officer	6.0
		Executive Officer	7.0
		Clerical Officer	5.0
		Total	29.8
Health and Social Care Professionals Council	962,000	Assistant Principal	2.0
		Executive Officer	1.0
		Clerical Officer	1.0
		Principal Officer (Higher)	1.0
		Total	5.0
Health Research Board	34,157,000	CEO	1.0
		Director	3.0
		Head of Unit	7.0
		Grade VIII	9.0
		Grade VII	15.1
		Grade VI	18.6
		Grade V	7.8
		Grade IV	7.0
		Grade III	1.0
		Support	4.0
		Total	73.5
Irish Medicines Board*	3,650,000	CEO	1.0
		Principal Officer	3.0
		Senior Assessor	25.9
		Executive Assessor	8.0
		Senior Medical Officer	9.9
		Medical Assessor	10.0
		Assessor	54.4
		Scientific Officer	27.0
		Grade VIII	2.0
		Grade VII	3.0
		Grade VI	11.0
		Grade V	15.1
		Grade IV	20.0
		Grade III	60.0
		Total	250.3
National Cancer Registry Board	2,975,000	Grade III	2.0
		Grade IV	6.0
		Grade V	12.2
		Grade VI	5.6
		Grade VII	1.5
		Grade VIII	0.8

Agency	2010 Allocation	Grade	No. of Staff
	€	Senior Lecturer	2.0
		Principal Officer Higher	1.0
		Staff Nurse	8.1
		Senior Staff Nurse	4.2
		Senior Staff Nurse Dual Qualified	5.5
		Total	48.9
National Council for the Professional Development of Nursing & Midwifery	4,162,000	CEO	1.0
		Head of Professional Development (Director of Nursing Band I)	1.0
		Research Development Officer (Director of Nursing Band I)	0.5
		Professional Development Officer (Director of Nursing Band II)	3.0
		Head of Management Services (Clerical Admin Grade VII)	1.0
		Clerical Officer Grade IV	2.0
		Clerical Officer Grade III	2.0
		Total	10.5
National Paediatric Hospital Development Board	Funded by HSE	Clinical Director	0.5
		Assistant Secretary	1.0
		Grade VIII	1.0
		Total	2.5
National Treatment Purchase Fund	90,092,000	Grade III	2.0
		Grade IV	19.0
		Grade V	5.0
		Grade VI	6.0
		Grade VII	4.0
		Grade VIII	2.0
		Clinical Nurse Manager 1	5.0
		Clinical Nurse Manager 2	2.0
		Clinical Nurse Manager 3	1.0
		Director of Nursing	1.0
		Assistant Director of Nursing	1.0
		CEO	1.0
		Total	49.0
Office of Tobacco Control	1,726,000	Assistant Principal	1.0
		Grade IV	0.6
		Grade III	1.0
		Total	2.6

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Agency	2010 Allocation	Grade	No. of Staff
Pre Hospital Emergency Care Council	€ 3,161,000	Grade III	2.0
		Grade IV	5.0
		Grade V	1.0
		Grade VI	1.0
		Grade VIII	3.0
		General Manager	1.0
		Principal Officer	1.0
		Total	14.0
Mental Health Commission	18,190,000	Clerical Officer	12.8
		Staff Officer	4.0
		Higher Executive Officer	6.5
		Assistant Principal	2.0
		Principal Officer	2.0
		Clinical Director	1.0
		Consultant Psychiatrist	6.75
		Director of Nursing (Mental Health)	1.0
		Principal Occupational Therapist	1.0
		Principal Social Worker	0.4
		Principal Clinical Psychologist	0.4
		Chief Exec Officer	1.0
Total	38.85		
Health Information and Quality Authority	14,757,000	CEO	1.0
		Assistant Secretary	3.2
		Deputy Chief Professional	1.0
		Principal Officer	8.0
		Assistant Principal Higher	10.0
		Engineer I	20.0
		Assistant Principal	10.0
		Engineer II	34.9
		Higher Executive Officer	23.8
		Engineer III	2.0
		Executive Officer	15.0
Clerical Officer	18.0		
Total	146.9		
National Social Work Qualifications Board	538,000	Principal Officer	1.0
		Administrative Officer	1.0
		Higher Executive Officer (Higher Scale)	1.0
		Higher Executive Officer (Standard Scale)	1.0
		Executive Officer	2.5
Total:	6.5		

Agency	2010 Allocation	Grade	No. of Staff
	€		
Ombudsman for Children	2,223,000	Staffing information to follow.	
Office of the Disability Appeals Officer	501,000	Staffing information to follow.	
Adoption Authority	Established 1st Nov 2010. No budget allocation for 2010.	Staffing information to follow.	

*The Irish Medicines Board is mainly self funded, however it receives some direct funding from the Health Vote.

Table 2: Self funded agencies under the aegis of the Department of Health and Children

Agency	Grade	No. of Staff
An Bord Altranais	CEO	1.00
	Service Manager	1.00
	Director of Nursing Band 1	1.00
	Grade VIII — vacant post	1.00
	Director of Nursing Band 2	5.00
	Grade VII	3.00
	Director of Nursing Band 3	0.50
	Grade VI	2.00
	Grade V	7.00
	Grade IV	8.00
	Grade III	12.00
	Porter/General Operative	2.00
	Total	43.50
Dental Council	Principal Officer	1.00
	Grade V	1.00
	Grade IV	1.00
	Grade III	2.00
	Total	5.00
Opticians Board	Assistant Principal	1.00
	Executive Officer	1.00
	Total	2.00
Pharmaceutical Society of Ireland	Grade IV	5.00
	Grade V	4.00
	Grade VI	2.00
	Grade VIII	3.00
	Senior Pharmacist	3.00
	Chief I Pharmacist	1.00
	Advisory Council Grade III	1.00
	CEO	1.00
	Specialist Advisors	1.75
	Total	21.75

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Agency	Grade	No. of Staff
Medical Council	Principal Officers	5.00
	Assistant Principal Officers	2.00
	Higher Executive Officers	11.00
	Executive Officers	19.00
	Clerical Officers	11.00
	Service Officer	1.00
	Total:	49.00
Health Insurance Authority	Principal Officer	1.00
	Assistant Principal	2.00
	Higher Executive Officer	2.00
	Executive Officer	2.00
	Clerical Officer	1.60
	Total	8.60
Irish Blood Transfusion Service**	Chief Executive	1.00
	Director of Finance	1.00
	Human Resource Director	1.00
	Functional Officer	3.00
	Freedom of Information Officer	1.00
	Chief Tech/Scien. Officer	1.00
	Grade IV	26.46
	Grade V	27.22
	Grade VI	12.80
	Grade VII Clerk	10.00
	Clerical Officer	49.40
	Human Resources Manager	1.00
	Laboratory Manager	1.00
	Management Accountant	1.00
	Supply Chain Manager	1.00
	Donor Services Manager	1.00
	Supplies Officer C	8.00
	Medical Officer	9.56
	Spec. Registrar	2.00
	National Medical Director	1.00
	Clinical Nurse Manager 2	15.80
	Clinical Nurse Manager 1	5.31
	Staff Nurse	41.66
	Clinical Nurse Specialist	0.52
	Director of Nursing	1.00
	Assistant Director of Nursing	2.00
	Trainee Medical Scientist	1.00
	Medical Scientist	65.50
	Quality Control Scientist	2.00
	Quality Assurance Officer	1.00
Tissue Bank Co-ordinator	1.00	
Chief Medical Scientist	15.00	
Senior Medical Scientist	48.25	
Validation Technician	1.00	

Agency	Grade	No. of Staff
	Laboratory Assistant	17.53
	Technician Attendants	1.00
	Security Officer	1.00
	Domestic	4.76
	Porters	4.00
	Facilities Engineer	1.00
	Laboratory Services Operative	1.54
	Donor Attendant	122.21
	Team Leader	15.19
	Management Service Officer	1.00
	Accountant	1.00
	National Quality Assurance Manager	1.00
	Operations Director	1.00
	Medical Consultant	7.50
	Specialist Medical Officer	6.00
	Practice Development Co-ordinator	1.00
	Driver Clerk	24.04
	Facilities Manager	1.00
	Total:	572.25

**Self-funded through charges for blood and blood products.

Health Services

100. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [45942/10]

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.

101. **Deputy John O'Mahony** asked the Minister for Health and Children further to Parliamentary Question No. 165 of 16 November 2010, when a reply will issue; and if she will make a statement on the matter. [45957/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

102. **Deputy Thomas Byrne** asked the Minister for Health and Children the position regarding an application from the French authorities for a refund under the E111 scheme in respect of a person (details supplied). [45960/10]

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.

103. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a person (details supplied) in County Dublin will receive the brain scan their general practitioner says they desperately need. [45968/10]

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

104. **Deputy Michael Creed** asked the Minister for Health and Children her views on whether the response of the Dental Council of Ireland to its obligations under the Dentists Act 1985 to auxiliary dental workers has been adequate, given the fact that the only auxiliary dental workers who have been given cover or status by the dental council are clinical dental technicians who were obliged to go abroad to receive their qualifications; and if she will make a statement on the matter. [45972/10]

Minister for Health and Children (Deputy Mary Harney): The Dentists Act 1985 provides for the registration as auxiliary dental workers by the Dental Council of persons who have appropriate training and qualifications. Training to the level of Clinical Dental Technician has not been available in Ireland to date. Some persons who have acquired appropriate training at this level abroad have been registered with the Dental Council. I understand that the Dublin Dental School and Hospital is preparing to introduce a course which will provide training to a level sufficient to allow for registration with the Dental Council.

Medical Cards

105. **Deputy Ciarán Lynch** asked the Minister for Health and Children if she will review the circumstances in which a person (details supplied) was issued a general-practitioner-visit-only medical card, given that their assessed weekly income was marginally in excess of the guidelines for a full card and the person has to fill a regular prescription costing considerably more than the excess; if she will also review their entitlement of the spouse to a medical card; and if she will make a statement on the matter. [45974/10]

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

106. **Deputy Ciarán Lynch** asked the Minister for Health and Children when a person (details supplied) in County Cork on a orthopaedic waiting list will receive an appointment; and if she will make a statement on the matter. [45983/10]

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

107. **Deputy Thomas P. Broughan** asked the Minister for Health and Children if she will ensure that key community welfare staff, including the two community welfare officials, are maintained at the Darndale Health Service Executive office, Dublin 17, given the effect that the removal of these critical services would have on low-income and vulnerable families in Darndale, Belcamp and Moatview-Priorswood parishes; and if she will make a statement on the matter. [45997/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Services

108. **Deputy Michael McGrath** asked the Minister for Health and Children when a child in

County Cork will receive an assessment and intervention service from a service provider.
[46000/10]

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.

Prescription Charges

109. **Deputy James Reilly** asked the Minister for Health and Children the annual savings to be achieved from the prescription charge; and if she will make a statement on the matter.
[46004/10]

110. **Deputy James Reilly** asked the Minister for Health and Children the savings to be achieved from the prescription charge during 2010; and if he will make a statement on the matter. [46005/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 109 and 110 together.

Since 1 October 2010, medical card holders are required to pay a 50 cent charge for medicines and other prescription items supplied to them by community pharmacists. The charges are subject to a cap of €10 per month for each person or family. Based on trends in previous years, it is expected that the prescription charges will yield approximately €24 million in a full year, or about €2 million per month.

Private Rented Accommodation

111. **Deputy John O'Mahony** asked the Minister for Health and Children the reason a person (details supplied) in County Mayo has been refused rent allowance even though they are on the waiting list for rehousing by Mayo County Council; and if she will make a statement on the matter. [46008/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Vaccination Programme

112. **Deputy Pat Breen** asked the Minister for Health and Children the reason a person (details supplied) in County Clare has not been facilitated; and if she will make a statement on the matter. [46025/10]

Minister for Health and Children (Deputy Mary Harney): The national HPV vaccination programme commenced in May in secondary schools for girls in first year. The second phase of the HPV vaccination programme is now underway. During this calendar year, all girls currently in second year and those who entered first year in September are being offered vaccination. The programme will continue with the vaccine being offered to all girls in first year in secondary school each year. It is not proposed to extend the vaccination programme to other classes at present.

Unfortunately, it will not be possible to refund the costs of vaccinations administered privately.

Hospital Services

113. **Deputy James Bannon** asked the Minister for Health and Children the position regarding a hospital appointment in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [46161/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

114. **Deputy John O'Mahony** asked the Minister for Health and Children, further to Parliamentary Question No. 161 of 23 November 2010, when the information requested will be provided; and if she will make a statement on the matter. [46163/10]

Minister for Health and Children (Deputy Mary Harney): My Department has again requested the Parliamentary Affairs Division of the Health Service Executive to arrange for a reply to issue to the Deputy on this matter.

Hospital Services

115. **Deputy Pat Breen** asked the Minister for Health and Children the number of persons awaiting endoscopy tests and the length of time they are on the waiting list at a hospital (details supplied) in County Clare; and if she will make a statement on the matter. [46169/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Departmental Records

116. **Deputy Deirdre Clune** asked the Minister for Health and Children the date on which she will release all documents relating to the drug thalidomide; and if she will make a statement on the matter. [46170/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I agreed to the voluntary disclosure of all Departmental records relating to the circumstances surrounding thalidomide in the 1950's/1960's and the arrangements made in the 1970's relating to the survivors of thalidomide. My Department is assigning additional resources to this task over the coming weeks to speed up the completion of this commitment.

I appreciate the importance attached to this documentation by the Irish survivors of thalidomide but I would point out that the process must be thorough. The process is also very time consuming due to the nature and scale of the documentation and the level of redaction of personal information required to comply with data protection requirements.

Departmental Reports

117. **Deputy Alan Shatter** asked the Minister for Health and Children if the report that has been prepared on the provision of funding for voluntary agencies by a person (details supplied) has been furnished to her Department; the reason for the delay in the publishing of the report and when she intends to publish same [46182/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): The work of the Steering Group on a *Value for Money and Policy Review of the Efficiency and*

Effectiveness of Disability Services in Ireland chaired by Mr Laurence Crowley, is still in progress.

Substantial progress has been made on the Review:

- A public consultation process was undertaken in late 2009 and attracted almost 200 responses from a wide variety of respondents including service users, family members and service providers. A detailed report on the findings of this process was published on the Department's website on 3rd December 2010.
- In order to inform the work of the VFM Review, an Expert Reference Group (ERG) was established to review current policy on disability services. The work of that Group has been completed and on 3rd December last I also published the key proposals emerging from the work of the ERG for consideration and discussion. It is expected that a formal public consultation on the full report of the ERG will take place in the first half of 2011.
- The National Disability Authority (NDA), at the request of the ERG, conducted 15 focus group consultations with people with disabilities, their families, advocates and front-line service providers in March 2010 to inform its advice to the Review. The report of that consultation has been published on the NDA's website, as too has a detailed Advice Paper prepared by the NDA incorporating the results of the consultation together with other relevant research conducted on behalf of the VFM Steering Group.

While substantial progress has been made on the Review some slippage has occurred in terms of the expected completion date because of the breadth and complexities of the services under examination. Difficulties were also experienced earlier this year in accessing data essential to the progress of the Review due to industrial action affecting the Health Service Executive. I expect the Value for Money Steering Group to conclude its work by the second quarter of 2011 and to furnish its final report shortly thereafter.

Health Service Staff

118. **Deputy James Reilly** asked the Minister for Health and Children the total number of persons who could have applied for the voluntary redundancy scheme; the total number of persons who have applied for the Health Service Executive voluntary redundancy scheme; if she will provide a breakdown of applicants between management and administration and support staff; if she will provide a breakdown of applicants on a HSE area basis; and if she will make a statement on the matter. [46189/10]

Minister for Health and Children (Deputy Mary Harney): On 1 November 2010 I announced that the Government had approved a voluntary early retirement (VER) scheme and a voluntary redundancy (VR) scheme for certain categories of staff in the public health service. The purpose of the schemes is to achieve a permanent reduction in the numbers employed in the public health sector from 2011 onwards and to facilitate health service reform.

I understand from information provided by the HSE that there were 3,596 applications from eligible grades by the closing date of 19 November 2010. I also understand that of that total 2,310 were from the Management/Administration category while the balance of 1,286 was from the General Support category. A total of 2,586 eligible applications were received from HSE employees. The breakdown on a HSE area basis is as follows:

Dublin Mid Leinster: 468;

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Dublin North East: 494;

West: 840;

South: 760;

Not linked: 24.

It should be noted that the information on the number of applications is still provisional as the data is currently being validated by HSE. Based on the Census return for the end September 2010 the total number of employees in the Management/Administration category is 19,778 while the General Support category accounts for 13,871 individuals.

119. **Deputy James Reilly** asked the Minister for Health and Children the total amount of funding made available to the voluntary redundancy scheme; in view of the lower than anticipated take-up of the voluntary redundancy scheme, the estimated cost of the scheme; and if she will make a statement on the matter. [46190/10]

Minister for Health and Children (Deputy Mary Harney): On 1 November 2010 I announced that the Government had approved a voluntary early retirement scheme and a voluntary redundancy scheme for certain categories of staff in the public health service. The purpose of the schemes is to achieve a permanent reduction in the numbers employed in the public health sector from 2011 onwards and to facilitate health service reform. The Government had agreed that up to €400m could be made available to fund the costs of the schemes in 2010 and this was the upper limit based on an upper estimate of 4,500 to 5,000 applications.

I am happy to report that there was a good level of interest in the schemes. By the closing date of 19 November, there were approximately 3,500 applications from eligible grades. The cost of the schemes will depend on the numbers who actually decide to go, and while I do not have final information on that number yet, I do not expect the cost to be more than €250m.

120. **Deputy James Reilly** asked the Minister for Health and Children if any senior staff leaving under the early retirement and voluntary redundancy scheme will be taken back on a consultancy basis in the new year; and if she will make a statement on the matter. [46191/10]

Minister for Health and Children (Deputy Mary Harney): The re-hiring staff of who have availed of either the Voluntary Early Retirement or Voluntary Redundancy schemes is clearly not allowed under the terms of these schemes. It is a specific condition of the VER scheme that those availing of the scheme will not be eligible for re-employment in the public health sector or in the wider public service or in a body wholly or mainly funded from public monies. The same condition on re-employment applies under the Voluntary Redundancy Scheme also, except that the prohibition will be for a period of 7 years, after which time any re-employment will require the approval of the Minister for Finance. These restrictions also apply in the case of re-engagement on a contract for service, which would include coming back on a consultancy basis.

Health Services

121. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support the case of a person (details supplied) in Dublin 3. [46194/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Hospitals Building Programme

122. **Deputy John O'Donoghue** asked the Minister for Health and Children in view of the measures announced in the national recovery plan if she can outline the proposed state of the Kenmare community hospital project; and if she will make a statement on the matter. [46211/10]

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. 123 answered with Question No. 82.

Health Services

124. **Deputy Pat Breen** asked the Minister for Health and Children when an application will be determined in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [46323/10]

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.

125. **Deputy Pat Breen** asked the Minister for Health and Children when an application will be determined in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [46327/10]

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.

126. **Deputy James Bannon** asked the Minister for Health and Children if she will provide urgent orthodontic treatment for a child (details supplied) in County Westmeath who has been waiting for same since January 2010; and if she will make a statement on the matter. [46340/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

127. **Deputy Edward O'Keeffe** asked the Minister for Health and Children the position regarding a specific issue in the Health Service Executive (details supplied) [46343/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply.

128. **Deputy Mary Wallace** asked the Minister for Health and Children if she will confirm that neither she nor any agencies funded by her have any involvement in providing accommodation for clients at an address in an area (details supplied); and if she will make a statement on the matter. [46356/10]

Minister for Health and Children (Deputy Mary Harney): The details supplied by the Deputy does not provide sufficient information to allow my Department to investigate the matter. If the Deputy can provide more information I would be happy to investigate the issue further.

Health Service Staff

129. **Deputy John O'Mahony** asked the Minister for Health and Children the way she proposes to address the increasing dependence on agencies for employing nurses, considering the extra costs that this practice is costing the Health Service Executive; and if she will make a statement on the matter. [46358/10]

Minister for Health and Children (Deputy Mary Harney): A critical part of the strategy to restore the public finances is to achieve sustainability in the cost of delivering public services relative to State revenues. To help achieve this goal, it is necessary to restructure and reorganise the public service and to reduce public service numbers, including the number of nurses and midwives, over the coming years.

This policy is reflected in the Employment Control Framework for the health sector and in the National Recovery Plan which provides for an ongoing reduction of 1,500 wholetime equivalents per annum over the period 2011 to 2014.

The Government decision in relation to the Framework has been modulated to ensure that key services are maintained insofar as possible in the health services, particularly in respect of children at risk, older people, persons with a disability, mental health services, and cancer services.

In addition, the Health Service Executive (HSE) has some degree of flexibility under the Framework to sanction the filling of certain other posts (both within its own organisation and in voluntary service providers funded by it) on an exceptional basis provided it achieves the overall target reductions in both staffing levels and pay costs.

With regard to the HSE's use of agency nurses, the Chief Executive Officer has acknowledged the need to address this. Accordingly, I have referred the matter to the Executive for direct reply.

Health Services

130. **Deputy John O'Mahony** asked the Minister for Health and Children the number of home help hours allocated to County Mayo from 2007 to 2010, inclusive; and if she will make a statement on the matter. [46364/10]

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.

Grant Payments

131. **Deputy John O'Mahony** asked the Minister for Health and Children the plans she and the Health Service Executive are putting in place to ensure the back to school clothing and footwear scheme will be paid on time next year; and if she will make a statement on the matter. [46365/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

132. **Deputy John O'Mahony** asked the Minister for Health and Children the reason for the delays in this year's payment of back to school clothing and footwear scheme; and if she will make a statement on the matter. [46366/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Ministerial Appointments

133. **Deputy Fergus O'Dowd** asked the Minister for Health and Children all appointments made by her in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if she will make a statement on the matter. [46378/10]

Minister for Health and Children (Deputy Mary Harney): Where fees are approved, there are four categories of fees payable to chairpersons and directors of state-sponsored bodies. The applicable category is determined by the salary of the CEO of the body relative to certain Civil Service salary scales. In relation to appointments to such Bodies in the past 12 months, the applicable rates with effect from 1st January 2010 are:

Category	Chair	Director	Board
	€	€	
1	29,888	14,963	HSE
2	20,520	11,970	HIQA, VHI
3	11,970	7,695	HRB, IBTS, CAAB, FSAI, PSI
4	8,978	5,985	NTPF, HSCPC (Chair only)

In relation to the appointment of public servants, the “one person one salary” principle provides that as a general rule public servants should not receive additional remuneration for undertaking other duties in the public service, for example for acting as chairpersons or directors of state-sponsored bodies or for serving on commissions or other such bodies.

The appointments made by the Minister in the past 12 months are as follows:

Name	Board	Category	Date of Appointment	Term of Office
Patrick J Brady	Opticians Board	Not applicable	01/01/2010	5 Years
Abdul Bulbulia	Opticians Board	Not applicable	01/01/2010	5 Years
Amanda Collum	Opticians Board	Not applicable	01/01/2010	5 Years
Triona Culliton	Opticians Board	Not applicable	01/01/2010	5 Years
Peter Davison	Opticians Board	Not applicable	01/01/2010	5 Years
John Elliot	Opticians Board	Not applicable	01/01/2010	5 Years
Conor Murphy	Opticians Board	Not applicable	01/01/2010	5 Years
Derville Pitcher	Opticians Board	Not applicable	01/01/2010	5 Years
Mairead Shields (Chairperson)	Opticians Board	Not applicable	01/01/2010	5 Years
Kevin Tempany	Opticians Board	Not applicable	01/01/2010	5 Years
Ian Tighe	Opticians Board	Not applicable	01/01/2010	5 Years
Bernard Murphy	Food Safety Consultative Council	Not applicable	29/04/2010	9 Months
Dorothy Donovan	HSCPC	Not applicable	27/10/2010	2 years 9 months
Philip Caffrey	HIQA	Category 2	15/05/2010	5 Years
Richard Hannaford	HIQA	Category 2	15/05/2010	5 Years
Samuel J McConkey	HIQA	Category 2	15/05/2010	5 Years
Damien Mcloughlin	HIQA	Category 2	15/05/2010	5 Years
Grainne Tuke	HIQA	Category 2	15/05/2010	5 Years
Cillian Twomey	HIQA	Category 2	15/05/2010	5 Years
Sheelagh Malin	HIA	Not applicable	06/05/2010	8 Months
Conor Burke	Health Research Board	Category 3	12/06/2010	5 Years
Colin Doherty	Health Research Board	Category 3	12/06/2010	5 Years

[Deputy Mary Harney.]

Name	Board	Category	Date of Appointment	Term of Office
John McCormack	Health Research Board	Category 3	12/06/2010	5 Years
Prem Puri	Health Research Board	Category 3	12/06/2010	5 Years
Marion Rowland	Health Research Board	Category 3	12/06/2010	5 Years
Niamh Brennan	Health Service Executive	Category 1	08/02/2010	5 Years
Frank Dolphin (Chairperson)	Health Service Executive	Category 1	15/08/2010	5 Years
John Fitzgerald	Health Service Executive	Category 1	08/02/2010	5 Years
Nuala Hunt	Health Service Executive	Category 1	11/10/2010	2 Years 2 Months
Sylda Langford	Health Service Executive	Category 1	08/02/2010	5 Years
Joe Lavelle	Health Service Executive	Category 1	08/02/2010	5 Years
Dermot Power	Health Service Executive	Category 1	08/02/2010	5 Years
Diane Duggan	Hepatitis C and HIV Compensation Tribunal	Not applicable	18/02/2010	2 Years 8 Months
Jane O'Brien	Irish Blood Transfusion Service	Category 3	01/11/2010	3 Years
Paolo Rebullia	Irish Blood Transfusion Service	Category 3	03/06/2010	2 Years
Elizabeth Cogan	Leopardstown Park Hospital Board	Not applicable	05/09/2010	5 Years
Diane Duggan	Leopardstown Park Hospital Board	Not applicable	05/09/2010	5 Years
Christine Long	Leopardstown Park Hospital Board	Not applicable	05/09/2010	5 Years
Eugene Magee (Chairperson)	Leopardstown Park Hospital Board	Not applicable	05/09/2010	5 Years
Jane Smith	Leopardstown Park Hospital Board	Not applicable	05/09/2010	5 Years
Frank Turvey	Leopardstown Park Hospital Board	Not applicable	05/09/2010	5 Years
John Bonnar (Chairperson)	National Haemophilia Council	Not applicable	22/07/2010	3 Years
Michael Davenport	National Haemophilia Council	Not applicable	22/07/2010	3 Years
Eilish Hardiman	National Haemophilia Council	Not applicable	22/07/2010	3 Years
Brian O'Mahony	National Haemophilia Council	Not applicable	22/07/2010	3 Years
Susan O'Shea	National Haemophilia Council	Not applicable	22/07/2010	3 Years
Barry White	National Haemophilia Council	Not applicable	22/07/2010	3 Years
Brendan Drumm	National Paediatric Hospital Development Board	Not applicable	16/08/2010	1 Year 10 Months
Mary Brazil	National Treatment Purchase Fund	Category 4	09/11/2010	3 Years
Rita Hayes	National Treatment Purchase Fund	Category 4	09/11/2010	3 Years
John Horan (Chairperson)	National Treatment Purchase Fund	Category 4	03/06/2010	3 Years
Dermot Mullane	National Treatment Purchase Fund	Category 4	09/11/2010	3 Years
Tom Murphy	National Treatment Purchase Fund	Category 4	03/06/2010	3 Years
Leonie Clark	Pharmaceutical Society of Ireland Council	Category 3	29/04/2010	2 Years 1 Month
Catherine Adley	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Paula Barry Walsh	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Colette Bonner	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Dan Collins	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Martin Cormican	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Albert Flynn (Chairperson)	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Colin Hill	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Brian McKenna	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months

Name	Board	Category	Date of Appointment	Term of Office
Paul McKeown	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Terry McMahon	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Michael O'Keeffe	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Dan O'Sullivan	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Ray Parle	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Iona Pratt	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Michael P Ryan	Scientific Committee of the FSAI	Not applicable	28/01/2010	11 Months
Val Collier	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Damien Courtney	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Chris Curtin	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Pat Dunne	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Monica Egan	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Ursula Fernee	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Denis Gallagher	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Fiona Geraghty	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Mary Hargaden	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Ned Kelly	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Valentine O'Kelly	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Suzanne Quin	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Cormac Quinlan	Social Workers Registration Board	Not applicable	05/08/2010	4 Years
Maureen Lynott	St Jame's Hospital Board	Not applicable	01/09/2010	1 Year 1 Month
Seamus Creedon	VHI	Category 2	22/02/2010	5 Years
Liam Downey	VHI	Category 2	13/10/2010	5 Years
Celine Fitzgerald	VHI	Category 2	22/02/2010	5 Years
Cathriona Hallahan	VHI	Category 2	23/11/2010	5 Years
Nuala Doherty	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Finbarr Murphy	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Philomena Hanna	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Denis O'Sullivan	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Michael Donnellan	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Michelle Shannon	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Roger Killeen	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Cathal Flynn	Children Acts Advisory Board	Category 3	18/10/2010	6 Months
Dermot Stokes	Children Acts Advisory Board	Category 3	18/10/2010	6 Months

Medical Cards

134. **Deputy Martin Ferris** asked the Minister for Health and Children when a decision will issue on an application for a medical card in respect of a person (details supplied) [46397/10]

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.

135. **Deputy Martin Ferris** asked the Minister for Health and Children when a decision will issue on an application for a medical card in respect of a person (details supplied) [46398/10]

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.

136. **Deputy Martin Ferris** asked the Minister for Health and Children when a medical card will be granted to a person (details supplied) [46399/10]

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.

137. **Deputy Martin Ferris** asked the Minister for Health and Children when a decision on an application for medical card will issue in respect of a person (details supplied) [46400/10]

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.

Grant Payments

138. **Deputy Tom Hayes** asked the Minister for Health and Children when funding will be released to a community play group (details supplied) in County Tipperary; and if she will make a statement on the matter. [46405/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I understand that in 2008, Fethard Community Playgroup made an application under the National Childcare Investment Programme (NCIP) 2006-2010 which is implemented by my Office, for capital funding for a new purpose built child-care facility. The Deputy will be aware that, due to the economic downturn, a review of Government expenditure was completed in April 2009, following which the decision was taken to close the programme to further capital grant approvals. The group in question was informed of this at the time.

The group recently made a further submission to my Office which is currently with Pobal, who manage the day to day operation of the NCIP. I understand that Pobal will revert to my Office in the coming weeks following which the group will be advised of the position.

Hospital Services

139. **Deputy John Perry** asked the Minister for Health and Children if she will carry out an investigation of the claim in a recent service plan for Letterkenny General Hospital that the medical discharge rate at Letterkenny General Hospital in 2009 was 7,608 patients or 146 patients per week on average, meaning that LGH is almost as busy as St. Vincent's Hospital in Dublin in terms of medical discharge and 52% busier than Sligo Hospital (details supplied); and if she will make a statement on the matter. [46411/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Services

140. **Deputy Pat Breen** asked the Minister for Health and Children when a person (details supplied) in County Clare will be facilitated; and if she will make a statement on the matter. [46419/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Question No. 141 answered with Question No. 84.

142. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if full medical cards will be re-awarded to persons (details supplied) in County Kildare; and if she will make a statement on the matter. [46429/10]

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.

143. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card will issue in the case of a person (details supplied) in County Dublin who has applied to Cherry Orchard health centre; and if she will make a statement on the matter. [46430/10]

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.

144. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a medical card will be restored to person (details supplied) in County Kildare; and if she will make a statement on the matter. [46431/10]

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.

State Bodies

145. **Deputy Lucinda Creighton** asked the Minister for Health and Children the total capital spending allocated to the Health Service Executive in 2010; the total allocated moneys spent; the allocated capital spending within the HSE in tabular form; the amount allocated to each project; the amount spent to date; and if she will make a statement on the matter. [46470/10]

Minister for Health and Children (Deputy Mary Harney): The 2010 Exchequer capital allocation for the Health Service Executive is **€393.792m**. An additional allocation of **€50m** is dependent on the proceeds of disposals of surplus properties. Gross capital expenditure as at 30 November is estimated at **€318m**. The HSE is anticipating a full uptake of its allocation for building, equipping and furnishing of health facilities. There are savings of **€30m** on the ICT allocation which are required to fund higher than anticipated expenditure on State Claims payments and payments under the Health (Repayment Scheme) Act with the balance of approximately **€12m** being surrendered to the Exchequer.

As the management and delivery of the health capital programme is a service matter for the Health Service Executive, it will provide details of the overall expenditure as at 30 November 2010 and the project allocation and expenditure. The question has been referred to the Executive for direct reply.

146. **Deputy Lucinda Creighton** asked the Minister for Health and Children the total amount of moneys owed to private firms by public bodies under the remit of her Department; and if she will make a statement on the matter. [46480/10]

Minister for Health and Children (Deputy Mary Harney): I have asked the HSE to reply directly to the Deputy on this matter. In relation to the other agencies under the aegis of my Department, this is an operational matter for those bodies and my Department does not routinely compile or hold this information.

Industrial Disputes

147. **Deputy Niall Collins** asked the Minister for Health and Children the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of her Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if she will make a statement on the matter. [46518/10]

Minister for Health and Children (Deputy Mary Harney): There are no industrial disputes or industrial actions being undertaken by staff in my Department at present.

Child Care Regulations

148. **Deputy John McGuinness** asked the Minister for Health and Children the discretion, if any, local Health Service Executive officials have to alter, amend or change child-care regulations with reference to SI 604 of 2006 and regulation 8 in particular; and if she will make a statement on the matter. [46526/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): Statutory Instrument No. 604 of 2006, provides for the Child Care (Pre-School Services) (No.2) Regulations 2006 which were made by Mr. Brian Lenihan, then Minister of State at the Department of Health and Children, in exercise of the powers conferred on him by Sections 50 and 68 of the Child Care Act 1991.

The Regulations impose legally binding requirements on pre-school services which come within their remit. Any change to the Regulations would need to be legislatively provided for through either primary or secondary legislation. Any such legislation would be a matter for the Minister for Health and Children or a Minister of State authorised to act on his or her behalf. It is not open to an official of the Health Service Executive to make any amendment to the Regulations referred to.

Pre-school services which come within the scope of the Child Care Regulations are subject to inspection by the Pre-School Inspectorate which operates under the HSE. In carrying out an inspection and determining whether there is a suitable degree of compliance with the regulatory requirements, or whether steps need to be taken to address any shortfall, the professional judgement of the Inspector will be applied, however, this does not include any discretion in regard to the intention of the Regulations.

Hospital Services

149. **Deputy John McGuinness** asked the Minister for Health and Children the reason an appointment set for 14 October 2010 at Beaumont Hospital, Dublin in respect of a person (details supplied) was cancelled and rescheduled for 11 March 2011; if an earlier appointment will be made as the situation is causing distress to the person and if she will expedite a response. [46528/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Rural Transport

150. **Deputy Bernard J. Durkan** asked the Minister for Transport his plans to enhance the rural transport option with particular reference to areas not covered by public transport; and if he will make a statement on the matter. [46442/10]

Minister for Transport (Deputy Noel Dempsey): Thirty-six rural community transport groups are being funded under my Department's Rural Transport Programme (RTP), which is operational in every county. These groups are working towards maximising coverage in their operational areas having regard to local public transport service needs and the availability of resources.

The provision of services under the RTP is a matter for the individual rural transport groups. Local communities know where the transport needs are in their areas and how best to address them. My Department's role is one of facilitator through financial and administrative support, but communities themselves have the lead role in developing the transport services to fulfil these needs.

Ministerial Appointments

151. **Deputy Paul Kehoe** asked the Minister for Transport the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45855/10]

Minister for Transport (Deputy Noel Dempsey): The information sought by the Deputy is contained in the tables. Table 1 contains the names, titles, duties and annual salaries of each of the advisors, press officers, assistants and secretaries appointed by me. Table 2 contains details of the pension arrangements which apply in each case.

Staff Appointed by Minister Noel Dempsey

Table 1: Names, Titles, Duties, Annual Salaries

Title	Name	Duties	Annual Salary
			€
Special Advisor	James Fegan	Provides advice to the Minister, monitoring, facilitating & securing the achievement of Govt. objectives that relate to the Dept. of Transport	99,236
Press Advisor	Olive Stephens	Responsible for the day to day management of the Department's Press Office	92,672
Temporary Press Advisor	Sean Fitzpatrick	Responsible for the day to day management of the Department's Press Office	61,966 Temporary until August 2010 as cover for Maternity leave.

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Title	Name	Duties	Annual Salary
Specialist in Transport Policy	Tanya Harrington	Transport, Regulatory and Policy Co-Ordinator	€ 100,191 Contract ceased in June 2009
Personal Assistant	Margaret Conway	To ensure the smooth running of all constituency matters	51,653 Retired March 2010
Personal Assistant	Sinead Connolly	To ensure the smooth running of all constituency matters	43,816 Contract ceased October 2010
Personal Assistant	Joanne O'Toole	To ensure the smooth running of all constituency matters	43,816 Replaced Sinead Connolly — 27 October 2010
Personal Secretary	Una Grehan	Secretarial duties	40,612

Table 2: Pension arrangements

Name	Duties
James Fegan	On secondment from Boyne Community School. Terms of the established Post Primary teachers' superannuation scheme apply.
Olive Stephens	The terms of the non-established state employees and of the associated contributory spouses and children's pension scheme for non-established state employees apply. Retirement is compulsory is at age 65.
Tanya Harrington	The terms of the non-established state employees and of the associated contributory spouses and children's pension scheme for non-established state employees apply. Minimum retirement age is 65. There is no maximum age limit for retiring.
Sean Fitzpatrick	Employment ceased August 2010
Margaret Conway	Retired — 2nd March 2010
Sinead Connelly	The terms of the non-established state employees and of the associated contributory spouses and children's pension scheme for non-established state employees apply. Minimum retirement age is 65. There is no maximum age limit for retiring. This appointment is subject to Pension Related Deduction (PRD) in accordance with the Financial Emergency Measures in the public interest act 2009.
Joanne O'Toole	The terms of the non-established state employees and of the associated contributory spouses and children's pension scheme for non-established state employees apply. Minimum retirement age is 65. There is no maximum age limit for retiring. This appointment is subject to Pension Related Deduction (PRD) in accordance with the Financial Emergency Measures in the public interest act 2009
Una Grehan	The terms of the non-established state employees and of the associated contributory spouses and children's pension scheme for non-established state employees apply. Retirement is compulsory at age 65.

State Bodies

152. **Deputy Billy Timmins** asked the Minister for Transport the position regarding a matter (details supplied); and if he will make a statement on the matter. [45940/10]

Minister for Transport (Deputy Noel Dempsey): There are currently 32 bodies under the aegis of my Department and these are listed in Table 1. Eight bodies have received Exchequer funding from Vote 32 and re amounts are set out in Table 2. The names of those employed by each agency and the wages paid are a matter for the bodies concerned. Table 1

 Bodies dealing with issues relating to the Department

CIE

Bus Átha Cliath

Bus Éireann

Iarnród Éireann

Railway Safety Commission

Railway Procurement Agency

National Roads Authority

National Transport Authority

Road Safety Authority

Medical Bureau of Road Safety

Marine Casualty Investigation Board

Dublin Airport Authority

Shannon Airport Authority

Cork Airport Authority

Commission for Taxi Regulation

Commission for Aviation Regulation

Irish Aviation Authority

Port of Cork Company

Drogheda Port Company

Dublin Port Company

Dundalk Port Company

Dun Laoghaire Harbour Company

Galway Harbour Company

New Ross Port Company

Shannon/Foynes Port Company

Port of Waterford Company

Wicklow Port Company

Arklow Harbour Commissioners

Baltimore Harbour Commissioners

Bantry Bay Harbour Commissioners

Kinsale Harbour Commissioners

Tralee and Fenit and Harbour Commissioners

 Funding under Vote 32

State Body	Vote 32 Funding 2010
	€000
CIE Group	496,129
Railway Safety Commission	400
Railway Procurement Agency	29,748
National Roads Authority	1,636,324
Dublin Transportation Office/NTA	353,512
Road Safety Authority	28,746
Medical Bureau of Road Safety	4,557
Marine Casualty Investigation Board	250

Rail Network

153. **Deputy Paul Connaughton** asked the Minister for Transport if funding will be made available over the next year to fund extension of the western rail corridor from Athenry to Tuam; and if he will make a statement on the matter. [45962/10]

Minister for Transport (Deputy Noel Dempsey): The first phase of the Western Rail Corridor was opened on 29th March 2010. The National Recovery Plan which was launched on the 24th November 2010 provides revised capital budgets for my Department over the Plan period 2011-2014.

The new allocations mean that it will not now be possible to meet the original timeline for all T21 projects. However no project has been cancelled and planning and design will continue so that projects can commence as funding becomes available.

Under the plan there is provision for initial planning and design for Phase 2 of the Western Rail Corridor.

Further progress will be dependent on a review of the performance of Phase 1 and a full economic assessment of Phase 2.

In this regard my Department has received an application for funding from Iarnród Éireann for the detailed design and tender preparation stage for Phase 2, Athenry to Tuam, which is currently under consideration.

Road Network

154. **Deputy Leo Varadkar** asked the Minister for Transport if he has received representations in respect of a matter (details supplied); if, on foot of these representations he has contacted the National Roads Authority; if he will detail each such communication with the National Roads Authority and the response received; and if he will make a statement on the matter. [45987/10]

Minister for Transport (Deputy Noel Dempsey): There is no record of any representations in relation to this matter being received in my Department. As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. e construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. In addition, the allocation of funding in relation to the construction or maintenance of national roads is a matter for the NRA under Section 19 of the Roads Act.

State Bodies

155. **Deputy Joe Costello** asked the Minister for Transport if his attention has been drawn to the fact that Dun Laoghaire Harbour Board is seeking a restructuring of the harbour company with substantial redundancies; if this is related to the Croke Park agreement; and if he will make a statement on the matter. [46201/10]

Minister for Transport (Deputy Noel Dempsey): Dun Laoghaire Harbour Company is facing a significant financial adjustment from 2011 onwards as a result of the changes in its current contract with its main customer, Stena Line. In order to keep the business on a sustainable footing, the company must reduce its cost base, a substantial portion of which is staff costs. The company has been engaging with its employees and their representatives over the past two years, and this process has involved the Labour Relations Commission and the Labour Court. A voluntary redundancy offer has recently concluded and the company is considering what further measures may be required.

My Department and I have been kept apprised of the situation throughout this process as part of the regular communications that take place between the company and shareholder. However, the matter is primarily an operational one for the company, in which I have no function.

The Croke Park Agreement is not applicable to the Dun Laoghaire Harbour Company as it does not apply to commercial State bodies.

Road Network

156. **Deputy Joe Costello** asked the Minister for Transport if he will outline the Government's motorway strategy over the last decade; the number of motorways that were planned in the last decade; the number that have been completed; the method for financing each motorway; the cost of each; his plans to construct any new motorways; and if he will make a statement on the matter. [46202/10]

Minister for Transport (Deputy Noel Dempsey): The Government's Transport 21 Programme provided the investment framework for the development of the five major interurban motorways, linking Dublin with Belfast, Cork, Galway, Limerick and Waterford. This interurban motorway programme is close to completion. The other major motorway projects which have been delivered under Transport 21 are the M3 Clonee to North of Kells scheme and the M50 Upgrade. As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. In addition, the allocation of funding in relation to the construction or maintenance of national roads is a matter for the NRA under Section 19 of the Roads Act.

Public Transport

157. **Deputy John O'Donoghue** asked the Minister for Transport the measures being taken to ensure that Kerry public transport continues to run and the main roads are cleared during the current cold period and any other snow falls this winter. [46208/10]

Minister for Transport (Deputy Noel Dempsey): The Deputy will be aware that operational maintenance of National, Regional and Local roads is the responsibility of the Local Authorities, which in this case is Kerry County Council.

Regional Airports

158. **Deputy John O'Donoghue** asked the Minister for Transport if, following on from the announcement in the national recovery plan that the public service obligation payment to regional airports is to cease in summer 2011, he will consider bringing forward the renewed PSO contract negotiations for Kerry Airport; and if he will make a statement on the matter. [46210/10]

Minister for Transport (Deputy Noel Dempsey): The current Public Service Obligation (PSO) contracts for services linking Dublin Airport with the regional airports at Derry, Donegal, Sligo, Ireland West Airport Knock, Galway and Kerry Airports commenced on 22 July 2008 and are due to expire on 21 July 2011. With regard to the PSO programme in general, the Special Group on Public Service Numbers and Expenditure Programmes (An Bórd Snip) recommended that the Public Service Obligations for air services should be discontinued after the ending of the present contracts. In addition, under updated EU legislation governing these services, more stringent conditions will apply to future PSO arrangements, having regard for

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example, to the availability of other transport connections and especially rail services with a travelling time of three hours or less.

As the Deputy is aware, the National Recovery Plan identifies savings of €5.5 million in relation to the curtailment of support for regional air services from mid 2011.

The Deputy will also be aware of the Value for Money (VFM) Review of Exchequer Expenditure on the regional airports programme which was recently completed. The review was carried out to assist me in evaluating the appropriate scale of a regional airports programme in future years bearing in mind aviation policy objectives, the updated EU legislation, the improved surface links under the NDP and Transport 21 and the need to address the difficulties with our public finances.

The Review is being considered by Government and it is intended that it will be published shortly.

It would be inappropriate for me to comment on any likely PSO scheme beyond 2011, including the Kerry PSO service, in advance of the Government decision in the matter.

Public Transport

159. **Deputy Mary Upton** asked the Minister for Transport the position regarding a project (details supplied); and if he will make a statement on the matter. [46345/10]

Minister for Transport (Deputy Noel Dempsey): This project was one of eleven short-listed for Stage 2 of the Smarter Travel Areas Competition. As no decision has yet been announced in relation to the competition, it would be not be appropriate for me to comment on this application.

Ministerial Appointments

160. **Deputy Fergus O'Dowd** asked the Minister for Transport all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46383/10]

Minister for Transport (Deputy Noel Dempsey): The information in relation to the appointment of the Boards of State bodies is set out in the table. The fees payable to Board members are determined by Government and are published in the Annual Accounts of the bodies concerned. In some cases Board members have voluntarily declined to accept fee payments.

New appointments to Board from 3 December 2009

Name	Body	Term of office
Fred Barry	National Road Authority	07/03/2010 – 06/03/2015
Jacqueline Cross	National Road Authority	01/03/2010 – 28/02/2013
Robert Rowan	National Road authority	09/07/2010 – 08/07/2013
Dr. John Lynch (Executive Chairman)	Bus Atha Cliath	28/03/2010 – 28/03/2011
Dr. John Lynch (Executive Chairman)	Bus Eireann	28/03/2010 – 28/03/2011
Dr. John Lynch (Executive Chairman)	Iarnrod Eireann	28/03/2010 – 28/03/2011
Una McGrath	Bus Atha Cliath	15/03/2010 – 14/03/2013
Susan Donohoe	Bus Eireann	15/03/2010 – 14/03/2013
Tom Hussey	Bus Eireann	03/12/2010 – 02/12/2013
Laetita Baker	Iarnrod Eireann	15/02/2010 – 14/02/2013
Valerie O'Reilly	National Transport Authority	15/03/2010 – 14/03/2014
Margaret O'Shaughnessy	National Transport Authority	31/03/2010 – 30/11/2014

Name	Body	Term of office
Jim Deegan	National Transport Authority	04/06/2010 – 30/11/2014
Hugh Creegan	National Transport Authority	29/11/2010
Pat Byrne (Chairperson)	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Frank Moore	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Peter Rogers	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Christopher Humphrey	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Tom Fannin	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
James Connolly	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Michael Kilcoyne	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Noreen Mackey	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Donie O'Shea	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
John Rice	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Douglas Jordan	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Michael Rowland	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Derek McGovern	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Brian Killeen	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Mr. Al Ryan	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Cornelius McIntyre	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Kathleen Diamond	Advisory Council to the Commission for Taxi Regulation	03/11/2010 – 04/11/2011
Ms Jacqueline Cross	Railway Procurement Agency	01/03/2010 – 28/02/2013
Tom Wall	Railway Procurement Agency	19/04/2010 – 18/04/2012
Pearse O'Hanrahan	Railway Procurement Agency	24/11/2010 – 23/11/2013
Mr John Power (Chairperson)	Railway Safety Advisory Council	15/11/2010 – 11/05/2013
Audrey Bradley	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Marie Butler	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Peter Cuff	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Mary Dorgan	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Kay Doyle	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Dr. Dermot Dwyer	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Phil Lewis Farrell	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Maria Kyte	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Dermot O'Leary	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Peter Rigney	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Paul Scully	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Pauline Walsh	Railway Safety Advisory Council	15/06/2010 – 11/05/2013
Joe Buckley (worker director)	Shannon Airport Authority plc	21/04/2010 – 31/12/2011
Audrey Costello (worker director)	Shannon Airport Authority plc	21/04/2010 – 31/12/2011
Tony O'Connell (worker director)	Cork Airport Authority plc	21/04/2010 – 31/12/2011
Eric Nolan (worker director)	Cork Airport Authority plc	21/04/2010 – 31/12/2011
Anne Nolan (Chairperson)	Irish Aviation Authority	13/06/2010 – 12/06/2014
Sean Gallagher (Chairperson)	Drogheda Port Company	14/07/2010 – 13/07/2015
Gail McEvoy	Drogheda Port Company	02/06/2010 – 01/06/2015
Pat Heffernan (employee elected)	Waterford Port Company	06/05/2010 – 05/05/2015

State Bodies

161. **Deputy Lucinda Creighton** asked the Minister for Transport the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46485/10]

Minister for Transport (Deputy Noel Dempsey): Moneys owed to private firms by public bodies are a matter for the public bodies concerned.

Industrial Disputes

162. **Deputy Niall Collins** asked the Minister for Transport the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if he will make a statement on the matter. [46523/10]

Minister for Transport (Deputy Noel Dempsey): There are no industrial disputes, including work to rule actions, currently being engaged in by staff in my Department.

Criminal Prosecutions

163. **Deputy Ciarán Lynch** asked the Minister for Justice and Law Reform the income that has been derived from the activities of the Criminal Assets Bureau and the way it has been disbursed in each year since 2005; and if he will make a statement on the matter. [45898/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The following table shows the monies forwarded by the Criminal Assets Bureau to the Minister for Finance for the benefit of the Exchequer under Proceeds of Crime legislation and pursuant to the Revenue and Social Welfare remits of the Bureau for the years 2005 to 2009:

CAB Returns 2005-2009

Year	Proceeds of Crime Act, 1996/2005	Revenue legislation	Social Welfare provisions
	€	€	€
2009	1,421,332.11	5,100,494.72	160,335.00
2008	6,129,313.63	5,891,624.85	182,198.30
2007	254,651.94	10,009,459.56	136,623.59
2006	2,970,589.51	19,192,906.56	139,524.42
2005	2,008,938.41	16,376,598.71	293,948.00

A further breakdown of these figures is provided in the Annual Reports of the Criminal Assets Bureau which are available in the Oireachtas library and on my Department's website.

The figures for 2010 are currently being compiled for inclusion in the 2010 Annual Report.

The Central Exchequer Fund is the destination of all State revenues including monies forwarded by the Criminal Assets Bureau. It is this fund from which the Government draws for expenditure on all necessary public services and investment.

The Constitution requires and Government accounting principles provide that public monies be spent only as voted or approved by Dáil Éireann unless otherwise provided by statute.

Road Safety

164. **Deputy John O'Donoghue** asked the Minister for Justice and Law Reform the way the new mobile safety cameras located in Kerry have been performing; the number of driving offences they have been responsible for catching so far; and if he will make a statement on the matter. [46214/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The objective of the out-sourced Garda mobile safety cameras is to reduce the number of speed related collisions and so save lives, as excessive or inappropriate speeding is a major factor in road traffic collisions.

Since the commencement of operations of the cameras on 15 November, 2010 there has been on-going speed monitoring at locations nationwide where collisions resulting in fatal and serious injury have been identified as occurring as a result of inappropriate speed.

As well as enforcing vehicle speeds, the cameras are carrying out surveys of the speed of vehicles at these locations, so as to ensure that the cameras are deployed where they are most needed. Provisional statistics indicate that, to date, monitoring in County Kerry has resulted in 267 fixed charge notices being issued.

Criminal Prosecutions

165. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform the number of persons who have been prosecuted and the number of persons who have been convicted under the Criminal Justice (Amendment) Act 2009. [45804/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have requested a report from the Garda authorities in relation to the information sought by the Deputy. I will contact the Deputy again when that report is to hand.

Asylum Applications

166. **Deputy Paul Gogarty** asked the Minister for Justice and Law Reform if there has been a change in policy towards the Pakistani Ahmadiyya community with regard to applications for asylum; if this policy will be reviewed in view of the persecution and massacre of followers this year in Lahore; and if he will make a statement on the matter. [45813/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The principal legislative provisions applicable to the processing of applications for asylum in Ireland are set out in the Refugee Act 1996 and the European Communities (Eligibility for Protection) Regulations 2006.

The definition of a refugee is set out in Section 2 of the Act and is based on a well-founded fear of persecution in the country of origin for reasons of race, religion, nationality, membership of a particular social group or political opinion. In particular, the Regulations provide that applications are decided taking into account all relevant facts as they relate to the country of origin at the time the decision is taken.

These legislative provisions are applicable to all applications for asylum in Ireland, including applications made by members of the community referred to by the Deputy.

Ministerial Responsibilities

167. **Deputy Brian Hayes** asked the Minister for Justice and Law Reform his plans to bring forward the commencement orders in connection with the Defamation Act to enable the Act to become operational; and if he will make a statement on the matter. [45839/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Defamation Act 2009 was commenced by order in its entirety on 1 January 2010.

Ministerial Appointments

168. **Deputy Paul Kehoe** asked the Minister for Justice and Law Reform the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him;

[Deputy Paul Kehoe.]

the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45851/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The information requested in relation to the staff appointed by me is set out in the following table.

Name	Title/Duties	Salary Range
Mr Ciarán Ó Cuinn	Special Adviser (Programme Manager)	€80,051 – €98,422 (Principal Officer scale)
Mr Richard Moore	Press Adviser	€80,051 – €98,422 (Principal Officer scale)
Ms Christine Maguire	Personal Assistant	€43,816 – €55,415 (Higher Executive Officer scale)
Ms Myra Wall	Personal Secretary	€29,024 – €47,379 (Executive Officer scale)

Payments not exceeding 11% of salary are paid in respect of Personal Retirement Savings Accounts (PRSAs) for my Special Adviser and Press Adviser. Both my Personal Assistant and Personal Secretary are members of the Non-Contributory Pension Scheme for non-established State employees.

The Public Service Management Act, 1997 provides for the appointment of two Special Advisers to assist Ministers in performing their roles and achieving the objectives of Government. I have two Special Advisors, one focusing on policy, one focusing on press. My Personal Assistant and Personal Secretary are responsible for the efficient administrative and operational management of my constituency office in Dundalk.

Departmental Expenditure

169. **Deputy Brian Hayes** asked the Minister for Justice and Law Reform further to Parliamentary Question No. 191 of 4 November 2010 when a response will issue; and if he will make a statement on the matter. [45861/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that I have nothing further to add to the reply provided in respect of Question Number 191 on 4 November, 2010 as it is not feasible to extract the information sought by the Deputy without a disproportionate use of resources in gathering and compiling the list of payments sought.

I would however like to remind the Deputy, as stated previously, that for the most part, the legal services sought by my Department and its associated bodies are co-ordinated and paid for by the Office of the Attorney General and Office of the Chief State Solicitor. These services are typically sought in the context of the preparation of legislation, legal advice in respect of policy issues and in the management of litigation including judicial reviews. In a number of instances, my Department and its associated bodies, in accordance with normal procurement procedures, have sought and paid for legal advice and services additional to those provided for centrally by the Attorney General and the Chief State Solicitor.

Asylum Applications

170. **Deputy Niall Collins** asked the Minister for Justice and Law Reform the position regarding an asylum appeal in respect of a person (details supplied); and if he will make a statement on the matter. [45879/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration

Act 1999 (as amended), the person concerned was notified, by letter dated 12 March 2009, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection and this application will be considered first. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Departmental Investigations

171. **Deputy Charles Flanagan** asked the Minister for Justice and Law Reform if he will seek a report from the Irish Prison Service in respect of an incident on a public road (details supplied); if he is satisfied that there was no inappropriate use of such surveillance equipment; and if he will make a statement on the matter. [45899/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Irish Prison Service have informed me that queries raised by the Deputy were previously addressed by correspondence to him from the Director General of the Irish Prison Service in November 2010.

The Irish Prison Service have also informed me that an investigation into the incident took place and that it has not been possible to establish what happened on the date in question. However, the Irish Prison Service have assured me that any official camera footage taken during that time period has since been destroyed in accordance with practice of the Irish Prison Service to erase all CCTV footage after a period of 31 days unless required for investigation of offences or evidential purposes.

Departmental Bodies

172. **Deputy Billy Timmins** asked the Minister for Justice and Law Reform the position regarding a matter (details supplied); and if he will make a statement on the matter. [45937/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to refer the Deputy to the Revised Estimates Volume for 2010 which contains full year Estimates information for the bodies concerned. Copies of this document are available on the Department of Finance's website at www.finance.gov.ie and in the Oireachtas Library. As the majority of agencies under the aegis of my Department are staffed by my Department it would not be appropriate to give the names of the individuals.

Visa Applications

173. **Deputy Fergus O'Dowd** asked the Minister for Justice and Law Reform the recent changes that have taken place to visa processing facilities in Saudi Arabia; the reason these changes were made; the transitional arrangements that were put in place to cover the change-over period involved; if these changes have resulted in delays in processing applications; his views on the impact this will have on the number of students coming to study here from Saudi Arabia; and if he will make a statement on the matter. [45946/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I can advise the Deputy that no recent changes have taken place with regard to visa processing facilities in Saudi Arabia. In fact, and as has been the case for approximately two years now, in order to assist with Irish colleges' efforts to attract high-standard students, a specific delegated sanction scheme is in place in our Riyadh embassy to facilitate and indeed expedite visa applications from such students, particularly those covered by exceptionally generous programmes run by the Saudi government.

Garda Reserve

174. **Deputy John Cregan** asked the Minister for Justice and Law Reform his plans to make a Garda vehicle available to community gardaí attached to a Garda station (details supplied) in County Limerick in order to enable them to perform their duties as community gardaí. [46012/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The allocation of Garda resources, including transport, together with overall policing arrangements, is a matter for the Garda Commissioner. Such allocations are continually monitored by the Garda authorities and reviewed to ensure that optimum use is made of resources and the best possible Garda service is provided to the general public.

Citizen Applications

175. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform the position regarding an application for citizenship in respect of a person (details supplied). [46195/10]

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 October 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.

Asylum Applications

176. **Deputy Joe Costello** asked the Minister for Justice and Law Reform when the decision will issue on the application for asylum in respect of a person (details supplied); and if he will make a statement on the matter. [46198/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to my detailed Reply to his earlier Parliamentary Question, No 340 of Tuesday, 19 October 2010 and the written Reply to that Question. The position is as set out in that reply.

Asylum Support Services

177. **Deputy Mary Wallace** asked the Minister for Justice and Law Reform if he will confirm that neither he nor any agency funded by him has any involvement in providing accommodation for clients at an address in an area (details supplied); and if he will make a statement on the matter. [46355/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am not aware of any plans to place a Department of Justice and Law Reform agency supported facility to provide accommodation for its clients in the area in question. If the Deputy could be more specific, I would be happy to have the situation checked out.

Crime Levels

178. **Deputy John O'Mahony** asked the Minister for Justice and Law Reform the number of drug-related offences detected by the Garda Síochána in County Mayo in 2009 and to date in 2010; the locations where these took place; the substances detected, in tabular form and his views on whether the problem is increasing; and if he will make a statement on the matter. [46362/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have requested a report from the Garda authorities in relation to the Deputy's question. I will contact the Deputy again when the report is to hand.

Ministerial Appointments

179. **Deputy Fergus O'Dowd** asked the Minister for Justice and Law Reform all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46379/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that the information requested is set out in the table:

Board/Appointment	Person's Name	Remuneration (per annum)	Term
Legal Aid Board	Elizabeth Murphy	€8,100	1 Year (Part of Term)
Private Security Authority	Oonagh McPhillips	Ms. Mc Phillips is a Civil Servant in the Department of Justice and Law Reform and not in receipt of any payment for this position	2.5 Years (Part of Term)
Criminal Injuries Compensation Tribunal	Sinead Behan	Note 1	3 Years
Criminal Injuries Compensation Tribunal	Michael Gilbarry BL	Note 1	3 Years
Criminal Injuries Compensation Tribunal	Conor Bowman BL	Note 1	3 Years
Criminal Injuries Compensation Tribunal	Eamon Murray	Note 1	3 Years
Criminal Injuries Compensation Tribunal	Fiona Gallagher	Note 1	3 Years
Criminal Injuries Compensation Tribunal	Rosemary Healy Rae	Note 1	3 Years
Criminal Injuries Compensation Tribunal	Michael D O'Connell	Note 1	3 Years
Property Registration Authority	John T. Coleman	€20,250	4 Years
Property Registration Authority	Maire Whelan	€11,970	4 Years
Property Registration Authority	Una Woods	€11,970	4 Years
Property Registration Authority	Paul McSweeney	€11,970	4 Years
Property Registration Authority	Denis A. Byrne	€11,970	4 Years
Board of Management Oberstown Detention Schools Lusk, Co. Dublin	Patrick McLoughlin	€5,985	17/05/2010 – 12/10/2011
Garda Audit Committee	James Collins	€5,130	29/03/2010 – 30/09/2012
Cloverhill Prison Visiting Committee	Eddie Martin	Note 2	3 years
Cloverhill Prison Visiting Committee	Michael Coyle	Note 2	3 years
Cloverhill Prison Visiting Committee	Peggy Downey	Note 2	3 years
Cloverhill Prison Visiting Committee	Fintan Hudson	Note 2	3 years
Cloverhill Prison Visiting Committee	Christine Ryan	Note 2	3 years
Portlaoise Prison Visiting Committee	Anne Turley	Note 2	3 years
Portlaoise Prison Visiting Committee	Tom Colgan	Note 2	3 years
Portlaoise Prison Visiting Committee	Michael Hough	Note 2	3 years
Portlaoise Prison Visiting Committee	Eilis Croke	Note 2	3 Years
Mountjoy Prison Visiting Committee	Phelim McGee	Note 2	3 years
Mountjoy Prison Visiting Committee	Veronica Dalton	Note 2	3 Years
Midlands Prison Visiting Committee	Colm Wiley	Note 2	3 years
Midlands Prison Visiting Committee	Brigid Teefy	Note 2	3 years

Board/Appointment	Person's Name	Remuneration (per annum)	Term
Midlands Prison Visiting Committee	John Cronin	Note 2	3 years
Midlands Prison Visiting Committee	Paddy Boland	Note 2	3 years
Midlands Prison Visiting Committee	Nuala Halpin	Note 2	3 years
Castlerea Prison Visiting Committee	Seamus Kilgannon	Note 2	3 years
Cork Prison Visiting Committee	Thomas Cahill	Note 2	3 years
Cork Prison Visiting Committee	Donie O'Keeffe	Note 2	3 Years
Training Unit Prison Visiting Committee	Thomas Twomey	Note 2	3 years
Limerick Prison Visiting Committee	Maria Gorman	Note 2	3 years
St. Patrick's Institution Visiting Committee	Isabel Hendrick	Note 2	3 years
St. Patrick's Institution Visiting Committee	Yvonne Ní Mhurchú	Note 2	3 years
Loughan House Visiting Committee	Francis McDermott	Note 2	3 years
Loughan House Visiting Committee	Gerry O'Connor	Note 2	3 years
Parole Board	Eamon Nolan	Note 3	3 years
Parole Board	Brendan Watters	Note 3	3 Years
Parole Board	Gerry McDonagh	Note 3	Ex Officio
Irish Legal Terms Advisory Committee	Uinsin MacGruairc	Nil	5 Years
Refugee Appeals Tribunal	Eamonn Cahill	Note 4	3 years
Refugee Appeals Tribunal	Eamonn Barnes	Note 4	3 years
Refugee Appeals Tribunal	Donal Egan	Note 4	3 years
Refugee Appeals Tribunal	Patrick Hurley	Note 4	3 years
Refugee Appeals Tribunal	Bernadette Cronin	Note 4	3 years
Refugee Appeals Tribunal	Michael O'Kennedy	Note 4	3 years
Refugee Appeals Tribunal	Bernard McCabe	Note 4	3 years
Refugee Appeals Tribunal	Ricardo Dourado	Note 4	3 years
Refugee Appeals Tribunal	Olive Brennan	Note 4	3 years
Refugee Appeals Tribunal	Elizabeth O'Brien	Note 4	3 years
Refugee Appeals Tribunal	Susan Nolan	Note 4	3 years
Refugee Appeals Tribunal	Ronan Maguire	Note 4	3 years
Refugee Appeals Tribunal	Samantha Callaghan	Note 4	3 years
Refugee Appeals Tribunal	Margaret Levey	Note 4	3 years
Refugee Appeals Tribunal	Majella Twomey	Note 4	3 years

Board/Appointment	Person's Name	Remuneration (per annum)	Term
Refugee Appeals Tribunal	Laura McKenna	Note 4	3 years
Refugee Appeals Tribunal	Conor Gallagher	Note 4	3 years
Refugee Appeals Tribunal	Michelle O'Gorman	Note 4	3 years
Refugee Appeals Tribunal	David Andrews	Note 4	3 years
Refugee Appeals Tribunal	Ben Garvey	Note 4	3 years
Refugee Appeals Tribunal	Paul Christopher	Note 4	3 years
Refugee Appeals Tribunal	Paul Gormley	Note 4	3 years
Refugee Appeals Tribunal	Fergus O'Connor	Note 4	3 years
Censorship of Publications Appeal Board	Paula Mullooly	Nil	19 months (Part of Term)
Censorship of Publications Appeal Board	Mairéad Carey BL	Nil	19 months (Part of Term)
Censorship of Publications Appeal Board	Alison O'Connor	Nil	19 months (Part of Term)
Censorship of Publications Appeal Board	Stephen Fleming	Nil	19 months (Part of Term)
Censorship of Publications Appeal Board	Eileen Brophy	Nil	19 months (Part of Term)

Note 1: Remuneration for members of the Tribunal is paid in accordance with the following fee structure per case completed:

General Scheme — €160.84 per case

Prison Officer Scheme €235.92 per case

€361.39 per Appeal Hearing

€272.39 per meeting

The Chairman is paid an annual fee of €2,062.38

Note 2: Individual expenses are not available. A per diem payment of €142.50 per visit / meeting, which is fully subject to tax, and vouched travel expenses of up to €30 per visit / meeting is paid to members of Visiting Committees.

Note 3: Members of the Parole Board receive an allowance of €7,695 per annum paid in quarterly instalments. A per diem payment of €149.75 is paid each quarter in respect of each visit to a prison for the purpose of interviewing prisoners in connection with the review of their case by the Parole Board subject to an overall limit of €12,600 per annum. PAYE and PRSI will be deducted at source from the quarterly allowances and per diem payments;

Note 4: Remuneration for members of the Tribunal is paid in accordance with the following fee structure per case completed:

Substantive cases (with oral hearing) €529

Substantive cases (determined on the basis of the file) €276

Accelerated appeals on paper (determined on the basis of the file) €276

Dublin convention cases (determined on the basis of the file) €184

Where the case is withdrawn or the applicant fails to show €152

Prison Committals

180. **Deputy Thomas P. Broughan** asked the Minister for Justice and Law Reform the breakdown of the length of tariffs being served by the current prison population as it stands between 1 May and 1 November 2010 categorised by prison terms of three months or less; six months; 12 months; 18 months; two years; three years; five years; seven years; ten years; 12 years; 15 years; 20 years and 20 years plus; and if he will make a statement on the matter. [46385/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to advise the Deputy that there is no tariff system in operation in this State insofar as prison sentencing is concerned. I can advise the Deputy that on 30 November, 2010 the number of sentenced prisoners in custody was 3,721 of which 3,583 were male and 138 were females. While the statistics maintained by the Irish Prison Service are not categorised in the format requested by the Deputy, I trust that the information provided will be of some assistance.

Sentence Profile of Prisoners under sentence on 30th November 2010

	Female	Male	Total	%
< 3 mths	4	34	38	1
3 to < 6 mths	17	142	159	4
6 to < 12 mths	24	349	373	10
1 to < 2 yrs	20	432	452	12
2 to < 3 yrs	12	391	403	11
3 to < 5 yrs	32	784	816	22
5 to < 10 yrs	20	889	909	24
10+ yrs	4	281	285	8
Life Sentence	5	281	286	8
Total	138	3,583	3,721	100

Prisoner Releases

181. **Deputy Thomas P. Broughan** asked the Minister for Justice and Law Reform the recidivist rate of prisoners who have been released over the past five years by length of term served including prison terms of three months or less; six months; 12 months; 18 months; two years; three years; five years; seven years and ten years; and if he will make a statement on the matter. [46386/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to advise the Deputy that the Irish Prison Service does not collate statistics in relation to recidivism rates. However the Irish Prison Service facilitated a major study of prisoner re-offending by the UCD Institute of Criminology, published in December 2006. The study is based on 19,955 prisoner releases that took place between 1 January 2001 and 30 November 2004. This is an enormous sample on any view. The study found that 27.4% of released prisoners were serving a new prison sentence with one year. This rose to 39.2% after two years, 45.1% after three years, and 49.2% after four years. The fact that over 50% of prisoners did not re-offend within four years of release, compare well internationally and was considerably less than figures about by commentators over the years.

[Deputy Dermot Ahern.]

The Irish Prison Service provides a range of rehabilitative programmes which have the dual purpose of providing prisoners with purposeful activity while serving their sentences and encouraging and equipping them to lead productive lives on release.

Prisoner rehabilitation involves significant multidimensional input by a diverse range of general and specialist services provided both by the Irish Prison Service and in-reach statutory and non-statutory services. These services are important in addressing offending behaviour, drug and alcohol addiction, missed educational and vocational opportunities, anger management, and self management in the interest of encouraging positive personal development in prisoners, and preparing them for re-integration and resettlement on release from custody.

The Irish Prison Service places a strong emphasis on access to educational services and on the provision of work and training activities for prisoners. Educational services are available at all institutions and are provided in partnership with a range of educational agencies in the community including the VECs, Public Library Services, Colleges and the Arts Council. A significant expansion of vocational training programmes has taken place in recent years and there are now over 90 workshops in place in our prisons capable of catering for in excess of 800 prisoners each day.

The Irish Prison Service is rolling out a fully coordinated Integrated Sentence Management system (ISM) across all prisons and places of detention. The core goal of ISM is to move to a prisoner centred approach to the management of custodial sentences. ISM is to identify, deliver and measure appropriate interventions to address the identified risks and needs of prisoners. ISM is currently operating in ten prisons): Arbour Hill, Castlerea, Cork, Dóchas, Midlands, Mountjoy, Portlaoise, St. Patrick's Institution, the Training Unit and Wheatfield. Currently, 730 prisoners are engaged in ISM. It is intended to provide ISM to all newly committed prisoners with sentences of one year and upwards.

In addition, the Probation Service has an active role in helping prisoners maintain links with family and community agencies and encouraging them to address their offending behaviour while in prison and in supporting them in efforts to avoid re-offending post-release.

182. **Deputy Thomas P. Broughan** asked the Minister for Justice and Law Reform the number of prisoners released in 2008; 2009 and to date in 2010 that have been referred through Connection, PACE or any other agency to independent accommodation or a job; and if he will make a statement on the matter. [46387/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): PACE is a community based organisation funded by my Department through the Probation Service. PACE supports people through the transition from prison and an offending background into the community and to break the cycle of offending.

PACE residential services provide supported accommodation on a short term basis for 22 homeless males leaving prison. There are 14 high support places and 8 transitional low support places. PACE also provides low support long term accommodation to a further seven people from offending backgrounds.

The specific number of clients PACE residential services worked with over the last three years is: 60, 64, and 58 to September 2010.

The PACE training and education programme can accommodate 40 trainees at any one time. The specific number of clients who engaged with the programme over the last three years is: 102, 87, and 90 to September 2010.

In regard to employability placement programmes, Business in the Community Ireland (BITC) is the main provider of support in this area. Since its inception in 2000, the BITC Linkage Programme has been providing a professional guidance and placement service, in partnership with the Probation Service, to persons on probation and to prisoners and ex-prisoners. Currently, the community-based BITC Linkage Programme Training and Employment Officers (TEOs) provide an in-reach clinic service to prisoners in eight of the country's fourteen institutions.

Since 2007, a new BITC programme — the GATE Service — has been operating in six institutions — Mountjoy, Dóchas, St Patrick's, the Training Unit, Midlands and Portlaoise. Funded by the IPS, four GATE Service TEOs work on a full-time basis in the prisons concerned and provide a training, education and employment placement service. From the start-up of the service in the summer of 2007 to the end of October 2010, 1,132 referrals have been made to the TEOs and 394 post-release placements have been secured in respect of the 569 prisoners who continued to work with the TEOs following their release from prison. The specific number of employment placements over the last three years is: 66 in 2008; 83 in 2009; and 66 in 2010 to end October.

In recent years, in addition to the direct work of probation officers in regard to accommodation issues, a weekly clinic service has been provided in ten prisons by the Health Service Executive (HSE) Community Welfare Service through the Homeless Person's Unit (HPU). Referrals to this service generally are at the pre-release stage and emergency and other accommodation options, supplementary benefits and fast tracked medical cards are arranged by the Community Welfare Officers (CWOs) who provide the information and clinic services. There were 700 prisoners assisted by the CWOs in 2008 and a further 759 in 2009. There is no breakdown available as to the number who were facilitated into accommodation as opposed to receiving other support services. The figures for 2010 are not yet available.

Focus Ireland operates a pilot homeless service in Cloverhill Prison which provides a case management and pre-settlement service for remand prisoners. The service supports participants in accessing appropriate services and accommodation on the pathway to independent living. The project is supported by the IPS, the Probation Service and the HSE. By the end of 2008, 68 prisoners had benefitted from the service since its establishment in September 2007. A further 25 prisoners used the service in 2009. Figures for 2010 are not yet available.

The IPS secured €250,000 in Dormant Accounts funding for the provision of homelessness support services to prisoners in Cork and Limerick prisons. This service is provided by Focus Ireland and commenced in the summer of 2009. By the end of 2009, there had been 49 referrals to the service and the two project workers had an active caseload of 39 cases. Figures for 2010 are not yet available.

Garda Training

183. **Deputy Alan Shatter** asked the Minister for Justice and Law Reform when the next intake of Garda recruits will commence training in Templemore and the reason his June announcement of 100 recruits to the Gardaí have not been implemented [46417/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Deputy will be aware that the moratorium on recruitment and appointments continues to apply to An Garda Síochána with provisions for exceptions following agreement with the Minister for Finance. The purpose of organising a recruitment campaign earlier this year was to begin the process of establishing a panel of potential applicants who could go on to be recruited as members of An Garda Síochána. This early planning is essential considering that the recruitment and training

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process — from initial formal application to attestation as a sworn member — could take up to 14 months to complete.

Since that announcement was made, the National Recovery Plan 2011- 2014 was developed and published. The plan provides for a reduction in the number of members of An Garda Síochána to 13,000 by the end of 2014. This reduction, and the rate at which it is achieved through retirements, will be taken into account in determining when recruitment will commence.

Residency Permits

184. **Deputy John O'Mahony** asked the Minister for Justice and Law Reform if he will expedite a visa for a person (details supplied); when this visa will be granted; and if he will make a statement on the matter. [46422/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am pleased to inform the Deputy that the visa application referred to has been approved.

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.

Asylum Applications

185. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the current or expected position in the matter of residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [46447/10]

199. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [46461/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 185 and 199 together.

Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 29 November 2006, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the

file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Asylum Support Services

186. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform if accommodation transfer can be offered to a person (details supplied) in County Galway; and if he will make a statement on the matter. [46448/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Reception and Integration Agency (RIA) is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal.

The person referred to in the question has only recently applied for a transfer, along with his family, from his current accommodation and that request is under consideration at the RIA. A formal response will issue directly to the family in the coming days.

The Deputy should be aware that queries in relation to the status of individual immigration cases, including accommodation status at the RIA, may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

187. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the procedure to be followed to obtain a Garda National Immigration Bureau card in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [46449/10]

188. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding an application for residency in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [46450/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 187 and 188 together.

I wish to inform the Deputy that the person concerned was granted permission to remain in the State in April of 2009 on the basis of being a family dependent of non-EEA parents of a child born in Ireland prior to 1 January, 2005, who had been granted residency in the State under the IBC/05 Scheme. This permission was granted in line with that of his parents and expired on 2 November, 2010. For a renewal of this permission, in his own right, the person concerned should submit a letter requesting same to the Irish Born Child Unit, PO Box 10003, Dublin 1.

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

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cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

189. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding an application for residency in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [46451/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to my detailed Reply to his earlier Parliamentary Questions, No. 983 & 1033 of Wednesday, 29 September 2010 and the written Reply to those Questions. The position is as set out in that reply.

Citizenship Applications

190. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the way a person (details supplied) in Dublin 6 can obtain the necessary papers to facilitate naturalisation in view of the fact that they were a refugee and had no papers and that as directed they applied to the Congolese embassy in UK and were informed that original documents were required; and if he will make a statement on the matter. [46452/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Officials in the Citizenship Division of my Department inform me that there is no record of an application for a certificate of naturalisation having been received from the person concerned.

The position in general is that persons making an application for a certificate of naturalisation are required to provide evidence of their identity. If they do not have their birth certificate or other supporting document, then they should obtain it, so that the State can have equivalent proofs of the identity of naturalised citizens as all other citizens. In rare circumstances where an applicant cannot obtain their birth certificate or other supporting documents for reasons genuinely beyond their control, then the applicant will be required to provide an explanation and submit evidence, such as correspondence from the relevant authorities responsible for the issuing of birth certificates in their country, stating why a birth certificate is not obtainable.

The Citizenship Division will assess those reasons and if satisfied that they provide a genuine impediment, alternative means of validating the true identity of the person will be put in place. 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

191. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the position regarding the status of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [46453/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Travel Document Unit of the Irish Naturalisation and Immigration Service (INIS) informs me that the person referred to in the Deputy's question is the holder of temporary permission to remain in the State until 29 May 2011 granted to him on an exceptional basis.

INIS informs me that the person concerned was issued with a temporary travel document on 19 November 2009 valid for one year for the sole purpose of allowing him travel to procure his national passport. He was informed that this temporary travel document would not be renewed as it was being issued to him on a discretionary basis.

I am advised that provided the Garda National Immigration Bureau is satisfied that he meets the necessary requirements for registration, he would be issued with a Certificate of Registration. In order to obtain this Certificate or renew an existing registration the person concerned is required under Section 9(2)(a) of the Immigration Act, 2004 to produce a passport issued by an authority recognised by the Irish government which establishes his identity and nationality, unless he can give a satisfactory explanation of the circumstances which prevents him from doing so.

It is now a matter for the person concerned to contact his own national authorities in order to obtain his passport. I am informed that the DR Congo Embassy in London is the appropriate office to contact in relation to this. 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.

192. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the procedure to be followed to renew the Garda National Immigration Bureau card in the case of a person (details supplied) in Dublin 15 whose passport was seized by immigration section at the airport; and if he will make a statement on the matter. [46454/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): On 8 January 2010, the person referred to by the Deputy arrived at Dublin Airport from Lisbon, Portugal. She had two passports in her possession and further enquiries revealed she had presented a third passport to immigration authorities here in relation to an application for residency. All three passports contained some identical information and the Garda National Immigration Bureau commenced an investigation to determine the true identity of the person concerned. As part of that investigation, an Angolan passport in possession of the person concerned was retained.

This passport was returned to the person concerned on the 15 November 2010. On that date the said person provided additional information which it is anticipated will facilitate bringing the investigation to establishing the true identity of the person in question to a conclusion.

On 3 December 2010, a letter was sent to the named person from the Garda National Immigration Bureau requesting her to present at the Registration Office, GNIB, Burgh Quay for the purpose of obtaining a permission to be in the State.

193. **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 Meath; and if he will make a statement on the matter. [46455/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 18 May 2009, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was

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notified of his entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

194. **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 Meath; and if he will make a statement on the matter. [46456/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 30 June 2010, that the Minister proposed to make Deportation Orders in respect of her and her child. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why Deportation Orders should not be made against her and her child. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned and her child will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

195. **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

Wicklow who is married to an Irish citizen and has two children; and if he will make a statement on the matter. [46457/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The Spouse of Irish National Unit of the Irish Naturalisation and Immigration Service (INIS) informs me that they wrote to the person concerned on 03 December 2010 requesting further documentation in relation to his application for residency in the State on the basis of his marriage to an Irish national.

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.

196. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the progress to date in determination of residency entitlement in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [46458/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 24 August 2010, that the Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

197. **Deputy Bernard J. Durkan** asked the Minister for Justice and Law Reform the reason a passport was seized by the Garda National Immigration Bureau in the case of a person (details supplied) in Dublin 7; when the GNIB card will be renewed as they are unable to arrange same without passport; and if he will make a statement on the matter. [46459/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The person referred was granted permission to remain in the State following consideration of an application made to the Irish Naturalisation & Immigration Service (INIS) under the Irish Born Child Scheme (IBC/02).

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On 28 October 2010, the person attended at the Garda National Immigration Bureau, pursuant to section 9, Immigration Act, 2004, for the purpose of registering his permission to remain in the State. The person presented a passport during this process which, when examined, was discovered not to contain security features which should properly be contained in such a document. The passport document was retained by the Immigration Officer so that further enquiries relating to its authenticity could be made.

These enquiries will be completed as expeditiously as possible to allow a decision to be made regarding the granting, or otherwise, of a permission to remain in the State to the person referred to.

198. **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 Dublin; and if he will make a statement on the matter. [46460/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I wish to inform the Deputy that the person to whom he refers was granted permission to remain in the State under the revised arrangements for the non-EEA parents of children born in Ireland prior to 1 January, 2005, known as the IBC/05 Scheme. I am informed that this permission to remain was renewed in March of 2010, and is currently valid until 14 March 2013.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Question No. 199 answered with Question No. 185

Garda Strength

200. **Deputy Michael Ring** asked the Minister for Justice and Law Reform the details of the notification received regarding the number of gardaí who have retired from 1 January 2010 up to 2 December 2010 on a county basis in tabular form. [46467/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I am informed by the Garda authorities that as of the 03 December 2010, the number of sworn members who have retired, or indicated that they will retire by the end of 2010, is 419.

A breakdown of retirees on a county basis in tabular form is not readily available and the gathering and compilation of the information, as requested, would require a disproportionate amount of Garda time and resources.

Prisoner Releases

201. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of foreign nationals released from prison here in the years 2007, 2008, 2009 and to date in 2010; the number of release prisoners deported in each of those years; and if he will make a statement on the matter. [46468/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): The number of foreign nationals released from prison here in the years 2007, 2008, 2009 and to date are as set out in the table:

Year	Persons
2007	3,184
2008	3,183
2009	3,032
2010 (Year to date)	2,865

In relation to the statistics on the number of released prisoners deported in each of those years, these statistics are not recorded in my Department in a manner as would enable me to readily provide the Deputy with the requested information. The Deputy will appreciate that the extraction and compilation of such information would require my officials in the Irish Naturalisation and Immigration Service to manually examine and cross reference an inordinate amount of files and I could not justify the deflection of such officials from their day to day work to assemble this information.

The Deputy should note, however, that my Department is in ongoing liaison with the Garda National Immigration Bureau and the Irish Prison Service to ensure that, wherever possible, the cases of non-EEA national persons in detention are processed to completion in advance of their release date so that they are deported at the time of their release rather than being permitted to re-join the general population.

Sexual Offences

202. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of persons who have been convicted of a sexual offence and who are subject to post release supervision and who cannot be accounted for; and if he will make a statement on the matter. [46469/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to my response to Parliamentary Question No: 135 on 1st December, 2010. I am informed that there are no cases unaccounted for.

State Bodies

203. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46481/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): It is assumed that the Deputy is referring in this case to unpaid invoices in relation to supplies of goods and services. The non-payroll budget for the Justice Sector is in the region of €555 million per annum. While it is very difficult to derive a specific figure at a particular point in time due to the number and range of payments I can assure the Deputy that every effort is made to pay invoices within a reasonable timescale once the necessary verification checks have been carried out. The vast majority of payments across the sector are in compliance with the Prompt Payment of Interest regulations in that payments are made within 30 days and in many cases in far less a timescale than this. In response to a question from the Deputy on 11th November (Ref 42273/10), I indicated that in respect of the quarter ended 30th September 2010, for the Department of Justice and Law Reform, 85% of payments (€28.3 million in monetary terms) were made within 15 calendar days and 98% of all payments within 30 calendar days. I can confirm that on average these figures are reflective of the trend, currently, throughout the Justice Sector.

Refugee Appeals Tribunal

204. **Deputy John Perry** asked the Minister for Justice and Law Reform the extent to which the practice of the Refugee Appeals Tribunal, in scheduling appeal hearings at hourly intervals daily that is at 9.30 a.m., 10.30 a.m., 11.30 a.m., 2 p.m. and 3 p.m. is causing a wastage of tax payers money, insofar as interpreters and legal representatives, who are in attendance at the aforementioned times for such scheduled appeal hearings, have to wait, in some cases, hours for their appeal hearings to commence and in more cases for the appeal hearings to be adjourned completely, due to the close scheduling of the appeal hearings resulting in previous hearings overrunning; for the period 1 January, 2010 to 31 October, 2010, the number of appeal hearings that were late starting due to the overrunning of previous appeal hearings; the time period each such appeal was late commencing; the additional cost of interpreters for each such time delay; the number of appeal hearings that had to be completely adjourned by reason of time constraints due to this over scheduling; the amount of the additional costs to the taxpayer in having to re-attend on new hearing dates; and if he will make a statement on the matter. [46488/10]

206. **Deputy John Perry** asked the Minister for Justice and Law Reform the reason close scheduling of appeal hearings has continued over the past ten years at the Refugee Appeals Tribunal, despite repeated complaints and requests by persons legal representatives to change it, in order to allow more time between each appeal hearing and accordingly to eliminate additional costs; his plans to request the authorities at the Refugee Appeal Tribunal to change this scheduling procedure, in view of the current economic climate with the emphasis on eliminating unnecessary costs and make savings in all Government Departments; and if he will make a statement on the matter. [46490/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 204 and 206 together.

I refer the Deputy to my reply to Questions Nos. 288 and 289 of Tuesday 9 November 2010 which sets out the position in relation to the matters raised by him.

205. **Deputy John Perry** asked the Minister for Justice and Law Reform the reason an appeal hearing scheduled for hearing at 11.30 a.m. on Thursday, 27 October 2010, was adjourned at 1.15 p.m. by the tribunal member due to the overrunning of a hearing that commenced at 10.30 a.m. in order to facilitate another hearing before the same tribunal member to proceed at 2 p.m. when the 11.30 a.m. appeal hearing was from the Galway refugee legal service office and involved personnel attending the hearing travelling from Galway as well as the fact that this appeal involved language analysts witness from Sweden that had been requested by the applicant's legal representatives to be summonsed by the tribunal as opposed to the 2 p.m. appeal hearing that was from Dublin and did not involve any additional such costs; the additional cost to the taxpayer for this rescheduled hearing to include travelling expenses, subsistence allowance, attendance fee in respect of the applicant, their legal representative, witness and interpreter for a new rescheduled hearing; and if he will make a statement on the matter. [46489/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to my reply to Question No. 290 of Tuesday 9th November 2010 which sets out the position in relation to this matter.

Question No. 206 answered with Question No. 204

Subsidiary Protection

207. **Deputy John Perry** asked the Minister for Justice and Law Reform since the introduction of subsidiary protection in October 2006, under the European Communities (Eligibility for Protection) Regulations 2006, the number of persons that have applied for such subsidiary protection under these regulations; the number of persons that have been granted subsidiary protection under these regulations; the number of persons that have been refused subsidiary protection; the number of applications still outstanding in which no decision has yet been made for the period October 2006 to December 2006, the years 2007, 2008, 2009 and to 31 October 2010; and if he will make a statement on the matter. [46491/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I refer the Deputy to my detailed Reply to his earlier Parliamentary Question No 291 of Tuesday 9 November 2010 in which I set out the available information. I have been informed that statistical information regarding Subsidiary Protection applications pending was not recorded prior to 2009.

Industrial Disputes

208. **Deputy Niall Collins** asked the Minister for Justice and Law Reform the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if he will make a statement on the matter. [46519/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): There is no industrial action under way in my Department. For completeness, however, I might mention two issues in the wider Justice sector.

Members of the Prisons Officers' Association are currently working to rule in one prison in relation to the procedures used for the filling of posts which carry allowances. There is no loss in productivity and it is not in contravention of the Croke Park Agreement. This issue will be dealt with through the normal Industrial Relations mechanisms.

Civilian staff of An Garda Síochána are currently engaged in a dispute at the Garda National Immigration Bureau relating to the handling of applications under the Immigration Act 2004. The matter is currently being dealt with within the Industrial Relations framework of An Garda Síochána.

Garda Complaints Procedures

209. **Deputy John McGuinness** asked the Minister for Justice and Law Reform if he will confirm where a person who has made a complaint to the Garda Ombudsman has died, that the complaint will still be investigated; and if he will make a statement on the matter. [46524/10]

Minister for Justice and Law Reform (Deputy Dermot Ahern): I have been informed by the Garda Síochána Ombudsman Commission (GSOC) that the death of a complainant does not act as a bar to the investigation of a complaint of misbehaviour by a Garda member. Provided the complaint fulfils the admissibility criteria set down in the Garda Síochána Act 2005, it will be admitted and sent for investigation. However, the fact that a complainant has died could, depending on the circumstances of the case, impact upon the progress of the investigation in particular, for example, where the complainant is a crucial witness. One cannot rule out the possibility that in the absence of the testimony of the complainant, it is no longer practicable to proceed with the investigation. However each case is dealt with on its own merits by GSOC.

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As the Garda Síochána Ombudsman Commission is independent in the exercise of its functions, the decision to continue with an investigation in a situation such as this, is a matter solely for the Commission.

Human Rights Issues

210. **Deputy Paul Gogarty** asked the Minister for Foreign Affairs if there has been a change in policy towards the Pakistani Ahmadiyya community; if this policy will be reviewed in view of the persecution and massacre of followers this year in Lahore; and if he will make a statement on the matter. [45812/10]

Minister for Foreign Affairs (Deputy Micheál Martin): As I stated in response to previous Parliamentary Questions regarding the Ahmadiyya community in Pakistan, most recently on 6 July last, promoting religious tolerance is a key objective of Ireland and the EU in relations with Pakistan. Bilaterally, and through the EU, we have urged the government of Pakistan to make every effort to promote effectively the rights of minorities and to improve their current conditions. In our bilateral contacts with Pakistan, we have emphasized the importance of maintaining adequate protection for minorities in Pakistan. Minority and human rights issues were discussed at formal political consultations held between Ireland and Pakistan at Political Director level in Islamabad on 10 February last. My Department follows up with the Pakistan authorities on these matters on a regular basis.

I condemn all attacks on the Ahmadiyya community, a particularly vulnerable minority in Pakistan. The attack which took place in Lahore on 28 May was especially heinous. A group of seven Islamic militants attacked two Mosques with machine guns, grenades and suicide bombs, resulting in the deaths of ninety four innocent people with many more left maimed and wounded. A subsequent attack was made on 31 May on the hospital in Lahore where victims and one of the alleged attackers were under treatment. This led to a shoot-out in which at least a further 12 people, mostly police officers and hospital staff, were killed.

Ireland is active at European Union level to ensure that human rights, which include the promotion of religious tolerance, are on the agenda for our discussions with Pakistan. Human rights were discussed during the most recent European Union-Pakistan Summit, held in Brussels in June.

For its part, the Pakistani Government has given clear commitments to protect religious minorities and to promote religious tolerance. In this regard, the setting up of a Ministry for Human Rights, a Ministry for Minorities and the introduction of an independent national Human Rights Commission are welcome initiatives.

Ireland will continue to be active at bilateral, European Union and multilateral level to seek respect for the human rights of all minorities in Pakistan, including the vulnerable Ahmadiyya community.

Overseas Development Aid

211. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs the annual funding he anticipates allocating for overseas development assistance for 2011 to 2014, inclusive, expressed in nominal terms and in terms of GNP, in view of the savings he intends to make over the course of the national recovery plan; the year he intends to reach the UN target of 0.7% of GNP for ODA funding; and if he will make a statement on the matter. [45815/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): Ireland has committed to achieving the UN target to provide 0.7% of Gross National Product (GNP) for Official Development Assistance (ODA) by 2015. The EU has committed to achieving the

target collectively by 2015, and has set an interim target of 0.51% for Ireland and other Member States in 2010. This year, the Government has allocated a total of €671 million for ODA. On current projections, this will amount to at least 0.52% of GNP, ensuring that Ireland exceeds the EU interim target.

The Government remains committed to the 0.7% target. However, the reality is that further progress towards its achievement must be influenced by the extremely challenging economic difficulties facing the country. The National Recovery Plan sets out the budgetary framework for the next four years, in order to restore stability to the public finances. This is an essential prerequisite for the resumption of sustainable economic growth, which in turn can provide the only sound basis for the resumption of sustainable growth in the aid programme.

Future allocations for ODA will be based on success in restoring stable public finances, as well as our international commitments. Later today, the Minister for Finance will present the Budget to the House. It will include the Government's allocation for overseas development for 2011. The broad aim will be to consolidate ODA at this year's levels, maintaining spending at 0.52% of GNP. In the context of our very difficult economic circumstances, I believe this is a significant achievement, and clear evidence of our commitment to the fight against global poverty and hunger.

Ministerial Appointments

212. **Deputy Paul Kehoe** asked the Minister for Foreign Affairs the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45849/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The following table sets out the names, titles and annual salaries of the staff appointed by me.

Name	Title	Salary Scale
Christy Mannion	Special Advisor	Principal Officer Standard Scale €80,051 – €98,424 plus a 10% attraction allowance
Tim Conlon	Special Advisor	Principal Officer Standard Scale €80,051 – €98,424
Elizabeth O'Donoghue	Personal Assistant	Secretarial Assistant Scale €22,023 – €42,122 plus a 10% Attraction Allowance
Susan Kinsella	Personal Secretary	Executive Officer Standard Scale €29,024 – €45,616 per annum

The terms of the Non-contributory Pension Scheme for Non-established State Employees and of the Contributory Spouses' and Children's Pension Scheme for Non-established State Employees apply to the appointments of Mr. Tim Conlon, Ms. Susan Kinsella, and Ms. Elizabeth O'Donoghue.

The terms of the Non-contributory Pension Scheme for Established State Employees and of the Contributory Spouses' and Children's Pension Scheme for Established State Employees apply to the appointment of Mr. Christy Mannion.

Staff members appointed by Ministers are required to perform any duties that are assigned to them from time to time as appropriate to their posts. The particular duties of Special Advisor to Ministers are set out in Section 11 of the Public Service Management Act, 1997.

Missing Persons

213. **Deputy Terence Flanagan** asked the Minister for Foreign Affairs if he will respond

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to the case of a missing person (details supplied); and if he will make a statement on the matter. [45918/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Since my previous reply to the Deputy, PQ 131 of 23rd September, 2009, the status of the case of the missing Irish girl in Spain has not changed. Our Embassy in Madrid remains in contact with the Guardia Civil in relation to the case and is ready to assist her family in whatever way possible. I am informed that, unfortunately, there are no new definitive leads as to her whereabouts. However, I am assured that the Spanish authorities continue to investigate her case with the hope of finding her, and that her case is still considered by them as a missing person's case. As well as holding meetings with the extended members of her family, the Taoiseach and I have both written to our counterparts in Spain about her case and both have responded, expressing their sympathy, as well as their assurances that the Spanish authorities were making every possible effort to find her.

The Deputy will wish to be aware that the Taoiseach also raised her case with Prime Minister José Luis Rodríguez Zapatero during a visit on 18 May 2010 to Madrid and that the Prime Minister expressed his concern and assured the Taoiseach of the continued commitment of the Spanish authorities to the investigation.

More recently, since my previous reply to the Deputy, our Ambassador and the Consular Officer in the Embassy together met again with the senior police officer leading the investigation to discuss the case and, following that meeting, our Consular Officer met again separately with the senior police officers investigating her case.

The Head of Consular Division and other officials in my Department have met with the members of her family based in Ireland and with the members of her family based in Spain and continue to raise any issue of concern to them with the Spanish authorities.

I can assure the Deputy that the Spanish authorities have continually undertaken to keep our Embassy and her family informed of any developments and, of course, any information received by my Department, either through our Embassy or the Consular Assistance Section, will be passed on immediately to her extended family.

Misuse of Passports

214. **Deputy Alan Shatter** asked the Minister for Foreign Affairs if he has called in the Russian Ambassador to discuss with him the use of Irish passports by persons allegedly carrying out long-term deep cover assignments in the United States; if any official in the Russian embassy is known to have been involved in activities relating to this matter and the action, if any, taken to-date to record this State's disapproval of the misuse of Irish passports in such circumstances [46320/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Earlier this year I became aware of allegations that persons accused of carrying out long-term, "deep cover" assignments in the United States on behalf of the Russian Federation may have used fraudulent Irish passports. On being made aware of these allegations I asked the Passport Service and An Garda Síochána to undertake an investigation. I understand that the Gardaí have since received information alleging that as many as six Irish forged passports using material cloned from the valid passports of Irish citizens may have been involved in the case in question. I can confirm that the six citizens have been interviewed by the Gardaí and the Passport Service and that those whose passport details were allegedly used have, as a precautionary measure, been issued with replacement passports. The investigation has not yet concluded. However, I should stress that what is

being investigated is an allegation relating to events outside this jurisdiction. Accordingly the process of gathering and substantiating evidence is time consuming.

On 1 October, senior officials of my Department informed the Russian Ambassador and a senior official from Moscow, who was visiting Dublin on other business, that the Government was investigating US allegations on the use of forged Irish passports by Russian agents and made clear that the Government took serious exception to the forgery and misuse of Irish passports. My officials notified their Russian counterparts that, depending on the outcome of the current enquiries, we may seek the assistance of the Russian authorities in furthering this investigation. I will await the outcome of the current enquiries before deciding whether there are grounds for me to meet with the Russian Ambassador and, if so, the nature of that conversation.

Once I have received the reports of the investigation, I will consider the evidence before reporting to the Government and recommending any course of action. I will then report to the House.

Ministerial Appointments

215. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46377/10]

Minister for Foreign Affairs (Deputy Micheál Martin): There are three bodies operating under the aegis of my Department to which I have appointed members in the past twelve months. These are: the Ireland — United States Commission for Educational Exchange (the Fulbright Commission); the Development Education Advisory Committee and the Irish Aid Expert Advisory Group. The details requested are outlined in the table below. None of the members have received any income payments in respect of their membership of the respective advisory committees/group.

Body	Appointee	Payment	Term of office
Ireland — United States Commission for Educational Exchange (Appointed November and December 2010)	Professor Neil Collins	—	2 years
	Ms. Una Halligan	—	2 years
	Professor Geraldine McCarthy	—	2 years
Development Education Advisory Committee (Appointed April 2010)	Ms Moira Leydon	—	2 years
	Ms Claire Lyons	—	2 years
	Mr John Smith	—	2 years
	Ms Patsy Toland	—	2 years
	Mr Paul Conway	—	2 years
	Ms Susan Gallwey	—	2 years
	Mr Aidan Clifford	—	2 years
	Ms Sarah Kelleher	—	2 years
Irish Aid Expert Advisory Group (Appointed July 2010)	Mr. Chris Flood	—	3 years
	Mr. Ronan Murphy	—	3 years
	Professor Tom Lodge	—	3 years
	Dr Jane Harrigan	—	3 years
	Dr Geeta Rao Gupta	—	3 years
	Professor Patrick Fitzpatrick	—	3 years

Garda Investigations

216. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that seven domestic workers employed by diplomats have complained to the Labour Relations Commission about their treatment by their employers, and that three of these cases are so serious they have been referred to the Garda anti trafficking unit; and if he will introduce measures similar to those in place in Austria, Germany and Britain where diplomats who refuse to comply with inspections by the employment rights authority will have future requests for visas for household workers refused or may themselves be declared persona non grata [46463/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Department of Foreign Affairs wishes to ensure that all domestic workers at Embassies are treated fairly and works with Embassies and relevant Departments to encourage best practice in this area, consistent with its obligations under the Vienna Convention. In the course of this year we have introduced additional requirements for diplomats wishing to employ domestic servants from abroad including the requirement to provide appropriate medical insurance. The Department of Foreign Affairs is not informed by the Labour Relations Commission of cases before it involving diplomatic missions in Ireland or their employees as the Department is not a party to these cases and it is not the Commission's practice to provide information to third parties.

My Department, has been informed by a non-governmental organisation about alleged cases of exploitation of domestic workers by foreign diplomats, however, the identities of the workers concerned were not made known to this Department. The Department will assist, as appropriate, in any investigations being undertaken by the relevant Irish authorities into alleged abuses and information received has been passed to the Departments with responsibility in this area. The question of human trafficking is a matter for the Minister for Justice and Law Reform and An Garda Síochána.

My Department wishes to ensure that diplomatic privileges and immunities are not abused and we are working with other Government Departments with a view to implementing additional procedures aimed at strengthening the protections for private domestic workers in diplomatic households. The Department will not hesitate to take appropriate measures to deal with proven cases of abuse by diplomatic missions or their staff in Ireland.

State Bodies

217. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46479/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Government Emigrant Services Advisory Committee; the Irish Aid Expert Advisory Group; the Audit Committee of the Department of Foreign Affairs; and The Board of the Ireland-United States Commission for Educational Exchange (the Fulbright Commission). The Fulbright Commission is financed jointly by the Irish and US Governments but it enjoys autonomy of management and administration in accordance with the Educational Exchange (Ireland and the United States of America) Act, 1991. The remaining bodies are advisory committees, the administrations of which are all serviced directly by my Department, and do not incur costs independent of my Department. The Deputy may wish to refer to PQ 42271/10 for recently provided details of monies owed to private firms by my Department.

Industrial Disputes

218. **Deputy Niall Collins** asked the Minister for Foreign Affairs the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park Agreement; and if he will make a statement on the matter. [46517/10]

Minister for Foreign Affairs (Deputy Micheál Martin): There are currently no industrial disputes or industrial actions of any kind involving the staff of my Department.

Departmental Staff

219. **Deputy M. J. Nolan** asked the Minister for Social Protection when applications will be invited for the appointment of registered marriage solemnisers; and if he will make a statement on the matter. [45897/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Part 6 of the Civil Registration Act 2004 sets out the legal requirements for a valid marriage in Ireland and these came in to effect on 5 November, 2007. One of these requirements is that a marriage can be solemnised by and only by a registered solemniser.

Section 53 of the act makes provision for the establishment and maintenance of a register of solemnisers of marriage by an t-Ard-Chláraitheoir (Registrar General).

Section 54 of the act provides that the Health Service Executive (HSE) may apply to the Registrar General to have registrars registered in the register of solemnisers for the purpose of solemnising civil marriages. This section also provides that a religious body may apply to the Registrar General to have members registered in this register for the purpose of solemnising religious marriages.

The position therefore is that applications are not invited by the Registrar General and it is a matter for the HSE and the various religious bodies to apply to have appropriate persons registered having regard to their anticipated needs for the purpose of solemnising marriages whether civil or religious.

Departmental Funding

220. **Deputy Terence Flanagan** asked the Minister for Social Protection if he will ensure that funding remains in place for an organisation (details supplied) in budget 2011; and if he will make a statement on the matter. [46021/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Department has invested significant funding to the organisation concerned over the years in support of the services it provides within the Dublin North-Central and Dublin North-East areas. In 2010, funding of some €386,000 has been approved.

The funding is provided under the scheme of grants for the development and promotion of information and welfare rights. Applications for grants are made by way of completing and submitting an application form annually. In considering previous applications the Department has advised the organisation to secure funding from more appropriate revenue sources in the public and private sectors. While acknowledging that progress has been made by the organisation in developing additional revenue streams through its own activity, the Department remains the primary funder.

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With regard to continued funding by the Department, applications for funding in 2011 will be considered early next year, giving due consideration to the financial resources available in the context of the upcoming budget. Officials will meet the organisation to discuss this further at that time. In this regard the Department will contact the organisation shortly.

Social Welfare Benefits

221. **Deputy Finian McGrath** asked the Minister for Social Protection if he will support a matter (details supplied) [46193/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am acutely conscious of the difficulties faced by people, and in particular people with disabilities, who are dependent on the social protection system to meet their needs.

This Department has recently completed a value for money review of the disability allowance scheme. I launched this review on 24 November and it is available for review on the Department's website. This report sets out an agenda for structural change to the DA scheme including the merger of the blind person's pension with the scheme and I would intend that issues such as that raised in the detail of the Deputy's question will be dealt with in the context of progressing that agenda.

In the meantime, Social welfare expenditure for 2011, including expenditure on the Disability Allowance scheme, will be considered in the context of the forthcoming Budget, having regard both to needs and to the resources available to meet those needs. In an uncertain economic environment, my priority is to ensure that the Government strategy to stabilise the financial position is advanced and to protect those most in need in a manner which is sustainable in the years ahead.

222. **Deputy Martin Ferris** asked the Minister for Social Protection when an application for rent allowance will be granted in respect of a person (details supplied) [46396/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that the person concerned was refused rent supplement as he was not considered to be habitually resident in the State.

Departmental Expenditure

223. **Deputy Michael Ring** asked the Minister for Social Protection to list all recommendations contained in the report of the special group on public service numbers and expenditure programmes that relate to his Department; the detail of each recommendation; the savings identified for each proposal; the status of each proposal; and if he will make a statement on the matter. [45820/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Special Group on Public Service Numbers and Expenditure Programmes made a range of recommendations in relation to my Department. These recommendations are outlined in the table along with the current status of each recommendation. This forthcoming Budget process will have regard, amongst other issues, to the outstanding recommendations of the Special Group.

Special Group Proposals	Annual Savings Identified in Report	Status	Estimated 2010 Savings
	€m		€m
1. 5% General Reduction in Rates	850	Partially implemented in Budget 2010 through reductions of between 3.5% and 4.2% in personal and qualified adult rates payable to persons aged under 66.	437
2. Administrative Savings	3	Reduction in grants to Family Support Agency and the Citizen's Information Board	2.3
3. Agency Services	3	Expenditure in 2010 in relation to Agency Services provided by An Post will be €3.44 m less than 2009	
4. Discontinuation of the Family Support Agency	30	Not implemented — Family Support Agency transferred to the Department of Community Equality and Gaeltacht Affairs on 1st May 2010.	
5. Change eligibility conditions of Family Income Supplement	20	Not implemented to date	
6. Reduce/Standardise Child Benefit Rate	513	Partially implemented in Budget 2010 through reductions of €16 per month in both rates. There was also full compensation for welfare families.	123 (net)
7. Grading of Jobseeker's Assistance by Age	70	Fully implemented including a €100 per week rate for those aged under 23 and €150 per week rate for those aged 23 and 24.	54
8. Discontinuation of Treatment Benefit	92	Partially implemented.	54
9. Phase out second welfare payment	100	Not implemented to date	
10. Discontinuation of Double payments for CE Schemes	100	Not implemented to date	
11. Tax Household Benefits Package	11	Not implemented to date — Implementation is a matter for the Department of Finance	
12. Merge Blind Persons scheme with Disability Allowance	0	Not implemented to date	
13. Re-examine the level of the Rent Supplement payment on a regional basis and reduce the length of time on rent supplement	35	Implemented — rent limits that apply to new Rent Supplement agreements were reduced to reflect reductions in private rent levels.	20
14. Legislate for and reduce eligibility for Exceptional Needs Payments	18	Not implemented to date	
15. Merge Pensions Ombudsman with the Financial Service Ombudsman	1	Not implemented to date	
16. Merge Pensions Board with the Financial Regulator	1	Not implemented to date	
TOTAL SAVINGS	1,847		690.3

Departmental Agencies

224. **Deputy Michael Ring** asked the Minister for Social Protection the number of State agencies under his responsibility; the number of staff within each agency; and if he will make a statement on the matter. [45821/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The three statutory bodies operating under the aegis of the Department are the Pensions Board, the Citizens Information Board and the Social Welfare Tribunal. In addition the Pensions Ombudsman comes under the remit of the Department.

The table contains the information sought in the Parliamentary Question.

Name of Board/Agency	2010 staff numbers
The Pensions Board	37.8
Office of the Pensions Ombudsman	9.8
Social Welfare Tribunal	Nil
Citizens Information Board	89.1

225. **Deputy Michael Ring** asked the Minister for Social Protection the annual budget of each State agency under his control in each of the years 2000 to 2010, inclusive; and if he will make a statement on the matter. [45822/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The three statutory bodies operating under the aegis of the Department are the Pensions Board, the Citizens Information Board and the Social Welfare Tribunal. In addition the Pensions Ombudsman comes under the remit of the Department.

The information requested in respect of these bodies is set out in the table.

Name of Statutory Body	Annual Budget Allocation
<i>The Pensions Board</i>	
The operations of the Pensions Board are largely financed by annual fees payable to it by occupational pension schemes and by providers of Personal Retirement Savings Accounts.	2000: €0.067m 2001: €0.992m 2002: €0.885m 2003: €1.913m
The budget includes a contribution by D/SP to Board's policy work in 2000 and 2001.	2004: €1.928m 2005: €1.804m
The budget includes a contribution to Personal Retirement Savings Account (PRSA) costs in the period 2001-2007. This subvention ceased at the end of 2007.	2006: €2.162m 2007: €2.073m 2008: €1m 2009: €0.5m
The budget includes an allocation for National Pension Awareness Campaign (NPAC) costs from 2003 to date.	2010: €0.5m

Name of Statutory Body	Annual Budget Allocation
Citizens Information Board (CIB) *The increase in the CIB budget from €28.005m in 2009 to €45.872m in 2010 is as a result of responsibility for MABS transferring to CIB in July 2009 and the associated budget being fully included in the CIB budget, for the first time, in 2010.	Comhairle (est. 12/06/00) 2000: €4.94m 2001: €12.795m 2002: €15.367m 2003: €17.016m 2004: €17.901m 2005: €20.997m 2006: €24.362m Citizens Information Board (est. 21/02/07) 2007: €28.140m 2008: €29.467m 2009: €28.005m 2010: €45.872m*
Social Welfare Tribunal	2000: £0.006m 2001: £0.006m 2002: Nil 2003: €0.008m 2004: €0.003m 2005: €0.004m 2006: €0.004m 2007: €0.002m 2008: €0.006m 2009: €0.005m 2010: €0.004m
Office of the Pensions Ombudsman	2000: 2001: 2002: 2003/2004: €0.842m 2005: €0.733m 2006: €0.653m 2007: €1.058m 2008: €0.961m 2009: €0.974m 2010: €0.986m

Social Welfare Benefits

226. **Deputy Michael Ring** asked the Minister for Social Protection the estimated full year spend on supplementary welfare allowance in 2010; if he will provide a breakdown of each category under the package; the estimated number of persons eligible for same; and if he will make a statement on the matter. [45824/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The estimated expenditure for the range of supplementary welfare allowance schemes in 2010 are outlined in the tabular statement. The statement also shows the average number of recipients that will benefit under the various schemes in 2010.

Scheme	Estimated Expenditure	Average Number of Recipients
	€000	
Basic SWA	195,821	35,300
Direct Provision Allowance	6,616	6,616
Rent Supplement	513,780	96,000
Mortgage Interest Supplement	65,859	16,900
Other Supplements	14,930	2,116
Exceptional Needs Payments	66,580	220,000*
Back to School Clothing and Footwear Allowance	82,830	165,000

*These are once off payments and include payments under the humanitarian assistance scheme.

227. **Deputy Paul Kehoe** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied); and if he will make a statement on the matter. [45835/10]

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 16 July 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 15 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.

Ministerial Appointments

228. **Deputy Paul Kehoe** asked the Minister for Social Protection the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45852/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The information requested by the Deputy in relation to the names, titles, annual salaries and pension arrangements is set out in the following table.

Name	Title	Salary Scale	Pension Arrangements
Pádraic Ó hUiginn	Special Advisor	€ 80,051 – €92,672	Member of the Pension Scheme for Non-established State Employees.
Michelle Hoctor	Special Advisor (Press)	€ 80,051 – €92,672	A payment not exceeding 11% of salary is being made to a pension fund.
Muireann Ní Thuairisg	Personal Assistant	€ 43,816 – €55,415	Member of the Pension Scheme for Non-established State Employees.
Máire Ní Fhlatharta	Personal Secretary	€ 22,023 – €42,122+ 10% Attraction Allowance	Member of the Pension Scheme for Non-established State Employees.

The roles and functions of Special Advisors are as set out in section 11 of the Public Service Management Act 1997 i.e. to assist the Minister by providing advice, by monitoring, facilitating and securing the achievement of Government objectives that relate to my Department and by performing such other function as may be directed by the Minister.

The Personal Assistant and Personal Secretary carry out administrative duties within the Ministers Constituency office.

Social Welfare Benefits

229. **Deputy Charlie O'Connor** asked the Minister for Social Protection the reason payment of rent supplement direct to landlords has been refused by particular community welfare

officers; his views on the related circular issued by him on 10 August 2010; his views on the unanimous view of organisations representing both tenants and property owners, and the Private Residential Tenancies Board that rent supplement be paid direct to landlords; if he will accept that direct payment, notwithstanding the Department's direct relationship with the tenant, is a better way to assist those in need as well as safeguarding public money; his plans to amend the legislative provisions under which rent supplement is paid in order to reflect the efficiencies of direct payment; and if he will make a statement on the matter. [45868/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The purpose of rent supplement is to provide short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The scheme is intended as a temporary income support payment and is not designed to be a medium to long term housing support or a permanent solution to a person's housing needs.

Current legislation provides for the making of a rent supplement payment to another person (e.g. a relative, a landlord or landlord's agent) on behalf of the recipient, at the tenant's request and is subject to the consent of the HSE. Approximately 20% of rent supplement payments are currently paid to a person other than the tenant.

Under the current arrangements, even with direct payment, landlords still have to collect the tenant contribution towards their rent (a minimum of €104 per month). The amount of rent supplement payable depends on the tenant's income; in some cases tenants pay only the minimum contribution while for others the tenant makes an additional contribution to their rent based on their financial circumstances. For example, where a person is in part-time income and receives just 10% of his or her rent directly from the State, the landlord would receive the 10% directly whilst still having to collect the 90% from the tenant.

The efficiency of the scheme would be significantly affected if this arrangement were to be changed for all cases, for example CWO's would potentially have to create a formal relationship with some 96,500 additional clients, the landlords. This would involve greater complexity and significant resources to deal with a new set of third parties. In particular, it would also result in CWOs being drawn into disputes between both landlords and tenants.

Where a landlord has a grievance in relation to the non-payment of rent by a tenant, s/he may apply to the Private Residential Tenancies Board to have the dispute resolved through the Board's dispute resolution process. It is also open to the landlord to bring to the attention of the HSE any instance where a tenant is receiving rent supplement but is not paying their rent. Where a Community Welfare Officer becomes aware that a person receiving rent supplement is not using that supplement for the purpose for which it was intended the matter is fully investigated.

The purpose of the departmental circular issued to Community Welfare Services in August 2010 was to remind HSE staff of the payment options under the supplementary welfare allowance scheme, including payments directly to landlords. I agree that making the payment to a person other than the tenant in certain circumstances is appropriate and in the best interests of all parties. However, I do not consider it appropriate to remove the right of the tenant to receive this payment by making it payable only to the landlord and have no plans to amend legislation to provide for this.

The current arrangements provide tenants with flexibility in terms of location, the freedom to move to a different location whilst allowing recipients time to seek alternative long-term housing solution provided by their local authority. The tailoring of additional payments, such as rent supplement, to meet the specific needs of individuals and making the payment direct

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to the tenant is regarded as an effective way of helping individuals realise their potential and take individual responsibility.

230. **Deputy Jack Wall** asked the Minister for Social Protection when rent supplement will be re-instated in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [45880/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that it suspended payment of a rent supplement in this case on the grounds that the person concerned has returned to work.

The Executive has further advised that it has since requested documentation clarifying the employment status of the person concerned and that it will be in a position to make a final decision on entitlement once the documentation requested has been provided.

231. **Deputy Michael Ring** asked the Minister for Social Protection the number and percentage of claimants of jobseeker's benefit that are required to pick up their payment in person; the number and percentage of claimants that have money automatically transferred to their bank account; and if he will make a statement on the matter. [45901/10]

232. **Deputy Michael Ring** asked the Minister for Social Protection the number and percentage of claimants of jobseeker's allowance that are required to pick up their payment in person; the number and percentage of claimants that have money automatically transferred to their bank account; and if he will make a statement on the matter. [45902/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I propose to take Questions Nos. 231 and 232 together.

I have provided two tables which show the methods of payment on both jobseeker's allowance and jobseeker's benefit.

Postdraft payments are collected in person at the post office while electronic fund transfer payments are paid directly into a bank account.

Table: Jobseeker's Benefit by Method of Payment, October 2010

Method of Payment	Number of Recipients	% of Total
Cheque	45,306	38.6
Electronic Fund Transfer	3,008	2.6
Postdraft	69,006	58.8
Total	117,320	100.0

Table: Jobseeker's Allowance by Method of Payment, October 2010

Method of Payment	Number of Recipients	% of Total
Cheque	23,738	9.4
Electronic Fund Transfer	30,518	12.1
Postdraft	198,580	78.5
Total	252,836	100.0

Social Welfare Code

233. **Deputy Michael Ring** asked the Minister for Social Protection the estimated total cost to roll-out a national public services card; and if he will make a statement on the matter. [45911/10]

234. **Deputy Michael Ring** asked the Minister for Social Protection if the public service card is being rolled out on a phased basis; the category of claimant that will receive the card first; and if he will make a statement on the matter. [45912/10]

235. **Deputy Michael Ring** asked the Minister for Social Protection with regard to the public service card if he will provide details on the managed service provide; the cost of same; and if he will make a statement on the matter. [45913/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I propose to take Questions Nos. 233 to 235, inclusive, together.

The Department has developed, in conjunction with a number of other Government Departments, the specifications for a Public Services Card (PSC) under the Standard Authentication Framework Environment, or SAFE, programme. The specification provides for identification features, including a photograph. The aim is to develop a card that acts as a key for access to public services in general, identifying and authenticating individuals as appropriate and where required.

Over the past few years significant progress had been made on the implementation of the project including the selection of a preferred bidder to provide a managed service for card production and related bureau services. Technical specifications were finalised and the necessary organisational change was designed.

However, in view of the uncertain economic climate, the project was suspended until formal sanction to proceed was received from the Department of Finance at the end of last year. A contract was agreed with Biometric Card Services (BCS) as the managed service provider from early January. BCS is an Irish registered company based in Bray, Co. Wicklow. The contract is for a complete managed service for the production, maintenance and distribution of the PSC. In summary this entails:

- Production of the card
- Personalisation of the card
- Delivery of the card
- Provision of help-desk functionality

All to be undertaken under strict and secure conditions.

For the purposes of this contract, BCS is made up of a consortium of three companies: Morpho, De La Rue Smurfit and Conduit.

Formerly known as Sdu Identification, Morpho is based in Haarlem in the Netherlands. It is a world leader in high-end ID solutions such as e-passports, national ID cards and smartcards. They produce passports for several countries (including the polycarbonate insert for Ireland). Their e-passport has been described by Interpol as the 'most secure passport in the world'. They also produce ID cards (including national ID cards), drivers' licences, banking cards etc. They have all relevant ISO accreditation.

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De La Rue Smurfit is Ireland's leading security print provider. They have two sites on the island of Ireland (Lisburn and Bray) both of which are ISO accredited. They produce e-passports, excise stamps and cheques and drafts for Irish, UK and African financial institutions. They produced Personalised Payable Order books for the Department for over 20 years and currently supply the PVC blanks for the Social Services Cards.

Conduit is one of Europe's leading providers of outsourced contact centre solutions. Employing over 1,800 people in the UK, Ireland, Switzerland and Austria,

Since the project was recommenced, significant work has been undertaken including decisions regarding the final design of the card and the development of a secure site in Bray for the personalisation of the cards. It is also necessary to develop a technical infrastructure within the Department to support the management and administration of the cards. Some of this development is being undertaken internally while procurement for the remainder is underway. Deputies will appreciate that, in the context of the procurement exercise currently underway, it would be unwise of me to publicly speculate on the total costs for the development of the technical infrastructure.

BCS's costs are for some €24m for a population of 3m with issuance taking about three to five years (i.e. about €8 per card including postage at the volumes stated). It is intended to mitigate the costs of the project through reliance on existing resources and utilisation of relevant data already held by the State e.g. photographs and signatures held by the Department in relation to the All-Ireland Free Travel Scheme as well as by the Passport Office, etc.

At the moment it is expected that the card production capability will be ready in December. Following implementation of the necessary registration infrastructure, including staff training, card issue for customers of the Department will commence early in 2011. The overall timeframe for completion of initial deployment of a Public Services Card is dependent on the rate at which it will be possible to securely register all of those to whom it will be issued. Initial registration will be carried out in the Department. Other options that may exist for external registration are being explored.

The Public Services Card will replace cards currently in use, such as the Social Services Card and the Free Travel card, with highly secure cards. Other Departments and agencies will also be in a position to use the card and the infrastructure that will support it.

Features such as photographs and signatures and electronic card authentication are expected to minimise the rate of fraud and error arising from incorrectly identified and authenticated individuals.

A further benefit of the Public Services Card will be the efficiencies that can be achieved by all agencies and customers using the card. The time spent on establishing identity and authentication will be reduced on both sides, leading to significant potential savings nationally.

Social Welfare Appeals

236. **Deputy Joe Costello** asked the Minister for Social Protection when a decision will issue on the appeal against the decision not to award domiciliary care allowance in respect of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [45917/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): In order to qualify for domiciliary care allowance a child must have a disability so severe that it requires the child needing care

and attention and/or supervision substantially in excess of another child of the same age. This care and attention must be given by another person, effectively full-time so that the child can deal with the activities of daily living. The child must be likely to require this level of care and attention for at least 12 months. In this case an application for domiciliary care allowance was received on 27 th September 2010. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on 21 st October 2010 advising the person concerned of the decision. In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office. The person concerned has now submitted further medical information and this is currently being reviewed by a Medical Assessor.

237. **Deputy Michael Ring** asked the Minister for Social Protection if he will investigate the reason his Department states that an appeal in respect of a person (details supplied) in County Mayo was received on the 14 of September 2010 when in fact it was submitted in early June 2010 [45922/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I am advised by the Social Welfare Appeals Office that they have no trace of receipt of an appeal from the person concerned in early June 2010. An appeal dated 31 August 2010 by him was received in the Social Welfare Appeals Office on 8 September 2010 and registered on 14 September 2010.

In accordance with statutory requirements, the Department was asked for the documentation in the case and the Deciding Officer's comments on the grounds of the appeal. In that context, an examination by another Medical Assessor will be carried out. The person concerned will be notified when arrangements for the examination have been completed.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

238. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding a matter (details supplied); and if he will make a statement on the matter. [45938/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The information requested is currently being compiled within the Department and will be made available to the Deputy as soon as possible.

239. **Deputy Michael Ring** asked the Minister for Social Protection when a decision will issue on an application for the one parent family payment in respect of a person (details supplied) in County Galway [45985/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The person concerned was awarded a one-parent family allowance from 16 September 2010 at the weekly rate of €225.80. A payment of €1,561.50 which included arrears due was issued to her on 2 December 2010.

Social Welfare Appeals

240. **Deputy John Perry** asked the Minister for Social Protection the position regarding an

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application for mortgage interest supplement in respect of a person (details supplied) in County Sligo; and if he will make a statement on the matter. [45991/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The purpose of mortgage interest supplement is to provide short term support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. The supplement assists with the interest portion of the mortgage repayments only which relate to the essential purchase, repair or maintenance of the home.

The Health Service Executive has advised that it refused a payment of mortgage interest supplement to the person concerned on the grounds that it was not satisfied that the loan was related to essential purchase, repair or maintenance of the family home.

The Executive has further advised that the decision was appealed to the HSE's designated Appeals Officer and a decision will be made on entitlement in due course.

241. **Deputy Michael McGrath** asked the Minister for Social Protection the reasons an application for domiciliary care allowance was refused in respect of a person (details supplied) in County Cork. [45992/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): An application for domiciliary care allowance was received on 4th August 2010 from the person in question. This application was referred to one of the Department's Medical Assessors who found that her child was not medically eligible for the allowance. In order to qualify a child must have a disability so severe that it requires the child needing care and attention and/or supervision substantially in excess of another child of the same age. A letter issued to the person in question on 25th September 2010 advising her of the decision. In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision to the Social Welfare Appeals Office within 21 days. The person in question submitted further medical information and an appeal was registered by the Social Welfare Appeals Office on 20 October 2010. As part of the appeals process this additional information was reviewed by a Medical Assessor who found that the child was not medically eligible. The file will now be submitted to the Social Welfare Appeals Office for decision.

242. **Deputy Jimmy Deenihan** asked the Minister for Social Protection when a decision will issue on the application for domiciliary care allowance in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [46030/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): In the case in question an application for domiciliary care allowance was received on 1 st October 2009. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on 4 th November 2009 where the person concerned was advised of the decision. The person concerned subsequently lodged an appeal against this decision. She was informed by the Social Welfare Appeals Office on 11 th August 2010 that her appeal had been disallowed. The decision/appeal process for this application is now complete. All the information available at that time was provided to the appeals officer before the appeal was considered.

Social Welfare Code

243. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of

persons refused social welfare payments on the basis of failure to qualify under habitual residence condition rules in each of the past four years and to date in 2010; the number of Irish nationals, EU nationals and non-EU nationals; the number of such cases decided at local office level, at senior deciding officer level, the number of original decisions upheld on appeal in respect of each category of payment in tabular form; and if he will make a statement on the matter. [46156/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004.

All applicants — regardless of nationality — for the following payments are required to be habitually resident in the State:

- Jobseeker's Allowance;
- State Pension (Non-Contributory for persons aged over 66);
- Blind Pension;
- Widow's, Widower's and Orphan's Non-Contributory Pensions;
- One-parent Family Payment;
- Carer's Allowance;
- Disability Allowance;
- Supplementary Welfare Allowance (including Rent Supplement);
- Domiciliary Care Allowance;
- Child Benefit.

The number of applications that have been disallowed welfare payments, based on the failure to satisfy the habitual residence condition (HRC), from 1 January 2005 to 31 December 2009 is 30,962. An annual breakdown of the figures is set out in the tabular statement (table A). Due to industrial action within my Department earlier this year figures for 2010 are unavailable.

Information in relation to Nationality is not maintained on an ongoing basis. The latest information available within my Department relates to 2009 and only identified Irish nationals. The total number of Irish citizens disallowed social welfare payments in 2009, based on the failure to satisfy the habitual residence condition was 738 or approximately 7% of all HRC disallowances. The tabular statement (table B) sets out the breakdown by social assistance scheme.

Information in relation to the number of cases that were overturned on appeal is not readily available.

All Habitual Residency disallowances which relate to Social Welfare Local and Branch Offices were made centrally up until May 2009. From that date onwards the decision making process was devolved on a phased basis. As the roll-out of this process was only completed recently and due to the industrial action earlier this year, statistics in respect of disallowances on an office by office basis is not available. Similarly information pertaining to individual decision makers is not recorded.

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Table A — Habitual Residency Disallowances 2005-2009

Scheme	2005	2006	2007	2008	2009
Jobseeker's Allowance	2,865	3,404	4,016	4,535	7,484
State Pension (Non-Con)	33	147	n/avail	0	16
Blind Pension	1	0	n/avail	0	0
Widow(er)'s & Orphan's Non-con Pensions	6	11	n/avail	0	7
One-Parent Family Payment	382	179	289	295	381
Carer's Allowance	105	66	45	87	192
Disability Allowance	389	203	196	278	570
Domiciliary Care Allowance	n/applic	n/applic	n/applic	n/applic	14
Child Benefit	818	351	577	1102	1918
Total	4,599	4,361	5,123	6,297	10,582

Table B — HRC Disallowances in respect of Irish Nationals

Scheme	2009
Jobseeker's Allowance	530
State Pension (Non-Contributory)	9
Blind Pension	0
Widow's, Widower's and Orphan's Non-Contributory Pensions	0
One-parent Family Payment	23
Carer's Allowance	33
Disability Allowance	98
Domiciliary Care Allowance	0
Child Benefit	45
Total	738

Social Welfare Benefits

244. **Deputy James Bannon** asked the Minister for Social Protection if he will investigate the social insurance record of a person (details supplied) in County Leitrim as the figures given do not reflect the fact that they paid a further €1,300 than the amount shown; and if he will make a statement on the matter. [46162/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): I wish to advise the Deputy that there is insufficient information supplied to allow the Department to answer his question.

Question No. 245 withdrawn.

Social Welfare Code

246. **Deputy Joe Carey** asked the Minister for Social Protection the plans to reform the social welfare system to give greater social security for self-employed persons; and if he will make a statement on the matter. [46368/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Self-employed people pay PRSI Class S contributions which provide cover for long-term benefits such as State pension (contributory) and widows/widowers pension (contributory). Employees are covered by PRSI classes A, E, H and P, which provide cover for the above benefits as well as for short-term contingencies such as jobseekers and illness benefits.

PRSI coverage is related to the risks associated with employment or self-employment, the annualised system of contributions for self-employed people and the practicalities of administering and controlling access to short-term payments. Self-employed people pay Class S contributions at a rate of 3% per annum, as compared to the 14.75% full Class A contributions paid by employees and their employers, to reflect the narrower range of benefits they receive. A system of separate arrangements for employed and self-employed workers within a social insurance context is common in other European social protection systems. There are no plans to extend cover for short-term benefits to this group of insured workers. Any such measure would have significant financial implications and would have to be considered within a budgetary context.

Self-employed workers who do not qualify for an insurance-based benefit may establish entitlement to assistance-based payments such as jobseeker's allowance. They can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general their means will take account of the level of earnings in the last twelve months in determining their expected income for the following year. In the current climate account is taken of the downward trend in the economy and the process recognises the potential for significant upward or downward variations in income from one year to the next.

Ministerial Appointments

247. **Deputy Fergus O'Dowd** asked the Minister for Social Protection all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46380/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The information requested is currently being compiled within the Department and will be made available to the Deputy as soon as possible.

Social Welfare Code

248. **Deputy Joe Carey** asked the Minister for Social Protection if he will he consider the introduction of a voluntary mechanism whereby self-employed persons can opt to pay a full PRSI contribution which would offer them financial protection in the event of them losing their employment; and if he will make a statement on the matter. [46388/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The range of benefits and pensions to which different groups of workers may establish entitlement reflects the risks associated with the nature of their work. This in turn reflects the rate of contribution payable. Self-employed workers are liable for PRSI at the Class S rate of 3%. They are consequently eligible for a narrower range of benefits than general employees who, together with their employers, pay a total social insurance contribution of 14.75% under the full-rate PRSI Class A.

Class S contributions provide cover for long-term benefits such as State pension (contributory) and widow's/widower's pension (contributory). However they do not provide cover for short-term benefits such as jobseeker and illness benefits — these are only available

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to people covered by PRSI Classes A, E, H and P. PRSI coverage is related to the risks associated with employment or self-employment, the annualised system of contributions for self-employed people and the practicalities of administering and controlling access to short-term payment for self-employed people. A system of separate arrangements for employed and self-employed workers within a social insurance context is common in other European social protection systems.

In certain cases, a self-employed person, who had insurable employment in the relevant tax year, currently 2008, and had paid sufficient Class A contributions, may qualify for a jobseeker's benefit payment, provided all the conditions of the scheme are satisfied.

Self-employed workers who do not qualify for an insurance-based benefit may establish entitlement to assistance-based payments such as jobseeker's allowance. They can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general their means will take account of the level of earnings in the last twelve months in determining their expected income for the following year. In the current climate account is taken of the downward trend in the economy and the process recognises the potential for significant upward or downward variations in income from one year to the next. There are no immediate plans to extend cover for short-term benefits to this group of insured workers. Any such measure would have significant financial and policy implications and would have to be considered within a budgetary context.

Social Welfare Benefits

249. **Deputy Joe Carey** asked the Minister for Social Protection the position with regard to the entitlement of self-employed persons to apply for and qualify for jobseeker's allowance; and if he will make a statement on the matter. [46390/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): Self-employed people can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. Self-employed customers do not have to de-register as self-employed persons in order to claim jobseeker's allowance.

Legislation provides for the assessment of 'all income in cash and any non-cash benefits which the person or his or her spouse may reasonably expect to receive during the succeeding year'. While income from the previous twelve months is used as an indication in estimating likely future earnings, it is not simply assumed that the previous year's earnings will be received in the coming year. Instead, account is taken of the potential for significant upward or downward variations in income from one year to the next.

It is recognised that the present downturn in the economy is having a significant impact on many self-employed persons and the consequent reduction in their income and activity levels would be reflected in any assessment of their means from self-employment for jobseeker's allowance purposes.

If a self-employed person's situation changes after they have made an initial claim for jobseeker's allowance, the person can apply to have his or her means reviewed in the light of these changed circumstances.

Social Welfare Appeals

250. **Deputy Martin Ferris** asked the Minister for Social Protection when a decision will issue on an appeal in respect of a person (details supplied) [46394/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 30 October 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. As part of this consideration, the Appeals Officer will decide if an oral hearing is appropriate in this case.

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

251. **Deputy Michael D. Higgins** asked the Minister for Social Protection the reasons rent supplement was discontinued in respect of a person (details supplied) and if this decision will be revisited [46414/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive (HSE) has advised that it has suspended payment of rent supplement to the person concerned on the grounds that the household income is in excess of the limit allowable for his family size and composition.

National Minimum Wage

252. **Deputy Michael Creed** asked the Minister for Social Protection if he has calculated the cost of reducing the national minimum wage by €1 in view of the likely increased entitlement of those in receipt of the minimum wage to increased rent allowance payments, family income supplement entitlements and other secondary social welfare benefits; and if he will make a statement on the matter. [46418/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): It is not possible to provide an accurate costing of the impact on social welfare expenditure arising from a reduction in the minimum wage.

Social Welfare Benefits

253. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when rent support will be awarded in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [46432/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The Health Service Executive has advised that while it has received an application for a weekly supplementary welfare allowance from the person concerned, it has not received an application for rent supplement in respect of her current address.

254. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total receipt of social welfare under jobseeker's or short-term employment incentives for year 2009 in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [46433/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): According to the records of the Department the first person concerned did not receive jobseekers' payments or short term employment incentives from the Department of Social Protection in the year ending 31

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December 2009. Clarification has been sought from the Deputy's office regarding the identity of the second person concerned and a statement of payments received in the year ending 31 December 2009, if made, will be issued to the person once the person's identity is clarified.

State Bodies

255. **Deputy Lucinda Creighton** asked the Minister for Social Protection the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46482/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): The three statutory bodies operating under the aegis of the Department are the Pensions Board, the Citizens Information Board and the Social Welfare Tribunal. In addition the Pensions Ombudsman comes under the remit of the Department.

The above statutory bodies comply with the requirements of the Prompt Payment Act, 1997. All approved invoices are paid within 15 days of receipt and no money was owed to private firms at the end of the last financial quarter i.e. the 30 September 2010.

Question No. 256 withdrawn.

Industrial Disputes

257. **Deputy Niall Collins** asked the Minister for Social Protection the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement [46520/10]

Minister for Social Protection (Deputy Éamon Ó Cuív): There are currently no industrial disputes, industrial actions or work to rule actions under way in my Department.

Ministerial Appointments

258. **Deputy Paul Kehoe** asked the Minister for Tourism, Culture and Sport the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by her; the annual salaries in each case; the pension arrangements in each case; and if she will make a statement on the matter. [45854/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The information requested by the Deputy is set out as follows.

Position	Appointee	Salary	Pension Arrangements
Special Adviser	Ms. Averil Power	Principal Officer — Standard Scale	Non-established Superannuation Scheme
Press Officer	*Ms. Ger Butler	Higher Executive Officer — Standard Scale plus allowance for performance of Assistant Principal Officer duties	Civil Service Established Scheme
Personal Assistant	Mr. Peter O'Brien	Higher Executive Officer — Standard Scale	Non-established Superannuation Scheme
Personal Secretary	Ms Martine Lynch	Secretarial Assistant + 10% attraction allowance	Non-established Superannuation Scheme

*Ms. Butler is a civil servant who is on secondment to this Department.

The role of the Special Adviser is set out in Section 11 of the Public Service Management Act, 1997. The other appointees perform duties appropriate to their positions.

My Department is in compliance with the Department of Finance guidelines regarding Ministerial appointments.

Departmental Agencies

259. **Deputy Billy Timmins** asked the Minister for Tourism, Culture and Sport the position regarding a matter (details supplied); and if she will make a statement on the matter. [45939/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The Department currently has fifteen bodies and agencies operating under its remit and the names and general functions of these organisations are set out in the Department's Annual Reports, copies of which are available in the Dáil Library and on the Department's website www.tcs.gov.ie. Details of the financial allocations to these bodies and agencies are set out in the annual Estimates for Public Services, available on www.finance.gov.ie, and in the annual reports and financial statements of each body and agency which are available in the Dáil Library or on the relevant website of the organisation. Details of the names of those employed by each body and agency and the individual remuneration involved are not readily available to the Department.

Arts Funding

260. **Deputy Mary Upton** asked the Minister for Tourism, Culture and Sport the plans she has to support the traditional music industry; and if she will make a statement on the matter. [46319/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): My Department continues to support Irish traditional music and the traditional arts through its capital funding programme provided to various traditional arts organisations and also through funding provided by the Arts Council. Since 2005 my Department has provided over €18m in capital grants to Comhaltas Ceoltoirí Éireann to assist with its regional capital development programme that provide facilities for teaching, rehearsing, recording, performances and session playing.

While Comhaltas is primarily about maintaining our older musical traditions it is worth noting that Comhaltas also embraces modern technology to further its aims. The recently launched Comhaltas Digital Archive Website (Cartlann an Chomhaltais) is a unique resource, which allows those who appreciate our native music and song to enjoy authentic performances from the Comhaltas Archive all over the world.

My Department has also provided €1m in capital funding to Na Píobairí Uilleann who are doing very important work in relation to the preservation and promotion of the art of piping.

The Arts Council provision for traditional Irish music organisations in 2009 was over €2m. As well as supporting individual traditional artists, through bursary and commission awards, the Arts Council funds directly many organisations, festivals and events throughout the country, including the Irish Traditional Music Archive (the largest repository of traditional recordings, images and ephemera in the world, celebrating the intrinsic value of the music, ensuring the continuity of the tradition and its transmission for future generations), Na Píobairí Uilleann, Willie Clancy Week and the Deis Project.

The purpose of the Deis scheme is to provide support for traditional arts projects, or projects involving collaboration between the traditional arts and other art forms. Deis supports once-off or short-term projects. Projects funded to date have included those with an emphasis on

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archival material, audience development, transmission, production and performance, professional development, programming and research.

Ministerial Appointments

261. **Deputy Fergus O'Dowd** asked the Minister for Tourism, Culture and Sport all appointments made by her in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if she will make a statement on the matter. [46382/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): The information requested by the Deputy is set out in tabular form. Appointments made prior to 23rd March were made by my predecessor, Martin Cullen.

Name of appointee	Body to which appointment made	Date of Appointment	Annual fee approved	Term of Office
			€	
Mr. David Harvey (Chair)	National Library of Ireland	30/04/2010	8,978	To 29/04/2015 or until the Body is amalgamated
Mr. Patrick McMahon	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until Body is amalgamated
Professor Diarmaid Ferriter	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until Body is amalgamated
Dr. Marion Fitzgibbon	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until Body is amalgamated
Ms. Pat Quinn	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until body is amalgamated
Mr. Paul Rellis	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until Body is amalgamated
Ms. Carol Maddock	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until Body is amalgamated
Mr. Des Murnane	National Library of Ireland	31/08/2010	5,985	To 30/08/2015 or until Body is amalgamated
Mr. Brian Halpin	National Library of Ireland	03/09/2010	5,985	To 02/09/2015 or until Body is amalgamated
Professor Robert Spoo	National Library of Ireland	03/09/2010	5,985	To 02/09/2015 or until Body is amalgamated
Mr. H. Paul Shovlin	National Library of Ireland	17/09/2010	5,985	To 16/09/2015 or until Body is amalgamated
Ms. Susan Philips	National Library of Ireland	17/09/2010	5,985	To 16/09/2015 or until Body is amalgamated
Ms. Aileen McClintock,	Irish Manuscripts Commission	26/02/2010	N/A	To 25/02/2013 or until the Body is amalgamated
Ms Fiona Ross	Irish Manuscripts Commission	26/02/2010	N/A	To 25/02/2013 or until the Body is amalgamated
Professor Mary O'Dowd	Irish Manuscripts Commission	26/02/2010	N/A	To 25/02/2013 or until the Body is amalgamated
Mr. Donal Moore	Irish Manuscripts Commission	26/02/2010	N/A	To 25/02/2013 or until the Body is amalgamated
Professor Dáibhí Ó Croinín	Irish Manuscripts Commission	26/02/2010	N/A	To 25/02/2013 or until the Body is amalgamated
Professor Greta Jones	Irish Manuscripts Commission	26/02/2010	N/A	To 25/02/2013 or until the Body is amalgamated
Mr. Tim Lucey	Crawford Art Gallery Cork	20/10/2010	N/A	Until term of Office as Cork City Manager ceases.
Mr. Kevin Lonergan	Crawford Art Gallery Cork	22/04/2010	N/A	To 21/04/2015 or until Body is amalgamated
Mr. Eoin McGonigal (Chair)	Irish Museum of Modern Art	09/07/2010	8,978	To 08/07/2015

Name of appointee	Body to which appointment made	Date of Appointment	Annual fee approved	Term of Office
			€	
Ms Julie O'Neill	Irish Museum of Modern Art	22/02/2010	N/A	To 21/02/15
Mr. Dermot Dwyer	National Gallery of Ireland	22/02/2010	5,985	To 21/02/15
Mr. Tom Carthy	National Gallery of Ireland	22/02/2010	5,985	To 21/02/15
Ms. Kathleen Watkins	National Gallery of Ireland	22/02/2010	5,985	To 21/02/15
Dr. John O'Mahony (Chairman)	National Museum of Ireland	21/10/2010	8,978	To 20/10/15
Mr. Gerard Collins	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Mr. Fergus McKenna O'Hagan	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Mr. Eamonn McEneaney	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Mr. Eamon Stack	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Ms. Eileen Jackson	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Mr. Olivier Kazmierczak	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Ms. Mary Sleeman	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Ms. Frances Rocks	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Mr. Paul Kelly	National Museum of Ireland	21/10/2010	5,985	To 21/02/15
Mr. Kieran Mulvey (Chairman)	Irish Sports Council	16/09/2010	8,978	To 15/09/2015
Mr. Colm O'Floinn	Culture Ireland	08/10/2010	N/A	To 15/04/2014
Mr. Oliver Daniels	Fáilte Ireland	22/02/2010	11,970	To 27/05/2013
Mr. Kevin Dundon	Fáilte Ireland	03/09/2010	11,970	To 27/05/2014
Ms. Marguerite Howley	Fáilte Ireland	03/09/2010	11,970	To 27/05/2014
Ms. Mary Coveney	Fáilte Ireland	03/09/2010	11,970	To 27/05/2014
Ms. Susan Bergin	Fáilte Ireland	17/11/2010	11,970	To 27/05/2014
Mr Ray Bates (Chairman)	Interim Board of Irish National Opera	22/03/2010	N/A	No term set but expected to continue to serve on the first full-term Board of INO
Ms Virginia Kerr	Interim Board of Irish National Opera	22/03/2010	N/A	No term set Expected to continue to serve on the first full-term Board of INO
Sir Brian McMaster	Interim Board of Irish National Opera	22/03/2010	N/A	Expected to continue to serve on the first full-term Board of INO
Mr. Thomas Lynch	Interim Board of Irish National Opera	22/03/2010	N/A	Expected to continue to serve on the first full-term Board of INO
Ms. Kirsty Harris,	Interim Board of Irish National Opera	22/03/2010	N/A	Three months (Consultative basis)
Mr Niall Doyle	Interim Board of Irish National Opera	22/03/2010	N/A	Three months (Consultative basis)

The following appointments were made by the former Minister, Martin Cullen, to the boards of Horse Racing Ireland and Bord na gCon before responsibility for these agencies transferred to the Department of Agriculture, Fisheries and Food on 1 May 2010.

Name of appointee	Body to which appointment made	Date of Appointment	Annual fee approved	Term of Office
Mr. Noel Cloake	Horse Racing Ireland	10/02/2010	€11,970	To 09/02/2014
Ms. Teresa Wall	Bord na gCon	24/02/2010	€11,970	To 23/02/2013

State Bodies

262. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport the total amount of moneys owed to private firms by public bodies under the remit of her Department; and if she will make a statement on the matter. [46484/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): Information in relation to the amount of monies owed to private firms by public bodies under the aegis of my Department is not readily available to me, relates to their day-to-day operations and is therefore a matter for the bodies themselves. I understand that the public bodies under the aegis of my Department abide, as appropriate, by the relevant legislation and Government policies regarding prompt payment for goods and services supplied by private sector organisations.

Industrial Disputes

263. **Deputy Niall Collins** asked the Minister for Tourism, Culture and Sport the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of her Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if she will make a statement on the matter. [46522/10]

Minister for Tourism, Culture and Sport (Deputy Mary Hanafin): There are currently no industrial disputes, industrial actions or work to rules being engaged in by staff of my Department.

Local Government Charges

264. **Deputy Brendan Howlin** asked the Minister for the Environment, Heritage and Local Government in relation to the €200 per annum tax on properties other than the family home, if he will consider reducing the current late payment penalty of €20 per month in view of the serious property devaluation and rental difficulties being experienced by many investment property owners; and if he will make a statement on the matter. [45836/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Government decided to broaden the revenue base of local authorities through the introduction in the Local Government (Charges) Act 2009 of the charge on non-principal private residences. The charge is set at €200 per dwelling and is being levied and collected by local authorities. A late payment fee of €20 for each month or part of a month the charge remains outstanding is provided for in section 6 of the Act.

While the legislation makes no provision for any waiver of the charge or of any penalties due, section 9 of the Act places collection of the charge under the care and management of the relevant local authority.

I have no plans at present to amend the legislation.

Foreshore Licences

265. **Deputy Pádraic McCormack** asked the Minister for the Environment, Heritage and Local Government the position regarding the granting of a foreshore licence for the proposed Clifden sewerage scheme, County Galway; and if he will make a statement on the matter. [45807/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I recently granted a foreshore licence to Galway County Council in this case and the papers have been referred to the Chief State Solicitor's Office for completion of the legal formalities. My Department has notified the Council accordingly and has requested them to provide certified maps for attachment to the licence.

Ministerial Appointments

266. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45847/10]

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

The information requested is set out in the following table:-

Minister	Name	Grade	No of staff	Current Salary	Duties
John Gormley	Ryan Meade	Special Adviser	1	€ €89,898	As set out in Section 11 of the Public Service Management Act 1997
	David Healy	Special Adviser	1	€89,898	As set out in Section 11 of the Public Service Management Act 1997
	Liam Reid	Special Adviser: Press and Information Officer	1	€95,550	Responsible for all aspects of the Department's media related activities.
	Donall Geoghegan*	Special Adviser*	1	€168,000	Programme Manager for the Green Party
	Diarmuid Hanafin	Personal Assistant	1	Higher Executive Officer	Provision of administrative and secretarial support.
	Ann O'Conarain	Personal Secretary	1	Executive Officer	Provision of administrative and secretarial support.

*Mr. Geoghegan's salary is paid from my Department's vote but he is based in the Department of the Taoiseach.

As set out in the standard contract for such appointments, the above staff had the option of joining the Non-contributory Pension Scheme for Non-established State Employees or having their membership of an approved private pension fund paid for by the Department subject to certain conditions. Four are members of the Non-contributory Scheme and two have private pensions. The contribution to the Non-contributory Scheme is 1½% of net pay. Contributions to the relevant approved private pensions paid by my Department may not exceed 11% of salary.

The salary scales for all administrative grades are available on the Department of Finance website (www.finance.gov.ie).

Private Rented Accommodation

267. **Deputy Charlie O'Connor** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that local authorities have not carried out a sufficient number of inspections of rented private residential properties in order to draw from a specific fund of some €10 million collected by the Private Residential Tenancies Board

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from registration fees charged to property owners; the location of this fund and if it is in an interest bearing account; if he is satisfied that the inspections required under legislation have not been or will not be carried out; if he will sponsor an amendment or new legislation to allow these accumulated funds to be used to defray the administrative costs of the PRTB now that it is no longer in receipt of Exchequer funding; if he will also sponsor an amendment or new legislation to provide a compensation fund for property owners who are unable to collect awards to them by appeals tribunals when tenants have not discharged their liability; and if he will make a statement on the matter. [45869/10]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran): Minimum standards for rental accommodation are prescribed in the Housing (Standards for Rented Houses) Regulations 2008, made under section 18 of the Housing (Miscellaneous Provisions) Act 1992. All landlords have a legal obligation to ensure that their rented properties comply with these regulations. Responsibility for enforcing the regulations rests with the relevant local authority, supported by a dedicated stream of funding allocated by my Department.

This funding increased significantly between 2005 and 2009, rising from €1.5m to €4m. For 2010 I have allocated a total sum of €5.6m to housing authorities for the purpose of carrying out their functions under the Housing Acts in relation to rented accommodation. This is an increase of €1.6m on the amount allocated for this purpose in 2009 and will bring total funding for this purpose since 2004 to over €20m. Funding for 2010 will be paid using a combined methodology based on the number of inspections carried out by each housing authority and on additional funding being provided for once-off strategically-planned programmes of inspection which may be carried out by housing authorities in addition to their usual inspection activity.

The funds in question arise from part of the proceeds of tenancy registration fees and are held by the PRTB, in an interest earning account, in a fiduciary capacity. The apportionment of the tenancy registration fee is made by Ministerial Order under the provisions of section 176 of the Act and as such these fees are ring fenced for specific functions of local authorities. In July 2010, I issued a Ministerial Order directing that 80% of the fees received by the PRTB be retained by that organisation with the remaining 20% share to be allocated to the local authorities. Full details of the amounts collected, paid out and held by the PRTB are published each year in their Annual Report and Accounts.

Details of the inspections of private rented accommodation carried out, the dwellings inspected which did not meet the statutory standards and prosecutions initiated up to 2009 on a county/city basis are included in my Department's Annual Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and on my Department's website at www.environ.ie.

In general, local authorities have significantly expanded their inspection activity in recent years with the number of inspections increasing by almost 300% — from 6,815 to 19,801 — in the period 2005 to 2009. The 2009 data show a year on year increase in the number of inspections carried out of approximately 15%, to 19,801 inspections, and this further significant increase reflects the positive impact of the overall Action Programme on Standards, including increased funding, introduced on foot of a commitment in the Towards 2016 social partnership agreement, and progress with the implementation of the Rental Accommodation Scheme.

However, in earlier years when local authorities' inspections figures were considerably lower, a reserve of unused funds accumulated and, at the end of 2009, the reserve that was held in a

fiduciary capacity by the PRTB for the local authorities stood at €9,374,608. Increased funding allocations in 2010 with a specific focus on targeted intensive inspection programmes, combined with the revised apportionment of the PRTB tenancy registrations fee income, should reduce this reserve considerably by end-2011. It is a matter for each individual local authority to decide the specific details of its enforcement strategy and inspection arrangements. In discharging their responsibilities in relation to the rental sector, authorities have been asked to have regard to the Good Practice Guidelines for Local Authorities on Standards in the Private Rented Sector: Strategic Planning, Effective Enforcement published by the Centre for Housing Research in November 2007, which makes a range of recommendations on relevant issues, including targeting inspection activities.

In November 2009 I announced the preliminary outcomes of my review of the Residential Tenancies Act which regulates the tenant-landlord relationship in the private residential rented sector. These outcomes include recommendations in a number of key areas, with an overall emphasis on streamlining and simplifying the Act, reducing delays and achieving additional operational efficiencies and consequent savings by the PRTB in the delivery of its functions. While a range of issues still remain to be considered, full details in relation to the background to the review, the associated terms of reference and the preliminary results of the review are available on my Department's website, www.environ.ie.

Among the main issues that I hope to address in the amending legislation are.

- A statutory objective of 6 months to be set for the issuing of determination orders arising out of dispute resolution applications.
- The Board of the PRTB to be reduced from 15 to 12 members.
- The introduction of fixed fines where deposits are illegally retained by landlords.
- Measures to address non-payment of rent by tenants during a dispute process, in particular to introduce scope for the legal termination of such a tenancy.
- The separation of the governance and quasi-judicial functions of the Board.
- The inclusion within the remit of the Residential Tenancies Act of segments of the voluntary and co-operative housing sector that most closely parallel the current remit of the Board.

I do not intend to establish any compensation fund for parties to disputes to the PRTB. Instead my focus is to ensure that the rights and obligations of landlords and tenants are respected and to further enhance the broader good working of the private rented sector. It is my intention to have the General Scheme of a Bill amending the Residential Tenancies Act before the Government very shortly.

Radon Gas Levels

268. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government his plans to introduce a grant-aided scheme to assist homeowners take steps to address radon gas levels especially in County Clare where radon levels are among the highest levels in the country; and if he will make a statement on the matter. [45919/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Government, largely through the Radiological Protection Institute of Ireland (RPII), has worked to assess the extent of the radon problem in Ireland, and to increase public awareness

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of the issue. Between 1992 and 1999, the RPII carried out a comprehensive National Radon Survey to measure radon concentrations in Irish homes. The principal objective was to assess the scale of the radon problem and, in particular, identify areas at higher risk of radon contamination above the National Reference Level of 200 becquerels per metrecubed(Bq/m³).

The Government's approach to radon, which is similar to that of the majority of EU Member States, is to concentrate efforts on increasing public awareness of the risks posed by radon in the home. Householders, particularly those in known high radon areas, have been strongly encouraged by the RPII to have their homes tested for radon and to undertake remediation works where necessary.

If a dwelling is found to have a high radon level, remediation work may be recommended. Technical guidance on radon remediation techniques is available in a booklet issued by my Department, Radon in Buildings — Corrective Options, which is available on my Department's website at www.environ.ie. The RPII has also issued guidance, Understanding Radon Remediation — A Householders Guide, which is available on the Institute's website at www.rpii.ie, together with a list of companies who can provide a radon remediation service and offer specific advice and recommendations. In addition, the RPII can be contacted for radon advice on freephone 1800 300 600.

There is no scheme of grant assistance exclusively targeting radon remediation works in private dwellings. However, where a suite of works is being grant-aided under the Scheme of Housing Aid for Older People, which is available to assist older people, generally over 60 years, to have necessary repairs or improvements carried out to their homes, local authorities may also, as part of the package of works, assist with the provision of radon remediation works, where applicable.

Election Management System

269. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his plans to allow persons with disabilities and visual impairments the ability to exercise their right to vote in the next election by providing ballot papers in accessible forms using tactile voting devices, Braille, or large print; if he plans to make audio facilities available; and if he will make a statement on the matter. [45923/10]

270. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if he will ensure there is at least one large print display version of a ballot paper available in each polling station during the next election; and if he will make a statement on the matter. [45924/10]

271. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government the consultation he has undertaken with representative groups of persons with disabilities and any future consultation planned on the issue of voting during elections. [45925/10]

272. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his plans to expand the qualifying list of persons who may avail of postal balloting during elections in order to ensure persons with vision impairments who may find it difficult to access polling stations can exercise their right to vote independently. [45926/10]

273. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if he will ensure that all polling stations during elections are accessible for persons with disabilities; including providing disabled parking spaces and entrance ramps, low-level polling booths, and equipment such as magnifying glasses for voters with visual impairment. [45927/10]

274. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his plans to provide information about voting for persons with learning difficulties in easy to read format in the form of information packs or DVDs, or a website. [45928/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 269 to 274, inclusive, together.

Recognising that people with disabilities have particular needs, my Department endeavours to ensure that the voting process is as accessible and inclusive as possible. Currently there are two options available to assist voters with a visual impairment, or who are otherwise so physically incapacitated or are unable to read or write to such an extent that they are unable to vote without assistance — they may avail of companion voting or they may seek the assistance of the Presiding Officer. Other measures in place to assist such voters include the requirement to have on display at the polling station a large print version of the ballot paper and the inclusion of candidates' photographs and party emblems on the ballot paper.

My Department is committed, as set out in our Disability Sectoral Plan 2010-2012, to examining the legislative, logistical and financial implications of independent voting, including voting by blind and visually impaired persons. In this context, my Department has met with representatives of the National Council for the Blind of Ireland and is considering a range of options including the use of tactile ballot templates like those in use in other jurisdictions. As with any review of electoral practice, it is necessary to ensure that an appropriate balance is maintained between accessibility and the secrecy and integrity of the ballot, having regard to our electoral system.

The Electoral Acts provide for a range of measures to meet the needs of people with physical disabilities, including:

- The requirement on local authorities, in making polling schemes, to appoint as polling places areas where at least one polling station will be accessible to wheelchair users.
- The requirement on Returning Officers, where practicable, to provide polling stations which are accessible to wheelchair users and to give public notice of all polling stations which are inaccessible to wheelchair users not later than eight days before polling day. In our guidance to Returning Officers, my Department has suggested that consideration should be given to providing suitable ramps in the case of polling stations that cannot be reached without negotiating steps.
- The requirement on Returning Officers to put in place arrangements to facilitate the marking and placing in the ballot box of ballot papers by wheelchair users. In our guidance to Returning Officers, my Department has suggested the provision at each polling station of an appropriately located table and chair to facilitate this requirement.

If an elector anticipates difficulty in gaining access to his or her polling station, he or she may apply in writing to the Returning Officer for authorisation to vote at another polling station in

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the same constituency. Furthermore, a person with a physical disability or illness which prevents him or her from going to the polling station can vote by post if he or she applies to be included in the postal voters list which is drawn up each year as part of the register of electors. A person residing in a hospital, nursing home or similar institution who has a physical disability or illness which prevents them from going to the polling station, can vote at the hospital or nursing home if they apply to be included in the special voters list which is drawn up each year as part of the register of electors. In order to be entered on the postal or special voters list, a person must apply to the appropriate local authority by 25 November each year. After that date, an application for inclusion on the supplement to the postal or special voters list may be made.

One of the commitments in my Department's Disability Sectoral Plan is to provide accessible information to assist persons with disabilities to apply for entry on the register of electors and to assist such persons to vote at elections and referenda. My Department, in consultation with the National Council for the Blind of Ireland, has provided information on the electoral system in Ireland in Braille, audio CD and cassette format and online in PDF. This information has been circulated to local authorities who make it available at their public offices and other appropriate locations accessible to members of the public. In further advancing this objective, my Department, in consultation with the National Disability Authority, has issued guidance to Returning Officers on accessible voting. The guidance provides practical assistance to Returning Officers to enable voters with disabilities (including visual impairments) to vote at their local polling station insofar as is practicable. The guidance highlights that election staff should be made aware of the needs of voters with disabilities and sets out practical steps that staff can take to provide a safe and supportive environment on polling day.

While comprehensive arrangements are in place to assist participation in the electoral process by individuals with physical disabilities, nonetheless my Department continues to seek to improve these arrangements and to have regard to the special needs of such persons.

EU Directives

275. **Deputy Paul Connaughton** asked the Minister for the Environment, Heritage and Local Government the steps he proposes to take to acquire bogs under the Habitat Directive in 2011; the steps being taken to relocate bog holders where it is possible; the steps he is taking to pay bog holders compensation; the rate of compensation; if he will give consideration to allow bog holders to cut turf whilst the economy is under such strain; and if he will make a statement on the matter. [45963/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The State has a legal obligation under the Habitats Directive and under the Wildlife Acts to protect sites that it has designated for conservation purposes. In Ireland a number of sites have been designated for the protection of raised bog habitat within Special Areas of Conservation (SACs) or Natural Heritage Areas (NHAs). These make up just over 4% of bogland in the State where turf-extraction is feasible.

Scientific evidence has shown that turf cutting and associated drainage is incompatible with preservation or the restoration of active raised bogs or degraded raised bog. For this reason, in May 2010, the Government confirmed the ending of the derogation which allowed a 10-year continuation of turf-cutting on raised bog SACs and NHAs. Cutting is no longer permitted on the first 31 of these sites, without my express consent. Similar measures will be introduced on a further 24 raised bog SACs from the end of 2011 and on 75 raised bog NHAs in 2013.

It is not possible to reconsider the ending of the derogation period. Ireland has a clear legal obligation to protect these sites. To fail to do so would risk infringement proceedings against the State with possible significant financial sanctions. In May 2010, the Government announced the closure of the Bog Purchase Scheme to new applicants but decided to complete purchases for the existing applications, subject to contract. An Interim Compensation Scheme was also established to compensate those who have been cutting turf on the above-mentioned 31 raised bog sites. This interim scheme provided €1,000 to qualifying applicants for this year.

The Government also requested my Department and the Office of the Attorney General to undertake further work in regard to how the interests of affected parties can be addressed in the longer term. This work (including examining the issue of alternative bog non-designated bog plots) is ongoing and I intend to revert to Government in relation to these issues shortly.

Departmental Agencies

276. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the remit of An Comhairle Leabharlanna; the expenditure of the agency in 2008, 2009 and 2010; the staffing level of the organisation in each such year; the members of the board of that body in each such year; and if he will make a statement on the matter. [45998/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): An Chomhairle Leabharlanna (ACL) was established by the Public Libraries Act, 1947. The main functions of the Council, as set out, in the Local Government Act 2001 are:

- the provision of advice, assistance and services to library authorities in relation to the public library service,
- the making of such recommendations to, and the provision of such services for, the Minister in relation to the public library service, as the Minister may request or as the Council sees fit,
- the promotion and facilitation of inter library co-operation. Other than these core functions, ACL is also involved in a wide range of other activities and initiatives that support and/or promote the development of the public library service. These include:
 - managing a training and development programme for public library staff;
 - operating the Public Library Research Programme (PLRP);
 - developing online resources for Public Libraries, such as the AskaboutIreland website, including the ENFO Environmental Information Service and the Change.ie website;
 - collaboration with FAS eCollege in 100 Libraries serving 4,000 users;
 - Working Group on Library Services for Young People;
 - Involvement in EU Initiatives including EU Direct Information centres;
 - providing research resources, facilities and expertise to assist the staff and users from the public library and other library sectors.

ACL was also recently given a new statutory responsibility in relation to Public Lending Remuneration (PLR), the mechanism by which authors can receive payment for the loans of their books by public libraries. The annual expenditure of An Chomhairle for 2008 was

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€4,383,140 while for 2009 it was €3,453,022.91. Expenditure for 2010 is not yet available. The operational costs of ACL are almost completely funded by way of statutory levy on local authorities. The ACL currently has 17 staff; it had 17 staff at end 2009 and 18 staff at end 2008.

The ACL Board is appointed in accordance with the Local Government Regulations, 1997. The current Board was appointed on 14 April, 2008. The Chairperson is Councillor Mark Dearey and the other two Ministerial nominees are Councillor Pat McMahon, and Councillor Cora Long. The remaining ten members are nominated by various bodies. The following table shows the composition of the current board (including replacements as appropriate) together with the nominating body:

Board Member	Nominating Body
Cllr Des Hurley, resigned 2010; replaced by Cllr Billy Cameron	Association of County and City Councils
Councillor Michael Abbey	Local Authority Members Association
Councillor Jim Darcy	Association of Municipal Authorities of Ireland
Ms Deirdre Ellis-King retired 2010 replaced by Mr Pat McMahon	Library Association of Ireland
Ruth Flanagan, retired 2010; replaced by Ms Fionnuala Hanrahan	Library Association of Ireland
Ms. Colette O'Flaherty Keeper of Visual & Printed Collections, National Library of Ireland	Board of the National Library of Ireland
Mr Robin Adams Librarian and College Archivist, Trinity College	Board of Trinity College Dublin
Mr Jim Foran Librarian, IT Sligo	Higher Education Authority
Mr Paul Sheehan Director of Library Services, Dublin City University	Higher Education Authority
Ms Gerardine Moloney Librarian, Mary Immaculate College, Limerick	Higher Education Authority

Election Management System

277. **Deputy John Cregan** asked the Minister for the Environment, Heritage and Local Government if a submission has been made by a person (details supplied) in County Limerick regarding the future usage of electronic voting machines; if he will confirm when a final decision will issue on the disposal of these machines; and if he will make a statement on the matter. [46010/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following the Government decision not to proceed with implementation of electronic voting in Ireland, an Interdepartmental Task Force, chaired by my Department, was established to bring the project to an orderly conclusion and to oversee disposal of the equipment and termination of storage arrangements. The Task Force aims to complete its work as soon as possible.

In considering options for disposal of the equipment, the priority is to pursue the most economically advantageous approach, with a view to achieving the maximum recovery of cost possible in the circumstances, consistent with environmental and other obligations. While proposals have not at this stage been invited in respect of the equipment, some expressions of interest have been received, including one from the person whose details were supplied. Each expression of interest has been acknowledged and is being retained for future reference, as required.

Planning Issues

278. **Deputy Joe Carey** asked the Minister for the Environment, Heritage and Local Govern-

ment his plans to allow successful planning applicants to extend the duration of their planning permission for one off houses given the present financial challenges; and if he will make a statement on the matter. [46022/10]

Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe): Section 42 of the Planning and Development Act 2000 provides that, on application, the duration of a planning permission (normally 5 years) shall be extended, subject to certain requirements being complied with, including that substantial works have been carried out before the expiration of the original permission.

Section 23 of the Planning and Development (Amendment) Act 2010 has amended section 42 of the 2000 Act to provide that a planning permission must, on application, be extended for up to 5 years even where substantial works have not been carried out or the development has not been commenced, provided that the authority is satisfied that there were considerations of a commercial, economic or technical nature beyond the control of the applicant which substantially militated against either the commencement of development or the carrying out of substantial works pursuant to the planning permission. This provision applies to all permissions, including those for one-off houses.

Water Charges

279. **Deputy Joe Carey** asked the Minister for the Environment, Heritage and Local Government given the stated intention to introduce water charges in the recently published National Recovery Plan 2011-2014, when he envisages that all households will be equipped with water meters; the stage of his plans regarding same; if the contract to install water meters will be awarded on a county or regional basis; and if he will make a statement on the matter. [46023/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The introduction of water charges for domestic customers will be preceded by the rollout of a national metering programme to install meters in households connected to the public water supply. The metering programme is likely to take a number of years to be completed but will be substantially advanced over the next three years. The types of water meters and associated equipment to be used and the method of installation to be employed will be subject to a competitive tendering exercise. My Department is analysing the various options to ensure the delivery of the metering programme in the most cost effective manner.

Departmental Expenditure

280. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the size of the underspend, if any, for each of the budget lines or grant aided projects administered by him so far this year and a breakdown of the budget line or project money spent in the month of November [46149/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Revised Estimates for Public Services 2010 provide a capital allocation to my Department for this year of €1,509.103m and a current allocation of €686.380m. Capital expenditure by my Department to 3 December 2010 is €925.016m and current expenditure is €560.543m. Details of the allocations and spend across the various programmes within my Department's remit are set out in the following table.

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Programme Area	2010 Capital Estimate	Capital Expenditure to 03/12/2010	Capital expenditure in November	2010 Current Estimate	Current Expenditure to 03/12/2010	Current expenditure in November
	€,000	€,000	€,000	€,000	€,000	€,000
<i>Administration</i>						
A.1 to A.8 Administrative Budget	1,843	1,203	351	81,802	68,966	6,292
<i>Housing</i>						
B.1 Social Housing Provision and Support	550,500	324,597	111,233	279,057	192,177	10,297
B.2 Local Authority Estate Regeneration and Remedial Works	240,000	87,660	12,454	1,375	0	0
B.3 Private Housing Adaptation Grants and Other Supports	89,500	61,839	10,359	4,632	4,085	196
<i>Water</i>						
C.1 Water Services	508,000	361,849	45,176	—	—	—
<i>Environment</i>						
D.1 Environmental Protection Agency	1,500	592	0	25,515	21,494	2,816
D.2 Environmental Radiation Policy	304	250	0	4,281	3,045	0
D.3 Subscriptions to International Organisations	—	—	0	4,116	4,122	15
D.4 Carbon Fund	33,223	32,870	0	—	—	—
D.5 International Climate Change Commitments	—	—	0	1,300	0	0
<i>Waste Management</i>						
E.2 Landfill Remediation	4,000	1,264	0	—	—	—
<i>Local Government</i>						
F.1 Local Government Fund	—	—	—	226,403	226,403	0
F.2 Fire and Emergency Services	18,000	16,156	3,862	1,250	232	31
F.3 Local Authority Library and Archive Service	7,300	2,982	1,027	1,600	1,273	230
F.4 Community and Social Inclusion	1,600	221	0	4,055	1,175	0
F.5 Disability Services	7,700	6,840	4,918	500	382	279
F.6 Economic & Social Disadvantage (Dormant A/C)	—	—	—	1,000	719	0
<i>Heritage</i>						
G.1 Grant For Heritage Council	4,500	3,017	1,105	3,982	3,102	728
G.2 Built Heritage	11,500	4,898	1,668	4,715	2,092	305
G.3 Natural Heritage (NPWS)	14,200	5,860	1,450	17,385	14,381	1,884
G.4 Irish Heritage Trust	—	—	—	436	304	0
<i>Planning</i>						
H.1 An Bord Pleanála	—	—	—	13,029	11,840	898
H.2 Planning Tribunal	—	—	—	5,984	2,745	313
H.3 Urban Regeneration	102	0	—	—	—	—
H.4 Tidy Towns Competition	—	—	—	289	296	0
H.5 Planning & Development	—	—	—	237	153	0
H.6 Foreshore	—	—	—	1,012	133	41
<i>Other Services</i>						
I.1 Irish Water Safety Association	—	—	—	539	539	135
I.2 Miscellaneous Services	15,331	12,918	2,632	1,886	885	56
Total	1,509,103	925,016	196,235	686,380	560,543	24,516

281. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government if he will release funding under the capital assistance budget, to enable Domestic Violence Advocacy Service to set up a refuge in Sligo Town; and if he will make a statement on the matter. [46207/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Under my Department's Capital Assistance Scheme (CAS), funding of up to 100% of the approved cost is available for the provision of housing to meet the accommodation needs for persons with specific categories of need, including older people, persons with an intellectual, physical or mental health disability, homeless persons, victims of domestic violence etc. All of the €145 million CAS provision for 2010 is committed at this stage. Approvals were largely based on the prioritisation afforded to individual proposals by local authorities.

It is intended to issue a call for proposals in the course of 2011 for new projects to be included in the ongoing CAS work programme. In the case of proposals for new housing projects in Sligo town, it will be a matter for Sligo Borough Council to submit a prioritised list of projects for inclusion in the programme having regard to the merit of the proposals received and the extent to which proposals will meet local housing needs.

Turbary Rights

282. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 189 of 25 November 2010, the position regarding the sale of bogland in respect of a person (details supplied) [46331/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 189 of 25 November. In the case in question, the vendor's solicitor has not informed my Department that he now wishes to proceed with the sale again. My Department requires a right of way to the property, and cannot agree to construct two bridges as stipulated by the vendor's representative.

State Bodies

283. **Deputy Mary Wallace** asked the Minister for the Environment, Heritage and Local Government the steps he will take to deal with the increasing reports and concerns regarding the non-handing over of payment to subcontractors of funds owed to them by contractors following works carried out on behalf of his Department for which his Department or its agencies have already paid the contractor and the substantial number of tenders that are being awarded to contractors from outside of the jurisdiction and the subsequent loss of income to the State and the consequential loss of jobs adding further costs to the State; and if he will make a statement on the matter. [46354/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): All capital investment projects initiated or funded by my Department are subject, *inter alia*, to EU and national public procurement requirements and guidance, as set out by the Department of Finance, relating to capital project management in the public sector. It is a matter for contracting authorities to administer procurement procedures in accordance with the relevant requirements and guidance; it is not possible to exclude contractors from outside the jurisdiction from participation in a competitive tendering process. Irish companies are entitled to tender for public competitions in other Member States.

The Department of Finance has established a suite of contract documentation to be used by public contracting authorities in the procurement of public works contracts. Payments to contractors and subcontractors are governed by the terms set out in these contracts which inter

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alia require the contractor to certify to the employing authority that all relevant payments have been made. The relevant policy and guidance material is published on-line at www.constructionprocurement.gov.ie/PIContracts. These standard forms of contract are used by local authorities engaged in projects under the Department's capital programmes.

Proposed legislation sponsored by Senator Fergal Quinn, the Construction Contracts Bill 2010, is currently before the Seanad. It seeks to provide some remedy for construction sector subcontractors who are unpaid for work done. The Department of Finance has been working closely with Senator Quinn to bring his proposals into an effective scheme without exposing the taxpayer to further costs or risks.

Ministerial Appointments

284. **Deputy Fergus O'Dowd** asked the Minister for the Environment, Heritage and Local Government all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46375/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The following table sets out relevant information in respect of all persons appointed by me to the state boards under the aegis of my Department since December 2009.

The boards of An Bord Pleanála and the Environmental Protection Agency are executive in nature and the members are full-time salaried positions.

Name of State Body/Board	Names	Term of Office	Remuneration payable (Salary Comparator / Annual Fee/ Per Diem Fees)
An Bord Pleanála	Margaret Byrne	February 2010 to June 2010	€121,208 (non PPC) per annum
Building Regulations Advisory Board	Kevin O'Rourke	31 March 2010 to May 2012	Nil
	Edel Collins	31 March 2010 to May 2012	Nil
An Chomhairle Leabharlanna	Councillor Billy Cameron	5 Years	Nil
	Pat McMahon	5 Years	Nil
	Fionnuala Hanrahan	5 Years	Nil
Comhar Sustainable Development Council	Mary Stack	3 Years	Nil
	Mairead Cirrillo	3 Years	Nil
	Finola McDonnell	3 Years	Nil
	Molly Walsh	3 Years	Nil
	Ann Irwin	3 Years	Nil
	Prof J Ray Bates	3 Years	Nil
	Ciaran Byrne	3 Years	Nil
	Pat Farrell	3 Years	Nil
	Dr Matthew Crowe	May 2010 to March 2012	Nil
	John McCarthy	May 2010 to March 2012	Nil
Designated Areas Appeals Advisory Board	Ciana Campbell, appointed as Co-Chair	No specific term of office	€4,500
Dublin Docklands Development Authority — Council	Anne Graham	Sept 2010 to April 2012	Nil
	Maurice Scully		

Name of State Body/Board	Names	Term of Office	Remuneration payable (Salary Comparator / Annual Fee/ Per Diem Fees)	
Environmental Protection Agency Advisory Committee	Prof Margaret O'Mahoney	3 Years	Nil	
	Dr Shirley Gallagher	3 Years	Nil	
	Dr Brendan Dunford	3 Years	Nil	
	Éanna Ní Lamhna	3 Years	Nil	
	Brian Buckley	3 Years	Nil	
	Cllr. Brian Meaney	3 Years	Nil	
	Prof John Sweeney	3 Years	Nil	
	Vincent Cleary	3 Years	Nil	
	Dr Elizabeth Cullen	3 Years	Nil	
	Evelyn Moorkens	3 Years	Nil	
David Ball	3 Years	Nil		
Environmental Protection Agency*	Dr Matthew Crowe	5 Years	Salary scale on appointment €127,588 — €145,952.	
The Heritage Council	Helen O'Carroll	3 Years 4 Months	Nil	
	Mary Keenan	5 Years	Nil	
	Dr Brendan Dunford	5 Years	€5,985	
	Dr Carolynne Ferris	5 Years	€5,985	
	Prof Gabriel Cooney	5 Years	€5,985	
Housing Finance Agency	John Bolger	24 February 2010 to 21 December 2011	€11,970	
Limerick Northside Regeneration Agency	David Sheahan	28 April 2010 to 15 June 2012	Nil	
	Michael Layde	7 September 2010 to 15 June 2012	Nil	
Limerick Southside Regeneration Agency	David Sheahan	28 April 2010 to 15 June 2012	Nil	
	Michael Layde	7 September 2010 to 15 June 2012	Nil	
Local Government Computer Services Board	Paul McDonald	No specific term of office	Nil	
	Paul Lemass	No specific term of office	Nil	
	Joe Allen	No specific term of office	Nil	
	Barry Quinlan	3 Years	Nil	
Local Government Management Services Board	Paul McDonald	No specific term of office	Nil	
	Paul Lemass	No specific term of office	Nil	
	Joe Allen	No specific term of office	Nil	
	Barry Quinlan	3 Years	Nil	
Private Residential Tenancies Board (PRTB)	Vincent P Martin	16 December 2009 to 31 March 2013	Members are paid a per diem fee for attending board and committee meetings and when they sit as members of tenancy tribunals. Details regarding the amounts paid are published in the annual reports of the PRTB.	
	Gene Feighery	16 December 2009 to 31 March 2013		
	Joe Meehan	1 December 2010 to 30 November 2014		Nil
	Conn Murray	1 December 2010 to 30 November 2014		Nil

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Name of State Body/Board	Names	Term of Office	Remuneration payable (Salary Comparator / Annual Fee/ Per Diem Fees)
Radiological Protection Institute of Ireland (RPII)	Fionnuala Barker	2 Years	€7,695
	Dr Stephanie Ryan	3 Years	€7,695
The Rent Tribunal	Orla Coyne	1 August 2010 to 31 July 2013	Members are paid a per diem fee for attending board and committee meetings. Details regarding the amounts paid are published in the annual reports of the Rent Tribunal.
	Mary Doyle	1 August 2010 to 31 July 2013	
	Louise Moloney	1 August 2010 to 31 July 2013	
	Dr. Eoin O'Sullivan	1 August 2010 to 31 July 2013	
	Tom O'Reilly	1 August 2010 to 31 July 2013	
	Kieran Buckley	1 August 2010 to 31 July 2013	
	Mary Heaslip	1 August 2010 to 31 July 2013	
Housing and Sustainable Communities Ltd** (Term of Office is until the formal establishment of Housing and Sustainable Communities Agency, which is likely to be late 2011.)	Rich Howlin	30 August 2010 (incorporation date)	Nil
	Gordon Richards	30 August 2010 (incorporation date)	Nil
	Eddie Lewis	7 October 2010	Nil
	John O'Connor	7 October 2010	Nil
	Marie McLaughlin	30 November 2010	Nil
	John McCloskey	30 November 2010	Nil
	Peter Carey	30 November 2010	Nil
	Ann McGuinness	30 November 2010	Nil
National Traveller Accommodation Consultative Committee,	Professor Séamus Ó Cinnéide	3 Years	€8,978
	Cllr Liam Blaney	3 Years	Nil
	Bridget Casey	3 Years	Nil
	John Paul Collins	to 21/04/2013	Nil
	Denis Conlan	3 Years	Nil
	Mary Connors	3 Years	Nil
	Jim Ganley	to 21/04/2013	Nil
	Caroline Keane	3 Years	Nil
	Catherine Linehan	3 Years	Nil
	Cllr Patricia McCarthy	3 Years	Nil
	Mary McDonnell	3 Years	Nil
	Conn Murray	3Years	Nil
	David O'Connor	3 Years	Nil
	Séamus O'Connor	3 Years	Nil

*Appointments to the EPA board are made by Government under Section 24 of the Environmental Protection Agency Act 1992.

**Housing and Sustainable Communities Ltd was formed as a Private Single Member company subsidiary of the National Building Agency. It undertakes functions in relation to management of land arising as a result of the land aggregation scheme and leasing. The Board of "Housing and Sustainable Communities Ltd" will be paid a fee as part of their directorship of the National Building Agency from 1 January 2011 (the board is the same for the NBA and only get paid one fee).

National Biodiversity Plan

285. **Deputy Paul Gogarty** asked the Minister for the Environment, Heritage and Local Government if there is a national biodiversity action plan in place; the status and progress of same; and if he will make a statement on the matter. [46403/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question Nos. 115 of 19 October and 23 of 25 November 2010 which sets out the position in this matter.

Local Authority Funding

286. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government if the local authority budget for County Leitrim and County Roscommon will remain at the same level for 2011 as in 2010. [46406/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under the terms of the Local Government Act 2001, it is in the first instance a matter for each local authority to prepare and adopt a balanced annual budget for the coming year.

Local authorities are required to adopt budgets which are sufficient to meet the expenditure arising in the year in accordance with the terms of section 10A of the City and County Management Act 1955, as inserted in that Act by section 113 of the Local Government Act 2001. I will be announcing the 2011 General Purpose Grant allocations, which are my Department's contribution to the costs to local authorities of providing their day-to-day services, in the coming days. These grants are allocated having regard to a range of factors including the overall funding available for the grants, the cost to each local authority of providing its services, the income available to each local authority from local sources and specific grants, and the need to ensure that each local authority receives a baseline allocation that will provide financial stability.

The National Recovery Plan 2011-2014, recently published by Government, sets out intended initiatives, in the context of the State's overall financial position, to put the funding of locally delivered services on a sound financial footing, improve accountability and better align the cost of providing services with the demand for such services.

Water and Sewerage Schemes

287. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 509 of 6 July 2010, the status of each of these regional water schemes; when he will approve funding for the projects; and if he will make a statement on the matter. [46407/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 509 of 6 July 2010. The position is unchanged. My Department understands that Roscommon County Council expects to submit revised contract documents to the Department shortly in respect of the elements of the four regional water supply schemes included as contracts to start in the Water Services Investment Programme 2010-2012.

State Bodies

288. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46477/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Information relating to payments by public bodies referred to in the Question is a matter for the bodies concerned and is not available in my Department. Payment of invoices by public bodies is governed by the Prompt Payment of Accounts Act 1997. The legislation provides for the payment of interest on valid invoices that are unpaid after 30 days from the date of receipt. Each public body must include details of its purchaser's payment practice for the relevant period in its annual report.

Industrial Disputes

289. **Deputy Niall Collins** asked the Minister for the Environment, Heritage and Local Government the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park agreement; and if he will make a statement on the matter. [46515/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): There are no industrial disputes being engaged in by staff of my Department at present.

Fisheries Protection

290. **Deputy Michael Noonan** asked the Minister for Communications, Energy and Natural Resources if he will make arrangements to allow the Coonagh licensed fishermen at Coonagh, Limerick to fish for small quantities of salmon; if he will make arrangements with the Shannon Regional Fisheries Board to allow these fishermen participate in the scientific study which identifies the origin of salmon through DNA sampling; and if he will make a statement on the matter. [46011/10]

Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Conor Lenihan): I met members of the Coonagh Fishermen's Association recently. I explained to them that the report of the Standing Scientific Committee on the Status of Irish Salmon Stocks in 2009 and Precautionary Catch Advice for 2010 advised that stocks of salmon in the River Shannon are significantly below its conservation limit. As the harvest of salmon by any means is permitted only in those rivers that are meeting their conservation limits and have an identified surplus following appropriate assessment, the Shannon will have to remain closed to both commercial (draft net) and recreational harvesters during the 2011 season.

Inland Fisheries Ireland (IFI), which replaced the Central and Regional Fisheries Boards from 1 July 2010, is currently implementing the Shannon Salmon Restoration Project Management Plan, the purpose of which is to take a fresh look at the issues facing salmon survival in the Shannon and its tributaries upstream of Limerick City.

As part of the plan, IFI will carry out an extensive genetics programme in cooperation with UCC and the ESB. I am advised that there may be an opportunity for former fishermen to be contracted by IFI to assist in aspects of the Shannon restoration project. The fishermen are aware of this from our meeting.

Departmental Schemes

291. **Deputy Richard Bruton** asked the Minister for Communications, Energy and Natural Resources if he will implement an easy pay system for persons participating in the greener homes scheme; and if he will make a statement on the matter. [46188/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Greener Homes Scheme (GHS) is administered by the Sustainable Energy Authority of Ireland (SEAI) on behalf of my Department. The Greener Homes Scheme provides support to individuals to install renewable energy heating systems in homes. In addition to increasing the number of homes with renewable energy systems, other key objectives are to underpin the development of a sustainable market by implementing a robust quality control framework and by stimulating supply.

My Department has recently concluded a public consultation process which sets out the framework for the development of the new retrofit programme, which will incorporate the Greener Homes Scheme. The introduction of innovative payment mechanisms are under active consideration as part of the overall design of the programme.

Among the mechanisms being explored are new financing products including green loans from financial institutions and on-bill financing from energy suppliers.

Ministerial Appointments

292. **Deputy Paul Kehoe** asked the Minister for Communications, Energy and Natural Resources the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45842/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The information requested by the Deputy is contained in the following table.

Name	Title	Annual Salary	Duties
		€	
Morgan Brazilian	Minister's Special Adviser (Aug 2007 to June 2009)	107,485	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997.
Stephen O'Connor	Minister's Special Adviser (June 2009 to date)	99,236	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997
Bríd McGrath	Minister's Press Adviser	89,898	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997
Suzanne Duke	Special Adviser to Minister of State	89,898	Duties as appropriate to the position of Special Adviser as set out in Section 11 of the Public Service Management Act 1997
Claire Ann Byrne	Minister's Personal Assistant	47,730	To provide assistance to the Minister
Grace Milton	Minister's Personal Secretary	30,835	To provide assistance to the Minister

All of the above named, excluding Mr. Bazilian and Mr. O'Connor are members of the Non-contributory Pension Scheme for Non-established State Employees. Mr. Bazilian, who was on secondment, retained the pension arrangements of his substantive post as does his successor Mr. O'Connor who is also on secondment.

Departmental Expenditure

293. **Deputy Brian Hayes** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No 227 of 4 November 2010 when a reply will issue; and if he will make a statement on the matter. [45862/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I can advise the Deputy the examination of the relevant records has now been concluded and the details requested on payments made to external solicitors and to external barristers by my Department in the years 2007, 2008, 2009 and 2010 as requested in Parliamentary Question No. 227 of 4th November 2010 are now available and are shown in the table.

Name of Legal Service Provider	Cost 2007	Cost 2008	Cost 2009	Cost to date 2010	Reason for Procurement	Tender Y/N
	€	€	€	€		
Margaret O'Driscoll	28,435	6957.50	Nil		Legal advice relating to drafting of the Broadcasting Bill 08.	N
Mason, Hayes & Curran	38,456.63	30,824.52	0		Legal advice on challenge to the Broadcasting Amendment Act 07	N
Marie McGonagle	0	7,500	0		An analysis of Draft Broadcasting Bill 2008.	N
Aisling Martin	61,263.30	106,271.63	74,116.45	41,021.41	Advice and legal representation before the Moriarty Tribunal	N
Diarmuid Rossa Phelan	75,322.50	144,120.00	167,311.58	89,727.55	Advice and legal representation before the Moriarty Tribunal	N
John L O'Donnell	13,536.88	58,564.00	53,472.15	27,551.70	Advice and legal representation before the Moriarty Tribunal	N
Conleth Bradley	0	43,832.25	114,521.43	0	Advice and legal representation before the Moriarty Tribunal	N
Lorraine M Higgins	0	1,936.00	0	0	Engaged in relation to Moriarty Tribunal	N
Micheál O'Higgins	0	0	7,290.00	1,331.00	Engaged in relation to Moriarty Tribunal	N
Eoin McCullagh	0	0	7,290.00	0	Engaged in relation to Moriarty Tribunal	N
Elizabeth Gavin	0	0	1,000.00	5,000.00	Engaged in relation to Moriarty Tribunal	N
Mason Hayes and Curran	68,964.01	0	0	0	Provision of legal advice in regard to the management of formal responses by Ireland to Infringement proceedings	Y
Beauchamps Solicitors	0	18,264.95	0	0	Legal advice in relation to amendments to ESB ESOT	Y
Noel J. Travers (Barrister at Law)	0	9.075	0	0	Draft PSO order for REFIT scheme	Y
Matheson Ormsby and Prentice	85,090.75	20,283.25	0	0	Legal Advice on procurement of an ECAS provider	Y

Name of Legal Service Provider	Cost 2007	Cost 2008	Cost 2009	Cost to date 2010	Reason for Procurement	Tender Y/N
	€	€	€	€		
Mason, Hayes and Curran	11,494.40	11,776.33	0	0	Specialist Employment Law Requirement	N
Arthur Cox Solicitors	1,431.43	0	0	0	Legal Advice on the MOTR scheme	N
Richard Black Solicitors	95,132.07	1,331.00	0	0	Legal advice in relation to Concession Agreement with NDRC	N
Richard Black Solicitors	0	0	0	197,492.37	Global Crossing Project: Legal work seeking payment from a liquidated company.	N
Mason Hayes & Curran	0	9,273.38	0	0	Advice on Schools Broadband	Y
Arthur Cox Solicitors	114,406.22	569,579.58	8,649.85	0	Provide legal advice in relation to all aspects of the MANs projects	Y
McCann Fitzgerald	0	912,230.96	13,162.46	0	Legal Advice on the procurement of the National Broadband Scheme (NBS), as well as drafting of the NBS contract documentation.	Y
A&L Goodbody	11,107.80	65,120.21	0	0	Advice in respect of Bord na Mona ESOP	Y
Beauchamps Solicitors	0	62,266.60	0	0	Advice in respect of BGE ESOP	Y
Mason, Hayes and Curran	0	22,578.35	0	0	Advice on a proposed BGE acquisition	Y
Matheson, Orsmby Prentice	97,067.94	8,492.07	0	0	Advice on sale of INPC/Whitegate Refinery	N
A & L Goodbody				53,750	Legal advice regarding the proposal from ESB for the acquisition by that company of Northern Ireland Electricity (NIE).	Y
	701,708.93	2,110,277.58	446,813.92	415,874.03		

Telecommunications Services

294. **Deputy Mary Wallace** asked the Minister for Communications, Energy and Natural Resources when he plans to make available the rural broadband scheme to provide a basic broadband service to individual unserved rural premises outside of the national broadband scheme areas, including such premises in County Meath; if he will outline the list of areas in County Meath which can expect to benefit from the scheme; and if he will make a statement on the matter. [45956/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunications services, including broadband services, is a matter in the first instance for private sector service providers operating in a liberalised market regulated by the Commission for Communications Regulation (ComReg).

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) represents such an intervention. Broadband services are now available throughout the entire NBS area.

A list of the Electoral Divisions covered by the NBS in County Meath is detailed in the table below.

However, despite Government and private investment in broadband, I am aware that there continues to be isolated cases of premises throughout the country that are not capable of receiving a broadband service. This is primarily due to technical and other reasons (e.g., suitability of a telephone line, distance from an enabled exchange, or no 'line of sight' from the premises to the wireless base station).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives.

Using this funding, which will be augmented by an Exchequer contribution, I intend, subject to Government approval, to formally announce the launch a Rural Broadband Scheme before the end of the year. This scheme will aim to provide a basic broadband service to individual un-served rural premises outside of the NBS areas. In the case of County Meath, un-served premises other than those covered by the NBS will be eligible to apply under the new scheme.

There will be a competitive process to engage a service provider who will offer a broadband service to qualified applicants under the scheme. While the exact details have yet to be finalised, I expect that the service offered under this scheme would at least match the service offered under the NBS and that the scheme will be fully rolled out by the end of 2012.

National Broadband Scheme (NBS)

Electoral Divisions (ED) to be covered by the NBS in County Meath

ED Name	ED Reference No.
ARDBRACCAN ED	167002
BECTIVE ED	167011
CASTLEKEERAN ED	167016
CLOGHBRACK ED	167019
CLONMACDUFF ED	167020
CROSSKEYS ED	167022
DRUMCONDRA ED	167027
KILLALLON ED	167047

[Deputy Eamon Ryan.]

ED Name	ED Reference No.
KILLARY ED	167048
KILLEAGH ED	167049
KILLYON ED	167051
KILMORE ED	167054
KNOCKLOUGH ED	167056
LOUGHAN ED	167058
MOYLAGH ED	167063
RATHKENNY ED	167075
RATHMORE ED	167076
TROHANNY ED	167092

Broadcasting Services

295. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources if he will individually state the legislative and policy requirements on RTE to provide services to the Irish community abroad; if he is satisfied in each instance with the provision of such services by RTE; and if he will make a statement on the matter. [45986/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Section 114(1)(f) of The Broadcasting Act, 2009 requires RTÉ to establish and maintain a television broadcasting service and a sound broadcasting service, which services shall be made available, in so far as RTÉ considers reasonably practicable, to Irish communities outside the island of Ireland.

In this regard, RTÉ has reviewed the potential for providing these services over different media, including via the Internet and on the UK Freesat service.

RTÉ is proposing to pursue and expand access to its programming via the Internet, and has highlighted that this will be available to the Irish abroad. However, RTÉ informed the Department that its plans to launch a Freesat service in the UK in 2009 have been postponed. RTÉ has indicated that this decision was made as a result of the economic downturn, which has adversely affected RTÉ's commercial service, and is part of a necessary cost saving exercise being undertaken by RTÉ.

RTÉ has indicated that this decision may be reviewed if circumstances change significantly in the future.

State Bodies

296. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 1599 of the 29 September 2010, if he will provide an update on the current situation; and if he will make a statement on the matter. [45994/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provisions in relation to the submission of the Authority's three-year estimates and expenditure proposals and their publication are set out in section 37 of the Broadcasting Act 2009.

In relation to the estimates for the period 2011-2013, I can confirm that these estimates were submitted to my Department by the Authority on 29th October 2010. My Department is

continuing to engage with the Authority in relation to the provision of certain further information in accordance with the provisions of Section 37(1) of the Broadcasting Act 2009.

In relation to publication, the legislation requires that, subject to the consent of the Minister and the Minister for Finance, the Authority shall publish its 3-year estimates or a summary of them on a website maintained by the Authority. I am very much aware that both public and commercial broadcasters will be keen to view the Authority's expenditure proposals as early as possible and it is my intention to facilitate this as much as practicable.

Proposed Legislation

297. **Deputy Leo Varadkar** asked the Minister for Communications, Energy and Natural Resources the status of a statutory instrument for TARIC Code CN 22071000; if it has been drafted; if so, the processes required to be undertaken before it can be signed by him; the date by which he expects it to be signed; and if he will make a statement on the matter. [46031/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): Section 44X of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010, makes provision for the Minister to set standards for biofuel used to meet the obligation. My Department has drafted a Statutory Instrument relating to the minimum standard of ethanol which can be counted towards the Obligation. The precise standard proposed for ethanol is TARIC Code CN 2207 1000. This measure meets the definition of 'Technical Regulation' under EU trade rules, and as such has to be put through the formal EU process for clearance before it can be signed.

Currently, the draft Statutory Instrument is with the Attorney General's office for final drafting. My Department expects to receive the final text of this regulation shortly and to be in a position to forward it to the European Commission for its clearance before year end with a view to signing the Statutory Instrument as soon as possible.

Telecommunications Services

298. **Deputy Dinny McGinley** asked the Minister for Communications, Energy and Natural Resources when broadband will be made available to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [46203/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunications services, including broadband services, is a matter for private sector service providers operating in a liberalised market regulated by the Commission for Communications Regulation (ComReg). Broadband services are provided by private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite. Service providers' decisions to provide broadband services in areas are taken on the basis of commercial viability. Such decisions are matters for the service providers concerned.

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) represents such an intervention.

EU State Aid and competition rules govern how states can intervene in areas where there are existing service providers operating. Accordingly, the NBS is prohibited from providing a service in served areas where to do so would give rise to an unacceptable level of market distortion.

[Deputy Eamon Ryan.]

The mapping exercise undertaken by my Department at the time of designing the NBS found that a number of broadband suppliers were already active in the area referred to in the Deputy's Question and consequently the locality was excluded from the Scheme. In order to comply with EU Commission State Aid rules, any market interventions by Government must be technology neutral and cannot specify a particular form of technology.

It continues to be a priority of the Government that there will be broadband coverage across the entire country. However, despite Government and private investment in broadband, I am aware that there continues to be a small percentage of premises throughout the country that will not be capable of receiving broadband services. This is primarily due to technical and other reasons (suitability of a telephone line, distance from an enabled exchange, no line of sight etc.).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives. Using this funding, which will be augmented by an Exchequer contribution, I intend, subject to Government approval, to formally announce the launch of a Rural Broadband Scheme before the end of the year. This scheme will aim to provide a basic broadband service to individual un-served rural premises outside of the NBS areas.

Information in relation to acceptance of applications and the process of qualification under the scheme will be made available in due course when the scheme is launched. ComReg's website www.callcosts.ie provides detailed information on the various private sector telecommunications products and services available on a county by county basis including County Donegal.

Departmental Schemes

299. **Deputy John O'Donoghue** asked the Minister for Communications, Energy and Natural Resources the number of homes in Kerry who have benefitted under the warmer homes scheme to date in 2010 and if he plans to extend the scheme in 2011 [46224/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Warmer Homes Scheme (WHS), which is administered by the Sustainable Energy Authority of Ireland (SEAI) on behalf of my Department, provides energy efficiency improvements to homes in, or at risk of, fuel poverty and is primarily delivered by 28 community based organisations (CBOs). The CBOs work in partnership with their local network of poverty and community support organisations including public health nurses, MABS and the Society of Saint Vincent de Paul to identify and address vulnerable homes. Through this devolved model, each CBO is responsible for managing the applications in their own operational areas. Private contractors are also engaged to supplement CBO coverage and capacity in order to address the increasing demand for the scheme.

Through these mechanisms the WHS was delivered to 16,240 homes in 2009 including 808 homes in County Kerry. To date in 2010 the WHS has been delivered to 22,949 homes including 750 homes in County Kerry.

There is no pre-set amount of funding allocated to individual counties under the WHS, as it is a national scheme with a funding envelope which varies on a county by county basis annually. Activity levels in 2011 will be subject to Budget Day decisions.

A dedicated WHS hot line — 1800 250 204 — has been in operation for some time and all queries, from scheme applicants and public representatives, on delivery dates for individual

households and/or funding agreements are dealt with immediately. In addition, the WHS programme manager, Mr. Michael Martin of SEAI is available to deal with queries on 042 939 1548.

Postal Services

300. **Deputy Deirdre Clune** asked the Minister for Communications, Energy and Natural Resources his plans to introduce a system of national postcodes and the form such a system will take; and if he will make a statement on the matter. [46348/10]

301. **Deputy Deirdre Clune** asked the Minister for Communications, Energy and Natural Resources if he has considered introducing a digital national postcode system based on GPS technology; and if he will make a statement on the matter. [46349/10]

302. **Deputy Deirdre Clune** asked the Minister for Communications, Energy and Natural Resources if he has considered the benefits for business and tourism that a digital national postcode system based on GPS technology would have; and if he will make a statement on the matter. [46350/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I propose to take Questions Nos. 300 to 302, inclusive, together.

Ireland is the only country in the EU and OECD which does not have a national postcode system. The National Postcode Project Board (NPPB) recommended in 2006 that Ireland should implement a postcode system due to the multiple benefits that this would afford to both postal and non-postal applications.

The NPPB also recommended that the optimum technical solution to be adopted was the 'Postal Sector Model'. This uses an 'ABC 123' structure to reference in the first instance the relevant Post Town, and secondly the 'Block Face' (a grouping of approximately 40 to 50 dwellings).

In October 2009, the Minister announced his intention to implement a National Postcode System with an anticipated realisation date of December 2011 and that the potential to further enhance the system in order to uniquely identify buildings should be considered as part of this implementation process.

Departmental Expenditure

303. **Deputy John O'Mahony** asked the Minister for Communications, Energy and Natural Resources the breakdown of the applications received by Sustainable Energy Ireland in 2008, 2009 and to date in 2010 listing the type of scheme and the average amount of money allocated for each application in tabular form; and if he will make a statement on the matter. [46359/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The accompanying table provides the breakdown for 2008, 2009 and 2010 to date of the total allocation, the amount of applications completed, the amount paid out in each year and the average amount allocated under the Greener Homes Scheme, Home Energy Savings Scheme and the Warmer Homes Scheme administered by the Sustainable Energy Authority of Ireland.

[Deputy Eamon Ryan.]

	2008	2009	2010 (to date)
	€M	€M	€M
<i>Greener Homes Scheme (GHS)</i>			
Total Allocation	28	15,345	6
Amount Paid	22.5	11.65	5,214
No. of Homes	9,643	7,311	4,048
Average Payment	€2,338	€1,593	€1,288
<i>Home Energy Savings Scheme (HESS)</i>			
Total Allocation	5	47	47,005
Amount Paid	—	16,258	40.18
No. of Homes	—	18,183	40,159
Average Payment	—	€894	€1001
<i>Warmer Homes Scheme (WHS)</i>			
Total Allocation	5	15	29,751
Homes Completed	5,343	16,240	22,949
Average Payment	€892	€893	€985

Telecommunications Services

304. **Deputy John O'Mahony** asked the Minister for Communications, Energy and Natural Resources if he will provide a breakdown of the provision of broadband services in County Mayo and the rate of broadband take-up; the areas of the county currently not broadband-enabled and when broadband will be made available in the areas not covered; and if he will make a statement on the matter. [46367/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunications services, including broadband services, is a matter for private sector service providers operating in a liberalised market regulated by the Commission for Communications Regulation (ComReg). Broadband services are provided by private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite. ComReg's website www.callcosts.ie provides detailed information on the various private sector telecommunications products and services available on a county by county basis, including County Mayo.

While my Department does not hold information on broadband penetration by region, ComReg publishes quarterly statistical reports on national developments in the fixed-line, mobile and broadband communications markets.

These reports demonstrate the significant progress in broadband roll-out over recent years. At the end of June 2010 Ireland had in the region of 1.48 million broadband subscriptions and narrowband connections had reduced to less than 5% of all Internet connections. The year-on-year growth in subscriptions over the preceding 12-month period from June 2009 was over 16.5%.

A list of the 112 Electoral Divisions (EDs) covered by the National Broadband Scheme (NBS) in County Mayo is provided below. Broadband services are now available throughout the entire NBS area. My Department and its external consultants actively monitor coverage within the NBS areas. In summary, broadband services in the NBS EDs in County Mayo are

available to 98.66% of premises by means of mobile wireless broadband coverage, with coverage to the balance of 1.34 % of premises being provided by way of satellite.

However, despite Government and private investment in broadband, I am aware that there continues to be a small percentage of premises throughout the country that will not be capable of receiving broadband services. This is primarily due to technical and other reasons (suitability of a telephone line, distance from an enabled exchange, no line of sight etc.).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives. Using this funding, which will be augmented by an Exchequer contribution, I intend, subject to Government approval, to formally announce the launch of a Rural Broadband Scheme before the end of this year. This scheme will aim to provide a basic broadband service to individual un-served rural premises outside of the NBS areas.

There will be a competitive process to engage a service provider who will offer a broadband service to qualified applicants under the scheme. While the exact details have yet to be finalised, I expect that the service offered under this scheme would at least match the service offered under the NBS. This process will be technology neutral — it will be a matter for the bidders to decide which technical approach they propose in their bids.

Information in relation to acceptance of applications and the process of qualification under the scheme will be made available in due course when the scheme is launched.

National Broadband Scheme

Electoral Divisions(ED) Covered by the NBS in County Mayo

ED Name	ED Reference No.
ADDERGOOLE ED	157002
AGHAGOWER NORTH ED	157003
AGHAGOWER SOUTH ED	157004
AGHAMORE ED	157005
AILLEMORE ED	157006
AN GEATA MOR THEAS ED	157007
AN GEATA MOR THUAIDH ED	157008
ARDNAREE NORTH ED	157010
ATTYMASS EAST ED	157012
ATTYMASS WEST ED	157013
BALLINCHALLA ED	157019
BALLYCASTLE ED	157022
BALLYCROY NORTH ED	157023
BALLYCROY SOUTH ED	157024
BALLYNAGORAHER ED	157028
BALLYOVEY ED	157029
BALLYSAKEERY ED	157030
BANGOR ED	157031
BARROOSKY ED	157032
BEKAN ED	157033
BELDERGMORE ED	157034
BELMULLET ED	157036
BOHOLA ED	157037
BRACKLOON ED	157038
BUNAVEELA ED	157040
BUNDORRAGHA ED	157041

[Deputy Eamon Ryan.]

ED Name	ED Reference No.
BURRISCARRA ED	157043
CALLOW ED	157044
CAPPAGHDUFF ED	157045
CARAUN ED	157046
CARROWMORE ED	157047
CLARE ISLAND ED	157050
CLOGHER ED	157052
CLOGHER ED	157053
CLOGHERMORE ED	157054
CLOONMORE ED	157056
COOLNAHA ED	157058
COONARD ED	157059
CORRAUN ACHILL ED	157060
COURSE ED	157061
CROAGHMOYLE ED	157062
CROAGHPATRICK ED	157063
CROSSMOLINA SOUTH ED	157066
CUILDOO ED	157067
CULNACLEHA ED	157068
DALGAN ED	157069
DEEL ED	157070
DERRY ED	157071
DERRYLOUGHAN ED	157072
DOOCASTLE ED	157073
DOOEGA ED	157074
DRUMMIN ED	157075
ERRIFF ED	157077
FORTLAND ED	157078
GARRYMORE ED	157079
GLENAMOY ED	157080
GLENCASTLE ED	157081
GLENCO ED	157082
GLENHEST ED	157083
GOOLAMORE ED	157084
HOLLYMOUNT ED	157085
HOUNDWOOD ED	157086
ISLANDEADY ED	157087
KILBEAGH ED	157088
KILCOMMON ED	157090
KILFIAN EAST ED	157091
KILFIAN SOUTH ED	157092
KILFIAN WEST ED	157093
KILGARVAN ED	157094
KILGEEVER ED	157095
KILKELLY ED	157096
KILLALA ED	157097
KILLAVALLY ED	157098
KILLEDAN ED	157099
KILMACLASSER ED	157100

ED Name	ED Reference No.
KILMAINE ED	157101
KILMEENA ED	157102
KILLSALLAGH ED	157104
KILVINE ED	157106
KNAPPAGH ED	157107
KNOCK SOUTH ED	157109
KNOCKADAFF ED	157110
KNOCKNALOWER ED	157111
LACKAN NORTH ED	157112
LACKAN SOUTH ED	157113
LETTERBRICK ED	157114
MAYO ED	157118
MEELICK ED	157119
MOUNT FALCON ED	157120
MUINGNABO ED	157121
MUINGS ED	157122
MURNEEN ED	157123
NEALE ED	157124
NEWBROOK ED	157125
NEWPORT EAST ED	157126
NEWPORT WEST ED	157127
OWENBRIN ED	157128
OWENNADORNAUN ED	157129
PORTROYAL ED	157131
RATHHILL ED	157132
RATHOMA ED	157133
ROSLEE ED	157134
SALLYMOUNT ED	157135
SHESKIN ED	157136
SHRULE ED	157137
SLIEVEMAHANAGH ED	157138
SONNAGH ED	157140
SRAHMORE ED	157142
TAGHEEN ED	157145
TAWNYNAGRY ED	157146
TOOCANANAGH ED	157147
TUMGESH ED	157149

Ministerial Appointments

305. **Deputy Fergus O'Dowd** asked the Minister for Communications, Energy and Natural Resources all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46370/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I assume that the Deputy is referring to appointments to boards of State Bodies under the aegis of my Department.

The following table sets out appointments made by me to State boards since 1st December 2009 and the relevant fee for the member appointed. The Deputy may wish to note that a reduction in fees applied to members of boards of non-commercial bodies in accordance with the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 with effect from 1st

[Deputy Eamon Ryan.]

January 2009. The payment of expenses to chairpersons and directors of boards is a day to day operational matter for each body in line with the relevant Department of Finance guidelines.

Body	Person Appointed	Term	Category of Fee/Amount of fee
			€
Broadcasting Authority of Ireland	Mr Larry Bass	5 years	5,985
	Professor Colum Kenny	5 years	5,985
	Ms Siobhan Ni Ghadhra	5 years	5,985
	Mr. Michael Moriarty	5 years	5,985
RTÉ	Ms Orlaith Carmody	5 years	17,500
	Ms Aileen O'Mearar	5 years	17,500
	Ms Eunice O'Raw	5 years	17,500
	Mr Stuart Switzer	5 years	17,500
TG4	Mr Concubhar Ó'Liatháin	5 years	14,000
	Mr Rónán Ó'Coisdealbha	5 years	14,000
An Post	Mr J. Alan Sloane	2 years	17,500
	Mr Thomas Devlin	2 years 7 months	17,500
Digital Hub Development Agency	Mr Denis Molumby	3 years	7,695
	Ms Katherine Licken ¹	3 years	No fee applies
EirGrid	Ms Bernie Gray (Chairperson)	3 years	24,000
ESB	Ms Ellvena Graham	5 years	17,500
Irish National Petroleum Corporation Ltd	Mr Aidan Donnelly (Chairperson)	2 years	20,520
	Mr Vincent Caffrey	2 years	11,970
Sustainable Energy Authority of Ireland	Mr John Buckley	2 years 4 months	7,965
	Mr Brian Carroll ²	3 years	No fee applies
	Ms Tara Connolly	3 years	7,965
	Mr Sean Wyse	3 years	7,965
Inland Fisheries Ireland (Please Note that in respect of Inland Fisheries Ireland I have decided to postpone the payment of fees for an initial 2 year period).	Mr Brendan O'Mahony (Chairperson)	5 years	11,970
	Mr Lal Faherty	Up to 5 years	7,695
	Mr Andrew Duncan	Up to 5 years	7,695
	Dr Frances Lucy	Interim staff rep.	7,695
	Mr Liam Berney ³	Up to 5 years	7,695
	Ms Lily Collison ⁴	Up to 5 years	7,695
	Mr Michael Mc Greal	Up to 5 years	7,695
	Mr John Geary	Up to 5 years	7,695
	Mr John Carroll	Up to 5 years	7,695
Mr Marcus Mac Mahon ⁵	5 years	7,695	

¹ No fee applies to Ms Licken as she is a member of staff of DCENR.

² No fee applies to Mr Carroll as he is a member of staff of DCENR.

³ Mr Liam Berney was appointed as an interim staff representative on 1/7/10 and resigned on 17/11/10.

⁴ Ms Lily Collison resigned on 3/11/10.

⁵ Mr Marcus Mac Mahon replaced Mr Liam Berney as staff representative.

Telecommunications Services

306. **Deputy Tom Hayes** asked the Minister for Communications, Energy and Natural Resources the arrangements he has made for Ballyporeen, County Tipperary, to be provided with European economic recovery plan funding in view of the lack of broadband in the area; if his attention has been drawn to the fact that many persons locally need broadband as a priority; and if he will make a statement on the matter. [46404/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunications services, including broadband services, is a matter in the first instance for private sector service providers operating in a liberalised market regulated by the Commission for Communications Regulation (ComReg).

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) represents such an intervention. Broadband services are now available throughout the entire NBS area.

However, despite Government and private investment in broadband, I am aware that there continues to be isolated cases of premises throughout the country that are not capable of receiving a broadband service. This is primarily due to technical and other reasons (e.g., suitability of a telephone line, distance from an enabled exchange, or no 'line of sight' from the premises to the wireless base station).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives

Using this funding, which will be augmented by an Exchequer contribution, I intend, subject to Government approval, to formally announce the launch of a Rural Broadband Scheme before the end of the year. This scheme will aim to provide a basic broadband service to individual un-served rural premises outside of the NBS areas. Ballyporeen, County Tipperary, is not covered by the NBS and therefore any un-served premises in that locality will be eligible to apply under the scheme.

There will be a competitive process to engage a service provider who will offer a broadband service to qualified applicants under the scheme. While the exact details have yet to be finalised, I expect that the service offered under this scheme would at least match the service offered under the NBS and that the scheme will be fully rolled out by the end of 2012.

307. **Deputy Mary Wallace** asked the Minister for Communications, Energy and Natural Resources the position regarding the management, maintenance and operation of phase two of the metropolitan area network programme in relation to towns (details supplied) since the management contract was awarded to a company in 2009; the benefits and advantages for the towns concerned in the past 12 months and into the future; and if he will make a statement on the matter. [46412/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The metropolitan area networks (MANs) are open access carrier neutral telecommunications infrastructure, which are available to all telecommunications service providers. They are being managed, maintained and operated by elnet. In relation to the MANs in County Meath, there are a number of service providers using the MANs in Clonee, Dunboyne and Navan. There are no service providers as yet utilising the MANs in Dunshaughlin and Kells. The existence of the MANs enhances the attractiveness of the various locations for indigenous and foreign investment.

State Bodies

308. **Deputy Lucinda Creighton** asked the Minister for Communications, Energy and Natural Resources the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46472/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The amount of money owed to private firms by public bodies under the remit of my Department is a day to day operational matter for the relevant public bodies concerned.

Industrial Disputes

309. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park Agreement; and if he will make a statement on the matter. [46510/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The staff of my Department are not engaged in any form of industrial action.

Seafood Industry

310. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will elaborate on the National Recovery Plan 2011-2014's reference to the seafood industry; his views on whether building the seafood industry in order to repay the €85bn bailout requires securing substantial quota increases for Irish fishermen at the upcoming EU fisheries negotiations on 13 and 14 December 2010; if he will outline his plans; and if he will make a statement on the matter. [46341/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Food Harvest 2020 sets out a roadmap for growth in seafood sector and the delivery of the recommendations in that report are, in my view, critical for delivering on the substantial potential of this sector. In respect of seafood the National Recovery Plan 2011-2014 is based on the findings and recommendations of Food Harvest 2020 report which does not rely on increases in Total Allowable Catches and quotas, as the deputy is suggesting, but is based on developing non-traditional species, improving quality and developing value added products from foreign landings for high value EU and niche markets.

I believe that seafood innovation and new product development together with maintenance of an international reputation for wholesome, fresh and natural seafood, produced in the most sustainable and environmentally friendly manner, are essential to the advancement and further development of the Irish seafood sector. With this in mind I have sought to support initiatives that endeavour to deliver these fundamental requirements while also seeking to increase Ireland's market share of the international seafood industry.

Primary examples of my approach to advance the development of the Irish seafood sector at this time are the adoption of the National Seafood Programme and the endorsement of Bord Iascaigh Mhara's (BIM) 3 Year Strategy. Together these target based initiatives represent a means of ensuring the sustainable development and advancement of the Irish seafood sector. The National Seafood Programme provides Exchequer funded support with the development of new products and processes, innovation, adding value to products, maintaining and improv-

ing environmental and food quality standards and improving cost efficiency. In addition, the EU Co-funded Fisheries Operational Programme this year is providing grant aid support for environmental and inshore management systems for the fishing fleet.

BIM's Strategy is geared at improving the seafood sector's performance by assisting industry through programmes of skills development, enhanced environmental compliance, product differentiation and labelling, new product development and innovation and improved commercial practices. The Strategy's time frame and targets are designed to contribute to the achievement of 2020 targets in Food Harvest (FH 2020). Indeed, the level of progress achieved will be a valuable marker of the efficiency of actions being taken under FH 2020.

Grant Payments

311. **Deputy Phil Hogan** asked the Minister for Agriculture, Fisheries and Food when an application for single farm payment will be processed in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [45808/10]

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 13 May 2010. This application was selected for and was the subject of a Ground Eligibility and Animal Identification 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.

Ministerial Appointments

312. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45841/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I have detailed the salary information in the table:

Name	Title	Duties	Salary Scale
Dermot Ryan	Special Adviser	Policy Adviser	€80,051 – €98,424 + 10% allowance
Philip Hannon	Special Adviser	Media Adviser	€80,051 – €98,424
Nuala Brady	Personal Assistant	Constituency Office	€22,023 – €42,122
Celine Mullen	Personal Secretary	Constituency Office	€22,023 – €42,122

With regard to the pension arrangements, one Adviser is in receipt of 11% of current salary in lieu of membership of a Civil Service Superannuation Scheme. The remaining staff are members of the appropriate Civil Service Superannuation Scheme.

Question No. 313 withdrawn.

Grant Payments

314. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive their 2010 payments all relating to sheep; and if he will make a statement on the matter. [45871/10]

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 5 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 payments due in respect of the Single Payment Scheme issued on 1 December and payment was made under the Disadvantaged Area Scheme on 7 December.

315. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will be paid the REP scheme 4 payment [45875/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The EU Regulations governing REPS 4 and other area-based schemes provide that payments issue in two instalments. The first instalment of 75% may be paid once all administrative checks on all applications, as well as cross-checks against areas declared on Single Payment Scheme applications, have been completed. 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.

316. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) has not been facilitated; and if he will make a statement on the matter. [45959/10]

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. Payments under the 2010 Single Payment Scheme and Disadvantaged Areas Scheme have commenced nationally on 18 October 2010 and 22 September 2010 respectively. The application from the person named was submitted with land parcels identified as requiring re-digitisation. My Department has now completed this process.

The advance and balancing payments under the Single Payment Scheme were made to the person named on 10 November 2010 and 2 December 2010 respectively. A full payment of the amount due under the Disadvantaged Areas Scheme was made to the person named on 1 December 2010. The person named has now been fully paid under both Schemes.

Animal Diseases

317. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food if his attention has been drawn to the large instances of brucellosis outbreaks in the border counties, particularly in County Armagh; his views on whether this will have a negative effect on herd owners in the adjoining counties in the Republic; and if he will make a statement on the matter. [45961/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I am aware that there has been an increase in the incidence of Brucellosis in certain parts of Northern Ireland, particularly Co Armagh, since the beginning of 2010. The total number of herd breakdowns in Armagh so far this year is 19 compared with 12 in 2009. Latest figures show the county experi-

enced 5 disease breakdowns in June this year, followed by 3 in July, 2 in August but there were no breakdowns in September. However, the number of outbreaks in Northern Ireland as a whole in the period January to September has fallen from 177 in 2008 to 76 in 2009 and again to 56 this year. Notwithstanding the improvement in the overall situation and in response to the outbreaks in Armagh, the Department for Agriculture and Rural Development in Northern Ireland (DARD) has introduced additional testing in the Armagh area and they believe that the situation is now under control. The reduction in the incidence of the disease in recent months indicates that this is the case.

With regard to the question of whether the disease situation in Northern Ireland could have a negative effect on herd owners in the adjoining counties south of the border, imports of eligible animals from Northern Ireland are both pre-movement tested before leaving NI and post-movement tested for Brucellosis on arrival here. In addition, my Department's DVOs situated in Border areas carry out additional testing measures on herds in these regions as deemed necessary. As Monaghan is geographically most at risk, a comprehensive plan has been put in place involving some additional testing in selected areas and in selected high-risk herds in that county. I should point out also that any additional testing requirements imposed on farmers is funded by my Department. Furthermore, any animals that disclose high readings following a test are removed and farmers compensated under the on Farm Market Valuation scheme. Given the importance of controlling the risk of spread of the disease to their herds, clearly the on-going cooperation of farmers with recommendations and advice delivered by my Department's veterinary service is important in the context of maintaining Ireland's Official Brucellosis Free status.

There are on-going contacts between officials from my Department and their counterparts in DARD in connection with the Brucellosis situation there. My officials will continue to monitor the Brucellosis levels in Northern Ireland and will keep in close contact both at local and central level with their colleagues in Northern Ireland.

Grant Payments

318. **Deputy Michael Moynihan** asked the Minister for Agriculture, Fisheries and Food the reasons for the delay in issuing the payment for the single payment scheme in respect of a person (details supplied) in County Cork; when he expects payment to issue [45966/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application under the 2010 Single Payment Scheme was received from the person named on 31 March 2010. The 50% advance payment under the Single Payment Scheme, which issued on 18 October, and the further payment on 1 December were on the basis of those parcels cleared for payment at that stage. Following the completion of the 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 applicant is not accepting the amended reference areas. Therefore, the application will be subjected to a further review process, 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.

Question No. 319 withdrawn.

Animal Welfare

320. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food his plans to bring forward the Animal Welfare Bill and address the issue of horse welfare given the

[Deputy Andrew Doyle.]

number of abandoned horses and the pressure this is putting on agencies trying to deal with the issue; and if he will make a statement on the matter. [46001/10]

322. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food if he will engage with all of the relevant stakeholders to address the issues relating to rising numbers of abandoned horses with a view to developing a short and long term solution to this serious animal welfare problem [46003/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 320 and 322 together.

My Department's statutory responsibility extends to the welfare and protection of farmed animals only i.e. animals normally bred or kept for the production of food or for use in or for the purpose of farming. With regard to animal welfare legislation, the Government has approved for drafting the Animal Health and Welfare Bill which gives effect to commitments in the Programmes for Government, including the updating of existing animal health and welfare legislation to ensure that the welfare of all animals, including non-farmed animals, is properly protected and penalties for offenders are increased significantly. The Bill will include provisions for powers of intervention where an animal is deemed to be at risk as well as addressing such issues as the prevention of unnecessary suffering of animals and abandonment of animals.

I am aware from ongoing communications between officials of my Department and representatives of Local Authorities, the Horse Industry and Animal Welfare Organisations that the risk of abandonment of horses is continuing. The evidence indicates that horses are usually abandoned on waste lands/public roads etc and in such circumstances they become a matter for Local Authorities to address under the Control of Horses Act 1996. This Act contains a comprehensive range of measures to deal with problems including the abandonment of horses and it assigns to Local Authorities the primary role for dealing with such matters. The Act contains provisions for seizure and detention of stray horses, the confiscation of horses which stray repeatedly and the disposal of seized horses.

I should point out that my Department provides some €2million per annum to Local Authorities to assist them in implementing the Control of Horses Act and officials of my Department are continuing to liaise with Local Authority representatives in an effort to bring greater efficiencies to the implementation of the Act.

My officials continue to work closely with stakeholders through the auspices of the Farm Animal Welfare Advisory Council (FAWAC) and its Equine Welfare Liaison Group. Earlier this year I published the advice of FAWAC which recommended to owners that, in circumstances where they can no longer provide for their horse, they should be proactive in seeking to dispose of the animal before its welfare is compromised, including the option of humane disposal. Such action will help prevent the emergence of long-term and severe animal welfare problems.

In terms of future policy on dealing with the problem of abandoned horses, my Department is currently finalising legislation on identification of horses which requires that all horses be micro-chipped and have a valid passport issued from an approved stud-book or horse passport issuing agency. Officials are also consulting with the horse industry on the development of a system to notify and record the transfer of ownership between individuals where the animal is transferred on a permanent basis, which, I believe will provide for greater protection of horses given their relative longevity and potential for multiple transfer of ownership. Officials of my Department have also impressed upon the horse industry itself the importance of its role in the area of horse welfare. I have recently received and am studying the response from the main

players in the horse industry to the report published by UCD earlier this year on threats to horse welfare.

Animal Carcase Disposal

321. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food if he will consider the issuing of a temporary waiver in the implementation of the fallen animal charges scheme to allow for animals to be culled in light of the increased numbers over the past number of years; and if he will make a statement on the matter. [46002/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The disposal of fallen animals is subject to the Animal By-Products Regulation (EC) No 1774 of 2002. Under this Regulation, animals which die on-farm must generally be disposed of through approved intermediate plants (knackereries) and rendering plants.

Following the termination of the original Fallen Animals Scheme in April 2009, my Department has continued, within the boundaries of legal requirements, to make every effort to facilitate measures to maximise flexibility and enable reduction in the costs associated with the disposal of fallen animals. This includes allowing cross border trade, permitting direct delivery by farmers to authorised plants and encouraging indigenous use of meat and bone meal (MBM) for energy purposes. Approval conditions have been drawn up to facilitate the collection of fallen animals direct from farms by approved rendering plants, including arrangements to provide for TSE testing of these animals where required. Discussions are also continuing between the Department and farmer and hunt representatives, to consider the feasibility of extending the network of plants authorised to act as knackereries.

Under the current TSE Subsidy Scheme my Department pays towards the cost of collection and rendering of each over 48 month bovine and it is intended that a subsidy for this category of animal will remain in place. There are no plans to extend the subsidy to other categories of bovines or other animals. Keepers pay a maximum contribution of €54.03 to animal collectors for picking up over 48 month bovines from their holdings to facilitate their testing for BSE.

Proposals have been made that money be provided to facilitate humane slaughter of malnourished and unwanted horses. I am not convinced that this is the appropriate approach to what is, undoubtedly, a problem area at present. I am concerned that such an initiative would not necessarily result in the slaughter of the target population i.e. those horses that are most vulnerable. I am also concerned about the reputational damage that might be caused to the Irish bloodstock industry by a State-supported targeted slaughter initiative, given what I consider to be the strong likelihood of an adverse reaction both at home and overseas.

Question No. 322 answered with Question No. 320.

Sugar Industry

323. **Deputy Michael McGrath** asked the Minister for Agriculture, Fisheries and Food his views on the European Court of Auditors report into the closure of the sugar factory in Mallow; his further views on the absence of sugar production here; and if he will make a statement on the matter. [46024/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The European Court of Auditors Report on the Sugar Reform package of 2006 was addressed directly to the European Commission. The purpose of this report is to consider whether the reform of the European sugar sector had achieved its main objectives.

[Deputy Brendan Smith.]

One of the issues commented on by the Court was the Impact Assessment carried out by the Commission. This was a theoretical exercise undertaken prior to the commencement of the negotiations to assess the possible impact of the reform proposals on sugar production in Member States. It indicated that the Member States most likely to be affected adversely by the reform measures were Ireland along with Portugal, Greece and Italy.

The European Court of Auditors criticised the Commission for not using up to date information in the impact assessment in the case of a number of Member States. The Commission in its response pointed out that “*the reform model did not require an analysis of the current profitability and prospects of every individual sugar producer in the EU. Therefore the Commission did not consider it necessary to collect such data on productivity and efficiency for the model chosen*”.

As the Commission points out repeatedly in its 17 page response to the Court, under the reform package it was up to operators to decide whether to close processing plants and avail of the compensation package or not. Obviously industry operators would have the most up to date information available to them in making that decision.

Ireland strongly opposed the Commission’s reform proposals throughout these negotiations and sought to have them modified in such a way that an efficient sugar industry might have been retained in Ireland. At all stages during the actual negotiations, the most up to date available information on the sugar industry in Ireland was used and the Commission was fully aware of the fact that sugar processing here was consolidated to one factory.

Ultimately, there was insufficient political support in the EU Council of Ministers for the Irish position and our efforts had to be directed at achieving the best possible compensation package. The total compensation package negotiated was worth €353m to Ireland.

Greencore plc, the sole Irish sugar processor and holder of the Irish sugar quota, decided to avail of this scheme and accordingly the company renounced the quota and dismantled the last remaining sugar factory at Mallow in compliance with the conditions of the scheme. The decision by Greencore plc, to cease sugar production in Ireland was a commercial decision, having regard to the sugar market situation prevailing at the time and the impending reform and restructuring of the EU sugar sector.

As a result of the sugar restructuring scheme the overall EU sugar quota was reduced by almost 6 million tonnes, of which the Irish quota contributed some 200,000 tonnes.

There is no mechanism under the present Regulations that would allow for the reinstatement of the sugar quota for the growing of sugar beet in Ireland for processing into sugar. Any proposal to review the EU sugar quota regime would be a matter for the EU Commission in the first instance and any proposal to re-establish a sugar factory in Ireland would, subject to the availability of quota, be a matter for commercial decisions by interested parties. A quantity of sugar beet has always been grown in Ireland for fodder purposes and this continues. It is not affected by the EU sugar regime.

Grant Payments

324. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 104 of 28 October 2010, when a person (details supplied) will receive payment; and if he will make a statement on the matter. [46027/10]

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 5 May 2010. Payments under the 2010 Single Payment Scheme and Disadvantaged Areas Scheme have commenced nationally on 18 October 2010 and 22 September 2010 respectively. The application from the person named was submitted with land parcels identified as requiring re-digitisation. My Department has now completed this process.

The advance and balancing payments under the Single Payment Scheme were made to the person named on 18 October 2010, 8 November 2010 and 2 December 2010 respectively. Payments under the Disadvantaged Areas Scheme were made to the person named on 21 September 2010 and 11 November 2010. The person named has now been paid in full under both Schemes.

325. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in paying disadvantaged and single farm payments in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [46158/10]

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. Payments under the 2010 Single Payment Scheme and Disadvantaged Areas Scheme have commenced nationally on 18 October 2010 and 22 September 2010 respectively. The application from the person named was submitted with land parcels identified as requiring re-digitisation. My Department has now completed this process. Balancing payments due under both Schemes will issue shortly to the applicant.

326. **Deputy James Bannon** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in paying disadvantaged and single farm payments in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [46159/10]

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. Payments under the 2010 Single Payment Scheme and Disadvantaged Areas Scheme have commenced nationally on 18 October 2010 and 22 September 2010 respectively. The application from the person named was submitted with land parcels identified as requiring re-digitisation. My Department has now completed this process. Balancing payments due under both Schemes will issue shortly to the applicant.

327. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Cork will receive payment in respect of their REP scheme 4 application; and if he will make a statement on the matter. [46184/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The EU Regulations governing REPS 4 and other area-based schemes provide that payments issue in two instalments. The first instalment of 75% may be paid once all administrative checks on all applications, as well as cross-checks against areas declared on Single Payment Scheme applications, have been completed. 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.

328. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food the number of Kerry farmers who have received direct farm payments and the amount provided in total to them; the number of outstanding payments to Kerry farmers still to be made; and if he will make a statement on the matter. [46218/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I can confirm that the balancing payments under the 2010 Single Payment Scheme began issuing on 1 December, in line with the very ambitious payments targets I set for my Department in early October. Payments under the Disadvantaged Areas Scheme have been ongoing since they commenced on 22 September. I am confident that, by year-end, payments to farmers nationally will have exceeded €1.35 billion under the Single Payment Scheme (SPS) and the Disadvantaged Areas Scheme (DAS).

In relation to Kerry the position under the Single Payment Scheme is that there were 7,501 eligible applicants. To date 6,632 applicants have been fully paid and 507 applicants partially paid. Total payments under the Scheme to date are in excess of €51.5 million. As regards the Disadvantaged Areas Scheme, the position is that 7,081 applicants have been paid over €16.74 million and there are a further 846 applicants awaiting payment, many of whom are currently not eligible for payment as they do not meet the minimum stocking requirement of 0.15 live-stock units per hectare.

I can confirm that every effort is being made to clear remaining cases for payment at the earliest possible date and, to this end, payment runs continue to be made on alternate days, between the two Schemes.

329. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Galway will receive their single farm payment; and if he will make a statement on the matter. [46305/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department has no record of having received a 2010 Single Payment Scheme application from the person named. An official from my Department has made direct contact with the person named with a view to resolving this issue.

An application was received on 17 May 2010 requesting the transfer of 13.07 Single Payment entitlements to the person named from another farmer by way of lease ending in 2015. The lease/rent of entitlements is only permitted if accompanied by the lease/rent of an equal or greater number of net hectares of eligible land. As a valid Single Payment Scheme application has not been received from the person named, it has not been possible to confirm the leased land parcels and number of hectares that accompany these entitlements. Consequently this application cannot be processed.

Farm Retirement Scheme

330. **Deputy Edward O'Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork and if the application is in order [46306/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department received an application under the Early Retirement Scheme from the person named on 9 March, 2010. Under the Terms and Conditions of the Early Retirement Scheme, lands which are the subject of an Application for First Registration under Section 49, Land Registration

Act, 1964, are not eligible for pension purposes unless registration is completed prior to making the application under the Scheme.

In the case of the person named, the lands subject to the application were not registered prior to the date of lodgement of the application. In accordance with the Scheme Terms and Conditions, the person named was informed in June 2010 that he was ineligible for payment. This decision was upheld on appeal and the person named was informed of this on 9 November 2010 and of his right of appeal to the Agriculture Appeals Office.

331. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork. [46307/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department received an application under the Early Retirement Scheme from the person named on 24 September, 2009. The application has been processed and the person is in receipt of payment since April 2010.

332. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork and if he will confirm if this application is complete. [46308/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department received an application under the Early Retirement Scheme from the person named on 24 September, 2009. All outstanding issues in relation to this application have been resolved and arrangements are being made to make payment as soon as possible.

333. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork and if he will confirm if all the paperwork applicable to the application is in order. [46309/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department received an application under the Early Retirement Scheme from the person named on 28 October, 2009. The application has been processed and the person is in receipt of payment since June 2010.

Transfer of Lands

334. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork and if the application is in order. [46310/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An application was received on 10 May 2010 requesting the transfer of 74.55 entitlements from the person named and another person to the current joint registered owners of the herd-number by way of lease for one year.

The lease/rent of entitlements is only permitted if accompanied by the lease/rent of an equal or greater number of net hectares of eligible land. In this case the net number of eligible hectares (57.48) is less than the number of entitlements that form part of the requested transfer (74.55). A letter has issued to both parties requesting clarification and further instruction regarding their intentions.

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A second transfer application was received relating to the transfer of 23.36 entitlements that are presently held by the person named and another person under a lease that expires in 2018. The parties involved in the present lease need to agree the early termination of this lease and the reversion of the entitlements to their owner before the entitlements can be transferred on to a third party. Letters to this effect have issued to the parties concerned.

Installation Aid Scheme

335. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork and if the application is in order. [46311/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to the suspension of the Young Farmers’ Installation Scheme for new applications on 14 October 2008, only fully completed applications made under the Scheme and received by my Department up to and including that date are eligible for processing to payment stage.

336. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork and if the application is in order. [46312/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to the suspension of the Young Farmers’ Installation Scheme for new applications on 14 October 2008, only fully completed applications made under the Scheme and received by my Department up to and including that date are eligible for processing to payment stage.

337. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork. [46313/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to the suspension of the Young Farmers’ Installation Scheme for new applications on 14 October 2008, only fully completed applications made under the Scheme and received by my Department up to and including that date are eligible for processing to payment stage.

338. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork. [46314/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to the suspension of the Young Farmers’ Installation Scheme for new applications on 14 October 2008, only fully completed applications made under the Scheme and received by my Department up to and including that date are eligible for processing to payment stage.

339. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Cork. [46315/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to the suspension of the Young Farmers’ Installation Scheme for new applications on 14 October 2008, only fully

completed applications made under the Scheme and received by my Department up to and including that date are eligible for processing to payment stage.

340. **Deputy Edward O’Keeffe** asked the Minister for Agriculture, Fisheries and Food the position regarding a grant application in respect of a person (details supplied) in County Cork and if the application is in order. [46316/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to the suspension of the Young Farmers’ Installation Scheme for new applications on 14 October 2008, only fully completed applications made under the Scheme and received by my Department up to and including that date are eligible for processing to payment stage.

Question No. 341 withdrawn.

Rural Environment Protection Scheme

342. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the way the savings relating to REP scheme of €35.7 million outlined in the Government national recovery plan in 2011 will be achieved; if this relates to efficiencies derived from REP scheme contracts expiring in 2011 or if it will be achieved by other means; and if he will make a statement on the matter. [46322/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The Government’s National Recovery Plan identifies the level of Departmental savings to be achieved over the period 2011 to 2014. In 2011, the Department will be required to achieve savings of €75 million which, as specified in the Plan, includes reduced expenditure of €37.5m on REPS. This amount represents reduced expenditure on REPS and reflects the fact that the 5 year contract period for those participants remaining in REPS 3 will have ended by the end of 2011. As a result, liabilities under that scheme in 2011 will be substantially reduced. No changes are proposed to payment rates for REPs participants in 2011.

Departmental Expenditure

343. **Deputy Arthur Morgan** asked the Minister for Agriculture, Fisheries and Food the amount that has been drawn down of the €9.5 million that was made available as part of budget 2010 for the agri-food industry; the way it was spent; and if he will make a statement on the matter. [46332/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An amount of €2.5 million has been drawn down to date by Bord Bia and has been used in a variety of marketing initiatives aimed at assisting the food industry broaden its export reach including Marketplace 2010 involving more than 150 companies and 400 buyers, Marketing Fellowship initiatives in which highly qualified and experienced graduates work with food and drink companies graduates, market promotion and research initiatives.

In addition, some €2.5 million has been expended by Enterprise Ireland on lean manufacturing, company management development programmes to enhance leadership capabilities and innovation initiatives. Over 30 Food and Manufacturing companies have completed projects under the different levels of the lean manufacturing initiative. Following a call for proposals in early summer, 145 Innovation Vouchers were awarded to food companies by Enterprise Ireland. These vouchers offer small companies €5,000 to obtain an innovative solution to a

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technical or business challenge from a Higher Education Institute in Ireland or Northern Ireland, known as 'knowledge providers'.

A number of projects underway will for timing reasons now mature for payment in 2011.

Ministerial Appointments

344. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46369/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There are currently 12 State Bodies that fall under the aegis of my Department and while I, as Minister, do make appointments to the Boards of these bodies/agencies not all appointments are solely at my discretion.

Body to which appointed	Name of person appointed	Annual Fee	Date of appointment	Term of office
Aquaculture Licensing Appeals Board (ALAB)		€ No appointments		
Bord Bia	John Bryan Jackie Cahill Frank Hayes Anne Maria Dennison Kieran Dunne Prof. Fergal O'Gara	11,970.00 11,970.00 11,970.00 11,970.00 11,970.00 11,970.00	22 January 2010 23 March 2010 23 March 2010 28 June 2010 29 November 2010 2 December 2010	Three years Three years Three years Three years Three years Three years
Bord Iascaigh Mhara (BIM)	Tomas Kavanagh Paudie O'Shea	7,695.00 7,695.00	13 June 2010 4 November 2010	Three years Three years
Bord na gCon		No appointments		
Coillte Teoranta	Denis Byrne	12,600.00	1 January 2010	Five years
Horse Racing Ireland	Noel Cloake	6,300.00	10 February 2010	Four years
Irish National Stud	Sean Brady Jessica Harrington P.J. Fitzpatrick	2,700.00 2,700.00 2,025.00	19 May 2010 19 May 2010 23 June 2010	Term of office is not fixed Term of office is not fixed Term of office is not fixed
Marine Institute	Lorcan O'Kinneide Francis Coyle	7,695.00 7,695.00	16 February 2010 27 May 2010	Five years Five years
National Milk Agency	Michael Kilcoyne John Foster Richard Donohue Tony O'Driscoll Frank Tobin	Nil Nil Nil Nil Nil	27 May 2010 27 May 2010 27 May 2010 27 May 2010 27 May 2010	Three years Three years Three years Three years Three years

Body to which appointed	Name of person appointed	Annual Fee	Date of appointment	Term of office
		€		
	John O'Callaghan	Nil	27 May 2010	Three years
	George Kearns	Nil	27 May 2010	Three years
	Walter Maloney	Nil	27 May 2010	Three years
	Padraig Mulligan	Nil	27 May 2010	Three years
	Eamonn McEnteggart	Nil	27 May 2010	Three years
	Donal Kelleher	Nil	27 May 2010	Three years
	Jerome Crowley	Nil	27 May 2010	Three years
	Eamonn Bray	Nil	27 May 2010	Three years
Sea Fisheries Protection Authority (SFPA)		No appointments		
Teagasc	Tom Collins	13,066.66	27 January 2010	Five years
	Eddie Downey	13,066.66	27 January 2010	Five years
Veterinary Council of Ireland	Patrick J Rogan	Nil	1 January 2010	Four years
	Barbara Bent	Nil	1 January 2010	Four years
	John O'Rourke	Nil	1 January 2010	Four years
	Seamus Quinn	Nil	1 January 2010	Four years

Grant Payments

345. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food when single farm payment, disadvantaged area scheme and REP scheme payment will issue to a person (details supplied) in County Westmeath; if same can now be expedited; and if he will make a statement on the matter. [46402/10]

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 7 April 2010.

This application was selected for and was the subject of a Ground Eligibility and Animal Identification 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. In addition, the person named also submitted an application under Category B of the 2010 National Reserve. This category caters for new entrants to farming after 15 May 2008. New entrants are also required to meet certain criteria including educational qualifications and on and off farm income limits.

While the person named meets the current requirements for New Entrants for the 2010 National Reserve, it is not possible to make a final decision on his application until such time as the Inspection results are fully processed.

The REPS payment application for the person named cannot be progressed until the Single Payment issues detailed above are finalised.

346. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food if he will arrange payment under the single payment scheme and disadvantaged areas scheme to a person (details supplied) in County Kilkenny whose application has been cleared for payment by the Department. [46421/10]

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 27 April 2010. This application was selected for and was the subject of a Ground Eligibility and Animal Identification Inspection.

The inspection process is completed and the application has now been fully processed. Payment under the Disadvantaged Areas Scheme and the Single Payment Scheme issued on 1 December.

347. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food the position regarding an application for single farm payment in respect of a person (details supplied) in County Kilkenny. [46464/10]

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 6 May 2010. The 50% advance payment under the Single Payment Scheme, which issued on 18 October and the 75% advance payment under the Disadvantaged Area Scheme, which issued on 29 September, were on the basis of those parcels cleared for payment at that stage.

A number of parcels listed on the application of the person named required re-digitisation; following which, an issue arose regarding an over-claim in respect of one land parcel. My Department has written to the person named on 15 November and again on 26 November regarding this matter. An official from my Department will contact the person named directly with a view to resolving this query.

State Bodies

348. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Fisheries and Food the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46471/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): This is an operational matter for the Semi — State Bodies but under Prompt Payment Regulations all payments should be met within a legally prescribed timeframe.

Industrial Disputes

349. **Deputy Niall Collins** asked the Minister for Agriculture, Fisheries and Food the number of industrial disputes and industrial actions, including work to rule, presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park Agreement; and if he will make a statement on the matter. [46509/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): There is currently one industrial dispute in my Department which does not involve any industrial action. This dispute is subject to an arbitration hearing later this week.

Aquaculture Development

350. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will make a comprehensive disclosure on the commercial aquaculture development scheme that includes declarations on the sum allocated to the scheme by the Government including the amount within this sum that was designated for grants to producers and the amount within the sum that was designated for administration; if he will declare the amount of money allocated from the scheme to commercial producers; the amount of money designated for administration that was unspent; the amount of money designated for producers via grants that was unspent; his plans for the unspent money; and if he will make a statement on the matter. [46559/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Some €5 million of Exchequer funding was allocated in 2010 to the Commercial Aquaculture Development Scheme, an implementing measure under the Irish Seafood National Programme 2007-2013. BIM are responsible for implementation of the scheme. On 30 July 2010, BIM invited applications under the scheme, with an application deadline of 20 August. Eligible applications received amounted to €779,647. Grant offers issued to the companies concerned and BIM is presently assessing claims for drawdown of the grants approved.

BIM's administrative costs for this scheme and all other normal functions carried out by BIM are charged to a separate subhead and were not deducted from the €5 million allocated for development of the aquaculture sector in 2010. However, it was necessary to provide €294,652 from the €5 million allocation to BIM to temporarily fund the operating costs of the Aquaculture Initiative EEIG (CBAIT), pending an examination by BIM of the functions carried out by this project and possible future funding options. CBAIT was previously funded by the PEACE Programme and its successors, but that funding has expired.

My Department is currently reviewing all of its end-year projections. A decision on the possible use of unspent budgets will be made when this review is complete

Ministerial Appointments

351. **Deputy Paul Kehoe** asked the Minister for Enterprise, Trade and Innovation the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45846/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): The following table outlines the names, titles and duties of each of the advisers, personal assistants and personal secretaries appointed by me. It also includes the annual salary scale and pension arrangements in each case.

Ministerial Appointee	Ms. Deirdre McDonnell	Mr. Bernard Mallee	Ms. Katherine Woods	Ms. Mary O’Keeffe
Title	Special Advisor	Special Advisor	Personal Assistant	Personal Secretary
Duties	Providing advice to me as Minister for Enterprise, Trade and Innovation; monitoring, facilitating and securing the achievement of Government objectives that relate to my Department; and performing such other functions as I may direct from time to time.	Providing advice to me as Minister for Enterprise, Trade and Innovation on strategic communication, messaging, media stakeholder engagement, rebuttal and media monitoring in the pursuit of Government policy objectives relating to my Department and any other functions I may direct from time to time.	Performing general secretarial duties including the handling of enquiries made to my Constituency Office.	Performing general secretarial duties including the handling of enquiries made to my Constituency Offices, holding advisory clinics, meetings, general constituency and organisational work.
Salary Scale	€80,051 – €99,236	€80,051 – €99,236	€43,816 – €51,653	€29,024 – €47,379
Pension Arrangements	Member of the Contributory Pension Scheme for Established Civil Servants and of the Contributory Spouses’ and Children Pension Scheme for Established Civil Servants.	Member of the Non-contributory Pension Scheme for Non-established State Employees and of the Contributory Spouses’ and Children’s Pension Scheme for Non-established State Employees.	Member of the Non-contributory Pension Scheme for Non-established State Employees and of the Contributory Spouses’ and Children’s Pension Scheme for Non-established State Employees.	Member of the Non-contributory Pension Scheme for Non-established State Employees and of the Contributory Spouses’ and Children’s Pension Scheme for Non-established State Employees.

State Bodies

352. **Deputy Denis Naughten** asked the Minister for Enterprise, Trade and Innovation the current processing time for a trade mark; the steps being taken to expedite this process; and if he will make a statement on the matter. [45904/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Conor Lenihan): The processing time for a Trade Mark depends on the circumstances of each individual application. The Patents Office conducts examination of applications on absolute and relative grounds, and in doing so the Office must take into account the legislation regarding registrability of Trade Marks as well as how the application would impact on all earlier rights (existing national and Community Trade Marks).

When the Patents Office is satisfied that the application is in order it will be accepted for registration and published in the Office’s Official fortnightly Journal in accordance with legislative requirements. Following such publication there is a period of three months, again defined by legislation, to allow third parties to raise an opposition to registration. If no oppositions are filed the Applicant is requested to pay the registration fee and on receipt of same the Trade Mark is registered. The total time taken, from application to registration, for cases where no office objections or third party oppositions are made, is typically six months.

Cases where objections to registration are taken by the Patents Office or oppositions are filed by third parties can take much longer to resolve.

The following table details the average time taken, since 1st January 2007, by the Patents Office to accept Trade Marks for registration.

Average Lapsed Time from Application to Acceptance (in days)

Year	National Applications	International Applications (filed under the Madrid Protocol)
2007	144	111
2008	130	126
2009	128	80
2010 (to date)	96	70

As can be seen from the above the Patents Office has reduced significantly the time taken in recent years to process Trade Mark applications. Notwithstanding this, the Patents Office continues to streamline its processes and to eliminate administrative inefficiencies by utilising state-of-the-art IT systems and services that have already seen many manual processes replaced by automated procedures.

Ireland’s governing legislation is in line with international best practice and defines distinct periods of time, totalling fifteen weeks, which must be allowed for certain actions to take place.

Redundancy Payments

353. **Deputy Michael Ring** asked the Minister for Enterprise, Trade and Innovation when a person (details supplied) in County Mayo will receive their redundancy payment. [45941/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social Protection. There are two types of pay-

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ment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees, and statutory lump sums to employees whose employers are insolvent and/or in receivership/liquidation.

I wish to advise the Deputy that on the basis of valid claims entered on the Redundancy Payments System in my Department, there is no record of a redundancy claim having been received in respect of the individual in question.

It is my Department's practice not to enter incomplete claims on the system as these claims cannot be processed until the necessary documentation is submitted. Forms are returned to allow missing details and/or supporting documentation to be submitted. Submission of correctly completed Redundancy claim forms (RP50's) with all of the required documentation greatly facilitates the processing of claims.

Under Redundancy legislation the onus, in the first instance, is on the employer to pay to the employee their redundancy entitlements. The employer is then entitled, by virtue of pay related social contributions to the Social Insurance Fund, to recover 60% of the amount paid to the employee.

In circumstances where the employer is unable to pay the redundancy entitlements, a claim can be lodged with the Department and the documentation required in support of lump sum claims is evidence of the employer's inability to pay the redundancy entitlements to the employees. This involves requesting a statement from the company's Accountant or Solicitor attesting to the inadequacy of assets to make the redundancy payments and, the latest set of financial accounts for the company. The employer is also asked to admit liability for the 40% liability attaching to the company arising from the redundancy payments.

If this information is provided to the Department, the employees are paid their redundancy entitlement from the Social Insurance Fund. Upon payment, the Department pursues the company for the 40% share that the company would ordinarily have been expected to pay to the employees.

If the necessary supporting documentation required from the employer is not provided to my Department, the employee will be advised by my Department to take a case to the Employment Appeals Tribunal (EAT) against the employer to seek a determination establishing the employee's right and entitlement to redundancy. Once such a determination is available, the Department is then in a position to make the payment to the employee concerned. Should the outstanding documentation be provided by the employer during the period while the case is pending a hearing before the EAT, this would allow the claim to be processed by my Department in the usual way.

354. **Deputy Pat Rabbitte** asked the Minister for Enterprise, Trade and Innovation the reason no decision has been made on an application to the redundancy fund from a company in respect of an person (details supplied) who was made redundant on 18 May 2010; when a decision will issue; and if he will make a statement on the matter. [45979/10]

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social 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

I can confirm that my Department received a statutory redundancy lump sum claim in respect of the individual concerned on 3 June, 2010. This claim awaits processing.

In respect of lump sum payments paid directly to employees in instances where employers are unable to pay the statutory redundancy entitlements, in general, claims dating from May 2010 are currently being processed. Of course in some instances, where the necessary supporting documentation for lump sum claims is not provided to my Department, or where queries arise, processing of claims can be further delayed until the required documentation is provided and/or outstanding queries are resolved.

My Department continues to make every effort to reduce processing times. Measures already taken in the Department to alleviate the pressures on the Payments area include:

- Almost doubling the number of staff working solely on redundancy payment claims through reassignment to a current level of 52 full time equivalents;
- Prioritisation of the Department's overtime budget towards staff in the Section to tackle the backlog outside normal hours;
- Establishment of a special call handling facility in NERA to deal with the huge volume of telephone calls from people and businesses concerned about their payments;
- Better quality information relating to current processing times on the Department's website;
- Engagement with the Revenue Commissioners to facilitate the offset of redundancy rebate payments by employers against existing outstanding tax liabilities which those employers owe to the Revenue Commissioners.

Whilst the backlog 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 eleven months of 2010 was 70,247 up over 55 % on the corresponding 11-month period in 2009 (45,201) 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 25,950 at the end of November 2010 and is on target on have reduced to a level of 25,000 or less 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.

Proposed Legislation

355. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Innovation his plans regarding digital copyright law reform; and if he will make a statement on the matter.
[45996/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Conor Lenihan): Copyright is basically a monopoly balanced by exceptions and limitations. On the one hand, owners of copyright and related rights are anxious to protect their rights and to obtain a fair return for their efforts; on the other hand, users are concerned to have reasonable

[Deputy Conor Lenihan.]

access and use of copyright material. Copyright is central to innovation, both encouraging it and providing rewards. But this regime may be potentially opposing — if we reward a creator with a monopoly over his work, and prohibit others using that work, then the risk is the prevention of the next round of innovation. The challenge, therefore, is to strike the delicate balance between reward and innovation.

A series of directives has largely harmonised copyright law in the EU. Whether this regime is adequate in a swiftly evolving digital world and for the promotion of a more vibrant market for on-line distribution of creative content has long been exercising EU authorities. It is recognised that consumers want access to a wide choice of content and an end to the confusion about how they may use on-line material. Commercial users need easier and quicker rights clearance structures so they can obtain rights for diverse creative content and rightsholders want to offer their works to the widest audience and ensure that they are remunerated fairly and adequately.

To these ends, I strongly support the measures put forward in the recent EU “A Digital Agenda for Europe” and look forward to engaging constructively on the actions proposed:

- Simplify copyright clearance, management and cross-border licensing by Enhancing the governance, transparency and pan European licensing for (online) rights management by proposing a framework Directive on collective rights management by 2010;
- Create a legal framework to facilitate the digitisation and dissemination of cultural works in Europe by proposing a Directive on orphan works by 2010, to conduct a dialogue with stakeholders with a view to further measures on out-of print works, complemented by rights information databases;
- By 2012, review the Directive on Re-Use of Public Sector Information, notably its scope and principles on charging for access and use;
- After an extensive stakeholder dialogue, report by 2012 on the need for additional measures beyond collective rights management allowing EU citizens, online content services providers and right-holders to benefit from the full potential of the digital internal market, including measures to promote cross-border and pan-European licenses, without excluding or favouring at this stage any possible legal option;
- In preparation thereof, issue a Green Paper addressing the opportunities and challenges of online distribution of audiovisual works and other creative content by 2010;
- On the basis of the review of the Directive on the enforcement of intellectual property rights, and following extensive stakeholder dialogue, report by 2012 on the need for additional measures to reinforce the protection against persistent violations of intellectual property rights in the online environment, consistent with the guarantees provided in the Telecoms Framework and fundamental rights on data protection and privacy.

In addition, I have been approached about the benefit of introducing various exceptions in EU law and I consider that the feasibility and practicality of these measures should be examined.

I am conscious of the importance and urgency of this matter and am fully committed to achieving the fairest balance possible.

356. **Deputy Deirdre Clune** asked the Minister for Enterprise, Trade and Innovation his plans to introduce a cost level below which alcohol can not be sold; and if he will make a statement on the matter. [46166/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The sale of alcohol is essentially regulated by the liquor licensing laws, which are the policy responsibility of the Minister for Justice and Law Reform and I have no direct function in this matter.

Job Creation

357. **Deputy John O’Donoghue** asked the Minister for Enterprise, Trade and Innovation the number of visits made by the Industrial Development Agency and potential investors they are working with to Kerry this year; the number of IDA related jobs created in Kerry this year; and if he will make a statement on the matter. [46215/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): I am informed by IDA that to date in 2010 there have been 2 visits by potential investors to county Kerry.

As part of its strategy to attract inward investment, IDA Ireland introduces a prospective client company to 3 or 4 selected locations/towns which can meet the company’s requirements for skills, labour, site and/or building(s), infrastructure, etc. In selecting locations to show companies, IDA Ireland seeks to include locations which have been affected by closures/job losses. While IDA Ireland seeks to influence the selection of location, the final decision on where to visit and where to locate is taken in all cases by the promoting company.

Job creation figures for 2010 will not be available until early 2011, but the Forfás Annual Employment Survey shows that 25 new jobs were created in IDA supported companies in Kerry in 2009 and that at the end of that year there were 14 IDA Ireland supported companies in Kerry employing a total of 1,407 permanent staff.

358. **Deputy John O’Donoghue** asked the Minister for Enterprise, Trade and Innovation the number of visits made by Enterprise Ireland and potential investors they are working with to Kerry this year; the number of Enterprise Ireland related jobs created in Kerry; and if he will make a statement on the matter. [46216/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): Site visits from potential investors normally relate to projects which are mobile and, more often than not, are from overseas. The Enterprise Ireland portfolio of indigenous client companies is, of its nature, not very mobile, and therefore the number of such site visits arranged by the agency only relates to a small number of companies. Enterprise Ireland has not made any site visits to Co. Kerry this year.

Enterprise Ireland monitors the employment trends in the companies it supports through the Annual Employment Survey, conducted in conjunction with Forfás. The results of this survey are released in January of each year. The figures for 2009, which are the most recent available, show 130 Enterprise Ireland client companies in Co. Kerry employing 3,151 full time and 444 part-time people.

Redundancy Payments

359. **Deputy David Stanton** asked the Minister for Enterprise, Trade and Innovation when a redundancy payment will issue to a person (details supplied) in County Cork; and if he will make a statement on the matter. [46342/10]

Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social 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

I can confirm that my Department received a statutory redundancy lump sum claim in respect of the individual concerned on 4 November, 2010 following the obtaining by the individual of a positive determination from the Employment Appeals Tribunal (EAT). As is customary in circumstances where a case is determined by the EAT in favour of an employee, my Department will give the employer an opportunity to pay to the individual the redundancy entitlements due. This process is currently under way and a period of a 2/3 weeks will be allowed to enable the employer to respond.

The Deputy can be assured that payment of the claim will not be delayed after the 2/3 week period has expired.

Departmental Agencies

360. **Deputy Fergus O'Dowd** asked the Minister for Enterprise, Trade and Innovation all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46374/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O'Keeffe): Following is the information requested by the Deputy.

The Personal Injuries Assessment Board

Member	Term of Office	Remuneration per annum
Matthew Elderfield	05 February 2010 – 15 June, 2010	Nil
Bernard Sheridan	15 June 2010 – 01 October 2010	Nil

The Irish Auditing and Accounting Supervisory Authority

Member	Term of Office	Remuneration per annum
		€
Karen Erwin, Chairperson	3 years	12,600
Tony Kelly	3 years	8,100
Senator Joe O'Toole	3 years	8,100
Michael Deasy	3 years	Nil

Science Foundation Ireland

Appointments to the Board of Science Foundation Ireland are governed by statute under the Industrial Development (Science Foundation Ireland) Act 2003. The members of the Board are appointed by the Minister for Enterprise, Trade and Innovation, with the consent of the Minister for Finance following consultation with the Minister for Education and Skills.

Member	Term of Office	Remuneration per annum
Dr Pat Duane	3 years	€2,169 to date/€8,100 pa
Martin Shanagher	3 years	Nil

Shannon Free Airport Development Co. Ltd.

Member	Term of Office	Remuneration per annum
		€
John Fitzgerald	6 years	12,600
Willie Loughnane	6 years	12,600

IDA Ireland

Member	Term of Office	Remuneration per annum
		€
Liam O'Mahoney Chairman	5 years	21,600
Heather Ann Mc Sharry	5 years	12,600
Martin Shanagher	5 years	Nil

The Competition Authority

Member	Term of Office	Remuneration per annum
Declan Purcell	27 April 2010 – 31 December 2010	Chairperson of Competition Authority per D/Finance sanction
Gerald Fitzgerald	6 Months	Member of Competition Authority per D/Finance sanction
Isolde Goggin	6 Months	Member of Competition Authority per D/Finance sanction

National Standards Authority of Ireland

Member	Term of Office	Remuneration per annum
		€
Ann Riordan*	20/04/2010	12,600
Ed Stack*	20/04/2010	8,100
Damian Wallace	20/04/2010	8,100
James Collins	24/06/2010	8,100

*Ms Riordan was reappointed as Chairman and Mr Stack was reappointed to the Board.

No finite term is prescribed by the National Standards Authority of Ireland Act 1996, however, the three longest-serving members of the NSAI Board retire by rotation on 14 April each year, as referred to in Schedule 1 of the Act.

[Deputy Batt O’Keeffe.]

Forfás

The Board of Forfás is appointed under the Industrial Development Act 1993 (1st Schedule), as amended by the 2003 Act. The Board consists of 13 Members.

Each year, the two longest serving members of the Board must retire from office. A retiring member is eligible for reappointment.

Member	Term of Office	Remuneration per annum
		€
Martin D. Shanahan	No fixed term	12,600
Simon Barry	No fixed term	12,600
Bob Brannock	No fixed term	12,600
Miriam Magner Flynn	No fixed term	12,600
Timothy Dullea	No fixed term	12,600
William O’Brien	No fixed term	12,600

Enterprise Ireland

The term of office served by each Board Member of Enterprise Ireland is determined by Section 9(8) of the Industrial Development (Enterprise Ireland) Act 1998: “On the anniversary of the establishment day and thereafter on each anniversary of the establishment day, two of the members of the Board (other than the chairperson and the chief executive officer) shall retire from office.

Member	Term of Office	Remuneration per annum
Bob Savage	10 years	€12,600/€1,593.74 to date
Rita Shah	10 years	€12,600/€1,593.74 to date

The National Consumer Agency

Section 10 of the Consumer Protection Act 2007 provides that the members of the National Consumer Agency are appointed directly by the Minister (with the exception of the CEO, who is appointed by the Agency itself subject to the approval of the Minister). The section also provides that on the anniversary of the establishment day of the Agency and on each subsequent anniversary of that day, two members of the Agency (other than the chairperson and the chief executive) shall retire from office. The section further provides that a member of the Agency (other than the chief executive) shall serve for not more than 10 consecutive years.

The following were appointed members of the National Consumer Agency in 2010:

Member	Term of Office	Remuneration per annum
		€
Fergus J. Gallagher	No fixed term	12,600
David Pierce	No fixed term	12,600
Ms Marie Dalton	No fixed term	12,600
Ms. Georgina Conroy	No fixed term	12,600

The Labour Court

Member	Term of Office	Remuneration per annum
Kevin Duffy	3.5 years	Salary as sanctioned by Dept of Finance
Brendan Hayes	3 years	Salary as sanctioned by Dept of Finance
Mary Cryan	3 years	Salary as sanctioned by Dept of Finance
Jack Nash	10 months	Salary as sanctioned by Dept of Finance
Pádraigín Ní Mhurchú	3 years	Salary as sanctioned by Dept of Finance
John Doherty	4 months	Salary as sanctioned by Dept of Finance

Company Law Review Group

The Company Law Review Group (CLRG) was established under Part 7 of the Company Law Enforcement Act 2001. Section 69 of the Act states that the Review Group “shall consist of such and so many members that the Minister from time to time appoints”. The CLRG is composed of 26 members who were appointed in July 2010 for a two-year term. The members represent company law practitioners (solicitors, barristers and accountants), IBEC, ICTU and other relevant representative bodies, regulating agencies and Government Departments.

Member	Term of Office	Remuneration per annum
Tom Courtney (Chairman)	2 Years	€9,450
Paul Appleby	2 Years	Nil
Helen Dixon	2 Years	Nil
William Johnston	2 Years	Nil
Vincent Madigan	2 Years	Nil
Tanya Holly	2 Years	Nil
Paul Egan	2 Years	Nil
Nora Rice	2 Years	Nil
Deirdre-Ann Barr	2 Years	Nil
Ian Drennan	2 Years	Nil
Jim Byrne	2 Years	Nil
Noel Rubotham	2 Years	Nil
Joseph Gavin	2 Years	Nil
Jonathan Buttimore	2 Years	Nil
Conall O'Halloran	2 Years	Nil
Mark Pery-Knox-Gore	2 Years	Nil
Ralph McDarby	2 Years	Nil
Mike Percival	2 Years	Nil
Mike Duignan	2 Years	Nil
Michael Halpenny	2 Years	Nil
Jon Rock	2 Years	Nil
Marie Daly	2 Years	Nil
Declan Murphy	2 Years	Nil
Mark Fielding	2 Years	Nil
Kathryn Maybury	2 Years	Nil
Brian Kelliher	2 Years	Nil

[Deputy Batt O’Keeffe.]

The Companies Registration Office/Registry of Friendly Societies

Member	Term of Office	Remuneration per annum
Helen Dixon Companies Registration Office Registrar of Companies: Registry of Friendly Societies Registrar of Friendly Societies	04/12/2009 — Term not prescribed 2 years	Remuneration is equivalent to the Principal Officer pay scale.

Trade Mark Agents Board

Member	Term of Office	Remuneration per annum
Liam Johnston	3 years	Nil
Michael Kiernan	3 years	Nil
Dermot Doyle	3 years	Nil
Alex Schuster	3 years	Nil

Patent Agents Board

Member	Term of Office	Remuneration per annum
Imelda Hardiman	3 years	Nil
Alex Schuster	3 years	Nil
Peter Shortt	3 years	Nil
Dolores Cassidy	3 years	Nil

Intellectual Property Policy Group

In June 2010 an Intellectual Property Implementation Group was established to drive the implementation of the IP related recommendations from the Innovation Taskforce Report in order to ensure that all enterprises, from small businesses to multinationals, get better access to Government-supported intellectual property and can then use it to create jobs and drive our economic recovery.

The Group will complete its work and complete its term of office in 2011. No payment has been made to members of the Group.

Member	Term of Office	Remuneration per annum
Dr Jim Mountjoy (Chairman)	1 year	Nil
Damien Callaghan	1 year	Nil
John Scanlan	1 year	Nil
Richard Stokes	1 year	Nil
Brendan Cremen	1 year	Nil
Professor Terry Smith	1 year	Nil
Dr Jeanne Bolger	1 year	Nil
Barry Kennedy	1 year	Nil

Member	Term of Office	Remuneration per annum
Dr Daniel O'Mahony	1 year	Nil
Dr Ena Prosser	1 year	Nil
Paul Kavanagh	1 year	Nil
Karl Flannery	1 year	Nil

The Crafts Council of Ireland

Member	Term of Office	Remuneration per annum
Patrick Hughes	3 years	€8,100

Innovation Taskforce Implementation Committee

A high level Committee was established on 10 May 2010 to implement the recommendations in the Report of the Innovation Task Force.

The members of the high-level implementation committee are:

Member	Term of Office	Remuneration per annum
Batt O'Keeffe TD [Chairman]	No fixed term	Nil
Lionel Alexander	No fixed term	Nil
Aidan Brady	No fixed term	Nil
Ned Costello	No fixed term	Nil
Aidan Fitzsimons	No fixed term	Nil
Chris Horn	No fixed term	Nil
Brian Kelly	No fixed term	Nil
Bryan Mohally	No fixed term	Nil
Dr Cian Ó Mathúna	No fixed term	Nil
Anna Scally	No fixed term	Nil
Kevin Cardiff	No fixed term	Nil
Seán Gorman	No fixed term	Nil
Dermot McCarthy	No fixed term	Nil
Brigid McManus	No fixed term	Nil
Aidan Dunning	No fixed term	Nil
Martin Shanahan	No fixed term	Nil

The secretariat is provided by the Department of Enterprise, Trade and Innovation. Members of the Steering Group will not be remunerated for their work but may recoup travel and subsistence expenses incurred in accordance with public service guidelines.

Research Prioritisation High Level Steering Group

On 27 September a High Level Steering Group was established to oversee a project to establish priority areas of focus for Irish Research for the future. The purpose of this exercise is to identify up to twenty priority areas, or approaches to tackling national challenges that we face, and to concentrate future investment in publicly funded STI in those areas. The project will take account of research areas where Ireland has built significant strength to date and particularly areas that have the greatest potential to deliver sustainable economic return through enterprise development, employment creation, or indeed, quality of life.

[Deputy Batt O’Keeffe.]

Member	Term of Office	Remuneration per annum
Jim O’Hara [Chairman]	1 year	Nil
Professor Nicholas Canny	1 year	Nil
Professor Frank Convery	1 year	Nil
Marion Coy	1 year	Nil
Professor Patrick Cunningham	1 year	Nil
Seán Dorgan	1 year	Nil
Dr Alistair Glass	1 year	Nil
Brian J Hayes	1 year	Nil
Professor Brian MacCraith	1 year	Nil
Kevin McCarthy	1 year	Nil
Dr Tom McCarthy	1 year	Nil
Martin Naughton	1 year	Nil
Ian Quinn	1 year	Nil
Maurice Roche	1 year	Nil
Professor Frances Ruane	1 year	Nil
Martin Shanagher	1 year	Nil
Martin Shanahan	1 year	Nil

The secretariat is provided by Forfás. The Steering Group has been asked to submit its report to Government by September 2011. The members of the Group will not be remunerated for their work but may recoup travel and subsistence expenses incurred in accordance with public service guidelines

The Office of the Director of Corporate Enforcement

Member	Term of Office	Remuneration per annum
Paul Appleby	5 Years	Remuneration is equivalent to the Assistant Secretary pay scale

The Rights Commissioner Service

Member	Term of Office	Remuneration per annum
Mark A McGrath	3 years	Per diem of €434.32
Michael Hayes	3 years	Per diem of €434.32
Joan Carmichael	3 years	Per diem of €434.32
John Walsh	3 years	Per diem of €434.32
Eugene Hanly	3 years	Per diem of €434.32
Rosaleen Glackin	3 years	Per diem of €434.32
Jim O’Connell	3 years	Per diem of €434.32
Sean Reilly	3 years	Per diem of €434.32

Appointments made by Minister Callery to the Employment Appeals Tribunal from 30 January 2010

Appointments to the panel of Vice-Chairmen

3 year term

Sinéad Behan	Graham Hanlon	Roderick Maguire
Kieran Buckley	Eamon Harrington	Seán Mahon
Ann Marie Courell	David Herlihy	Jeananne McGovern
Fiona Crawford	Elva Kearney	Sandra McNally
Dorothy Donovan	Margaret Levey	Mark O'Connell
Catherine Egan	James M. Lucey	Moya Quinlan
Veronica Gates	Dermot MacCarthy	Nicholas Russell
Bernadette Glynn	Orna Madden	Jeremiah Sheedy

5 year term

Pamela Clancy	Dara Hayes	Jeremiah O'Connor
Charles Corcoran	Patrick Hurley	Patricia O'Connor
Emile Daly	Mary McAveety	Peter J. O'Leary
John F. Fahy	Penelope McGrath	Joe Revington
James Flanagan	Eamon Murray	Thomas Ryan
Myles Gilvarry	Niamh O'Carroll Kelly	Tony Taaffe
Clodagh Gleeson	Leachlain S. Ó Catháin	

Appointments to the panel of employee representatives on the basis of nominations from the Irish Congress of Trade Unions

3 year term

Frank Barry	John Flannery	Patrick King
Thomas Brady	Tom J. Gill	Sean Mackell
Eveta Brezina	Helen Henry	Máire Mulcahy
Alexander Butler	Thomas A. Hogan	Helen Murphy
J. Finbarr Dorgan	Suzanne Kelly	Séamus O'Donnell
Patsy Doyle	Mary Finnerty	Tony Kelly
Frank Keoghan	Ciaran Ryan	David Thomas

5 year term

James Dorney	Joe Maher	Owen Nulty
Noel Dowling	Mary Maher	Michael O'Reilly
John Flavin	Dominic McEvoy	Patrick Trehy
Noirin Greene	Michael McGarry	Gerard Whyte
Jim Jordan	Alice Moore	Owen Wills
Hilary Kelleher	Jim Moore	Paddy Woods
Rosabel Kerrigan	Phil Ní Sheaghdha	

[Deputy Batt O’Keeffe.]

Appointments to the panel of employer representatives on the basis of nominations from Employers’ Representative Bodies

3 year term

Gerard Andrews	James Hennessy	Tom O’Grady
Pat Casey	Ben Kealy	James O’Neill
John G. Flanagan	Finbar Moloney	Patrick Pierce
Moss Flood	Desmond Morrison	Robert D. E. Prole
Angela Gaule	Michael J. Murphy	John Reid
James Goulding	Michael Noone	Declan F. Winston
Eamon C. Handley	William O’Carroll	

5 year term

Joe Browne	Con Lucey	Tadg O’Sullivan
Michael Carr	Gerry McAuliffe	Dermot Peakin
Frank Cunneen	Cyril McHugh	Peter J. Pierson
Thomas L. Gill	Don Moore	William Power
Don Hegarty	Roger F. Murphy	Máire Sweeney
John Horan	J.J. Killian	Aidan O’Mara
Neil Ormond	Liam Tobin	Jean Winters

The rates of remuneration per diem for the EAT are as follows:

Position	Nature of Remuneration	Amount of Remuneration Per diem
		€
Chairperson	Sitting	591.10
	Conference	140.76
Vice Chairperson	Sitting	381.34
	Conference	113.11
Member	Sitting	193.24
	Conference	97.57

State Bodies

361. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46476/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): The amount of moneys owed to private firms by Agencies under the remit of my Department is a day-to-day matter for the Agencies concerned for which I have no function.

Industrial Disputes

362. **Deputy Niall Collins** asked the Minister for Enterprise, Trade and Innovation the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter

of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park Agreement; and if he will make a statement on the matter. [46514/10]

Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe): There are no industrial disputes or industrial actions presently being engaged in by staff of my Department.

Charities Regulation

363. **Deputy Brian Hayes** asked the Minister for Community, Equality and Gaeltacht Affairs his plans to bring forward the commencement orders in connection with the Charities Act to enable the act to become operational; and if he will make a statement on the matter. [45839/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): The Deputy will be aware that the Charities Act 2009 is structured in such a way as to allow for commencement, by Ministerial order, of its individual provisions on different dates over a period of time. However, commencement of the majority of the Act is contingent on a Charities Regulatory Authority being in place.

My Department has developed an implementation plan for the Act, which will ensure that the essential elements are in place to enable the introduction of the statutory regulatory framework provided for in the legislation. The drafting of regulations in anticipation of the establishment of the new Charities Regulatory Authority is, of course, a key part of that work.

My Department is in ongoing discussions with the Department of Finance regarding the resourcing and establishment of the new Authority and I hope that it will be possible to make progress on this aspect of the matter in the coming months.

The Act also provides that any organisation that holds charitable tax exemptions from the Revenue Commissioners on the day the Register of Charities is introduced will be automatically deemed to be entered onto the Register, and thus such organisations will not have to apply to the new Authority for registration. In co-operation with the Revenue Commissioners, my officials are working to ensure that the information legally required to be published on the Register of Charities will be in place on establishment day. As there are well over 7,000 such organisations, the Deputy will appreciate that there is a considerable body of work to be done in this regard alone.

Another aspect of the implementation process is delivering on the commitment to consult with the charities sector in relation to the type of financial and activity reporting that they will be required to make to the new Authority. This consultation is to be carried out parallel to, and will most likely be informed by, a broader review of the UK & Ireland Generally Agreed Accounting Principles (GAAP) that is being undertaken by the Accountancy Standards Board at the moment. In this context, my Department hosted a successful conference on this issue in January 2010 in Dublin Castle.

The Deputy should also note that:

Section 99 of the Act, which regulates the sale of pre-signed Mass cards, came into effect from 1st September 2009. It has been the subject of a constitutional challenge, which failed in the High Court, but which, I understand, is to be brought before the Supreme Court; and

Sections 4 and 90 (SI No 315 of 2010) of the Act came into effect on 26th June 2010. Section 4 allows for Ministerial orders or regulations under the Act. Section 90 makes provision to grant powers in any proceedings to the courts to grant relief to charity trustees from personal liability for breach of trust, where the opinion of the court is that, while the

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trustee may be liable for the breach, he or she acted in good faith and ought to be excused. In such circumstances, the court may then grant relief in whole or in part under the provisions of section 90 of the Act.

In other countries, for example in Scotland, it has taken a number of years after enactment of the legislation for the new regulatory system for charities to be formally introduced and this, I believe, will be the case in Ireland also. I can assure the Deputy, however, that my Department will continue to advance the process, through its implementation plan for the Act, of ensuring that the essential elements are in place to enable the introduction of the statutory regulatory framework at the earliest possible date.

Ministerial Staff

364. **Deputy Paul Kehoe** asked the Minister for Community, Equality and Gaeltacht Affairs the names, titles and duties of each of the advisors, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45843/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): The details requested in relation to relevant staff (including jobsharing staff) appointed to my office and to the office of Minister of State Mary White, T.D., are set out in the tables below. No salary costs are paid by my Department in respect of the office of Minister of State John Maloney, T.D.

1. Minister's Office

Name	Title	Annual Salary	Pension arrangements
		€	
Mr. Seán Tadhg Ó Gairbhí	Media Advisor	80,051	Member of unestablished Civil Servant Pension Scheme
Mr. John Regan	Special Advisor	80,051	Member of unestablished Civil Servant Pension Scheme
Mr. John Sheridan	Personal Assistant	46,426	Member of unestablished Civil Servant Pension Scheme
Ms. Linda Weir	Personal Secretary (0.5)	19,981	Member of unestablished Civil Servant Pension Scheme
Ms. Margaret Forgarty	Personal Secretary (0.5)	19,294	Member of unestablished Civil Servant Pension Scheme

2. Minister of State Mary White

Name	Title	Annual Salary	Pension arrangements
		€	
Mr. Stephen Dineen	Special Advisor	66,519	Member of unestablished Civil Servant Pension Scheme
Ms. Alana Johnston	Personal Assistant	40,233	Member of unestablished Civil Servant Pension Scheme
Ms. Richenda Talbot	Personal Secretary (0.6585)	24,192	Member of unestablished Civil Servant Pension Scheme
Ms. Mary Reddy	Personal Secretary (0.3415)	12,546	Member of unestablished Civil Servant Pension Scheme

Dormant Accounts Fund

365. **Deputy Ciarán Lynch** asked the Minister for Community, Equality and Gaeltacht Affairs further to parliamentary Question No. 561 of 2 November 2010, the measures being put in place to ensure the equity of the distribution of dormant account funds in the event of the dissolution of the Dormant Accounts Board; if he will provide a breakdown of the €1.5 million expenditure incurred by Pobal in administering the dormant accounts on top of the approximate €200,000 incurred by DAB; if moneys collected from dormant accounts are classified as revenue; and if he will make a statement on the matter. [45900/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): It is the Government's intention, given the unique nature of the Dormant Accounts Fund, that strong oversight and transparency in relation to disbursements from the Fund will be maintained in the new legislation currently being drafted. The approach under consideration would seek to afford the Oireachtas a specific oversight role in that context and the detail of such arrangements is under discussion with the Office of the Attorney General at present.

Pobal is contracted to administer a number of Dormant Accounts schemes — and indeed other funding programmes — on behalf of various Government Departments, including my own. In the case of Dormant Accounts, Pobal's role is extensive and involves the following:

- the advertisement and management of the application process;
- the assessment of applications under agreed criteria;
- making appropriate recommendations to Departments/Ministers;
- agreeing contracts with successful applicants;
- ongoing monitoring of projects to completion; and
- making payments to projects as they progress in accordance with the terms of their contracts.

I understand that some 16 Pobal staff work in the provision of these services for all of the Departments which promote measures financed from the Dormant Accounts Fund. I am advised that salaries and associated staff costs would account for a significant proportion of the expenditure of €1.5m referred to by the Deputy.

As regards the status of Dormant Accounts funding, income from dormant accounts is not regarded as revenue for the Government under the European System of Accounting. In addition, where allocations are made from the Fund in accordance with the terms of the existing legislation, the Government must account for the fact that such monies could be reclaimed in the future, so it is regarded as an accrued liability. This liability is recorded in the General Government Debt (GGD) and future disbursements from the Fund will also increase the GGD.

National Lottery Funding

366. **Deputy Ciarán Lynch** asked the Minister for Community, Equality and Gaeltacht Affairs further to Parliamentary Question No. 571 of 2 November 2010; if he will explain the apparent discrepancy between table two in the answer and the figures available on the Departmental website for the year 2009; and if he will make a statement on the matter. [45903/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): The table to which the Deputy refers and the relevant figures on my Department's website relate to the provision of National Lottery funding through my Department's Vote.

In my Department's case, the final outturn for expenditure on the three subheads that were part-funded by the Exchequer amounted to €15.836m in the case of Subhead B.1, €73.393m in the case of Subhead B.3 and €5.837m in the case of Subhead F.1. These are the figures that were shown in Table 2 of Parliamentary Question No. 571 of 2 November 2010 to which the Deputy refers.

The figures available on my Department's website are a subset of this overall subhead allocation, relating only to those elements of the subheads that are part-funded through the National Lottery. Excluded are elements of the subheads which are fully funded by the Exchequer. The breakdown is shown in the tables below.

I acknowledge the potential for confusion that exists and thank the Deputy for bringing it to attention. An appropriate clarification is being added in this regard on my Department's website.

Table — Lottery and Non-Lottery Funding in 2009 in Subheads B.1, B.3 and F.1

Subhead	Part Funded by National Lottery	Exchequer only funding	Total
	€000	€000	€000
B.1.1 — Locally Based Community Grants	3,535		3,535
B.1.2 — Community Support for Older People	2,135		2,135
B.1.3 — White Paper Supports for the Community & Voluntary Sector (part)	5,550		6,530
B.1.3 — White Paper Supports for the Community & Voluntary Sector (part)		980	
B.1.4 — Supports for Volunteering		3,636	3,636
Total	11,220	4,616	15,836

Subhead	Part Funded by National Lottery	Exchequer only funding	Total
	€000	€000	€000
B.3.1 — Local Development Social Inclusion Programme		51,143	51,143
B.3.2 — Community Development Programs	17,445		17,445
B.3.3 — St Vincent De Paul and Protestant Aid	2,070		2,070
B.3.4 — Support for Certain Community Based Projects	2,329		2,329
B.3.5 — Improved Co-ordination of Local and Community Development		406	406
Total	21,844	51,549	73,393

Table — Lottery and Non-Lottery Funding in 2009 in Subheads B.1, B.3 and F.1

Subhead	Part Funded by National Lottery	Exchequer only funding	Total
	€000	€000	€000
F.1 — Payments to Ciste na Gaeilge (part-funded by National Lottery)	5,837	—	5,837
Total	5,837	—	5,837

Departmental Correspondence

367. **Deputy Billy Timmins** asked the Minister for Community, Equality and Gaeltacht Affairs the position regarding a matter (details supplied); and if he will make a statement on the matter. [45935/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): The Deputy will appreciate that, given the constraints of a ‘details supplied’ Question, I am unable to give a detailed response in this reply to the matter raised by him. I am, however, arranging to have, to the extent feasible, the information sought by the Deputy forwarded directly to him. If the Deputy wishes to re-submit the Question outside the ‘details supplied’ format, I will, of course, be happy to put the available information on the record of the House.

Irish Language

368. **Deputy Fergus O’Dowd** asked the Minister for Community, Equality and Gaeltacht Affairs the investment in supporting the Irish language annually across each Government Department including his Department; and if he will make a statement on the matter. [45945/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): As the Deputy is aware, my Department administers and delivers a range of programmes and measures aimed at supporting both the Irish language and the Gaeltacht. In 2010, some €77m in funding has been made available under both the *Gaeltacht & Islands Development* and *Promotion & Maintenance of the Irish Language* headings within my Department’s Vote. The table below provides a breakdown of this allocation at subhead level.

Table — Lottery and Non-Lottery Funding in 2009 in Subheads B.1, B.3 and F.1

		Current	Capital	Total
		€000	€000	€000
	<i>Gaeltacht And Islands Development</i>			
E.1	Gaeltacht Capital	—	10,000	10,000
E.2	Gaeltacht Cultural And Social Schemes	9,327	—	9,327
E.3	Islands — Transport And Other Services	5,700	—	5,700
E.4	Islands — Infrastructure	—	11,000	11,000
E.5	Údarás Na Gaeltachta — Administration	11,000	—	11,000
E.6	Údarás Na Gaeltachta — Current Programme Expenditure	3,915	—	3,915
E.7	Údarás Na Gaeltachta — Grants For Projects And Capital Expenditure On Premises	—	18,000	18,000

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		Current	Capital	Total
		€000	€000	€000
E.8	Údarás Na Gaeltachta — Election	1	—	1
	Sub-total Gaeltacht & Islands Development	29,943	39,000	68,943
F.1	<i>Promotion And Maintenance Of The Irish Language</i> Irish Language Support Schemes	6,616	600	7,216
F.2	An Coimisinéir Teanga	796	—	796
	Sub-Total Promotion & Maintenance of the Irish Language	7,412	600	8,012
	Total	37,355	39,600	76,955

Notwithstanding the current economic challenges, the Government remains committed to supporting the Gaeltacht and the Irish language and considers that the 20-year Strategy for the Irish Language, which is to be published shortly, will provide an appropriate framework to advance these objectives. While there will be reduced funding in 2011 for existing schemes and services, there will be an increased emphasis on targeting resources on the area of language planning in the context of the implementation of the Strategy.

With regard to investment in the Irish language by other Departments, the Deputy will appreciate that this would be a matter for those Departments to report on individually.

Crime Prevention

369. **Deputy John O'Donoghue** asked the Minister for Community, Equality and Gaeltacht Affairs the number of calls to the Dial to stop drug dealing hotline in Kerry; and if he will make a statement on the matter. [46217/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): The Dial to Stop Drug Dealing campaign ran in three phases — across 15 Local and Regional Drugs Task Force areas — in 2008 and 2009. The Southern Regional Drugs Task Force (RDTF), which covers County Cork and County Kerry, ran its campaign in March 2009.

I relaunched the campaign on 6 October last with a two week national promotional campaign, followed by local campaigns at Drugs Task Force level. The Southern RDTF again opted to participate and its campaign ran in late October.

Calls received have been spread right across the country, including areas that that have not run a campaign. Since the phone line opened in September 2008, a total number of 8,607 calls have been made to date to the phone line with 2,462 reports generated to the Gardaí. Of these, 38 reports refer to Kerry from March 2009 to August 2010 and since the relaunch of the campaign, 14 reports have been received up to the end of November.

I believe very strongly in the notion that communities should be empowered and should feel enabled to make a stand in a way that they need never fear will impact negatively on them.

A full evaluation of the current phase of the Dial to Stop Drug Dealing campaign will be carried out on its completion at the end of the year.

Ministerial Appointments

370. **Deputy Fergus O'Dowd** asked the Minister for Community, Equality and Gaeltacht Affairs all appointments made by him in the past 12 months; the persons appointed; the income

received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46371/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): I assume that the Deputy is referring to appointments made to State bodies funded from my Department's Vote Group within the past twelve months.

The Deputy may wish to note the following:

- A number of bodies under the aegis of my Department do not have boards — Waterways Ireland, the Equality Tribunal and the Office of An Coimisinéir Teanga.
- While Pobal, as a private company, is not a State agency, appointments to it are made by Government and details have been included accordingly.
- In the case of the Ulster-Scots Agency, the appointments listed were made by the North South Ministerial Council arising from nominations from this jurisdiction.
- For completeness, details have been included regarding appointments made within the past twelve months by my colleague, Minister Dermot Ahern, T.D., to the boards of the Equality Authority and the National Disability Authority, responsibility for which transferred to my Department with effect from 1 June 2010.
- No appointments were made to the following boards/agencies within the ambit of my Department in the past twelve months — An Coimisiún Logainmneacha; Foras na Gaeilge; The Commissioners of Charitable Donations and Bequests; The Western Development Commission; The Human Rights Commission.

The table below sets out the relevant information sought by the Deputy:

State body/agency	Name of appointee	Term of office	Annual fee payable
			€
Dormant Accounts Board	Mary Maguire	22 February 2010 — no specific term*	5,985
Dormant Accounts Board	Eimer O'Rourke	4 July 2010 — no specific term*	5,985
Dormant Accounts Board	Colin Wilson	30 August 2010 — no specific term*	5,985
Údarás na Gaeltachta	Liam Ó Cuinneagáin (Cathaoirleach)	19 April 2010 to 18 April 2013	20,520
Údarás na Gaeltachta	Treasa Uí Lorcáin	19 April 2010 to 18 April 2013	11,970
Údarás na Gaeltachta	Cathy Ní Ghoill	19 April 2010 to 18 April 2013	11,970
Family Support Agency	Michael O'Kennedy (Chair)	20 July 2010 to 19 July 2011	8,978
Family Support Agency	Marie Fenlon	1 September 2010 to 31 August 2011	5,985
Family Support Agency	Yvette O'Malley	1 September 2010 to 31 August 2011	N/A
Family Support Agency	Catherine Hazlett	26 July 2010 to 25 July 2011	N/A
Ulster-Scots Agency	Tony Crooks	16 December 2010 to 12 December 2011	8,100
Ulster-Scots Agency	Michael McLoone	26 May 2010 to 12 December 2011	8,100
Pobal	Marian Vickers	26 July 2010 to 26 July 2014	Nil
Pobal	Ruth Cullen	26 July 2010 to 26 July 2014	Nil
Pobal	Frank Cunneen	26 July 2010 to 26 July 2014	Nil
Pobal	Brendan O'Malley	26 July 2010 to 26 July 2014	Nil
National Disability Authority	Peter McKeivitt (Chair)	21 December 2009 to 20 December 2013	8,978
National Disability Authority	Mary Lavelle	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Caroline Burrell	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Tara Cunningham	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Tony Bates	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Joanne McCarthy	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Des Kenny	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Fiona Duignan	21 December 2009 to 20 December 2013	5,985
National Disability Authority	David Joyce	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Frank Cunneen	21 December 2009 to 20 December 2013	5,985
National Disability Authority	Shane Hogan	21 December 2009 to 20 December 2013	N/A
National Disability Authority	Linda Grealy	21 December 2009 to 20 December 2013	N/A
National Disability Authority	Colm Desmond	21 December 2009 to 20 December 2013	N/A
Equality Authority	David Joyce	19 January 2010 to 31 August 2011	8,100
Equality Authority	Linda Tanham	19 January 2010 to 31 August 2011	8,100

*The terms of appointment reflect the decision of Government to dissolve the Dormant Accounts Board in the near future, under legislation currently being drafted.

State Bodies

371. **Deputy Lucinda Creighton** asked the Minister for Community, Equality and Gaeltacht Affairs the total amount of moneys owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46473/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): Firstly, the Deputy will appreciate that the issue raised by her is a day-to-day operational matter for the bodies funded from my Department's Vote Group.

In general terms, however, the Deputy may wish to note the following:

- Guidelines with regard to the Prompt Payment of Accounts Act have been provided to each of the bodies in question.
- Each body has advised that it is its policy to pay all suppliers in a timely manner and as quickly as possible. This reflects not only the legal obligation to pay within 30 days and the additional administrative requirement arising from a Government decision to make payments within 15 days of receipt of a valid invoice, but also recognises that it is important for suppliers to receive payments due without unnecessary delays.

I am advised that in the year to date the majority of payments have been made by the bodies in question within 15 days of receipt of a valid invoice and that the remaining invoices were largely paid within 30 days. In the case of a limited number of these bodies, I am advised that a very small quantum of payments fell outside of the 30-day timeframe during the year.

I have also been advised that any invoices on hand at present and due for payment by bodies to private firms have been received only in recent days and are expected to be paid very shortly. I understand that in most of these cases, the amounts involved are less than €10,000 but that in one case the amount is of the order of €57,000.

Industrial Disputes

372. **Deputy Niall Collins** asked the Minister for Community, Equality and Gaeltacht Affairs the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park Agreement; and if he will make a statement on the matter. [46511/10]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey): No such disputes or actions are taking place in my Department at present.

Road Network

373. **Deputy John O'Mahony** asked the Minister for Defence the liability of members of the public and business owners gritting and salting footpaths and non national roads and if this will be communicated to the local authorities; and if he will make a statement on the matter. [45915/10]

Minister for Defence (Deputy Tony Killeen): Following the severe weather events that occurred last winter, in my capacity as Chairman of the Government Task Force on Emergency Planning, I sought the advice of the Attorney General in relation to certain legal matters that arose during the response including questions relating to whether there is any liability arising

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for individuals and community groups who clear snow from footpaths during a period of severe weather. The Attorney General subsequently provided that advice, which indicated that the issue of liability does not arise for snow that is cleared in a safe manner. I arranged for Office of Emergency Planning to brief the Government's Inter-Agency Coordination Committee on Severe Weather on the legal advice received. The Department of Environment Heritage and Local Government and Local Authorities are represented on that Committee.

The Health and Safety Authority (which is also represented on the Committee) has issued a statement setting out guiding principles for managers and workers tasked with carrying out emergency/essential services in extreme weather conditions. The Authority has also provided an arrangement whereby the Local Authority's Health & Safety Advisors can receive further advice and guidance, as required.

Ministerial Appointments

374. **Deputy Paul Kehoe** asked the Minister for Defence the names, titles and duties of each of the advisers, press officers, assistants and secretaries appointed by him; the annual salaries in each case; the pension arrangements in each case; and if he will make a statement on the matter. [45844/10]

Minister for Defence (Deputy Tony Killeen): The information requested by the Deputy in relation to the names, duties, and annual salary of special advisers, assistants and secretaries appointed by me is set out as follows.

Name	Title	Salary Scale as at 01/01/2010
Declan Ryan	Special Adviser (Un-established)	Principal Officer standard scale €80,051 – €98,424.
Derval Monahan	Special Adviser (Established)	Assistant Principal Officer standard scale €61,966 – €76,768.
Pat Daly	Personal Assistant (Un-established)	Higher Executive Officer Standard Scale €46,558 – €55,030
Gerry Reidy	Temporary Personal Assistant (Un-established)	Higher Executive Officer Standard Scale €46,558 – €55,030
Deirdre Murphy	Personal Secretary (Un-established)	Executive Officer Standard Scale €29,024 – €42,760

Those of the above staff who are unestablished are members of the Un-established Civil Service Pension Scheme and pay the pension levy. The Department does not make any contribution to this Scheme. Staff who are established civil servants are members of the Non-contributory Pension Scheme for Established State Employees and of the Contributory Spouses' and Children's Pension Scheme for Established State Employees. They also pay the pension levy.

All the above staff are appointed in accordance with the terms of the Public Service Management Act 1997 and the Guidelines issued by the Department of the Finance.

Defence Forces Operations

375. **Deputy John O'Donoghue** asked the Minister for Defence the number of times the army bomb disposal experts were called out during 2010; if he will list the incidents on a county basis; and if he will make a statement on the matter. [46220/10]

Minister for Defence (Deputy Tony Killeen): The primary responsibility for the maintenance of law and order rests with An Garda Síochána. The Defence Forces, pursuant to their role of rendering aid to the civil power, assist the Gardaí as required. Requests for aid to the civil power are normally made by a member of An Garda Síochána not below the rank of Inspector. The Explosive Ordnance Disposal (EOD) Team responds when a request is made by An Garda

Síochána, to the relevant Brigade, for assistance in dealing with a suspect device or for the removal of old ordnance.

The number of call outs made by the EOD teams on a county basis to date in 2010 is as follows:

County	Number of Callouts
Carlow	2
Cavan	0
Clare	3
Cork	13
Donegal	5
Dublin	86
Galway	1
Kerry	2
Kildare	8
Kilkenny	1
Laois	1
Leitrim	1
Limerick	8
Longford	4
Louth	5
Mayo	3
Meath	4
Monaghan	0
Offaly	4
Roscommon	3
Sligo	2
Tipperary	5
Waterford	4
Westmeath	12
Wexford	5
Wicklow	10
TOTAL	192

Ministerial Appointments

376. **Deputy Fergus O'Dowd** asked the Minister for Defence all appointments made by him in the past 12 months; the persons appointed; the income received; the body to which they were appointed; the term of office they will serve; and if he will make a statement on the matter. [46372/10]

Minister for Defence (Deputy Tony Killeen): The relevant bodies within the remit of the Department of Defence are the Civil Defence Board, the Board of Coiste an Asgard and the Army Pensions Board. I have not made any appointments to these bodies in the last 12 months.

State Bodies

377. **Deputy Lucinda Creighton** asked the Minister for Defence the total amount of moneys

[Deputy Lucinda Creighton.]

owed to private firms by public bodies under the remit of his Department; and if he will make a statement on the matter. [46474/10]

Minister for Defence (Deputy Tony Killeen): Payment of invoices by the Department, including public bodies under the remit of the Department, is governed by the Prompt Payment of Accounts Act 1997 and the European Communities (Late Payment in Commercial Transactions) Regulations 2002. The legislation provides for the payment of interest on valid invoices that are unpaid after 30 days from their date of receipt. In June 2009, the Government introduced a further non-statutory requirement to reduce the payment period by central Departments to 15 days. In the quarter ending September 2010 over 94% of valid invoices were paid by the Department of Defence within the 15 day timeframe and over 98% were paid within 30 days. This includes invoices for public bodies under the remit of the Department. At any given time there are recently received invoices on hand which are generally processed within a few days of receipt. The number of invoices on hand at present for public bodies under the remit of the Department is approximately 20, amounting to some €23,000. These invoices will be processed for payment within the next 5 days.

Industrial Disputes

378. **Deputy Niall Collins** asked the Minister for Defence the number of industrial disputes, industrial actions including work to rule presently being engaged in by staff of his Department; when these actions were initiated; the individual subject matter of each dispute or action; the current status of each dispute or action; the estimated loss in productivity arising from each dispute or action; if each dispute or action is in contravention of the Croke Park Agreement; and if he will make a statement on the matter. [46512/10]

Minister for Defence (Deputy Tony Killeen): There are no industrial disputes, industrial actions including work to rule presently being engaged in by staff of this Department.