



# DÁIL ÉIREANN

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*Déardaoin, 16 Nollaig 2010.*  
*Thursday, 16 December 2010.*

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

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*Paidir.*

*Prayer.*

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## **Request to move Adjournment of Dáil under Standing Order 32**

**An Ceann Comhairle:** Before coming to the Order of Business I propose to deal with a notice under Standing Order 32. I call on Deputy Finian McGrath.

**Deputy Finian McGrath:** I seek the adjournment of the Dáil under Standing Order 32 to debate the following urgent matter, namely, the need for the introduction of statutory standards and inspection of disability services for children and adults; I call on all parties and the Government to commit to bringing in regulation and inspection if they are in government and to make this a priority matter.

**An Ceann Comhairle:** Having considered the matter raised, it is not in order under Standing Order 32.

## **Order of Business**

**The Tánaiste:** It is proposed to take No. 9*d*, motions re Standing Orders 39, 116 and 117; Nos. 10 — 28, inclusive, motions re proposed approval by Dáil Éireann of taxation agreements — back from committee; No. 29 — motion re proposed approval by Dáil Éireann of the Horse and Greyhound Racing Fund (No. 2) Regulations 2010 — back from committee; No. *b5* — Appropriation Bill 2010 — Order for Second Stage and Second and Subsequent Stages; No. 1 — Public Health (Tobacco) (Amendment) Bill 2010 [Seanad] — Second and Subsequent Stages; No. 41 — Student Support Bill 2008 — Order for Report, Report and Final Stages; and No. 41*a* — statements on the carbon budget.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 4.45 p.m. today and business shall be interrupted not later than 5.50 p.m.; Nos. 9*d*, Nos. 10–28, inclusive, and No. 29 shall be decided without debate and in the case of Nos. 10–28, inclusive, shall be moved together and decided by one question which shall be put from the Chair; No. *b5* shall be taken today and the Second and Subsequent Stages shall be decided without debate by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Finance; the Second and Subsequent Stages of No. 1 shall be taken today and the following arrangements shall apply: the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion at 1.30 p.m., the opening speech of the Minister or Minister of State and of the main spokespersons for Fine Gael, the Labour Party and the Technical Group, who shall be called upon in

[The Tánaiste.]

that order, shall not exceed 15 minutes in each case, the speech of each other Member called upon shall not exceed ten minutes in each case, Members may share time and the Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed ten minutes; the proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 2 p.m. today by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Health and Children; the Report and Final Stages of No. 41 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 3.30 p.m. by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Tánaiste and Minister for Education and Skills; the proceedings on No. 41a shall, if not previously concluded, be brought to a conclusion after 65 minutes and the following arrangements shall apply: the statements shall be confined to a Minister or Minister of State and to the main spokespersons for Fine Gael, the Labour Party and the Technical Group, who shall be called upon in that order, who may share their time and which shall not exceed 15 minutes in each case, and a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes; and the Dáil on its rising today shall adjourn until 2.30 p.m. on Wednesday, 12 January, 2011.

**An Ceann Comhairle:** I wish to advise the House about the proposals which will be put in sequence. There are seven proposals to be put to the House today. Is the proposal that the Dáil shall sit later than 4.45 p.m. today agreed? Agreed.

**Deputy James Reilly:** We object to business ending today in the spirit of co-operation with the coalition partner which is keen to get a lot of legislation passed before it goes to the country as it promised in January. The rest of the country will be working next week. We are prepared to do so to help pass legislation and discuss and debate it, and return early in January in order that at the end of January our Green Party colleagues in government will be able to keep their word to the people of this country and have an election in February.

**An Ceann Comhairle:** Deputy, that is the last proposal with which we will be dealing.

**Deputy James Reilly:** Another proposal with which I want to disagree is that dealing with the Appropriation Bill. This is an area which tidies up the budget for the year.

**An Ceann Comhairle:** That will be No. 3.

**Deputy James Reilly:** I will speak now and get it out of the way. The Tánaiste is also the Minister for Education and Skills, yet we are told €300 million remains unspent in her allocation to build schools. People in north Dublin and all around the country have been waiting for new schools. We do not have an opportunity to discuss this matter under the Appropriation Bill which we should be able to do.

**An Ceann Comhairle:** Other times are much more appropriate for those sentiments.

**Deputy James Reilly:** That is just one example of the Appropriation Bill——

**An Ceann Comhairle:** It is not a matter for the Order of Business.

**Deputy James Reilly:** There is no discussion or debate. I do not want to be at variance with the Ceann Comhairle but he said this matter would be more appropriate for another debate. We are not having a debate on the Appropriation Bill and that is why we are objecting to the proposal.

**Deputy Eamon Gilmore:** I want to ask the Tánaiste for some information which will determine how the Labour Party will address the seven proposals on which we have to vote. The Government proposes to go into recess today and return on 12 January. On 22 November, the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, said his party, “have now reached a point where the Irish people need political certainty to take them beyond the coming two months. So, we believe it is time to fix a date for a general election in the second half of January 2011”.

In response to that, the Taoiseach said:

It is my intention at the conclusion of this budgetary process, with the enactment of the necessary legislation in the new year, to then seek a dissolution of Dáil Éireann and to enable the people to determine who should undertake the responsibilities of government in the challenging period ahead.

I want to ask the Tánaiste some questions arising from that. When will the finance Bill be published? What is the Government’s intention with regard to its enactment? It would not be unreasonable for a period of approximately two weeks to be taken for the consideration and enactment of the finance Bill. The Tánaiste has said the Dáil will return on 12 January next. If approximately two weeks were taken to deal with the finance Bill, following which the Dáil were dissolved and a date set for a general election——

**An Ceann Comhairle:** It might be better to make that inquiry when we come back on 12 January 2011.

**Deputy Eamon Gilmore:** I am nearly finished.

**Deputy Kathleen Lynch:** The Ceann Comhairle is wishing his life away.

**Deputy Eamon Gilmore:** I sometimes feel that you are on a timer, a Cheann Comhairle.

**Deputy Timmy Dooley:** I sometimes think the Deputy is on a Duracell battery.

**Deputy Eamon Gilmore:** It seems that regardless of what I say, the Chair interrupts 19 seconds after I started.

**An Ceann Comhairle:** The loquaciousness is the problem.

**Deputy Eamon Gilmore:** I promise I have almost finished the point I am making.

**Deputy Seán Power:** There is not much Christmas cheer in the Chamber.

**Deputy Finian McGrath:** Perhaps that has something to do with last night’s opinion poll.

**Deputy Eamon Gilmore:** With the exception of the members of the Government, perhaps, everybody agrees that the country needs certainty, stability and the election of a strong and stable Government. It is neither desirable nor in the country’s interests for that process to be prolonged. Can the Tánaiste give the House the date for the publication of the finance Bill? How long is it intended to spend considering the finance Bill in the House? What is the date on which it is intended to dissolve the Dáil? The answers to those questions will determine how we respond to the various issues that are before us today.

**Deputy Caoimhghín Ó Caoláin:** On the same issue, there is no point in asking the Tánaiste to——

**An Ceann Comhairle:** With all the brevity the Deputy can muster.

**Deputy Caoimhghín Ó Caoláin:** I think I got three words out there.

**Deputy Bernard J. Durkan:** He coughed as well once.

**Deputy Finian McGrath:** The Chair should not hassle members of the Technical Group.

**Deputy Dinny McGinley:** The Deputy is known for his brevity.

**Deputy Caoimhghín Ó Caoláin:** The Sinn Féin Deputies would like clarification on the legislation other than the finance Bill that the Government intends to bring before the House before it finally pulls the plug and goes to the park. Deputy Gilmore referred to last month's announcement by the leader of the Green Party, the Minister, Deputy John Gormley, that his party intended to leave government to facilitate a general election in the latter half of January.

**Deputy Pádraic McCormack:** They have gone back on that now.

**Deputy Caoimhghín Ó Caoláin:** It was revealed this morning that more than 50% of the appointments to State boards that have been made since last month's announcement were made by the Minister, Deputy Gormley. It is indicative of the closing days of an unravelling coalition.

**Deputy Pádraic McCormack:** We are green with envy.

**Deputy Caoimhghín Ó Caoláin:** Is any legislation under consideration to address unacceptable practices and corruption in high office? According to this morning's *The Irish Times*, there are 300 appointments to be made in the coming months.

**Deputy Seán Barrett:** They must not have time to do anything else.

**Deputy Caoimhghín Ó Caoláin:** It is quite incredible.

**Deputy Simon Coveney:** It is some record of standards.

**Deputy Caoimhghín Ó Caoláin:** It fuels the uncertainty that is clearly in evidence across Irish society. We are asking for certainty across the board. The Tánaiste's answers will determine how we will respond to the Order Paper proposals.

**The Tánaiste:** I am not in a position to say when the finance Bill will be published. It is being worked on by the Minister and the officials in the Department. It will be brought before the Cabinet and published thereafter. I appreciate that all Members of the House would like to know what the date for the general election will be. Perhaps the people are not as enthusiastic about it.

**Deputy Brendan Howlin:** They are.

**Deputy Seán Barrett:** They cannot wait.

**The Tánaiste:** Having said that, it is a matter for the Taoiseach.

**Deputy Paul Kehoe:** The Tánaiste has learnt nothing from the by-election in Donegal.

**The Tánaiste:** When the Taoiseach has made his decision, he will let us all know.

**Deputy Billy Kelleher:** The Labour Party is hoping we will hurry up because it is going down as well.

**Deputy Caoimhghín Ó Caoláin:** I have a question, a Cheann Comhairle.

**An Ceann Comhairle:** The Deputy cannot come in a second time.

**Deputy Caoimhghín Ó Caoláin:** The Tánaiste did not reply.

**Deputy Michael Ring:** The Government should give the country the greatest Christmas present and new year present by walking out of the Dáil and going to the country. We are sick of them.

**Deputy Caoimhghín Ó Caoláin:** What other legislation——

**Deputy Michael Ring:** They have the people of this country terrorised. They need to get out and go home.

**Deputy Michael Ahern:** Calm down, Michael.

**Deputy Michael Ring:** Get out.

**An Ceann Comhairle:** This is what happens.

**Deputy Michael Ring:** Get out and go home.

**An Ceann Comhairle:** Is the proposal that the Dáil should sit later than 4.45 p.m. agreed? Agreed. Is the proposal for dealing with No. 9*d*, Nos. 10 to 28, inclusive, and No. 29 agreed to?

**Deputy Mary Upton:** It is not agreed. The proposal under No. 29 to allocate approximately €26 million to the Horse and Greyhound Racing Fund from the general Exchequer is totally unacceptable in the current climate. At a time when we are taking money from carers and cutting the minimum wage, it is not acceptable to provide so much money to the horse and greyhound industry. I accept that the industry is important and provides jobs that are needed. There was an opportunity for the Government to capture tax from online betting.

**Deputy Bobby Aylward:** Some 27,500 jobs are at stake.

**Deputy Joan Burton:** Deputy Upton is trying to get more money for the State.

**Deputy Mary Upton:** I am making the point that no effort is being made to capture tax that can be captured. That is the basis of my opposition to this measure.

**The Tánaiste:** Legislation on this issue is being prepared.

**Deputy Andrew Doyle:** On the same issue——

**An Ceann Comhairle:** Very briefly.

**Deputy Andrew Doyle:** When this matter was considered by the Joint Committee on Agriculture, Fisheries and Food yesterday, the Minister made the case that €57.3 million, €26 million of it from the Exchequer, is needed. We were in the very same position last year. The reality is that a similar amount in excise duty was taken from the betting industry in 2000. It has since decreased to €31 million. It is going in reverse, instead of forward.

**Deputy Emmet Stagg:** That is right.

**Deputy Andrew Doyle:** We have an opportunity to acquire plenty of money to fund this industry by imposing a minimal rate. We believe the matter should be debated in the House.

**Deputy Seán Barrett:** Hear, hear.

**Deputy Andrew Doyle:** This time next year, we should not be in the same position of asking the public Exchequer to pony up, if Members will pardon the pun.

**Deputy Timmy Dooley:** Fine Gael is permanently——

**An Ceann Comhairle:** Deputy Doyle should conclude.

**Deputy Andrew Doyle:** Absolutely. On that basis, we want a debate on this issue.

**The Tánaiste:** I am aware that this matter was discussed by the joint committee. It is important to point out that 27,500 people in this country rely on this industry and the ancillary sectors.

**Deputy John Cregan:** Hear, hear.

**Deputy Bobby Aylward:** Hear, hear.

**Deputy Andrew Doyle:** Nobody is arguing with that. Hold on a second now.

**Deputy Emmet Stagg:** That is not the issue. Why does the Government not fund it properly?

**Deputy John Cregan:** Let her speak.

**The Tánaiste:** The Minister agrees with the view of Opposition Members that we need to provide legislation.

**Deputy Mary Upton:** We need an online betting tax.

**Deputy Emmet Stagg:** We would have an extra €30 million in the kitty.

**The Tánaiste:** The Minister is of the view that legislation has to be introduced. It was mentioned in the Budget Statement.

**Deputy Emmet Stagg:** We have told the Government how to find the money.

**Deputy John Cregan:** Let her speak.

**The Tánaiste:** That legislation will be brought forward in the new year.

**An Ceann Comhairle:** Is the proposal for dealing with No. 9*d*, Nos. 10 to 28, inclusive, and No. 29 agreed to? Agreed. Is the proposal for dealing with No. *b5* agreed to?

**Deputy James Reilly:** It is not agreed. I have outlined why we are opposed to this proposal. We are not getting any chance to debate it. This country needs a great deal of money to run its services. I mentioned earlier that money provided for schools, to give just one instance, has not been spent. It is not right that the parliament of a country that is in such dire financial straits should rush through legislation of this nature without debating it. Deputies should have a chance to inspect where money has been spent and make comments on it.

**Deputy Seán Barrett:** Hear, hear.

**Deputy James Reilly:** If we do not examine what we did in 2010, and if we do not have an opportunity to debate and understand it, how in the name of God can we plan for 2011 in any real sense? This is why the country is in the state it is in.

**Deputy Joan Burton:** In light of this country's very bad financial crisis, it is foolish of the Government to deny the Dáil an opportunity to debate what has happened with the people's money during the year. We should discuss what has been spent and what remains unspent. In the latter case, given that we badly need to stimulate job creation——

**Deputy John Cregan:** The Deputy's colleague just spoke against an industry that provides 27,500 jobs.

**Deputy Joan Burton:** Leaving money——

**Deputy John Cregan:** There are 27,500 jobs in the game against the Deputy.

**Deputy Joan Burton:** Exactly, and twice that number of jobs could have been created if the people on your side had put a proper funding scheme in place.

**An Ceann Comhairle:** Engage with the Chair rather than across the floor, please.

**Deputy Joan Burton:** If the people on the Deputy's side had put in a proper funding scheme, we could have even more jobs in that industry. Do not worry, when there is a change of Government we will look after that. Just watch.

*(Interruptions).*

**Deputy Joan Burton:** Some of those guys have been letting the hare sit for far too long over there now, so let them not lecture us.

**Deputy Dermot Ahern:** She has obviously been reading this morning's *Phoenix*.

**An Ceann Comhairle:** Let us continue on the Appropriation Bill.

**Deputy Joan Burton:** Does the Tánaiste believe, in terms of the sacrifices people are making, that it is good enough of Dáil Éireann not to debate or comment on what has happened to the money taxpayers and citizens have contributed to run the country? This is a fundamental question about democracy. We object to this Government railroading the Appropriation Bill through in this format. It is just not good democracy.

**Deputy Seán Barrett:** On a point of order, a Cheann Comhairle, when was democracy abolished here?

**Deputy Bernard J. Durkan:** That is why we are as we are.

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

**Deputy Caoimhghín Ó Caoláin:** In recent years this Bill has gone through without debate, but my understanding is that years before, the Appropriation Bill was the basis for debate in the House and for more serious consideration. Somehow along the way Governments since 1997 have allowed the situation to develop whereby there is no debate.

We have objected to this on several occasions, but these are very different times. It should be debated in any event, but in straitened times such as these there is a responsibility on this Chamber to address what is involved here, to look at what is being set aside in the different



[Deputy Caoimhghín Ó Caoláin.]

Departments, what is not being employed and used and what is proposed to be put back into the Central Fund. This is something on which we should have the opportunity to express an opinion and we should try to influence the decisions of Government and the various Departments. I commend the earlier practice of this House in addressing Appropriation Bills and I hope the Government accepts that proposal.

**The Tánaiste:** I am pressing the proposal.

Question put: "That the proposal for dealing with *b5* be agreed to."

Question put: "That the proposal for dealing with *b5* be agreed to."

The Dáil divided: Tá, 79; Níl, 64.

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.  
 Cregan, John.  
 Cuffe, Ciarán.  
 Curran, John.  
 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.  
 McEllistram, Thomas.  
 McGrath, Mattie.  
 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'Keeffe, Batt.  
 O'Keeffe, Edward.  
 O'Rourke, Mary.  
 O'Sullivan, Christy.  
 O'Sullivan, Maureen.  
 Power, Peter.  
 Power, Seán.  
 Ryan, Eamon.  
 Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.  
 Woods, Michael.

Níl

Bannon, James.  
 Barrett, Seán.  
 Breen, Pat.  
 Broughan, Thomas P.  
 Bruton, Richard.

Burke, Ulick.  
 Burton, Joan.  
 Byrne, Catherine.  
 Carey, Joe.  
 Clune, Deirdre.

Níl—*continued*

Connaughton, Paul.  
 Costello, Joe.  
 Coveney, Simon.  
 Crawford, Seymour.  
 Creed, Michael.  
 Creighton, Lucinda.  
 D'Arcy, Michael.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Feighan, Frank.  
 Ferris, Martin.  
 Flanagan, Charles.  
 Gilmore, Eamon.  
 Hayes, Brian.  
 Hayes, Tom.  
 Higgins, Michael D.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Kehoe, Paul.  
 Lynch, Ciarán.  
 Lynch, Kathleen.  
 McCormack, Pádraic.  
 McEntee, Shane.  
 McGinley, Dinny.

McGrath, Finian.  
 Morgan, Arthur.  
 Naughten, Denis.  
 Neville, Dan.  
 Ó Caoláin, Caoimhghín.  
 Ó Snodaigh, Aengus.  
 O'Donnell, Kieran.  
 O'Dowd, Fergus.  
 O'Keefe, Jim.  
 O'Mahony, John.  
 O'Shea, Brian.  
 O'Sullivan, Jan.  
 Penrose, Willie.  
 Perry, John.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Reilly, James.  
 Ring, Michael.  
 Sheahan, Tom.  
 Sheehan, P.J.  
 Sherlock, Seán.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Upton, Mary.  
 Varadkar, Leo.

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

Question declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with No. 1, Second and Subsequent Stages of the Public Health (Tobacco) (Amendment) Bill 2010 [*Seanad*] agreed to? Agreed.

Is the proposal for dealing with No. 41, Order for Report, Report and Final Stages of the Student Support Bill 2008 agreed to? Agreed.

Is the proposal for dealing with No. 41a, statements on the carbon budget agreed to? Agreed.

Is the proposal that the Dáil on its rising today shall adjourn until 2.30 p.m. on Wednesday, 12 January 2011 agreed to?

**Deputy James Reilly:** It is not agreed.

**An Ceann Comhairle:** I call Deputy Reilly on a brief observation.

**Deputy James Reilly:** It will be a brief observation. The Green Party is keen to ensure particular legislation is dealt with before it leaves Government. The party has stated its clear intention to call an election in late January, in respect of which we on this side of the House wish to facilitate it. I believe the country needs a new Government and the sooner this happens, the sooner this country can start the recovery process.

**A Deputy:** Hear, hear.

**Deputy Timmy Dooley:** God help us.

**Deputy Noel Treacy:** The doctor has the medicine.

**Deputy Shane McEntee:** We have plenty of patients.

**Deputy James Reilly:** We recently learned of bonuses to be paid to bankers and of cuts to carers' allowances. The sooner the better this Government, which has lost its moral compass, leaves this House and goes to the country and allows the people to elect a new Government with a mandate to represent them here and in Europe.

*(Interruptions).*

**Deputy James Reilly:** Everyone in the country who is fortunate to have a job will be working next week. I see no reason this House cannot continue its work next week and resume early in the new year.

**Deputy Eamon Gilmore:** In normal circumstances, the proposal before the House would be acceptable. However, there are a number of reasons it is not acceptable. We are not in normal circumstances. The Taoiseach is attending the EU summit this weekend. It is normal when there is a summit that the Taoiseach comes back and reports to the House and we have a debate on what has happened. I believe at a minimum there should be an opportunity for that next week. It is important that it should happen because the matters under consideration at the summit include the economic situation and the financial crisis in Europe, the risks to the euro and a proposal which is being introduced by the Council President for an amendment to the Lisbon treaty. It is not acceptable that we have to wait until mid-January before the House can consider the outcome of this important European Council meeting. The House should return next week at least for a day to hear and consider the Taoiseach's report from the summit.

*11 o'clock*

I asked the Tánaiste earlier for clarity about the Government's intentions with regard to the publication of, and the debate on, the finance Bill and the dissolution of the Dáil. We had a clear statement in November from the Minister for the Environment, Heritage and Local Government where he said that "...we have now reached a point where the Irish people need political certainty to take them beyond the coming months. So, we believe it is time to fix a date for a general election in the second half of January 2011". I agree with that and it would not be unreasonable that we come back on 12 January; that the finance Bill is published in advance of our return; that we take two weeks to debate and deal with it; and, in line with the commitment the Minister gave to the Irish people, that the Dáil is dissolved by the end of January and we have the general election to provide political certainty for the time ahead.

If we come back here on 12 January and we are not in a position to know that we have two weeks to deal with the finance Bill and that the Dáil will be dissolved at the end of January, this party intends to put the issue to the test in the House as to how much longer this Government intends to drag out the holding of a general election, which the people of the country are seeking and which the country needs.

**Deputy Caoimhghín Ó Caoláin:** I do not believe for a moment it is beyond the gift of the Government parties to introduce the finance Bill with immediate effect. They can respond as they please in terms of moving legislation forward to suit the moment and their own interest and that process should commence immediately. The citizenry should not have the agony that has been visited on them prolonged. The stress and strain is clearly in evidence between the Government parties and their misery should not be prolonged longer than is necessary. Everything should be brought forward in order that we can bring the 30th Dáil to the earliest conclusion possible. Accordingly, we should get on with that process in the coming week to give some measure of hope to the people this Christmas.

**The Tánaiste:** The previous proposal was that the House would return on 19 January 2011. It was decided the House would resume on 12 January, which is much earlier than in previous years. We have had a considerable number of sittings and a considerable number of Bills have been introduced and dealt with by the House.

**Deputy Ruairí Quinn:** Our duty is to hold the Government to account.

**The Tánaiste:** I appreciate once again that the leader of the Labour Party is anxious to know when he will be Taoiseach.

**Deputy Emmet Stagg:** The Tánaiste will to have wait a lot longer.

**Deputy Billy Kelleher:** The Labour Party is going down in the polls as well.

**The Tánaiste:** However, he will have to wait until the Taoiseach decides when the dissolution of the Dáil will take place. There might be other synergies to be addressed in the meantime to decide who will be standing in his place.

It would be erroneous for people to think that any Member of this House will not be working next week. Every Member has always performed his or her duties and has always worked up to the last minute. Equally, the Government will be at work next week.

Question put: "That the Dáil on it rising today shall adjourn until 2.30 p.m. on Wednesday, 12 January 2011."

Question put:

The Dáil divided: Tá, 78; Níl, 63.

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.  
 Cregan, John.  
 Cuffe, Ciarán.  
 Curran, John.  
 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.  
 Mansergh, Martin.  
 Martin, Micheál.  
 McEllistrim, Thomas.  
 McGrath, Mattie.  
 McGuinness, John.  
 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.

Tá—*continued*

O'Keeffe, Batt.  
 O'Keeffe, Edward.  
 O'Rourke, Mary.  
 O'Sullivan, Christy.  
 Power, Peter.  
 Power, Seán.  
 Ryan, Eamon.

Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.  
 Woods, Michael.

## Níl

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

McCormack, Pádraic.  
 McEntee, Shane.  
 McGinley, Dinny.  
 McGrath, Finian.  
 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.  
 Sheahan, Tom.  
 Sheehan, P.J.  
 Sherlock, Seán.  
 Stagg, Emmet.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Upton, Mary.  
 Varadkar, Leo.

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

Question declared carried.

**An Ceann Comhairle:** Now that the House has decided it will adjourn today for Christmas, I take this opportunity to wish all the Members of the House, their families and the staff of the Houses of the Oireachtas a happy and peaceful Christmas. I also wish all the Members a successful and probably eventful 2011.

**The Tánaiste:** A Cheann Comhairle, on behalf of the Government I thank you and your staff for your work during the year. I also wish well the staff of the Houses, who are not often appreciated. When we finish in this Chamber they continue working to complete what takes place in the House. I wish all Members of the House a happy Christmas. There has been a considerable and long period of discussion since we returned after the summer recess and each Member of the House deserves to be afforded the opportunity to have some time off with their

families. Ba mhaith liom ar son an Rialtais Nollaig shona agus bliain úr faoi mhaise a thabhairt do gach duine anseo.

**Deputy James Reilly:** I join the Tánaiste in her comments to you, a Cheann Comhairle. I thank the ushers, the staff in the restaurant and staff throughout Leinster House. I also thank those who have retired this year, especially the head usher, Mr. Shay Byrne. I thank members of the media and wish them a happy Christmas and all the political staff, particularly the Fine Gael Party staff. I thank and wish all our Deputies a happy Christmas and, as the Ceann Comhairle put it, an eventful new year. I also wish you, a Cheann Comhairle, a happy Christmas.

Special mention should be made of public sector workers who will be working hard in trying circumstances over the Christmas to keep us safe and well and to keep our services running. I wish them well. I should also mention all the families who are finding this time of the year so difficult, particularly financially, and those who have lost loved ones. I wish all our citizens a happy Christmas and a bright new year, with the new hope a new year and a new Government can bring. We all look forward to a brighter future for our people.

**Deputy Eamon Gilmore:** I join the Tánaiste and the deputy leader of Fine Gael in wishing you, a Cheann Comhairle, and all the Members of the Houses a happy Christmas and new year. I include in that wish the staff of the Houses at every level who work so diligently and helpfully with the Members, the political staff of all the political parties and of the Members who work with us, the media who cover the proceedings of the House and everybody who frequents the Houses. I agree with Deputy Reilly that at this time of the year our public services are repeatedly called upon. Consider the people who are out in the middle of the night gritting the roads, people repairing power lines and the people who keep this country going. Many of them will be working in the public services throughout the Christmas period to ensure everybody can enjoy it. It is appropriate that we remember the work they are doing.

I wish the country a fresh start in the new year and I hope the Government will accommodate that by facilitating an election as early as possible. In saying it will have an election in the new year I hope the Government means the new year according to our calendar and that it will not revert to the Chinese calendar——

**Deputy Ciarán Cuffe:** The Russian calendar.

**Deputy Eamon Gilmore:** ——and hold it at a later stage. I wish everybody the best for the season.

**Deputy Caoimhghín Ó Caoláin:** I extend Christmas greetings to you, a Cheann Comhairle, the Members of the Dáil and Seanad and their families, the Clerk of the Dáil, the staff, the ushers and to all who help to make this institution function each day. I also extend season's greetings to the political correspondents who attend and report on the proceedings here each day. I join my colleagues in wishing everyone a happy Christmas because it is deserved by everybody. I am conscious that, regrettably, not everyone is likely to have a happy Christmas so we are mindful of those at the coal face and their important work helping those most in need and facing difficulties at this time. I am also conscious that many young people will not be here for Christmas with their families, perhaps for the first time, as a result of having to emigrate over the past 12 months. Those who will not be able to return include the undocumented Irish in the United States and those in other parts of the world who cannot afford to travel home to be with their families.

[Deputy Caoimhghín Ó Caoláin.]

I join the two Opposition Members in hoping that 2011 will see a new start politically for this Chamber. A new beginning will, please God, offer new hope and opportunity for our people, which they are desperately in need of at this time.

**Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Ciarán Cuffe):** On behalf of the Green Party I wish all Members and staff the best for the holiday season. There have been moments during this year when, for many of us, our health and sanity have been compromised, indeed threatened, by the occupational challenges in the Oireachtas. However, the holiday season is a time to try to rediscover the work, life and family balance that is often so lacking in the lives of those who are Members of the Oireachtas. On behalf of the Green Party, I would like to reach out to all those who work in the environs of Leinster House, as well as to Irish people at home and abroad, and wish them a restful and relaxing holiday period. I hope they have the time to savour that with their families and communities.

**Deputy Kathleen Lynch:** It is just over a month since the Irish Human Rights Commission reported on the Magdalene laundries issue, and its findings were significant. Does the Tánaiste have any plans to put in place an investigation or to respond in any way to the Irish Human Rights Commission's report on the Magdalene laundries? We are talking about a small community here——

**An Ceann Comhairle:** This might be more appropriate to the line Minister.

**Deputy Kathleen Lynch:** I am quite in order. This is a small, ageing community and we are unlikely to see it occur in our lifetime. They are desperately waiting to see if the Government will react and apologise for the great wrong that was done to them.

**Deputy Joe Costello:** The last time this was raised in the Dáil, the Taoiseach stated that the matters raised by the Irish Human Rights Commission were being referred to the Attorney General for his opinion on the redress scheme and so on. Has there been a determination by the Attorney General?

**An Ceann Comhairle:** You are looking for detail on the Order of Business. That is not appropriate.

**Deputy Joe Costello:** There is a parallel issue in respect of Bethany Home and I am not sure whether that has been done.

The female genital mutilation Bill was promised before the end of this year, but it does not appear there will be enough time to take it. Will it be published?

**The Tánaiste:** Yes. The Minister for Health and Children intends to publish it during the session. I am not aware of the Attorney General's views on the other issue, but we will get an update for the Deputies.

**Deputy James Reilly:** I would like to raise an issue that was before the House in respect of public appointments to State boards. We read in the newspapers today that 291 appointments are due to be made to State boards before the end of February. Some 93 are to be made by the Minister for Health and Children, 33 by the Minister for Enterprise Trade and Innovation, and 31 by the Tánaiste.

**An Ceann Comhairle:** Another time might be much more appropriate for this inquiry.

**Deputy James Reilly:** Some 35 appointments have been made since the Green Party announcement on 22 November that it was leaving the Government and 20 of these have been made by that party, which is over 60%. Is this the Green Party's idea of a job strategy?

Deputy Varadkar put forward a Bill in the past which was not accepted by this House but which I believe should come before the House again. I wonder where it is on the Order Paper. The Deputy has a Private Members' motion down for the first week back in January. The solution is that all appointments should be advertised, all appointments should be screened by the relevant Oireachtas committee as set out in our "New Politics" document by Deputy Hogan, and all appointments should be made on the basis of merit and ability. They should not be made on the basis of what the previous Taoiseach said, which was that he did not appoint them because they gave him money, but because they were his friends. This is an outrageous way to run a country and is part of the reason we are in the mess we find ourselves.

**An Ceann Comhairle:** This is the last Order of Business for 2010. Brevity would be very helpful.

**Deputy James Reilly:** We are passing legislation on climate change and other issues, yet there is an indemnity Bill in the hands of the Government, which I put forward and which was agreed by the Minister for Health and Children, that would protect patients against rogue doctors who would practice in this country without insurance. It is a simple Bill. It confers protection on patients. There are only a few doctors involved, as the vast majority of doctors in this country are insured. This is for the rogues, because one doctor can do a lot of damage.

**The Tánaiste:** There is promised legislation, but no date.

**Deputy Leo Varadkar:** I would like to reiterate what Deputy Reilly said. There is a motion on the Order Paper which I published last week and which deals with the issue of public appointments. There are more than 400 to be made before the Government ends its term in February, including some very important positions on State companies like the ESB, Bord Gáis and Coillte, and very powerful positions like An Bord Pleanála and ComReg.

The Green Party seems to have put great store by certain legislation. It wants to get the corporate donations Bill through——

**An Ceann Comhairle:** There is no business promised in this area.

**Deputy Leo Varadkar:** It also wants to get the noise Bill through, but there seems to be no plan to get through legislation on public appointments. It is the plan of the Green Party and Fianna Fáil to stuff as many State boards as possible with their supporters before they leave office.

**An Ceann Comhairle:** We have no promised business on this.

**Deputy Leo Varadkar:** I ask the Tánaiste to advise me——

**The Tánaiste:** It is Private Members' business and is, therefore, a matter for the Deputy himself.

**Deputy Leo Varadkar:** ——if we can take that motion first thing in the new year. Will Government time be allowed for it? Government time is being allowed for all sorts of absurd legislation to keep the Green Party happy. Will the Government make some time for some real reform so that it can say it achieved something before it leaves office?



**An Ceann Comhairle:** That is Private Members' time.

**Deputy Jan O'Sullivan:** I am sure the Tánaiste is aware of a judgment in the European Court of Human Rights which decided that a woman who had cancer had her rights violated because the Government has not implemented the decision of the people in a constitutional referendum on the right to life of a woman and, when her life is in danger, the right to an abortion. The court's ruling is binding. The Government has not had much time to consider the judgment but will it be making a statement when it has done so? When will that happen?

**The Tánaiste:** That judgment was given at 10 a.m. The Minister for Health and Children will examine the judgment carefully and she will consider any legal implications arising from it.

**Deputy Brendan Howlin:** I understand that a Bill has been agreed by Cabinet in respect of a constitutional referendum on the rights of the child. When will the referendum Bill to enable the people to enshrine the rights of the child in the Constitution be published? Is it envisaged that it will be taken before the end of this Dáil? Will it be possible to hold the children's referendum on the day of the next general election?

**The Tánaiste:** The deliberations are not completed on this matter, so I am not in a position to say if a referendum will take place by the time of the election.

**Deputy Seán Power:** I would like to be associated with the good wishes to colleagues and staff in the House for a happy and peaceful Christmas. In football terms, there is always great pride taken by the team that occupies the top spot in the premiership at Christmas. In political terms and following the recent opinion polls, that is a position being occupied by the Fine Gael Party, so I would like to congratulate them on that, and to acknowledge the role played by the invisible man and the comeback kid.

**Deputy Dinny McGinley:** While we all wish the people a happy Christmas, is the Tánaiste aware of the widespread anxiety of many in the northern half of the country and in her constituency about the impending snowstorm? Most local authorities, including Donegal County Council, have exhausted their supply of salt. Would the Tánaiste contact the NRA and implore it not to——

**An Ceann Comhairle:** Deputy, you are long-time Member of this House and you know that kind of question is not appropriate to the Order of Business.

**Deputy Dinny McGinley:** ——have the county closed down over the Christmas period. It is not promised legislation, but promised salt that I am looking for. Perhaps the Tánaiste could use her good offices to contact the NRA and to make sure that our county is not closed down for the next few days.

**The Tánaiste:** Clearly, I do not want that to happen in County Donegal. There is a meeting of the local authority taking place at the moment to see what strategy can be introduced to ensure that the issues arising from the weather will be addressed. I will certainly use my offices to contact the NRA on the matter.

**Deputy Dinny McGinley:** Go raibh maith agat.

**Deputy Eamon Gilmore:** I was surprised that Deputy Seán Power did not continue the sporting analogy because it is customary, for teams that are in the relegation zone at Christmas, that the board expresses its full confidence in the manager.

**Deputy Seán Power:** I will do that in my own way.

**Deputy Eamon Gilmore:** So I gather. I referred earlier to the desirability that we should meet next week to hear the Taoiseach's report from the EU summit. The Dáil is not sitting next week so we will not have the opportunity to do that in the House. When he returns from the summit next week, will the Taoiseach circulate the statement he would normally make in the House so we would at least be in a position to make public comment on the outcome of the summit and the Taoiseach's assessment of it? It is not desirable that there would be no opportunity to comment on what the Taoiseach has to say about the summit until the middle of January. Given the House is not sitting, I ask that at least the Taoiseach's statement would be circulated.

**The Tánaiste:** We will be in a position to facilitate a response to the summit on 12 January. On the other issue, I would have to discuss it with the Taoiseach and revert to the Deputy.

**Deputy Mary Upton:** I wish to raise two issues. When can we expect the Property Services (Regulation) Bill back in the House? The second issue relates to the health repayment scheme. Despite a claim having been submitted, accepted and declared in order in 2007, the person involved is still awaiting payment. In October of this year she was told she would be paid before Christmas.

**An Ceann Comhairle:** Deputy——

**Deputy Mary Upton:** Sorry, a Cheann Comhairle. I have no other way of raising this. I have made all the telephone calls and written all the letters. This woman will be going to the moneylenders because the money has not been paid to her before Christmas, as promised.

**An Ceann Comhairle:** Will the Deputy raise the issue with the line Minister?

**The Tánaiste:** The first Bill referred to is awaiting Committee Stage but I am not in a position to say when it will be called. I am not aware of any developments on the repayments legislation but I can revert to the Deputy on that.

**An Ceann Comhairle:** We will move on to the next business.

**Deputy Bernard J. Durkan:** Has the Ceann Comhairle missed me? One of us must be slipping up.

**An Ceann Comhairle:** I could not forget such a very meek Member of the House.

**Deputy Bernard J. Durkan:** In that context, it would be appropriate for me to wish the Ceann Comhairle a very happy Christmas. If I was precocious during the course of the year, it was not my intention. I hope the Ceann Comhairle does not have any nightmares over Christmas about the various contretemps we had during the course of the year.

On more serious business, have arrangements been made to introduce the international agreements Bill to amend the Bretton Woods agreement? It is very important, relevant and fundamental to the issues in regard to borrowing that now affect us. The key acronym in the Bill is NAB — new agreements to borrow.

**The Tánaiste:** It is the intention to introduce it next year.

**Council of Europe: Irish Representation at Parliamentary Assembly**

**Minister of State at the Department of the Taoiseach (Deputy John Curran):** I wish to inform the House that the following persons have been selected and nominated as representatives and alternates from Ireland to the Parliamentary Assembly of the Council of Europe until the end of 2011: Deputy Frank Fahey, leader of the delegation, Deputies Jim O’Keeffe and Brian O’Shea, and Senator Cecilia Keaveney. The alternates are Deputies Peter Kelly and Maureen O’Sullivan, and Senators Terry Leyden and Joe O’Reilly.

**An Bille um an Naóú Leasú is Fiche ar an mBunreacht 2010: An Chéad Chéim****Twenty-ninth Amendment of the Constitution Bill 2010: First Stage**

**Deputy Trevor Sargent:** Tairgim:

Go gceadófar go dtabharfar isteach Bille dá ngairtear Acht chun an Bunreacht a Leasú.

I move:

That leave be granted to introduce a Bill entitled an Act to amend the Constitution.

Ba mhaith liom beannachtaí na féile a ghuí ort, a Cheann Comhairle, agus ar gach éinne sa Teach.

**An Ceann Comhairle:** Is the Bill opposed?

**Minister of State at the Department of the Taoiseach (Deputy John Curran):** No.

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

**An Ceann Comhairle:** Since this is a Private Members’ Bill, Second Stage must, under Standing Orders, be taken in Private Members’ time.

**Deputy Trevor Sargent:** Tairgim: “Go dtógfá an Bille in am Comhaltaí Príobháideacha.”

I move: “That the Bill be taken in Private Members’ time.”

Cuireadh agus aontaíodh an cheist.

Question put and agreed to.

**Climate Change Bill 2010: First Stage**

**Deputy Emmet Stagg:** I move:

That leave be granted to introduce a Bill entitled an Act to set a target for the year 2050 for the reduction of greenhouse gas emissions; to establish the Department of the Taoiseach as the co-ordinating Department under the Act; to confer powers on the Taoiseach to make regulations; to provide for carbon budgets; to establish an Office of Climate Change and Renewable Energy and a Climate Change Commission; to amend the Carbon Fund Act 2007; to put in place a framework and enabling provisions to meet European Union and international commitments on climate change; and to provide for related matters.

This Bill has been prepared by Deputy Liz McManus. It is extraordinary that a Private Member can prepare a comprehensive Bill on climate change and the Greens who have been in government for three years cannot do so.

**An Ceann Comhairle:** Is the Bill opposed?

**Minister of State at the Department of the Taoiseach (Deputy John Curran):** No.

Question put and agreed to.

**An Ceann Comhairle:** Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

**Deputy Emmet Stagg:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

### **Residential Tenancies (Deposit Retention Schemes) Bill 2010: First Stage**

**Deputy John O'Donoghue:** I move:

That leave be granted to introduce a Bill entitled an Act to provide for the making of arrangements for securing that one or more tenancy deposit schemes are available for the purpose of safeguarding tenancy deposits paid in connection with tenancies, to provide for payments by the Government to scheme administrators by way of financial assistance or otherwise, to provide that any tenancy deposit paid to a landlord in connection with a tenancy shall be dealt with in accordance with an authorised scheme which scheme shall provide for facilities to be available for enabling disputes relating to tenancy deposits subject to the scheme to be resolved without recourse to courts of law, to provide for the provision of information to tenants and relevant persons in relation to the authorised scheme relating to their tenancy deposit, to provide certain powers to the Circuit Court in the case of non-compliance by a landlord with the requirements imposed on that landlord by this Act, to provide for certain implications in relation to termination of a tenancy in cases where a landlord has not complied with his requirements under this Act, and to provide for related matters.

**An Ceann Comhairle:** Is the Bill opposed?

**Minister of State at the Department of the Taoiseach (Deputy John Curran):** No.

Question put and agreed to.

**An Ceann Comhairle:** Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

**Deputy John O'Donoghue:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

### **Standing Orders: Motion**

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

(i) That, notwithstanding anything in Standing Orders and the Resolution of the Dáil of 3rd July, 2007, with effect from January, 2011 and until further notice in the 30th Dáil, the Standing Orders of Dáil Éireann relative to Public Business are hereby amended as follows—

[Deputy John Curran.]

(a) STANDING ORDER 39 — QUESTIONS NOMINATED FOR PRIORITY

In Standing Order 39, by the substitution of the following paragraph for paragraph (1)(iv):

‘(iv) The sequence in which Questions nominated for priority are placed on the Order Paper each day shall be as follows:

Day	Group	Question No.
Tuesday	Fine Gael	1
	Labour Party	2
	Fine Gael	3
	Fine Gael	4
	Fine Gael	5
Wednesday	Fine Gael	1
	Labour Party	2
	Fine Gael	3
	Labour Party	4
	Fine Gael	5
Thursday	Fine Gael	1
	Labour Party	2
	Fine Gael	3
	Technical Group	4
	Fine Gael	5

Provided that a party which is a group under Standing Order 116(1)(a) shall have precedence over a group recognised under paragraph (1)(b) of that Standing Order.’

(b) STANDING ORDER 116 — GROUPS

In Standing Order 116, by the substitution of the following paragraph for paragraph (5):

‘(5) (i) Each group shall have the right to nominate a private member of the group either to move a motion standing in his or her name or to proceed with a Stage of a Bill in the Dáil.

(ii) The frequency with which each group may exercise this right shall be determined on the basis of the number of members in the groups;

(iii) The sequence in which the groups may exercise this right shall be as follows:

First occasion on which private members’ business is to be taken: Fine Gael

Next available occasion: Fine Gael

Next available occasion: Labour Party

Next available occasion: Fine Gael

Next available occasion: Fine Gael

Next available occasion: Labour Party

Next available occasion: Fine Gael

Next available occasion: Fine Gael

Next available occasion: Technical Group

Next available occasion: Fine Gael

Next available occasion: Labour Party

Next available occasion: Sequence to recommence.

(iv) The sequence set out above shall recommence on the resumption of Dáil Éireann following any adjournment for a Summer Recess.

Provided that a party which is a group under paragraph (1)(a) shall have precedence over a group recognised under paragraph (1)(b).’,

and

(ii) That, notwithstanding anything in Standing Orders, with effect from January, 2011 and until further notice in the 30th Dáil, the Standing Orders of Dáil Éireann relative to Public Business are hereby amended as follows—

#### STANDING ORDER 117 — TIME LIMITS TO DEBATE

In Standing Order 117, by the insertion of the following Provisos to paragraph (4):

‘Provided that the following time limits and sequence of speakers shall apply on the debate on a motion proposed by a private member which is limited to three hours:

Proposer 40 minutes

Government 30 minutes

Opposition Group\* 30 minutes

Government 30 minutes

Proposer 20 minutes

Opposition Group 10 minutes

Government 5 minutes

Proposer (to reply) 15 minutes

Provided further that a party which is a group under Standing Order 116(1)(a) shall have precedence over a group recognised under paragraph (1)(b) of that Standing Order.’.”

[*Opposition Group\* is either (i) the Labour Party when the proposer is the Fine Gael Party or (ii) the Fine Gael Party when the proposer is either the Labour Party or the Technical Group.*]

Question put and agreed to.

**Taxation Agreements: Motions**

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

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (Malaysia) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and Capital Gains) (Republic of Austria)  
Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and Capital and Gewerbesteuer (Trade Tax))  
(Federal Republic of Germany) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (Republic of Albania) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (Hong Kong Special Administrative Region)  
Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (Kingdom of Morocco) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (Montenegro) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (Republic of Singapore) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and Capital Gains) (United Arab Emirates)  
Order 2010,

a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income) (State of Kuwait) Order 2010,  
a copy of which was laid before Dáil Éireann on 1st December, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and Capital Gains) (Republic of South  
Africa) Order 2010,

a copy of which was laid before Dáil Éireann on 19th November, 2010.



Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (Cook Islands) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (Antigua and Barbuda) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (British Virgin Islands) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (Samoa) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (Saint Vincent and the Grenadines) Order  
2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (Saint Lucia) Order 2010,  
a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Taxes (Republic of the Marshall Islands) Order 2010,

a copy of which was laid before Dáil Éireann on 19th November, 2010.

Question put and agreed to.

**Deputy John Curran:** I move:

That Dáil Éireann approves the following Order in draft:

Exchange of Information relating to Tax Matters (Belize) Order 2010,

a copy of which was laid before Dáil Éireann on 2nd December, 2010.

Question put and agreed to.

### **Horse and Greyhound Racing Fund Regulations: Motion**

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

That Dáil Éireann approves the following Order in draft:

Horse and Greyhound Racing Fund (No. 2) Regulations 2010,

a copy of which Order in draft was laid before Dáil Éireann on 7th December, 2010.

**An Ceann Comhairle:** Is the motion agreed?

**Deputy Mary Upton:** No.

Question put:

The Dáil divided: Tá, 75; Níl, 17.

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.  
Cregan, John.

Tá—*continued*

Cuffe, Ciarán.  
 Curran, John.  
 Devins, Jimmy.  
 Doherty, Pearse.  
 Fahey, Frank.  
 Finneran, Michael.  
 Fitzpatrick, Michael.  
 Fleming, Seán.  
 Flynn, Beverley.  
 Gormley, John.  
 Hanafin, Mary.  
 Haughey, Seán.  
 Hoctor, Máire.  
 Kelleher, Billy.  
 Kelly, Peter.  
 Kenneally, Brendan.  
 Kennedy, Michael.  
 Killeen, Tony.  
 Kitt, Michael P.  
 Kitt, Tom.  
 Lenihan, Conor.  
 McEllistram, Thomas.  
 McGrath, Mattie.  
 McGuinness, John.  
 Mansergh, Martin.  
 Martin, Micheál.  
 Moloney, John.

Morgan, Arthur.  
 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.  
 O'Sullivan, Maureen.  
 Power, Seán.  
 Ryan, Eamon.  
 Sargent, Trevor.  
 Scanlon, Eamon.  
 Smith, Brendan.  
 Treacy, Noel.  
 Wallace, Mary.  
 White, Mary Alexandra.  
 Woods, Michael.

Níl

Broughan, Thomas P.  
 Burton, Joan.  
 Gilmore, Eamon.  
 Higgins, Michael D.  
 Howlin, Brendan.  
 Lynch, Ciarán.  
 Lynch, Kathleen.  
 McGrath, Finian.  
 O'Shea, Brian.

O'Sullivan, Jan.  
 Penrose, Willie.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Sherlock, Seán.  
 Stagg, Emmet.  
 Tuffy, Joanna.  
 Upton, Mary.

Tellers: Tá, Deputies John Cregan and John Curran; Níl, Deputies Emmet Stagg and Mary Upton.

Question declared carried.

### Appropriation Bill 2010: Second and Subsequent Stages

**An Ceann Comhairle:** In accordance with the Order of the House today, I must put the following question: “That the Bill is hereby read a Second Time, that sections 1 to 4, inclusive, Schedules 1 and 2 and the Title are hereby agreed to in Committee and the Bill is, accordingly, reported to the House without amendment, that Fourth Stage is hereby completed and the Bill is hereby passed.”

Question put and agreed to.

**An Ceann Comhairle:** The Bill is certified a Money Bill in accordance with Article 22.2.10 of the Constitution.

**Public Health (Tobacco) (Amendment) Bill 2010 [Seanad]: Second Stage**

**Minister of State at the Department of Health and Children (Deputy Áine Brady):** I move: “That the Bill be now read a Second Time.”

In moving this legislation in the Dáil, I acknowledge the general support accorded to the Bill during its passage through all Stages in the Seanad last week.

In budget 2009, as part of the programme of rationalisation of State agencies, it was proposed that the Food Safety Authority of Ireland, FSAI, the Irish Medicines Board, IMB, and the Office of Tobacco Control, OTC, would be merged to form the public health and medicines safety authority. The case for this merger was based primarily on the broadly similar functional responsibilities of the three bodies in terms of their standards setting and inspectorate functions, their risk assessment, and evaluation roles.

Following the pivotal role played by the FSAI during the 2008 pork-dioxin incident, however, the Oireachtas Joint Committee on Agriculture, Fisheries and Food recommended a reversal of this proposed merger in May 2009. In December 2009, the interagency dioxin review group also recommended the independence of Ireland’s food safety infrastructure be maintained. The Government, thereafter, decided in June 2010 to retain the FSAI and the IMB as independent, stand-alone agencies. The Government also decided to revert to its earlier decision to merge the OTC within the Health Service Executive, HSE, as it was considered that there was no case for merging the OTC with either the FSAI or the IMB.

In introducing this Bill, it is appropriate to reflect on the comprehensive range of tobacco control legislation introduced in Ireland since 2002 and the significant contribution made by the OTC in its implementation. I acknowledge the support provided by the office to my Department, particularly in the successful implementation of the smoke-free initiative in 2004, the ban on the sale of packs of cigarettes of less than 20 in 2007, the ban on in-store display and advertising, and the introduction of the retail register in 2009. This comprehensive range of tobacco control legislation places Ireland in the top rank of countries internationally.

Despite the significant tobacco control measures put in place to date and the widespread knowledge of the harm caused by tobacco consumption, smoking prevalence in Ireland remains high. The most recent SLÁN survey estimates 29% of the population smokes. We cannot become complacent and must continue to build on the work that has already been done. I consider it necessary to refocus our efforts to reduce smoking rates generally with a particular emphasis on young people. With the core legislation already in place, we now need to focus to a greater extent on the broader health promotion and smoking cessation measures necessary to reduce smoking prevalence. The proposed integration of the tobacco control functions of the OTC into the HSE will ensure this issue can be dealt with in an integrated manner in future. This will be allied with ongoing enforcement of the legislation, essential to continue to make progress towards a tobacco-free society.

In this regard, the HSE has recently published its tobacco control framework to provide a coherent approach to promote public health by reducing tobacco use in Ireland. This framework recognises the need for effective and evidence-based tobacco control measures including offering help to people who want to quit and warning of the dangers of tobacco. It is timely, therefore, that this Bill provides for the functions and staff of the OTC to transfer into the HSE from 1 January 2011. It will ensure the very positive work undertaken by the OTC to date can be enhanced by health promotion and smoking cessation programmes towards the ultimate objective of a tobacco-free society. That remains my objective and that, I believe, of all Members.

[Deputy Áine Brady.]

This additional resource and expertise will significantly assist the HSE in achieving its tobacco-related population health objectives in the years ahead, objectives fundamental to a reduction in the health and social burden of tobacco consumption in Ireland.

Section 1 defines certain words and terms used in the Bill. Section 2 dissolves the OTC. Section 3 transfers functions of the office into the HSE.

Section 4 provides for references to the office in any enactment to be construed as references to the HSE and for the completion by the executive of any function commenced by the office prior to dissolution. Sections 5 and 6 transfer land, other property and any money, stocks, shares, securities, rights and liabilities of the office to the HSE. Section 7 provides that every contract or agreement made by the office which is in force immediately before the commencement of the legislation, shall continue in force and have effect as if the HSE were substituted for office. Section 8 substitutes the name of the HSE for the name of the office in any pending legal proceedings to which the office is a party immediately before the commencement of the Act. The proceedings shall not abate by reason of such substitution.

Section 9 provides that every person who is currently a member of staff of the office shall, be transferred to and become an employee of the HSE. It ensures their conditions of service, remuneration and superannuation benefits shall be no less favourable than those applicable immediately before commencement of the Act. The previous service of a person transferred shall be reckonable and they shall be deemed to be employed in accordance with the Health Acts 1947 to 2009.

Section 10 transfers each record held by the office immediately before commencement of the Act to the HSE. Sections 11 and 12 require the HSE to cause final accounts and final report of the office to be prepared and to be laid before each House of the Oireachtas.

Section 13 repeals Part 2 of the Public Health (Tobacco) Act 2002, which established the OTC and sets out the general functions and procedures under which the office operated.

Section 14 provides for the payment of expenses incurred by the Minister in the administration of the Bill out of moneys provided by the Oireachtas.

Section 15 provides for Short Title, commencement and collective citation.

The OTC's chairperson has welcomed the transfer of the office to the HSE. The OTC considers this move will ensure that Ireland's ongoing work to create a tobacco-free society in which it is a world leader will stay at the heart of public health.

I commend this Bill to the House.

**Deputy James Reilly:** Fine Gael is happy to support this legislation as it is in line with our public health policy and our drive to rationalise State agencies and organisations while removing as much administration as possible.

It is important the message goes out that the battle against tobacco addiction is far from over and remains a huge challenge to our health, education and wider social system. The Minister of State referred to the fact that 29% of people smoke, 2% more than before the introduction of the smoking ban. While I welcomed the ban at the time, more needs to be done to combat smoking. The tobacco companies aim their product at young people. They want to reach a state where one pack of 20 cigarettes will hook a young person. They do not mind if that person gives up tobacco in their 30s or 40s because they will have the next generation of young people to target then.

Tobacco is deadly. It causes lung, bowel and oesophagus cancers, cardiovascular diseases, strokes and heart attacks. This is a dreadful product. It has been historically available in our society, yet we know it does untold damage. Smoking causing 6,000 deaths per year as well as costing the health service billions.

The Office of Tobacco Control is hugely important so, in moving it to the HSE's aegis, we must ensure that it does not lose its identity or ethos. There are many excellent people working within that office who are committed to ridding our society of smoking and reducing its harmful effects. The problem is that every single cigarette causes harm. Most people feel dizzy and unwell after smoking their first cigarette, so it is extraordinary that so many take up the habit and then spend so long trying to quit. Members of my own family were smokers who died as a consequence of contracting cancer. It is a very difficult addiction to deal with. The best way of dealing with addiction is not to start.

The prevalence of smoking presents a huge challenge. We need to keep working on finding new ways to handle this problem. The Minister of State is right to say that it is not just a health problem, but also an educational, environmental and legal problem. We know that tobacco companies target young people. If somebody offered me a box with 20 white sticks in it, which I know can cause cancer, heart attacks and stroke, and wanted to charge me €7.50 for the pleasure, I would think it was silly to become engaged in such a transaction, yet people do; such is the subtlety of advertising and peer pressure. We must work harder to devise new methods to combat smoking, including more education and information to advise people, particularly the young, about the dangers involved.

Sometimes we over hype things and, as a consequence, younger people may say: "Ah, they are always telling us that everything we like is bad for us". We need to be clear therefore about those things that are truly damaging. Cigarettes, and tobacco generally, constitute one of those deadly products. If it were to come on the market today there is no question but that it would be banned.

The Irish Cancer Society does wonderful work in helping people to deal with cancer, as well as advising them on the causes of cancer. The society points out that tobacco kills more people in Ireland than road accidents, suicide, drugs, farm accidents and AIDS combined. It causes 30% of all cancers, including 95% of all lung cancers. In addition, smokers are three times more at risk of suffering heart attacks than non-smokers. Despite all our efforts and welcome initiatives, the rate of smoking in Ireland remains high, so we must continue to work hard on reducing tobacco consumption.

Despite the spirit of Yuletide goodwill, I must take the Minister of State to task on one measure in previous legislation. There are many ways of communicating, including the written or spoken word and action, which are all-important parts of the learning process. Legislation has already been passed to print pictorial warnings on cigarette packets in order to help smokers visualise tobacco-related illnesses. This has been proven to be a cost-effective public health measure, which I believe will reduce tobacco use in the long term. There is nothing like being reminded of what is happening to one's heart and lungs every time one reaches for a cigarette packet. Such pictures can remind smokers of the harm they are doing to themselves and others. Such a provision was included in the previous Public Health (Tobacco) (Amendment) Bill which was passed in the summer of 2009, yet here we are at the end of 2010 and it has not yet been introduced. In addition, there is no timeline for introducing it. The Minister of State has the support of the Opposition on this issue, but we cannot tolerate this interminable delay in following up on legislation which has already been passed by the House. The Minister of State should explain the delay. If there are obstacles to introducing such a measure they should be removed along with any red tape.

[Deputy James Reilly.]

We should also address the question of quitting therapies. Once one starts smoking it is very hard to stop, yet many quitting products are only available in pharmacies, albeit over the counter. In the UK, smoke-quitting therapies are much more widely available, including in supermarkets. Quitting therapies should be as widely available as cigarettes are. Cigarette vendors should also sell quitting therapies. I hasten to add that therapies on their own will not do the trick because people also need medical help, which has been proven to bring about the best outcome. People might stay on such therapies a lot longer if it were easier and cheaper to purchase them in supermarkets and other retail outlets, than is currently the case. We need to help those who have started smoking to quit the habit. Many people do give up smoking successfully, so others who wish to do so should not give up trying to stop. Sadly, many medical conditions arise from smoking. People suffering from smoke-related illnesses should talk to their pharmacist and general practitioner when taking therapies to help them stop smoking.

The latest data from 2009 shows that 32% of retail outlets are willing to sell cigarettes to minors. Young people can get cigarettes from vending machines in 35% of licensed premises. I know of a rather intrepid five-year-old who used to go down to the shop to buy sweets. When he got the change he would nip into the pub and buy fags from the vending machine, so much greater supervision is required.

Cigarette smuggling is another issue of concern. However, just because we have a problem with smuggling as cigarettes become more expensive, I do not believe that we should not continue to increase the price of this product. We need to spend more money on fighting smuggling, thus ensuring that all cigarettes are sold legally. In addition, retail outlets should be increasingly controlled.

The Bill is welcome but I would add one caveat — we must ensure that the Office of Tobacco Control does not lose its identity or ethos.

**Deputy Jimmy Deenihan:** I thank Deputy Reilly for allowing me to share his time slot, as I wish to comment on this important subject. Now that the OTC's responsibilities are to be transferred to the HSE, the Minister of State may wish to comment on a recent statement by the Irish Cancer Society to the effect that there are no specific targets to reduce smoking prevalence anywhere in any HSE service plan. Neither is there a specific strategy to reduce smoking prevalence. In fact, smoking cessation programmes in the community have been reduced. Calls to the national smokers' quit line have been significantly reduced due to the cut in advertising. Awareness programmes are ineffective because they are not extensive enough. I agree with these sentiments. There is evidence to support them.

There are approximately 1 million smokers in Ireland and 6,000 people die every year from smoking related illnesses. We need to take a more proactive approach and it should start in the schools. When I see pupils coming out of school in the evening, I notice that the first thing many of them do is to light up. I also notice the number of school pupils buying cigarettes in local supermarkets. Most of them are girls, which is alarming. I believe they are not aware of the damage smoking does to their health and the problems they are storing up for the future.

In this movement towards responsibility, I hope the HSE will be far more proactive in the future. The Minister of State, Deputy Áine Brady, has been in her role for a short time and has done much co-ordination work. A more proactive approach must be taken by whoever holds her portfolio in the next Dáil.

Smoking causes 30% of all cancers, including 95% of all lung cancers. Smokers have three times the risk of heart attack as non-smokers. The statistics are clear.

Cigarette smuggling is not being tackled. No one would have objected to an increase in excise duty on cigarettes in the recent budget. If that measure was designed to discourage smuggling, I do not think it will. There are two separate issues. The health issue and the smuggling issue are separate, and the smuggling issue is not being addressed. Cigarettes being smuggled into the country must come through our airports and sea ports. Surely, it should be possible to curb this. Dr. Brian Maurer, chairman of ASH, said recently that tobacco smuggling must be tackled before the market is flooded with cheap cigarettes, with a consequent increase in smoking and tobacco-related illness. The current annual cost to the State of treating tobacco related disease is well over €1 billion. This will increase if prevalence rises. Smuggling means a loss to the Exchequer of approximately €400 million per annum. Unless there is a proactive and aggressive approach in our primary and post-primary schools to point out the physical and mental health effects of smoking we will continue to lose the battle.

It is important to have clear statistics and to make them available. The most recent SLÁN survey showed that 33% of the population smokes. A recent telephone survey showed 26% of the population as smokers. I would say the real figure is closer to 33%. It is important that we have clear statistics and information in order to tackle this problem. The problem starts in primary and post-primary schools. Unless we have a directed policy to address this issue we will continue to have a growing and festering problem of cigarette smoking.

**Deputy Jan O'Sullivan:** I would like to share my time with Deputy Stagg, if he comes into the Chamber before I finish speaking.

The Labour Party supports the Bill. We will facilitate its passage. It is one of a number of measures recommended in the McCarthy report to reduce the number of bodies, boards and organisations of all kinds that may have been considered necessary when they were set up but are much less necessary now, particularly in view of the measures in the recent budget whereby the poorest of the poor had their social welfare incomes cut and the minimum wage was reduced.

I put this legislation in the context of the need for more reduction in such bodies and their incorporation back into their home Departments or, as in this case, the HSE. On the Order of Business this morning, Deputy James Reilly referred to this morning's article in *The Irish Times*, which indicated that there are 291 places on various boards and bodies to be filled by the end of February and that 96 of them are under the aegis of the Minister for Health and Children. The Labour Party believes there is scope for significant further reduction in the number of these bodies. It would be better to save money by merging them or incorporating them into their Departments than by taking measures that hit people at the bottom of the income scale.

There should have been greater focus on implementing the recommendations of the McCarthy report. That might have saved money for people who are struggling to get by. All of these organisations have boards, big offices, staff, chief executives and all kinds of associated costs. We can no longer afford them. It is a good day's work to abolish this body. We should be abolishing more of them. I look forward to hearing more proposals from Government in this regard. We intend to do this after the election.

I compliment the Office of Tobacco Control on the work it has done. Positive measures have been taken to control the use of tobacco in this country. I have no doubt that work will continue following the passage of this legislation.

We need to focus on a number of areas. There are two categories of smoker. One is the person who already smokes, is beginning to realise that health problems are associated with smoking or that it is costing too much money and decides to quit. The vast majority of people



[Deputy Jan O'Sullivan.]

who smoke want to quit. The other is the person who is beginning to smoke. I would like to begin by focusing on that category. I am aware of the large number of young people in the Visitors Gallery. The three previous speakers were also aware of this without referring to it. We should get the views of young people on the most effective measures to stop people taking up smoking in the first place. This has much to do with peer pressure, image, what people think is cool or not cool and how young people behave together. It is vital that we get their views on what would be effective in discouraging them from starting to smoke in the first place. I welcome the Minister of State's assurance that this will be the focus in the future. She specifically referred to an emphasis on young people.

One of the factors that cause people to take up smoking is the measurement of its good and bad effects. When we are young, healthy and fit we are not concerned with cardiovascular or any other type of disease, because we think we will go on for as long as we want. However, we might think about effects such as smelly breath or cost. These issues are more likely to sway young people. The emphasis in advertising should be on these areas. I do not like being around people whose breath smells of cigarette smoke. That kind of message might make young people less likely to smoke, rather than health messages, which are very effective among older age groups.

Cost is also a factor. The Irish Heart Foundation and the Irish Cancer Society came together to make a pre-budget submission, which I support. They wanted to see an increase in the cost of cigarettes in the budget. They made a threefold proposal. One aspect of the proposal was to increase the tax on loose tobacco and on cigarettes by 50 cent per packet. It was stated that this would generate approximately €77.8 million in additional revenue. They also wanted to ring fence €12 million of this amount to fund a major programme of cessation activities. Furthermore, they wanted to invest in a comprehensive package of measures to tackle tobacco smuggling. Combating the latter effectively could lead to a potential saving for the Exchequer of €67 million each year.

If the measures I refer to had been implemented, they would have given rise to a significant increase in income to the Exchequer and also to consequent savings. However, the measures in question were not implemented and I hope the Minister of State, Deputy Áine Brady, will address that matter when she replies to the debate and will indicate why the Government decided to do nothing with regard to either the price of cigarettes or the issue of tobacco smuggling. If the measures had been implemented, it would not have been necessary to take the €77.8 million out of the budget and thereby oblige the poor to take a hit. If we had taken action to apprehend the tobacco smugglers, the Exchequer would have obtained additional moneys.

Tobacco smuggling is a significant problem. There are those who offer the argument that if we continue to increase the price of cigarettes, there will be a consequent rise in tobacco smuggling. That argument is ridiculous. It implies that the Government cannot implement the laws relating to smuggling and, as a result, must do without the extra money it could obtain through increasing the tax on tobacco products. An opportunity has been missed. It was extremely disappointing that the measures to which I refer were not introduced in the budget.

All the available evidence indicates that cost is a real factor when it comes to young people deciding whether to take up smoking. It also has an impact in the context of how much these individuals smoke if they do take up the habit. How much young people smoke is as much of an issue as whether they smoke.

The most important aspect on which we must focus is preventing people from taking up the habit in the first instance. Most of the people who smoke want to stop. Most of us who know smokers are aware that they are great at giving up smoking and have done so on many

occasions. However, the difficulty they face is not taking the habit up again. What are required are smoking cessation programmes that really work. A recent article in *Irish Pharmacy News* refers to such programmes. The article is welcome because pharmacists, as well as GPs and other health professionals, are in a position to provide people with assistance. I agree with Deputy Reilly's comments to the effect that anti-smoking products should be more widely available. I am of the view that people should be able to purchase these products wherever cigarettes are available. If it is acceptable and safe to sell cigarettes, then it must be equally acceptable and safe to sell products which assist people to stop smoking.

The statistics provided in the article to which I refer are extremely stark. Some 7,000 people in this country die from smoking-related diseases each year, 90% of lung cancers are caused by smoking, 50% of smokers will die from smoking-related diseases and smokers have an increased risk of contracting cancer, heart disease and many other diseases, suffering strokes and experiencing low birth rates. Smoking is the single most preventable cause of illness and death. It costs €1 billion per year to provide health services for smokers. Passive smoke exposure increases the risk of stroke by 82% and smokers lose an average of ten to 15 years from their life expectancy.

I am not a smoker. I have smoked on occasion but I have never become addicted. However, I am aware that I am wasting my breath reading these statistics into the record because while smokers really want to kick the habit, they find it extremely difficult to do so. We must focus, therefore, on making it easier for people to give up smoking and less attractive for young people to take up the habit. In the context of making it easier to give up smoking, there are many products available and a great store of knowledge has been built up with regard to the psychology of encouraging those who smoke to kick the habit. What people need is ongoing support. There are many who have the best of intentions and on 1 January next I am sure a large number of people will stop smoking. The question arises, however, as to whether they will still be off cigarettes on 1 February.

Supports for people who are seeking to stop smoking are extremely important. If the measures to which I referred earlier had been included in the budget and if the €12 million identified by the Irish Cancer Society and the Irish Heart Foundation had been invested, then the existing supports could have been greatly enhanced. There is no doubt that we need to take action in respect of this matter and I hope the Minister of State will be able to provide specific information with regard to how the Government is going to ensure that measures such as those I have outlined will be put in place.

There must be real determination in respect of dealing with this issue. It is extremely tough to watch people trying to give up smoking and finding it difficult to do so. Many of those who have difficulty in the context of stopping smoking also have problems with regard to their incomes. The statistics show that people who live in relative poverty are often very dependent on cigarettes. These individuals perceive cigarettes as assisting them in retaining their sanity when they are having a difficult day. Such people may live in areas where many problems exist and they may have difficulties relating to their incomes. These people may also have social problems.

There is a need to be more imaginative in the context of how we provide programmes for these people. Such programmes must be delivered locally, through community organisations and structures. It might be possible, for example, to promote these programmes through local women's clubs, senior citizens clubs or men's clubs. If programmes were linked to existing activities and structures, they would be more effective.

I reiterate that the Labour Party supports this measure. However, we are of the view that many more of the so-called quangos should be abolished. I accept that many of these bodies

[Deputy Jan O'Sullivan.]

do good work. However, there is not necessarily a need for independent bodies to carry out such work. In that context, we encourage the Government — if it has time to do so before the general election — to amalgamate or abolish as many of these organisations as possible.

**Deputy Caoimhghín Ó Caoláin:** I wish to share time with Deputy Maureen O'Sullivan.

**An Leas-Cheann Comhairle:** I presume the Deputies are sharing time on a 50-50 basis.

**Deputy Caoimhghín Ó Caoláin:** Yes. Go raibh maith agat.

This Bill is a technical measure which provides for the dissolution of the Office of Tobacco Control and the transfer of its functions to the Health Service Executive. Neither I nor my party colleagues have any objection to what is, essentially, a bureaucratic change which will eliminate waste and duplication and which, it is also hoped, will lead to a more streamlined and efficient operation of the functions that were heretofore entrusted to the Office of Tobacco Control.

Like previous speakers, I welcome the fact that the debate on the Bill provides Members with a brief opportunity to address some of the issues around smoking. Such an opportunity was not offered to use last week when the budget measures were introduced.

There is no doubt that progress has been made in recent years. The most noticeable development has been the smoking ban and great credit is still due to the former Minister for Health and Children, Deputy Micheál Martin, for being successful in steering that particular measure through the Houses with the support of parties on all sides. However, smoking remains all too prevalent. Very sadly, it is apparent that young people continue to take up smoking in great numbers. Older people who have spent a lifetime smoking are experiencing the hugely damaging health consequences relating to a habit that is very difficult to break. The cost of smoking in the context of the health of the population is enormous and the drain it has caused in respect of ever-diminishing resources within the public health service has been substantial.

The campaign to reduce levels of smoking and work towards a smoke-free society is extremely important. This campaign must be maintained and expanded. I sense that there is unanimity across all parties and among the Independents in respect of this matter. Education is hugely important in this regard, particularly in light of the large numbers of young people who are taking up smoking. Legislative and other fiscal measure must be placed under constant review. We must consider the support and assistance these can offer in the context of the overall objective of promoting a significant reduction in the numbers of people who smoke.

Action on Smoking and Health, ASH, Ireland has expressed disappointment that the Minister for Finance did not increase the price of tobacco in the budget last week. It points out that price is recognised by the World Health Organisation and others as the most important and effective way to discourage people from taking up smoking or to encourage them to quit smoking after whatever period of their lives in which they have had this habit. Perhaps most importantly, it discourages young people from experimenting with tobacco and taking up the habit in the first place. The Government response to ASH's criticism is to express the view that such price increases might encourage tobacco smuggling and this matter already has been addressed by previous speakers. I disagree with the Government in respect of that stated view.

Tobacco smuggling certainly is a huge and growing problem and there is a great deal of evidence to demonstrate this. This problem definitely needs to be tackled in its own right. It represents a huge business for criminal empires internationally and domestically and there obviously is a big market for it here in Ireland. A recent RTE documentary highlighted that cigarettes are being illegally imported into this jurisdiction in their billions and very often are

of such a quality that they are more toxic and dangerous than those that have been legally imported and sold here legitimately through normal and recognised outlets. This is a deplorable trade and anyone involved at whatever level, whether criminal bosses or people selling cigarettes from their homes to young people, must be condemned. They should be made accountable under the law. Moreover, there can be no exceptions in this regard.

The legal tobacco industry is a very powerful force, as has been shown many times down through the years. It can deploy a great deal of money to lobby against any changes that might eat into its annual turnover and profits. This was evident at the time of the smoking ban, as I am sure each Deputy who was an elected Member of this House at the time will recall. There have been some well-known lobbyists for the tobacco industry in this State, including one who is a leading europhile and who always has figured prominently in favour of every European Union treaty referendum on which I can think back. I was reminded of this by an article that appeared in the *Irish Independent* last year. It is a pity that some of the political correspondents from that newspaper are not present in the Press Gallery because it is very rare for me not alone to quote from it, but even to acknowledge that I had read the damn thing in the first place. However, I will cite that organ favourably regarding a piece that appeared on 22 October 2009. It recalled that the chairmen of the tobacco companies Carroll's, Gallaher and Player Wills demanded a meeting with the then Taoiseach, Jack Lynch, in 1978 as the then Minister for Health, Charlie Haughey, prepared new laws to stamp out cigarette promotion. I will share this item with the House. The tobacco bosses argued that a ban would cut back on their sales, leaving them with less money to create new employment in other non-tobacco industries and, according to the article that allegedly quotes directly from their lobby, "if employment was not provided for our growing young population, there could be a fusion between Marxism and the IRA". This says a great deal about the mentality of the tobacco bosses and about the type of arguments they have employed when trying to influence decisions here over the years. I ask whether anything has changed. Members must steel themselves to this project and to put them back on their heels at all times.

**Deputy Maureen O'Sullivan:** I hope this proposal will be progressive and positive. It is strange and ironic to link tobacco and public health in the same sentence, as the harmful effects of tobacco are well known. There is another irony in the sense that the legal tobacco industry brings in very significant revenue to the State and the illicit tobacco trade loses the country equally significant revenue. Another contradiction or paradox lies in the fact that cigarettes are perceived to bring relief for stress and tension, while at the same time they cause other health risks.

As for the illicit tobacco trade, it has been estimated that 27% of all tobacco consumed in Ireland in 2009 was illicit and evaded excise duty. This constituted an increase from an equivalent figure in 2008 of 20%. As a result, the Government lost VAT and excise to the approximate value of €556 million and retailers lost approximately €692 million in sales turnover. The importation, sale and distribution of illegal tobacco products is a major problem for our society and for the Garda Síochána, which makes the point that such criminality also contributes to other criminal activity. In 2009, co-operation between the Garda and the Customs and Excise resulted in the seizure of more than 218 million cigarettes to the value of €92 million. Tobacco smuggling is depriving the State of revenue from the sale of legitimate products and a significant health risk in the illegal trade arises from not knowing the actual tar content of such illegal cigarettes, thus contributing even more health factors. Smuggling also ensures a supply of cheap cigarettes, which pushes people further into their addiction to tobacco.

Any discussion on tobacco must take on the health implications and I trust the HSE will do this. It is known that smoking kills approximately 16 people a day in Ireland and that half of

[Deputy Maureen O'Sullivan.]

all smokers will die as a result of smoking. Smokers have a 30% higher risk of developing cancer and Irish research shows that 78% of smokers start before the age of 18 and that more than half start by the age of 15. Research indicates that price is the single most important factor discouraging young people from experimenting with tobacco. I note that in Australia, following the imposition of a 25% increase in the price of cigarettes in April 2010, statistics showed that the prevalence of smoking fell considerably. The most frightening finding from the World Health Organisation is that young people and those in lower socio-economic groups are two to three times more likely to try to quit on foot of a price increase. I reiterate that approximately 6,000 people die every year from the effects of smoking. A further point made consistently by the Irish Cancer Society pertains to how tobacco companies link tobacco smuggling and price and use the smuggling issue to convince politicians and high-level officials that the high price of cigarettes is resulting in high levels of smuggling with the consequential freezing of tax on tobacco. The society also states that there is strong evidence to demonstrate that high price is the most effective weapon in reducing smoking and discouraging young people from starting. I will revert to my first point about irony by noting that in 2009 alone, 25% of all excise receipts returned to the Exchequer were generated by tobacco and amounted to the considerable sum of €1.2 billion.

I acknowledge the work of the board to date, while noting that the Bill provides for the Office of Tobacco Control to be dissolved and the functions, staff and so on to be transferred to the HSE. I trust that the HSE will be able to fulfil these roles and responsibilities because in the year and a half in which I have been a Member of this House, it has been involved in many controversies, examples of bad or negligent practice, issues in respect of funding and lack of transparency. I hope it will take on a national anti-smoking strategy. Last year, a second mobile scanner and cutter were procured for the Customs and Excise. The HSE should take on board that 20% of all cigarettes smoked in Ireland are smuggled. Moreover, it should take on the pricing issue and the health implications, with further inputs for those wishing to quit and a particular campaign aimed at girls and young women. I note that Irish people bought into the smoking ban even though it was considered that they would not and it has been highly successful. I acknowledge the legislation that has been enacted previously with regard to age, display and advertising. My final point is that in respect of its financial transactions on this issue, the HSE should demonstrate complete transparency, accountability and value for the funding it receives in this regard.

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I thank the Deputies for their very positive and supportive contributions. I am glad that many of them acknowledged the support the OTC has given to the Department of Health and Children, the successful implementation of the smoke-free initiative in 2004, the ban on sales of packets which contain fewer than 20 cigarettes and in-store display and advertising and the introduction of the retail register, all of which have proved to be very positive.

The HSE has recently published its tobacco control frame work to provide a coherent approach to promote public health by reducing the use of tobacco in Ireland. The framework also recognises the need for effective and evidence-based tobacco control measures, including offering people who want to quit help and warning of the dangers of tobacco.

With regard to combined text and photo warnings, an issue raised by Deputy Reilly, while the European Commission decision does not make it compulsory across the EU Ireland has decided to introduce them. As he pointed out, the introduction of the combined text and photo health warnings on cigarette packs on sale here is provided for under section 6 of the Public Health (Tobacco) (Amendment) Act 2009.

The Department is working with the Office of the Parliamentary Counsel to finalise the necessary regulations to provide for combined text and photo warnings on tobacco products. I understand and share the frustration of the Deputy but, unfortunately, there are some issues which have not yet been resolved with the Attorney General.

With regard to smoking cessation supports, nicotine replacement therapies are available to medical card holders since April 2001. Evidence shows, as Deputy O'Sullivan said, that lower socio-economic groups have a higher instance of smoking and spend a higher proportion of their disposable income on tobacco. It was considered that this group is in greatest need of assistance in helping them to quit the habit. Accordingly, it was decided as an exceptional measure to make nicotine replacement therapies available on prescription to medical card holders.

Smoking cessation services within the HSE offer a wide range of services in different areas. Specialist smoking cessation counsellors are trained to deliver these services on a full-time, part-time and sessional basis nationally. Health promotion departments within the HSE also offer an extensive programme of training which includes developing skills for health care practitioners to support people who wish to stop smoking.

On the illicit trade in cigarettes, I wish to clarify that it is a matter for the Revenue Commissioners. I am informed by it that it is responsible for the protection of tobacco products, tax and tackling the illicit trade in cigarettes and tobacco products. It is concerned at the level of cigarette smuggling and the illicit trade in Ireland. It has to be acknowledged that tobacco taxes in Ireland are currently the highest in the EU and despite the comparatively small size of the Irish market significant profit can be made by fraudsters who engage in this type of illicit activity.

It is difficult to speculate on the extent of the illicit tobacco problem. However, official figures show that between 2008 and 2009 the quantity of cigarettes on which duty was paid fell by only 6.7%. At the same time due to increased rate increases the total excise duty on tobacco products increased by €45 million. I am aware the Revenue Commissioners enures all aspects of its ability to deal with the threat of the illicit trade in tobacco products are subjected to continuous review.

The Department of Finance, in consultation with the Revenue Commissioners, regularly reviews the legislative programme, and is continuing to implement a wide-ranging programme of measures. These include the continuing seizure of illegal products and the prosecution of offenders; monitoring of Internet sites and instigating test purchase to identify importation routes; monitoring of sales patterns to identify and investigate irregularities and target enforcement activity; contributing to action taken at a new level to improve the controls of excisable products in the community; and monitoring of sea cargo on the basis of risk analysis seizures. There is ongoing international monitoring of international courier and air freight services, including Internet traffic and air passenger arrivals, which has also resulted in significant seizures.

Many Deputies referred to the increase in young people smoking and the need for education, which I support. The OTC report on children, youth and tobacco found that more than three quarters of all smokers in Ireland started smoking before they reach the age of 18 and more than half of all smokers started before they reach the age of 16. The research also found that 16% of young people aged between 12 and 17, or one in six, currently smoke. We know the younger the age a person starts to smoke, the higher his or her nicotine intake is as an adult. The earlier children start to smoke the more likely they are to remain smokers.

[Deputy Áine Brady.]

I support the call for reaching out to young people. The Deputy also commented on the fact that taking the right approach with young people is very important. I use every opportunity I have to engage with students, especially when we visit them under the Oireachtas outreach programme, to discuss how they think we can best tackle this problem.

The efforts to keep the price high have been successful. Cigarette prices in Ireland are the highest in the world. At €8.55 per pack they are more than €1.30 more expensive than the next most expensive country which is the UK. Our tax take alone is €6.71 per packet which is higher than the retail price of cigarettes in all but one other EU member state. Given the increased amount of smuggled cigarettes now being placed on the Irish market, concerns were voiced by the Government that another significant price increase would lead to an increase in smuggling. Consequently, there was no price increase in the past two budgets.

On targets, the Minister for Health and Children, Deputy Mary Harney, has established a tobacco policy review group under the chairmanship of the chief medical officer to review the implementation of tobacco control and health promotion agenda from 2011 onwards. The group includes representatives from the key stakeholder groups and has consulted widely across the NGO sector with a view to setting out priorities for the future towards the ultimate objective of a tobacco-free society.

Question put and agreed to.

### **Public Health (Tobacco) (Amendment) Bill 2010 [Seanad]: Committee and Remaining Stages**

Sections 1 and 2 agreed to.

#### SECTION 3

Question proposed: “That section 3 stand part of the Bill.”

**Deputy Jan O’Sullivan:** This section deals with the commencement of the Act. Does the Minister of State know when it is intended to commence the Act?

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** On 1 January.

Question put and agreed to.

Sections 4 to 7, inclusive, agreed to.

#### SECTION 8

Question proposed: “That section 8 stand part of the Bill.”

**Deputy James Reilly:** I do not oppose the section but I want to comment on a number of issues related to it. The fine for smuggling cigarettes into Ireland is €423, which is laughable given the profits involved and the fact that our neighbours fine people £5,000. I hope the Minister of State will make an order to change that. I understand it does not require primary legislation.

I hope the Minister of State will take on board the greater availability of therapies. Would she consider an order at a later date to the effect that all retail outlets which sell cigarettes also make available the current therapies which are only available over the counter in pharmacies? I ask the Minister of State not to delay. I note the HSE has no specific targets to reduce the

prevalence of smoking in its plan. It is an area which should be examined in the coming year. There ought to be a very specific target.

**Deputy Jan O’Sullivan:** I support the comments of Deputy Reilly on the fines for smuggling cigarettes because if they are not large enough people are not deterred from it as they can make a great deal of money. I do not think it is within the competence of the Minister to change that, but it is important for the Oireachtas to signal that it should be changed and that the fines should be greater.

**Deputy Áine Brady:** The Department of Finance, in consultation with the Revenue Commissioners, regularly reviews the legislative framework with regard to fines. The penalties for tobacco offences were significantly increased in the Finance Act 2010. The penalty for conviction on indictment increased from €12,695 to either €126,970 or up to three times the duty paid value of the goods, whichever is the greater, and-or a term of imprisonment not exceeding five years. The tobacco policy review group, which is chaired by the chief medical officer, will set the target figures after it has had a little more time to study the issue.

**Deputy James Reilly:** I asked about the availability of therapies anywhere there is a sales outlet.

**Deputy Áine Brady:** Yes. I will take on board what the Deputy has said about outlets.

**Deputy James Reilly:** I thank the Minister of State.

Question put and agreed to.

## SECTION 9

Question proposed: “That section 9 stand part of the Bill.”

**Deputy Áine Brady:** I would be obliged if, in accordance with Standing Order 136, the Leas-Cheann Comhairle would direct the Clerk to make the following correction to the text of the Bill:

In section 9, subsection 4(b) on page 6 of the Bill, in line 8, to change the word “purpose” to “purposes”.

This correction is needed to clarify the drafting in this section.

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

Question put and agreed to.

Sections 10 to 15, inclusive, agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

Question proposed: “That the Bill do now pass.”

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** The Public Health (Tobacco) (Amendment) Bill 2010 has been approved by both Houses of the Oireachtas. On behalf of the Government, I thank those who have accorded such broadly



[Deputy Áine Brady.]

based support to the passage of all Stages of the Bill in both Houses over the past week. The broad political consensus on the merits of the Bill mirrors the determination of people on all sides to refocus their efforts to reduce smoking rates generally, with a particular emphasis on young people.

With the core legislation already in place, there is strong and welcome cross-party support in the Oireachtas for the broader health promotion and smoking cessation measures that are necessary to reduce smoking prevalence further. The proposed integration into the HSE of the tobacco control functions of the Office of Tobacco Control will ensure this objective can be pursued with determination in the years ahead. This, allied with ongoing enforcement of the tobacco control legislation that is already on the Statute Book, is essential if we are to continue to make progress towards a tobacco-free society.

**Deputy James Reilly:** I support the Public Health (Tobacco) (Amendment) Bill 2010. I also support the Minister of State in her important work. I hope the media takes the opportunity to report on this debate, in which the dangers of smoking, particularly to young people, were highlighted and the role of parents in this regard was emphasised. I congratulate the Minister of State on the passage of this legislation.

**Deputy Jan O'Sullivan:** I welcome the passage of the Public Health (Tobacco) (Amendment) Bill 2010. We need to transmit our message to young people, in particular. I suggest we should consult them through the various bodies that represent them, such as the National Youth Council of Ireland and the Union of Secondary School Students of Ireland. It would be worthwhile to get their views on how we can make inroads into the growing number of young people who are taking up smoking. According to the statistics that were provided by the Minister of State, many of them start to smoke at a very young age, which is very worrying. If I remember correctly, a considerable proportion of those under the age of 13 — perhaps one in six — have taken up smoking. I am not sure of the age in question, but it is a very young age.

**Deputy Áine Brady:** One in six of those under the age of 16 smokes.

**Deputy Jan O'Sullivan:** It is very worrying that such large numbers of young people are smoking. That needs to be the major focus from now on.

Question put and agreed to.

**An Leas-Cheann Comhairle:** A message will be sent to the Seanad to acquaint it accordingly.

#### **Student Support Bill 2008: Order for Report Stage**

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I move: “That Report Stage be taken now.”

Question put and agreed to.

#### **Student Support Bill 2008: Report and Final Stages**

**Deputy Denis Naughten:** I move amendment No. 1:

In page 6, line 2, to delete “vocational education committee” and substitute “Payments and Entitlements Service”.

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** This amendment was discussed on Committee Stage. I indicated at that time that I did not propose to accept it.

A Government amendment that was agreed on Committee Stage provides for an expanded definition of an “awarding authority” in section 2. This reflects the Government’s position, which is that the existing awarding authorities — VECs and local authorities — will continue in existence for an interim period before a single grant-awarding authority is appointed in due course, as provided for in section 9. I am sure the Deputy will agree that the establishment of a single awarding authority for student grants is an historic step forward. It will ensure a greater consistency of approach, among other things, and provide for more timely processing of applications in the future.

**Deputy Denis Naughten:** I wish to press the amendment.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

**An Leas-Cheann Comhairle:** A recommittal is necessary for amendment No. 2, in the name of the Minister, as it does not arise out of Committee Stage proceedings. This amendment is consequential on amendments Nos. 3, 5, 12 to 17, inclusive, and 20 to 22, inclusive. These amendments may, therefore, be discussed together by agreement.

Bill recommitted in respect of amendments Nos. 2 and 3.

**Deputy Mary Coughlan:** I move amendment No. 2:

In page 6, line 5, to delete “section 3 of”.

This is a technical amendment and provides that the term “civil partner” shall be constructed in line with all provisions of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. Amendment No. 3 provides for the insertion of a new definition of “cohabitant”. This makes provision for the inclusion of same-sex cohabitants in the Bill. The current drafting provides for the treatment of a spouse, which includes opposite sex cohabitees and civil partner, but might give rise to inequality in treatment between different classes of cohabitants if same-sex cohabitants were not provided for.

Amendment No. 5 follows logically from amendment No. 3 in providing for the deletion of the definition of “spouse” in the interpretation section. Given the definition of “cohabitant” has now been provided for separately in amendment No. 3, it is no longer necessary to provide a separate definition of “spouse” as encompassing opposite sex cohabitants.

Amendments Nos. 12 to 17, inclusive, and 20 to 22, inclusive, provide for the inclusion, where “spouse” and “civil partner” currently appear, of a reference to “cohabitant” in accordance with section 172(1) of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 for the purpose of specifying criteria, including the treatment of income for determining grant eligibility and the seeking and furnishing of information in relation to a grant.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 3:

In page 6, between lines 7 and 8, to insert the following:

““cohabitant” shall be construed in accordance with section 172(1) of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010;”.

Amendment agreed to.

Bill reported with amendments.

**Deputy Mary Coughlan:** I move amendment No. 4:

In page 6, line 35, to delete “Adoption Acts 1952 to 1998” and substitute “Adoption Act 2010”.

Amendment agreed to.

Bill recommitted in respect of amendment No. 5.

**Deputy Mary Coughlan:** I move amendment No. 5:

In page 7, to delete lines 9 and 10.

Amendment agreed to.

Bill reported with amendment.

**Deputy Mary Coughlan:** I move amendment No. 6:

In page 7, line 18, to delete “*section 14(8)*” and substitute “*section 14(7)*”.

Amendment agreed to.

**Deputy Fergus O’Dowd:** I move amendment No. 7:

In page 12, line 3, to delete “immediately” and substitute the following: “following a notice period of not less than 30 days”.

**Deputy Mary Coughlan:** As indicated by the Minister of State on Committee Stage, it is not proposed to accept this amendment. This amendment will not be necessary as the provision that is causing concern for the Deputy, which is the immediate withdrawal of the grant, is moderated very considerably by the following subsection. Subsection (8) already provides that nothing in subsection (7) shall prevent a student who is in receipt of a grant from continuing to receive it until he or she has completed the relevant course.

I believe the other subsection addresses the concerns the Deputy raises.

Amendment, by leave, withdrawn.

**Deputy Mary Coughlan:** I move amendment No. 8:

In page 13, line 21, to delete “to following matters” and substitute “to the following matters”.

Amendment agreed to.

**Deputy Ruairí Quinn:** I move amendment No. 9:

In page 18, line 32, after “State,” to insert the following:

“and has been previously so ordinarily resident for such period if any as may be prescribed.”.

The purpose of the amendment is to take account of the regular mobility among the student population. Somebody may be out of the country or gone to different parts of the jurisdiction, or Northern Ireland. The amendment seeks to allow some flexibility in that regard. It is self-evident so I shall not take up the time of the House. I should be interested in the Minister’s response, at which point I will seek to engage, if possible.

**Deputy Mary Coughlan:** As indicated on Committee Stage, I do not propose to accept this amendment as a residency requirement outlined in the legislation, and which was introduced in the student grant schemes in the 2010-11 academic year is set out definitively in section (14)(4)(a) and (14)(4)(b). I am advised that this should be specified in primary rather than secondary legislation.

The main purpose of the requirement, as outlined, is to ensure that persons applying for grants will have more established links with and integration in the State. However, it is envisaged that this change will, in many instances, provide greater flexibility for students who may be returning from abroad.

Amendment, by leave, withdrawn.

**An Leas-Cheann Comhairle:** Amendment No. 10 is also in the name of Deputy Quinn and amendment No. 11 is an alternative to it. Therefore, amendments Nos. 10 and 11 may be discussed together by agreement.

**Deputy Ruairí Quinn:** I move amendment No. 10:

In page 18, lines 33 to 44, to delete all words from and including “and” in line 33, down to and including “2006)—” in line 44, to delete page 19 and in page 20, to delete lines 1 to 12 and substitute the following:

“and is an Irish citizen, a non-national who is lawfully present in the State and is likely to remain lawfully in the State for the duration of the course in question, or such other person as may be prescribed by the Minister.”.

This is attempting to try and cover the same area. There are people who have been in this country for a period of time, we have accepted them into our economy and I believe we need to accept them into our society. We are looking at countries that previously had a very tolerant position as regards inclusion and acceptance of immigrants, for example, the Netherlands and Denmark, with which I have some contact, and I believe I know enough about the Minister’s predisposition in this regard as well. When there was a difficulty with such people who came as guest workers or added themselves to the workforce, if they had families with them often they or their children were subsequently thrown on the scrap heap because of popular resentment. All the reports in regard to immigration and tolerance are warning signs for Ireland to the effect that unless we accept people not just into the economy, but into our society, and treat them as equals, we are potentially fanning the flames of racial discrimination, and as we see in the Netherlands, run the risk of fomenting a right-wing lurch.

The amendment is an attempt to address that, while the numbers involved will be relatively small. However, I believe that those who have come here and made commitments in Ireland should be protected, in the same way that Irish people went to other countries and benefited

[Deputy Ruairí Quinn.]

from inclusion. I believe we should be doing this in Ireland and that is the motivation behind the amendment.

**Deputy Mary Coughlan:** While I appreciate where the Deputy is coming from in this regard, the advice received from the Office of the Attorney General is to the effect that it is necessary for the avoidance of doubt to include detailed provisions with regard to the definition of a student, the prescribing of a student or class of a person as a family member, and the prescribing of a class of persons with permission to reside within the State.

I am also advised that detailed provisions in these matters are necessary to ensure that the Minister will have adequate guidance from the Oireachtas on these issues.

Amendment, by leave, withdrawn.

**Deputy Mary Coughlan:** I move amendment No. 11:

In page 19, lines 15 and 16, to delete “Minister for Justice, Equality and Law Reform” and substitute “Minister for Justice and Law Reform”

This is a technical amendment reflecting the correct title of the Department.

Amendment agreed to.

Bill recommitted in respect of amendments Nos. 12 to 17, inclusive.

**Deputy Mary Coughlan:** I move amendment No. 12:

In page 19, line 30, to delete “spouse, civil partner or” and substitute “spouse, civil partner, cohabitant or,”.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 13:

In page 22, line 17, to delete “spouse or civil partner” and substitute “spouse, civil partner or cohabitant,”.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 14:

In page 22, line 20, to delete “spouse or civil partner” and substitute “spouse, civil partner or cohabitant,”.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 15:

In page 23, line 23, to delete “spouse or civil partner” and substitute “spouse, civil partner or cohabitant”.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 16:

In page 23, line 27, to delete “spouse or civil partner” and substitute “spouse, civil partner or cohabitant”.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 17:

In page 23, line 35, to delete “spouse” and substitute “spouse, civil partner or cohabitant”.

Amendment agreed to.

Bill reported with amendments.

**An Leas-Cheann Comhairle:** Amendment Nos. 18 and 19 are related and may be discussed together by agreement.

**Deputy Fergus O’Dowd:** I move amendment No. 18:

In page 24, to delete lines 7 to 9.

**Deputy Mary Coughlan:** As indicated on Committee Stage, it is not proposed to accept this amendment. This provision gives guidance on the issues that may be taken into account in drawing up a scheme of grants. It does not require that other awards be taken into account in means testing for a grant, for example, the back-to-education allowance is currently taken into account while institutional scholarships are not.

The detail of the treatment of other awards or funding will be dealt with in the scheme of grants to be drawn up in the regulations.

**Deputy Fergus O’Dowd:** I accept the Minister’s response.

**Deputy Ruairí Quinn:** I can understand the desire to provide maximum flexibility in drafting the scheme and to not be tied by primary legislation, but I hoped the spirit of the amendment proposed by Deputy O’Dowd would be incorporated. It may not be done by the current Government but by whomever is next in Government. Let the record stand.

**Deputy Fergus O’Dowd:** We will incorporate it.

**Deputy Mary Coughlan:** I would hardly retort to that challenge. I accept what the Deputy says. There will be flexibility within the regulations to deal with these issues as they arise.

**Deputy Ruairí Quinn:** I thank the Minister.

Amendment, by leave, withdrawn.

**Deputy Fergus O’Dowd:** I move amendment No. 19:

In page 26, line 33, after “time” to insert the following:

“but shall not be precluded from applying from other wards or stipends”.

**Deputy Mary Coughlan:** I do not propose to accept this amendment. The legislation as it currently stands refers only to grants which are student grants within the meaning of the legis-

[Deputy Mary Coughlan.]

lation. It does not preclude students from applying for other awards or stipends and the amendment is not, therefore, necessary. The Deputy's concerns are addressed.

Amendment, by leave, withdrawn.

Bill recommitted in respect of amendments Nos. 20 to 22, inclusive.

**Deputy Mary Coughlan:** I move amendment No. 20:

In page 26, lines 36 and 37, to delete "spouse or civil partner," and substitute "spouse, civil partner or cohabitant,".

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 21:

In page 27, line 36, to delete "spouse, civil partner or" and substitute "spouse, civil partner, cohabitant or".

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 22:

In page 28, line 3, to delete "spouse, civil partner or" and substitute "spouse, civil partner, cohabitant or".

Amendment agreed to.

Bill reported with amendments.

**An Leas-Cheann Comhairle:** Amendments Nos. 23 to 30, inclusive, 32 and 33 are related and amendment No. 31 is an alternative to amendment No. 30. Therefore, amendments Nos. 23 to 33, inclusive, may be discussed together by agreement.

**Deputy Mary Coughlan:** I move amendment No. 23:

In page 29, to delete lines 14 to 23 and substitute the following:

"(2) Where an applicant is aggrieved by a determination of an awarding authority under *section 18(6)*, then the applicant, not later than 30 days after receipt of the notice of the determination, may appeal to the appeals officer against that determination.

(3) Where a student is aggrieved by a notice under *section 19(3)* from an awarding authority requiring information, or a determination under *section 19(6)* of an awarding authority then the student, not later than 30 days after receipt of the notice of the determination, may appeal to the appeals officer against that notice or determination."

Amendments Nos. 23 to 25, inclusive, and Nos. 27 to 29, inclusive, are purely drafting amendments. The need to address these drafting issues was raised on Committee Stage.

**Deputy Ruairí Quinn:** Do I move amendment No. 26 at this point?

**An Leas-Cheann Comhairle:** No, the Deputy may discuss it now. I will call on the Deputy to formally move his amendment when we reach it.

**Deputy Ruairí Quinn:** Can I debate the net point now?

**An Leas-Cheann Comhairle:** Yes.

**Deputy Ruairí Quinn:** Amendment No. 26 seeks to delete “45 days” and substitute “30 days”. Does the Minister accept the proposal?

**Deputy Mary Coughlan:** I am retaining “45 days”.

**Deputy Ruairí Quinn:** We suggest that the appeal period——

**Deputy Mary Coughlan:** It was 90 days. It is proposed to keep it at 45 days. The Deputy asked that I reduce the 90 day timeframe in respect of appeals, which I will address later.

**Deputy Ruairí Quinn:** They are related but separate issues.

**Deputy Mary Coughlan:** Yes.

**Deputy Ruairí Quinn:** I suggest that under the Croke Park agreement it would be an act of anticipation by the Minister’s officials to accept an increase in efficiency. As the provision stands, a person who appeals will have to wait 45 days, a month and half, to get a reply. My amendment proposes the timeframe in this regard should be one month, which is four weeks.

I remind the Minister that a former public representative from County Donegal, Niall Blaney, put into legislation a provision seldom ever followed. In 1963, when introducing the planning and development legislation he provided that an applicant for planning permission had to get a response from the local authority within two months. If the local authority in not granting permission failed to meet that timeline the applicant was granted the permission by default. It was one of the few administrative impositions ever introduced. How he got it through, I do not know. The Tánaiste will recall he was a powerful personality, for whom I had great regard, although not necessarily for his politics. As an administrative Minister he was in a league of his own.

I suggest, in terms of efficiency and productivity, that responding to an appeal within four weeks in this electronic age of communication is not unreasonable. With all due respect, we are speaking in this regard about people waiting to know if they will get a grant, which decision will determine whether they go to college. While it is not a matter of life and death, this will determine the life outcomes for some of the applicant students. A reduction in the timeframe will require civil servants to deal with the matter within four weeks, which is 30 days rather than the 45 days proposed. That is the net point.

If a response must be given within 30 days, it will be done. We are all driven by deadlines. This amendment seeks to move the deadline a little closer. Who benefits from this? The only ones who benefit from the 45 day timeframe are those in the public service whose jobs by and large are secure, who already have their qualifications and are already in employment. The only person who suffers is the applicant student and his or her parents or guardians. This is not revolutionary but it would change people’s lives and the quality of them.

**Deputy Mary Coughlan:** I accept what the Deputy is saying. We are introducing this legislation because we are not delivering to the citizen as well as we should.

**Deputy Ruairí Quinn:** Yes.

**Deputy Mary Coughlan:** I appreciate the Opposition’s support in getting this legislation enacted as quickly as possible. I am persuaded to accept the Deputy’s amendment. The issue



[Deputy Mary Coughlan.]

that arises is the capacity to deal with matters within that timeframe in the transitional period up to establishment of the new authority. I am not happy that we are still processing applications. I am persuaded to accept the Deputy's proposal.

**An Leas-Cheann Comhairle:** The Minister can indicate her acceptance of the amendment when we reach it.

**Deputy Ruairí Quinn:** I thank the Minister. Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 24:

In page 29, line 24, to delete "*subsection (2)*" and substitute "*subsection (2) or (3)*".

This is a drafting amendment.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 25:

In page 29, lines 27 and 28, to delete all words from and including "that" in line 27 down to and including "extension" in line 28 and substitute the following:

"that the person has given reasonable cause to so extend".

Amendment agreed to.

**Deputy Ruairí Quinn:** I move amendment No. 26:

In page 29, line 30, to delete "45 days" and substitute "30 days".

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 27:

In page 29, to delete lines 38 to 43 and substitute the following:

"(6) When giving notice to an applicant or student under *subsection (5)* the appeals officer shall inform him or her of his or her right to appeal the determination to the Appeals Board and that, where applicable, only payments pursuant to a determination under *subsection (4)* may be made by the awarding authority concerned to the applicant or student pending the outcome of his or her appeal to the Appeals Board."

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 28:

In page 30, to delete lines 9 to 11 and substitute the following:

"21.—(1) Where an applicant or student is aggrieved by a determination of an appeals officer under *section 20(4)*, he or she may appeal to the Appeals Board against that determination."

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 29:

In page 30, line 17, to delete “that the person has given reasonable cause for the extension” and substitute the following:

“that the person has given reasonable cause to so extend”.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 30:

In page 30, to delete lines 18 to 26 and substitute the following:

“(4) The Appeals Board—

(a) shall be independent in the performance of its functions under this Act,

(b) shall not be confined to the grounds on which the determination of the awarding authority or appeals officer concerned was based, but may decide the matter which is the subject of the appeal as if it were being decided for the first time,

(c) shall, as it considers appropriate, consider written or oral submissions made by the applicant or student concerned and consult with the awarding authority or appeals officer,

(d) shall make a determination within 60 days from the making of an appeal which may be a determination to—

(i) confirm the determination the subject of the appeal,

(ii) revoke the determination and replace it with such other determination as the Appeals Board considers appropriate, or

(iii) refer the matter concerned back to the awarding authority for reconsideration in accordance with such directions as the Appeals Board considers appropriate,

and

(e) shall notify in writing the applicant or student and the awarding authority and appeals officer concerned, of the determination and the reasons therefor.

(5) In considering and determining an appeal under this Act, the Appeals Board shall act in accordance with such procedures as may be determined from time to time by it with the consent of the Minister.

(6) A person (including an awarding authority) aggrieved by a determination of the Appeals Board, may appeal, with the leave of the Appeals Board, or where the Appeals Board refuses such leave, with the leave of the High Court, to the High Court against the determination on a specified point of law.”.

The amendment deals with a number of issues relating to the appeals board and it was flagged by my colleague, the Minister of State at the Department of Education and Skills, Deputy Haughey, on Committee Stage. It provides for the deletion of subsections (4) and (5) and their replacement with a new form of working in subsections (4), (5) and (6). The reworded subsections (4) and (5) provide greater clarity regarding the functions of the appeals board and the

[Deputy Mary Coughlan.]

processing of appeals by the board. Subsection (6) provides, on a best practice basis, for the right of further appeal to the High Court on a point of law.

It was agreed on Committee Stage that further consideration would be given to the timeframe for consideration and determination of an appeal by the appeals board. On foot of this consideration, I propose to reduce the period in which the board may make a determination on a case from 90 to 60 days. I emphasise that 60 days will be the upper limit and it is envisaged that the majority of appeals will be considered in a much shorter timeframe. However, I am cognisant that some appeals, particularly at this level, will be complex and I want to ensure sufficient time is available to the board to determine such cases. Like the service level agreement at awarding authority level, the procedures to be set down for the appeals board will reflect this position.

**Deputy Ruairí Quinn:** Let us examine the experience of local authorities in regard to planning permissions because I am not trying to set impossible deadlines for a public service that is working and trying to meet all the requirements. Frequently, the Blaney rule has been circumvented legally by the planning authorities saying they do not have adequate information or they need additional information. If the letter of appeal comes in on day one and it is found to be incomplete in terms of the documentation, it cannot be processed. A letter from the appeals board will then be sent to the appellant saying additional information is needed to clarify the basis of his or her appeal and the clocks will stop until the new information is submitted. The board is not locked into a timeframe of communication that is absolute. In the context of efficiency, productivity, the Croke Park agreement, e-government and so on, 30 days should be sufficient. The Bill proposes a 90-day timeframe and I am seeking one of 30 days. Could we do 45 days?

**Deputy Mary Coughlan:** I have heard of auction politics but this takes the biscuit altogether. The issue is that the board will not sit all the time and getting the people together will be difficult. I do not anticipate a huge number of appeals because they will be complex.

**Deputy Ruairí Quinn:** There should not be.

**Deputy Mary Coughlan:** I anticipate they will be legalistic when it comes to a determination on an appeal. However, I have reduced the timeframe from 90 to 60 days.

**Deputy Ruairí Quinn:** That is fair enough.

**Deputy Mary Coughlan:** The service level agreements provide that 60 days will be the upper limit, but from an administrative point of view, they can be dealt with in a shorter time, if possible.

**Deputy Ruairí Quinn:** I will take that as a “Be happy with what you have got already, Deputy” reply.

Amendment agreed to.

Amendment No. 31 not moved.

**Deputy Mary Coughlan:** I move amendment No. 32:

In page 33, to delete lines 32 to 36.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 33:

In page 33, to delete lines 37 and 38.

Amendment agreed to.

**Deputy Ruairí Quinn:** I move amendment No. 34:

In page 33, line 42, after “persons” to insert the following:

“, and its members shall include such number of student representatives (including at least 2 student representatives nominated by the Union of Students in Ireland) as shall ensure that each sitting or division of the Appeals Board includes at least one student representative”.

This is a belt and braces issue. The amendment provides for public and political recognition in statute of the Union of Students in Ireland, USI, which is an integral part of the educational infrastructure. It should have statutory rights in this regard. I do not suggest that the Minister would fail in the normal course to invite suggestions from the union to nominate representatives. There is precedent for the appointments of students to the boards of the universities prior to the Universities Act 1997. The amendment provides for a move from grace and favour to rights, from lord of the manor to a republic, where an organisation is statutorily entitled to nominate two representatives to the appeals board.

This will perform two functions, which will not take from the Minister’s discretion. It will, first, recognise the way in which USI has behaved, and is behaving, responsibly as a partner in the education system. We are dealing with young adults who have the right to vote, to get married and to join the Defence Forces. They are not children and this should be recognised in law. They will not be the only members of the appeals board but they will probably be the most knowledgeable about the conditions endured by students applying for a grant. Older, though not necessarily wiser, heads will be on the board as well. This would be a reasonable recognition of people who are education partners. The Minister has met USI representatives formally and informally on a number of occasions and the amendment will only confirm in statute what she is already doing. In what way could this restrict or prevent a future Minister from exercising his or her duties?

This would mean a great deal to USI because there has been a fluctuation in the affiliation of individual college unions to the organisation. The history of the organisation has been up and down in that respect. USI has moved from the street into the boardroom in many respects. It is a partner at third level and when the Hunt report is finally published, much more co-operation will be needed. USI has a representative on the Hunt committee. I only ask the Minister to provide in statute for what she is doing in practice. It may be a relatively minor issue as far as she is concerned and it will not cause a revolution on Marlborough Street because it would take much more than that, but it would send a signal to USI and individual student unions that the body is a serious statutorily recognised partner in education endeavour.

**Deputy Mary Coughlan:** I appreciate the Deputy’s argument but this is an expert board as opposed to a representative board.

**Deputy Ruairí Quinn:** USI members are more expert than anyone else.

**Deputy Mary Coughlan:** They are experts at being students.

**Deputy Ruairí Quinn:** And they are experts at trying to survive on half of nothing.

**Deputy Mary Coughlan:** I appreciate that but we are dealing with the eligibility criteria to access grant aid. The central tenet of the establishment of the appeals board is it should comprise experts. The specific inclusion of students in a representative capacity would be likely to lead to a conflict of interest where objective examination of the facts is required. Nothing in the current provision would preclude the appointment by the Minister of such a person on the basis of expertise rather than on a representative basis. I am, therefore, not in a position to accept the amendment.

**Deputy Fergus O'Dowd:** Is there any room for compromise on this? I accept the point that there cannot be an advocate on the appeals board for somebody who comes before it. The board has a different role, to make a decision based on facts as opposed to life experiences. Is there a way in which they can even be consulted with regard to the appointments? Would that be reasonable? I have no problem with students being on the board but I see the challenge that could arise. Could the students be consulted and asked to nominate people? It would give them a voice inasmuch as they would be consulted on the process and they could nominate a person who would meet the criteria. The question of whether the person is one of them or not is a different issue that would have to be decided. However, that might be helpful.

**Deputy Mary Coughlan:** I appreciate the Members' motivation but the USI and the student bodies have been very much involved, during my tenure and those of my predecessors, in policy frameworks and decisions and in putting forward their perspective. This legislation, for example, was very important to them. However, the issue in this case is that this is not a representative group or body. This board would be composed of people of repute and of the highest calibre who would probably have specific talents, for example, in law or accounting, and my concern is that there would be a conflict of interest if a student representative was on it. I am not persuaded to accept the amendment.

**Deputy Fergus O'Dowd:** What about being consulted?

**Deputy Mary Coughlan:** However, it does not preclude one from appointing a student.

**Deputy Fergus O'Dowd:** I understand that. I accept the Minister's point but could the students write to the Minister and submit names? It is important to recognise their importance in the process. Ultimately, it is about them because these are the people it will affect. They should be consulted on it.

**Deputy Ruairí Quinn:** The title of the Bill is not the experts support Bill. Can we get a little real and adventurous? It is the Student Support Bill. These are people who have the right to vote, get married and be on a jury. They are not children. This is 2010, not 1810 or 1910, for God's sake. These are people who have bank accounts and in some cases are in cohabiting relationships and are parents. They are full citizens of this Republic. Consider the person the Minister appointed for the Hunt report. I can tell her, with hand on heart, there was absolute confidentiality about the content of that report, although the dogs on the street now appear to know it. Not a syllable of the report was released by the representative from that union in his personal capacity.

These are people who can be trusted. The Minister should be brave and put their names in this legislation. Nominations suggest that they are there in a representative capacity, but I can offer a compromise. If somebody is nominated by the USI, they are there in a representative capacity and I can see how that could be a problem.

**Deputy Mary Coughlan:** That is the problem.

**Deputy Ruairí Quinn:** We could provide that the Minister will appoint the board and that two of them will be members of USI. However, the Minister would select the people from USI rather than the union nominating them. Alternatively, the Bill could provide that two of the board members must be students from a representative organisation.

These people are dealing with confidential matters in their role on college boards. In Belfield one will see posters throughout the college advising students to seek help from the union if they have a problem. They are dealing with confidential matters such as crisis pregnancies and a host of other issues that require confidentiality. With regard to the idea that they will prostitute themselves, throw away rational judgment and say, "I know this person who is appealing so I will ensure they get what they are not entitled to", there is no evidence to suggest they behave in that way. The student movement has come in from the street and wants to be responsible. I ask the Minister to recognise that in statute law.

**Deputy Mary Coughlan:** I am not saying that the student body in this country would not be sufficiently competent. That should not be taken to be my response. This appeal board will probably only meet on an odd occasion. It will be a small board composed of experts. Most of those experts would have been students at one time; otherwise they would not be experts as they would generally require a third level education.

**Deputy Ruairí Quinn:** My student experience from 1964 to 1969 bears no relation to what these guys are going through now. Does that make me an expert?

**Deputy Mary Coughlan:** The Deputy is a fair expert at present but in 1964 there was not even word of a union. Things move on, even in this House.

However, I have a concern about this. Over the years I have had the opportunity to appoint a number of independent appeals boards. The absolute integrity of such boards is based on the fact that members of the board would not in any way benefit or otherwise from a decision that might be made by the board. That is the issue that would arise. I am not comfortable with accepting the amendment. I appreciate what the Deputy said and accept there is a maturity in the student body in this country. The student movement has produced many good politicians.

**Deputy Fergus O'Dowd:** What about Deputy Pat Rabbitte?

**Deputy Mary Coughlan:** He was one of them. A number of us were political and student activists and a few who preceded us did very well. The student body in this country has been most mature and very involved in policy formation and frameworks. I admire what the students are doing. That is their job; they must prepare for the future. However, I am uncomfortable about accepting this amendment.

**An Ceann Comhairle:** Will the Deputy consider withdrawing the amendment?

**Deputy Ruairí Quinn:** The Minister has been gracious in this process. I will reluctantly do so. Timidity has triumphed over adventure.

Amendment, by leave, withdrawn.

**An Ceann Comhairle:** Recommittal is necessary in respect of amendment No. 35 as it does not arise from Committee Stage proceedings.

Bill recommitted in respect of amendment No. 35.

**An Ceann Comhairle:** Amendment No. 36 is related so amendments Nos. 35 and 36 may be discussed together.

**Deputy Mary Coughlan:** I move amendment No. 35:

In page 33, line 46, to delete “education or administration of schemes of payments” and substitute the following:

“education, administration of schemes of payments or fair procedures”.

This amendment is designed to include a knowledge of fair procedures among the criteria for those eligible to be appointed to the appeals board. Amendment No. 36 provides for the insertion of three new subsections which provide for the standard exclusion from membership of the appeals board.

Amendment agreed to.

**Deputy Mary Coughlan:** I move amendment No. 36:

In page 34, between lines 21 and 22, to insert the following:

“(13) A member of the Appeals Board shall cease to be qualified for membership of the Appeals Board and shall cease to be such member if he or she—

(a) is adjudicated bankrupt,

(b) makes a composition or arrangement with creditors, or

(c) is sentenced by a court of competent jurisdiction to a term of imprisonment.

(14) Where a member of the Appeals Board is—

(a) nominated as a member of Seanad Éireann,

(b) elected as a member of either House of the Oireachtas or to be a representative in the European Parliament, or

(c) regarded pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997 as having been elected to that Parliament,

he or she shall thereupon cease to be a member of the Appeals Board.

(15) A person who is for the time being entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a representative in the European Parliament shall, while he or she is so entitled or such a representative, be disqualified from being appointed as a member of the Appeals Board.”.

Amendment agreed to.

Bill reported with amendments.

Bill, as amended, received for final consideration.

Question proposed: “That the Bill do now pass.”

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I thank my colleague, the Minister of State, Deputy Seán Haughey, for the work he has done on this legislation. I also thank my colleagues in the House. People have been waiting for this legislation for a considerable period but I believe it will provide something very valuable for our citizens. That is clearly what we must achieve in this country.

I wish to thank the stakeholders, including the students, who were closely involved in discussions with me, my predecessor and the Department's officials in formulating the new way in which we can deliver grant aid to our young people. This will provide a modern, transparent and coherent system for the organisation and operation of student grants, which is the improvement in services that people want to see in this country. I thank my Department for its work in bringing this legislation forward. Even though it gets criticised on occasion for being slow in the context of educational reform, this is very good legislation which will be invaluable for the future.

**Deputy Fergus O'Dowd:** I am glad that this Bill has been passed and it will make a massive difference to the thousands of students whose applications will be processed more effectively. It will do away with the unacceptable delays in some local authorities or VECs where staff issues arise and where there is not the manpower to do the work in the manner that they would wish it to be done.

The Union of Students in Ireland has also been very helpful in providing us with arguments and ideas to improve the legislation.

**Deputy Ruairí Quinn:** I thank the Minister for being accommodating. I would have liked to have got more, but one has to be grateful on this side of the House for whatever one gets. I would hope, in the preparation of the operating manual for how this practice will be developed, that there will be cognisance of this debate. The Minister was reluctant to put into statutory law something that she exercised in practice, in that she appointed a person who had USI experience onto the board of the Hunt report. Until we can get it on a statutory basis, I hope that students who are part of the educational partnership would have a role to play.

I do not for one second accept the Minister's argument that a student who might have a personal interest in knowing a particular applicant would participate in an appeal adjudication process. Any sensible adult who studied for a BA, MA or a doctorate and who is in the education system will self-evidently see that there would be a conflict of interest and would absent himself or herself from participating in such an appeal. They are doing it every day of the week in the college union where there is a conflict of interest in respect of knowing the particular person. To think that they are not doing so means that some people are not aware of the real world.

This legislation is a great improvement on the existing situation. The way in which the Minister or her successor make appointments will add to where we are going. The Seanad is sitting tomorrow. Is there any chance the Bill will go before that House then?

**Deputy Mary Coughlan:** No.

**Deputy Ruairí Quinn:** So it will go before that House in the new year. If and when it is enacted, when would the Minister hope to have it up and running? Will the students who are applying to start college next September avail of this new regime or not?

**Deputy Mary Coughlan:** I asked the Leader of the Seanad if he could facilitate us with this Bill in the beginning of the next term. I have been advised that the single scheme will be available for September 2011.



Question put and agreed to.

**An Ceann Comhairle:** The Bill will now be sent to the Seanad.

### **Carbon Budget: Statements**

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** It is a privilege to present the fourth annual carbon budget to the House. Since this annual carbon budgetary process began three years ago, it has continued to evolve, increasing interest and awareness in both the challenges and opportunities of a low-carbon future, and embedding the national climate agenda at the heart of budgetary policy and decision making. Today, I want to take the national climate policy agenda one step further by laying down clear and ambitious plans for how we deal with the challenges of climate change in the future.

That is my key message today. Our success as an economy and as a society in the low-carbon world of tomorrow depends on the preparations, commitment and effort that we make in responding to climate change. Tackling climate change is about putting measures in place, not for the short or even medium term, but for the long term. The future of our economy and society depends on it.

We are now reaping the bitter harvest of the failure in this country to plan. We see the consequences of poor regulation and short-term thinking in our banking, property and finance sectors. In the future, the failure to take measures to tackle climate change now will be judged with the same harshness, as businesses, families and society face enormous costs if we do not take them.

The disappointing outcome to the Copenhagen climate conference last year put the international climate change process, rather than the international agenda, in the spotlight. As I said recently in a statement to the Select Committee on the Environment Heritage and Local Government, the international process under the UN Framework Convention on Climate Change is the right way forward. There is no realistic alternative and the parties to the convention must make every possible effort to underpin it with a powerful global consensus built on partnership and determination.

The positive outcome of this year's climate conference in Cancun is both welcome and encouraging. While progress on the wide range of issues that constitute the agenda was modest by any standard, the process under the convention is back on track. We now look, with renewed confidence, to substantive progress towards agreement on a comprehensive new international climate change treaty at next year's conference in South Africa.

Ireland continues to play a full part in the international agenda, constructively supporting efforts to forge consensus on an effective global response to climate change. We had hoped that a proposed work programme on agriculture and climate change would have been adopted as part of the incremental step taken at this year's conference in Cancun. As well as being an important agenda item for Ireland, the way forward on agriculture is a key concern for many developing countries, including partner countries which we support through our programme of overseas development assistance.

We will continue in our efforts to get a decision on the agriculture work programme adopted as soon as possible.

The positive outcome at the Cancun conference will, I believe, provide confidence within the EU to strengthen its ambition on climate change policy and to move to a 30% greenhouse gas emissions reduction target for 2020. A strategy for completing the transition to a low-carbon EU economy by 2050, which the European Commission will present next spring, will

provide a platform for both further progress and a return to EU leadership at a wider international level. Of course, the climate agenda, whether at national, EU or wider international level, cannot be progressed in isolation of other priorities that create demands on our time and resources.

The global economic downturn has created enormous difficulties for many countries, including Ireland. The extent to which it is dominating our attention inevitably means it would be all too easy to overlook or defer our response to climate change. That would be a mistake — a trap into which we must not fall. We must never fail to remind ourselves that climate change is the greatest threat to the people of this world, and that urgent and decisive action is required if we are to avert its worst impacts.

It is now widely recognised that sustainable economic growth is growth that is sustainable in both economic and environmental terms. This is why I believe that, in dealing with the economic downturn, we must not fail to look beyond it. We must plan now to ensure our return to economic growth is environmentally sustainable in terms of carbon intensity, resource efficiency and climate resilience. If we fail to look ahead and to anticipate the inevitable global transition to a low-carbon future, we stand to lose out badly, not just in regard to new opportunities in areas such as green technologies but also in regard to the viability of our current economic sectors.

A recent report on the carbon disclosure project highlighted that nine out of ten of the companies surveyed, including some of the biggest companies in the world, identified significant commercial opportunity arising from the global response to climate change. At the heart of all this is an opportunity to respond to the most pressing priority in people's daily lives today — job creation. Taking the EU's ambitious renewable energy target as just one example, the European Commission estimates that delivering on the 20% renewable energy agenda will involve some €130 billion of investment and create some 700,000 jobs.

We must work to emerge from the current economic downturn as a resource efficient and climate resilient country, and establish ourselves as a re-invented society focused on smart, clean technologies and a high quality of life for all our people. We have made good progress in recent years. Our greenhouse gas emissions have significantly reduced and we are on course to comply with our emissions target for the purposes of the Kyoto Protocol.

Preliminary outturn figures from the Environmental Protection Agency for 2009 signal a real possibility that we will meet our Kyoto target without having to buy further carbon allowances or credits. The suspension of our carbon purchasing programme in 2009 has led to significant savings for the Exchequer, estimated in the order of €170 million over the five year period. Total national greenhouse gas emissions in 2009 fell by 7.9% or 5.36 million tonnes of carbon dioxide equivalent when compared to 2008. As well as the magnitude of the drop, one of the most notable aspects of the 2009 figures is that it was the first time in the 20 years that emission reductions occurred in every sector across the board.

The 20% reduction in emissions from the industry and commercial sector is a hard reflection of the impact of the economic downturn. However, the substantial fall of 10.7% in emissions from the energy sector reflects not only a reduction in economic activity but also the increasing impact of renewable energy. The contribution of renewables such as wind in electricity consumption increased to 14.1% in 2009, up from 11.7% in 2008. This is real progress that will serve us well, not just for Kyoto Protocol compliance purposes but also in the longer term. The challenge now is to underpin a return to economic growth without a corresponding growth in greenhouse gas emissions. We must balance economic and environmental sustainability if we are to establish ourselves as a responsible and successful society.

[Deputy John Gormley.]

Looking ahead to the post-Kyoto period, Ireland has a challenging greenhouse gas reduction target under the climate and energy package adopted by the EU in December 2008. Our requirement to achieve a 20% reduction, compared to 2005, in emissions from the sectors of the economy not covered by the EU emissions trading scheme is one of the most stringent targets in the overall package. The recent energy and environment review from the ESRI concludes that Ireland will not be able to achieve this target without having to purchase carbon credits from other EU member states. Its analysis is fair but it is based on its perspective rather than mine. The flexibilities within the package are an important safeguard measure for all member states but hardly progressive in terms of an early and effective transition to a low carbon future. Let us leave the safeguard where it is meant to be at this stage, namely, in the background for use by member states if required.

I want to turn now to the table which follows my statement. Column E of the table demonstrates that we are on course to meet our greenhouse gas emissions reduction target for the purposes of the Kyoto Protocol. Looking beyond the Kyoto Protocol period, columns F, G and H are new and present an overview of projected greenhouse gas emissions to 2020. While the downward projection in gross emissions is welcome, we still have a long way to go in terms of complying with the target to which we are already committed under EU law. Further progress in reducing emissions in the period 2013 to 2020 is now the most immediate priority.

The effect of measures in budget 2011 and the national recovery plan that make further inroads towards the 2020 target are reflected in column G. Two key elements are the extension of the carbon tax over the next three years and other complementary tax measures that will increase the cost of fossil fuels. Price mechanisms are widely acknowledged as the most efficient way to change behaviour; they send clear and strong messages to producers and consumers on the importance of considering the full impact of their choices, including the carbon emissions associated with fossil fuels.

The increase in the carbon tax from €15 per tonne in 2010 to €25 in 2012 and €30 in 2014, which was announced in the national recovery plan, will contribute a saving of 300,000 tonnes CO<sub>2</sub> equivalent per year. The plan also commits to a review of vehicle registration and motor tax bands to ensure the scheme continues to reward only the best performing vehicles in the fleet.

The increase in excise duty on petrol and diesel by 4 cent and 2 cent respectively will also encourage motorists to consider the running costs when purchasing new cars. There are already very encouraging signs that this is happening, and 56% of new cars registered since implementation of the new VRT scheme were in bands A and B up to the end of 2009. Combining the new VRT regime with the effects of the scrappage scheme led to an increase in that rate to 77% in the first six months of 2010. The combined impact of these changes to vehicle and fuel tax will be of the order of 150,000 tonnes of CO<sub>2</sub> equivalent per year.

The Minister for Finance last week announced the extension of the accelerated capital allowances for purchases of energy efficient equipment for a further three years. He has also indicated that a tax credit will be put in place for households who invest in energy efficiency improvements to their homes. The increase in the standard rate of VAT proposed, while unfortunate but necessary in these times, will have a positive effect on emissions. In a full year, these other measures have the potential to reduce emissions by a further 210,000 tonnes of CO<sub>2</sub> equivalent per annum. In spite of the difficult economic and fiscal circumstances in which we find ourselves, these measures represent important incremental progress on greenhouse gas emissions.

Since entering Government, the Green Party has made considerable, real and lasting progress in dealing with climate change. When we arrived in Government in 2007, Ireland was ranked 44th, or close to the bottom, in an international league on action on climate change. This year, for the first time ever, Ireland is in the top 20. In a recent climate policy tracker report by the World Wildlife Fund, Ireland ranked the best in Europe alongside Denmark and Germany in terms of the measures introduced to tackle climate change.

It is worth mentioning a number of these measures, including the re-balancing of motor tax and VRT, which has led to a fundamental shift in the types of cars people are buying in Ireland.

It has made low emission vehicles up to €5,000 cheaper to buy and saves upwards of €300 a year in road tax. We introduced strict new low energy standards for housing, alongside an energy rating system to provide consumers with information when buying or renting a home. We have spent more than €150 million since 2009 on retrofitting homes throughout the country, providing thousands of jobs in the construction sector. Significant sums have been set aside for this purpose this year and next year. We introduced taxation measures to assist companies in the purchase of energy efficient equipment. A new tariff system for renewable energy was also introduced and this has underpinned the increase in renewable energy generation in Ireland.

The introduction of a carbon tax is already established as a fundamental element of national climate change policy. The tax has already been successfully applied to the use of petrol and diesel for transport and to gas and oil for residential use. Application to coal and commercial peat used in the residential sector was announced by the Minister for Finance in last year's budget and is subject to a commencement order. This order is to be triggered with the finalisation of a robust mechanism to counter the sourcing of coal and peat from Northern Ireland, where lower environmental standards apply. Work on the development of this robust mechanism is well advanced and I am confident it will be completed to allow for the application of the tax to solid fuels at the end of the heating season.

As I stated at the outset, I am keen to take a significant step forward on national climate change policy. Global transition to a low-carbon future is both essential and inevitable. As it gains greater political and economic momentum in the coming years, I foresee considerable pressure on developed countries to reduce their greenhouse gas emissions, on both environmental and competitiveness grounds. Failure to act is not an option for any responsible society. Through the introduction of the climate change Bill, we will provide the political leadership necessary to enable Ireland to engage successfully in the resource efficient and climate resilient world of tomorrow. Yesterday, the Government agreed the provisions of the Bill and I expect the full text to be formally approved at its meeting next week. I further expect the Bill to be published next week. It will come before the House next month and I trust that the parties on the Opposition benches which have supported the case for legislation will facilitate its early enactment.

I have invested substantial time in developing the Bill because it is a matter of the greatest importance to get the structure and proposed provisions absolutely right. Our approach must be balanced yet effective, ambitious yet realistic. I am keen to ensure that our legislation will not only enshrine the policies and principles to reflect the core national objective of playing a real and progressive role in the global fight against climate change, but will act as a driver towards achieving a more sustainable future throughout all sectors of society in Ireland as well. Although targets for reducing greenhouse gas emissions are important indicators of our progress, let us not lose sight of the big picture and the long-term vision of where we wish to be. This is a significant and necessary change in our approach to climate change policy. Transition is fundamental such that we need a clear and strong focus on the ultimate objective — a future

[Deputy John Gormley.]

that is economically and environmentally sustainable — if we are to map out a progressive and successful future for our country.

The Bill is novel and sets a new national priority on transition which will complement other national priorities, such as the health and well-being of all of our people, the competitiveness of our economy and the protection of natural resources for the benefit of future generations. In providing a legislative underpinning for a proactive transition, it presents the people as an informed and progressive society pursuing a smart economy in the truest sense of the term, that is, an economy which is highly productive, competitive, resource-efficient and environmentally sustainable. The Bill is innovative and inspirational and I look forward to a frank and honest public debate when it is published.

The structure of the Bill provides a strong legislative framework for a core objective on transition to a low-carbon, climate-resilient and environmentally sustainable society; a short-term target to reduce greenhouse gas emissions by an average of 2.5% per year by 2020 compared to 2008 emissions; a medium-term target to reduce emissions by 40% by 2030 and a long-term target of 80% by 2050 compared to 1990 emissions; the 2020, 2030 and 2050 targets to act as milestones along the transition pathway; and climate policy objectives and obligations to be integrated into sectoral policy areas and sectoral mitigation and adaptation plans will be required for relevant sectors. A national mitigation plan will set out Government policies and measures in respect of mitigation while a national adaptation plan will set out Government policies and measures in respect of adaptation. An annual transition statement will provide accountability to the Oireachtas in respect of progress towards the transition goal, the targets and the implementation of the national mitigation and adaptation plans and an expert advisory body will advise Ministers and the Government on the functions of the Bill, including national mitigation and adaptation plans and the annual transition statements.

**An Ceann Comhairle:** I am loth to interrupt you but there has been some over-run on time. With the agreement of the House, will other Members cede some time to the Minister? Agreed.

**Deputy John Gormley:** I will come to a close shortly in any case. It is best if the Deputies opposite know a little of what is in the legislation. The expert advisory body will also advise on any developments in the international climate change situation. Public consultation will occur on the various processes, which will be provided for in the Bill. Obligations will be placed on public bodies with regard to climate mitigation and adaptation. Further provisions on several issues are being considered by the Government with a view to their introduction during the Bill's passage through the Oireachtas. The Bill is relatively short but it represents a milestone and a step forward for climate policy in Ireland. The balance and clarity of the policy and its progressiveness will make it easily accessible and highly effective. I appreciate some people will have concerns about the Bill but I believe they have nothing to fear from this legislation.

With regard to the economy, a series of provisions are contained in the Bill to ensure that commercial issues, competitiveness and economic growth are central to the consideration of measures to tackle climate change. I am acutely aware of particular concerns in the agricultural sector but I believe the Bill poses absolutely no threat to the sustainable future of agriculture in Ireland. Strong laws on climate change can and will sit well with the competitive, high-quality agriculture sector this country has developed. We should note that agriculture has already delivered substantial reductions in emissions without impacting on the profitability or dynamism which currently marks the sector.

I believe the checks and balances in the Bill, combined with the work of Ireland's negotiators and scientific advisers, will ensure that Ireland can meet the commitments contained in the

Bill, while ensuring Ireland's agriculture sector can continue to thrive and deliver high quality, sustainable food. During European and international negotiations, Ireland has been to the fore in pressing, with a considerable degree of success, to ensure adequate consideration of agriculture issues. Ireland has been highlighting the issue of the threat of carbon leakage to ensure that food production using sustainable agricultural practices in such countries as Ireland is not replaced by food production using less sustainable and more environmentally damaging methods elsewhere. A substantial amount of Government funding has been put into research at various Irish institutions, including Teagasc, to develop farming practices and technology which help reduce emissions from agriculture.

I reiterate the point that global transition is both essential and inevitable but how we approach it is entirely a matter for ourselves. I believe we must embrace the required change and reinforce the position we have created for ourselves among the leaders rather than the followers. The climate change Bill will create the basis for a thorough debate of the issues and I look forward to presenting the Bill to the House very shortly. I thank everyone involved in the production of the climate change Bill, including all my colleagues. My colleague, the Minister of State, Deputy Ciarán Cuffe, who was in Cancún, will sum up later on.

Sector	A 1990	B 2007	C 2008	D 2009 (prov)	E 2008-12 Projection	F 2020 Projection	G Budget & National Recovery Plan Adjustments	H 2020 Revised Projection
Energy	11.370	14.593	14.692	13.119	14.877	10.10		10.10
Transport	5.135	14.292	14.208	13.120	13.662	15.98	.41	15.57
Residential	7.456	6.963	7.567	7.498	7.308	6.03	.22	5.81
Industry/Commercial/Services	9.567	12.104	11.558	9.251	9.779	9.41	.01	9.40
Agriculture	19.956	18.599	18.403	18.130	18.298	17.51	.02	17.49
Waste	1.302	1.331	1.253	1.200	1.109	1.03		1.03
Gross Emissions	54.786	67.882	67.680	62.318	65.032	60.06		59.40
Carbon Sinks			2.757	2.319	2.722	4.78		4.78
Net Emissions			64.923	60.079	62.310	55.28		54.62
<b>KYOTO TARGET</b>			62.837	62.837	62.837			
Climate Change Bill Target						47.91		47.91

Data for 1990, 2007 and 2008 is consistent with EPA provisional data published in October 2010. These figures may be subject to minor amendment prior to submission to the EC and UNFCCC.

EPA projections published April 28th 2010 for Kyoto period (average of 2008-2012) for the 'With Additional Measures' scenario — predates availability of provisional data for 2009.

The figures in this row refer to sinks eligible for accounting under Kyoto Protocol rules, which represents net afforestation since 1990. Methodologies for calculation of sinks are still evolving and these numbers may require adjustment before finalisation for 2008-2012. Figures are only quoted for the years during the Kyoto Protocol first commitment period. The Climate Change Bill target uses these rules for inclusion of sinks in calculations.

Compliance with the Kyoto Protocol commitment is measured against a "base year" which consists of emissions in 1990 for all Kyoto Protocol controlled greenhouse gas other than F-Gases, for which 1995 is used as the base year. Ireland's base year amount for the purposes of setting the target was 55.607mt. Historical emissions can change due to new methodologies or data but the actual target cannot — the target therefore is based on an old version of the inventory data for the base years. When account is taken of Ireland's allowed increase of 13% on base year, a Kyoto limit of an average of 62.836mt per annum can be calculated for the 2008-2012 period.

Calculated based on data in EPA Provisional Inventories Publication data for 2008. Subject to revision upon resubmission of Inventory Data.

**Deputy Joanna Tuffy:** On a point of order, I do not have the table to which the Minister referred in his statement.

**Deputy John Gormley:** I will get it for the Deputy immediately.

**Deputy Phil Hogan:** Statements on the carbon budget allows Parliament to reflect on the progress, or otherwise, being made in various sectors in meeting the target to reduce carbon emissions by 3% annually as set out in the programme for Government three and a half years ago. Some progress has been made but some of it was probably due to the circumstances of the economic downturn.

I agree with the Minister for the Environment, Heritage and Local Government that global transition is essential and inevitable. Fine Gael supports the principles outlined by the Minister for the Environment, Heritage and Local Government and Minister for Communications, Energy and Natural Resources at the Joint Committee on Climate Change and Energy Security to achieve certain objectives in this regard. We have no option but to proceed in implementing various changes in policy that will assist meeting our climate change targets.

Some time ago, Fine Gael published its policy document, NewERA, which will contribute substantially to this debate. We want to make the big change in policy so that we can fundamentally change the nature of the economy to a competitive low-carbon one. Fine Gael has embraced the revolution in the green technology sector with its NewERA document. While the Minister for the Environment, Heritage and Local Government was originally critical of some of its proposals, I note some of them found their way into the EU-IMF programme such as a single utility company for water supply. It is interesting outsiders appreciated this more than insiders.

NewERA's proposals are finding resonance not just in meeting national objectives such as a good quality water supply or broadband network, but also as solutions in assisting economic recovery and tackling fiscal deficit. The detailed plans contained in the NewERA policy docu-



[Deputy Phil Hogan.]

ment would create a substantial number of jobs in the economy. The investment in the new green technology would see significant State intervention with the semi-State sector investing rapidly in vital arteries of the economy that badly need investment. This, in turn, would have a major impact in reducing carbon emissions in areas of energy and communications. NewERA provides the kick-start and incentivisation needed for the citizen in order to create employment and meet climate change objectives. It will also help in restructuring the semi-State sector.

Fine Gael is committed to government leading the way by using domestically produced biomass to heat and power public buildings which currently use €300 million worth of imported fossil fuels every year. Irish broadband speeds remain far behind our economic competitors and urgent investment to roll out fibre optic broadband is necessary if we are to develop a clean knowledge economy.

As a former member of the climate change committee, the Minister of State, Deputy Ciaran Cuffe, will be aware it produced a draft climate change Bill under the chairmanship of Deputy Seán Barrett 18 months ago. The legislation highlighted to the Minister for the Environment, Heritage and Local Government that an all-party approach could be taken on this issue. I acknowledge that after three and a half years in government, the Green Party has made a major contribution to the climate change debate. Next week, the Green Party Ministers will announce a climate change Bill which is excellent progress. I know it was not easy for the Ministers to pursue this matter through Cabinet because it is an area with many vested and conflicting interests. Fine Gael will be as constructive as always in the climate change committee when the Bill comes before it. The bona fides in this regard of Deputy Coveney, Fine Gael's main spokesperson on the committee, were best exemplified with his publication of a report on electric cars for the committee.

Recent reductions in emissions were only achieved because of the massive reduction in economic output. There has, however, been little improvement in energy consumption patterns. Government policies have not made a dent in the €6 billion worth of fossil fuels imported every year to feed our cars, homes and electricity grid. This is an area in which more progress could easily be made. It is not economically and environmentally sustainable to continue along this particular path. We will face significant problems with energy security if we do not tackle these imports.

While there are often mixed views about economists' reports and the Minister has had occasion to chastise the ESRI on some of its, they do provide a policy discussion opportunity. Its report on the energy and environment published this week presented a current state of play and reductions on the Government's carbon budget process and policy. It stated Ireland will likely meet its Kyoto targets only because of the severe recession and not because of any change in policy. I accept that is somewhat harsh. Some policy changes have made a contribution to emissions reduction. However, there will be other challenges in transport and agriculture, which the Minister highlighted, which will provide an opportunity for more detailed debate on what the ESRI and others are thinking in this regard.

We are out of step trying to meet our 2020 targets with the result we will have to purchase carbon permits abroad at great expense to the taxpayer. Why not implement policy changes to ensure we do not have to do this, particularly when we have a ten-year lead in and the Government is under enough financial pressure as it is?

Fine Gael will continue to be constructive on this policy matter. Obviously, it must wait for the publication of the climate change Bill but it already has a plan to reduce the national carbon footprint. Notwithstanding people's concerns that certain aspects of a reduction prog-

ramme may be difficult to implement, the national policy priority that will be encompassed in the forthcoming climate change Bill will get a fair hearing in the House.

**Deputy Joanna Tuffy:** Today's statements come from the agreement in the original programme for Government that there would be a carbon budget. Originally, the carbon budget was contained and announced in the Budget Statement and then followed up by a statement by the Minister for the Environment, Heritage and Local Government the following day. This process has been watered down over the years to where it is now just statements long after the headline issues of the Budget Statement have been dealt with.

One of the Minister's first announcements when he took office was that he was going to ban energy inefficient light bulbs in a year. I accept some progress was made by the Minister in this respect. I do not think what has been done to phase out light bulbs has achieved that much in terms of reducing emissions. It is a small part of the overall picture, but at the time of announcement it was dramatic and was given a significance that never transpired. The carbon reductions are largely due to the recession and this is reflected in the Minister's statement.

When we think about climate change we tend to speak in terms of playing our part in shouldering the burden. We have figures for the reductions in emissions but this has resulted from the recession which is causing people a great deal of pain and hardship. If we see the reductions in emission as a cloud, the silver lining is that we will no longer need to purchase carbon credits.

I agree that we need to create clean jobs. In the course of his statement, the Minister refers to the bubble economy, but we must be careful that we do not create a green bubble. Concerns have been expressed about the number of wind farms and while we need to explore the proposals for wind energy, it is important that we do not build wind farms in the wrong place. The profit motive is very important for private companies, and there is always a possibility that we will have a green bubble in the way we had a housing bubble. We need a framework for green jobs to ensure that does not happen. The Labour Party sets out its proposals for green jobs in the document *The Energy Revolution*. The term green jobs can cover many different areas, for example the role of technology in reducing our emissions and, even in the office, technology has a role in sustainable developments.

The Minister outlines the arguments for price mechanisms as the most efficient way to change behaviour. That might be true, but only if it is done correctly. An example of a change in people's behaviour was very evident following the introduction of a plastic bag levy. I am not sure that putting an additional 4 cent on a litre of petrol will change behaviour, as this increase is not unlike an excise duty. We have had increases in the price of petrol, one year the increase is the result of an increase in excise duty and the next year it is called carbon taxes and it could be called excise duties the year following that. I have noticed that I need to fill my car more often and that it is costing me more but people need an alternative way to get to work. Such an option is not always available. I am not sure carbon taxes always change behaviour, to change behaviour we need to implement the correct carbon taxes. Using a pricing mechanism to change how people use water or energy can also exacerbate inequality in terms of income inequality. I have made the point about equality in society. The authors of the book *The Spirit Level: Why More Equal Societies Almost Always do Better* highlight evidence that more equal societies do better. They have looked at evidence from different countries and from different states in the US over a 30 year period, comparing countries with income equality with those with less income equality. They have found that countries with a smaller gap between rich and poor do better on a range of indicators, one of which is their environmental performance. Countries with greater income equality such as Sweden have a better record on environmental

[Deputy Joanna Tuffy.]

protection and recycling. There is more solidarity in these societies and there is less focus on competition through consumption of goods.

One of the problems I have with people who lobby for climate change is that they ignore the issue of equality. Lobby groups such as Stop Climate Chaos lobby for carbon taxes but do not lobby for more income equality. As far as I can make out countries with greater social democracy have a better record in dealing with climate change. It is very important to do things fairly. The way we approach the reduction in carbon emissions by implementing carbon taxes is likely to exacerbate inequality in Irish society.

The publication of the climate change Bill is welcome. The Labour Party has been to the fore in seeking a climate change Bill. Senator Ivana Batik introduced a Bill on climate change in the Seanad a couple of years ago. Deputy Liz McManus has been very proactive on this issue and will no doubt comment on it.

The carbon budget was a very different creature when the Green Party entered Government. When the Minister for Finance referred to it in a paragraph of his Budget Statement, it was a highlight for the party. The Minister for the Environment, Heritage and Local Government made a statement the following day outlining the detail and the table. I did not get that table and I still have not got that table.

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I have it and the Deputy is welcome to it now.

**Deputy Joanna Tuffy:** Thank you Minister. It is important to have the table before responding, however, I will not be able to analyse it very well now. Climate change has dropped down the agenda. The Green Party has responded and its members do not talk about climate change as much as they used to. They have become more low key. I do not lay blame for that because other priorities have come to the fore. People are losing their jobs. The picture has changed. Our emissions will reduce as a consequence.

My understanding of the Green Party before it entered Government is that it focused on the protection of the environment. It is only in recent years that it has focused on the issue of climate change. I believe the focus should be on the environment. If one looks after the environment, one will simultaneously do the things one needs to do about climate change. Irish people have always wanted to protect their environment. I recall when I was young, clothes were passed on from cousins, people collected water in a barrel in the garden, milk bottles were returned. People were always environmentally conscious in Ireland. A great many of the climate change lobby groups act as if everybody else is ignorant of the issues to do with climate change and the environment and that people need to be dragged kicking and screaming to do their bit for the environment. That is not the case. Irish people have been always conscious of the need to do things to protect the environment and to save energy. Sight of that may have been lost in our Celtic tiger years but it is very much present now. Some years ago in an OECD study of 15 year olds in 30 countries, Irish students came top for environmental awareness. That awareness is in the Irish psychology and in our way of looking at things as voters, citizens and members of communities.

Our focus should be on the environment. Much of the climate change debate has been remote and concerned with targets and carbon credits. Its language is extremely remote and does not engage people. We need to go back to protecting our environment, making our quality of life better and promoting communities, social solidarity and equality.

If protecting the environment and achieving climate change targets are linked, why is the Minister standing over a 48% cutback in the budget of the Heritage Council? I will raise this matter on the Adjournment of the House today. The Heritage Council looks after our heritage and environment and facilitates work in local communities to protect our environment and increase environmental awareness in local communities. Similarly, the budget for the National Parks and Wildlife Service has been cut by, I think, 56%. The work of the NPWS is extremely important in relation to climate change. Its responsibilities include the protection of habitats and wetlands. Ireland has signed up to the EU ecological network, Natura 2000. Its purpose is to protect our biodiversity and make our habitats more resilient to the impacts of climate change. If the NPWS budget is cut, how will it do that work? Protecting the budget of the NPWS must be a key Green Party policy. Apart from our national considerations we have responsibilities in terms of EU directives.

We need to get back to being concerned about the environment. That is the key issue.

**Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe):** I welcome many of the comments made by Deputies Hogan and Tuffy. There is a clear consensus in the House that we need to tackle climate change. We may disagree on the methods and the detail of the measures needed but there is a consensus. Five years ago, when the Green Party, in Opposition, published its first climate change Bill we were ridiculed on Opposition and Government benches. Today, the debate has moved on and I am heartened by the buy-in on all sides of the House to tackling climate change. I pay tribute to the work of the Joint Committee on Climate Change and Energy Security, which we insisted on establishing in our first programme for Government to ensure that all parties were speaking the language of transition and of tackling climate change. Much of that work is enshrined in what is before the House today.

Deputy Tuffy seems to suggest that we have moved beyond a key concern with environmental issues to talking more — or maybe not talking more — about climate change. I ask Deputy Tuffy to look back two decades to when my colleague and party leader, the Minister, Deputy John Gormley, published *The Green Guide for Ireland* in 1990. The key chapter in that publication on climate change was written by the Minister. It is disingenuous to suggest that he has only recently discovered climate change. It was a core issue for me, even at the time of me joining the Green Party 28 years ago. The science and ideas have moved on, and into the mainstream, but it would be disingenuous to suggest that the Green Party has a newly found interest in climate change. I wish to put that suggestion to bed.

Transition — in the building sector, agriculture, transport, energy and planning — is at the heart of the budget. All of these are areas where we can make a positive move towards reducing our carbon footprint. In construction, warmer homes that are cheaper to heat are already being built. That is because we racked up building regulations by 40% in our first year in office. We will bring this to 60% by the end of this year. That is what I call transition. There have been radical changes in building regulations. The warmer homes and greener homes schemes mean that people in existing buildings can get assistance to improve their homes. This help is not merely available to people who have a significant income. If one does not have an income coming into the house, the State is there to help through the schemes that are in place.

There is a good news story in agriculture. Irish agriculture is one of the most carbon efficient in the world. Keeping cattle on grass for the best part of the year is a good news story. We can hold our heads high in terms of the carbon required to produce a kilogramme of beef on Irish soil on Irish family farms, compared to what one might see in other parts of the world that have extremes of temperature and less rainfall. The work Bord Bia is doing with the Carbon Trust in the United Kingdom will sell the good news story that Irish farms have to tell.

[Deputy Ciarán Cuffe.]

It is not just about beef. There is a bright future in horticulture, fruit, vegetables and other aspects of farming, and in the move away from the narrower aspects of farming into other areas where we can make a profit for Irish family farms. There is a future in energy crops, wind energy and forestry. All of these are areas where we see a bonus coming to the Irish farmer by diversifying into other areas. Through the agri-environment scheme, Europe is asking how we can move towards more sustainable farm practices and give assistance in doing so. That is a good news story. We are leading the way in many aspects of what we do.

Deputy Tuffy mentioned fuel poverty. We increased the fuel allowance in this year's budget to tackle the kind of disadvantage *The Spirit Level* addresses. It is important that we provide for that kind of movement in the right direction.

Today is one of the most important days in the current Dáil term and one of the most rewarding for the Green Party in Government. We have debated climate change issues many times but today we are laying the foundations for elevating climate policy to the level of a key national priority. That is a milestone for the future well-being and prosperity of the people of this country.

In his carbon Budget Statement, the Minister said: "Our success as an economy and as a society in the low-carbon world of tomorrow will be determined by the preparations, commitment and effort we are prepared to invest in underpinning our response to climate change." We are now on course to ensure that all new policies introduced across the economy will be both economically and environmentally sustainable in the long term.

I was heartened by the buy-in I saw in Cancun last week from 191 countries around the world including the Holy See, the United States of America, Japan and the Maldives, which face very different challenges and concerns with regard to climate change. There was a key difference between this year in Cancun and last year in Copenhagen. Last year, we did not get an agreement because many countries felt we were trying to go too far. This year in Mexico, one country — Bolivia — dissented because it felt we were not going far enough. That is the key issue.

The comprehensive agreement reached last week is extremely positive in nature. This is particularly the case because, under its provisions, a green climate fund from which €100 billion will be available by the year 2020 is to be established. We must assist countries in the developing world in meeting these low carbon goals. The agreement reached at Cancun has provided both an impetus and a belief on the part of developing and developed countries regarding the need to bring carbon use to a peak and thereafter allow it to decline. I am pleased with the move towards contraction and convergence that I witnessed last week.

In my speech to COP 16, I quoted the Russian poet, Yevgeny Yevtushenko, who some 40 or 50 years ago stated: "The young ... will not forgive in us what we forgave." That is why, as the Minister, Deputy Gormley, outlined, the Green Party in government is taking strong action in respect of addressing climate change. It is crucial, for the future prosperity of our country, that we continue to transition to a low-carbon, climate-resistant, environmentally-sustainable economy. The latter is already happening.

People often complain about the amount of hot air emanating from Leinster House. However, I must point out to Deputy Tuffy that in the past year a biomass boiler which provides much of the heat required within buildings occupied by the Oireachtas was put in place within the Leinster House complex. I am pleased that the Houses of the Oireachtas is leading the way with regard to the transition to a low-carbon economy. We are leading not just in terms of the actions we have taken in respect of our own accommodation, but also in the

context of putting in place the building blocks of legislation that will set Ireland on the course to a low-carbon future.

*Sitting suspended at 2.50 p.m. and resumed at 3.30 p.m.*

## **Ceisteanna — Questions**

### **Priority Questions**

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#### **FÁS Training Programmes**

1. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Education and Skills when she first became aware of the need to review all FÁS courses across the country; the outcome of the investigation to date; the number of students who are likely to be affected by the investigation; and if she will make a statement on the matter. [47891/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I first became aware of FETAC's decision to place a hold on the issuing of certificates to FÁS on 18 November. I understand that FÁS, in the implementation of its new training standards system, discovered processing issues in the north east which gave rise to errors on requests which had been made by FÁS to FETAC. Certificates for 53 learners on six courses were involved but the certificates in question had not issued to the learners involved.

The errors arise from administrative processing and data entry issues rather than with the quality of the programmes. FÁS informed FETAC on 10 November.

FETAC, on 10 November, 2010, decided to hold the issuing of certificates to FÁS and is now conducting an examination of the processes underpinning the requesting of certificates by FÁS. It is doing so with the full co-operation of FÁS which is in agreement with this approach. FETAC is visiting each of the 17 centres that requested certificates and, as of close of business on Wednesday 15 December, had completed ten site visits. I understand that FETAC expects to complete the visits by the end of December and it will then consider the outcomes and determine next steps.

It has become clear as site visits have progressed that the issues encountered do not affect apprenticeship certificates or certificates issued under the construction skills certification scheme and that FETAC processing of these awards has recommenced. More than 1,300 of these certificates have now issued.

FETAC will be publishing a report of its examination which will outline any issues encountered and learners affected. I understand that FETAC will not be publishing outcomes in advance of the finalisation of the report. I can assure the Deputy that FÁS will address any issues raised in the FETAC report.

I understand that currently around 7,700 learners are experiencing delays of approximately three weeks in receiving their certificates. Every effort will be made to resolve any issues identified as quickly as possible so that learners can receive their certificates with the minimum of further delay.

**Deputy Fergus O'Dowd:** I thank the Minister for her reply and welcome the clarification as regards apprenticeship courses and courses to do with construction to the effect that they are absolutely 100% in the clear. The Minister said some 7,700 cases are being looked at. In other words their processing is being held up. These relate to the non-apprenticeship and non-construction course studies. Obviously for FETAC to identify the need to do those 17 audits in 17

[Deputy Fergus O'Dowd.]

different locations meant that serious issues had arisen. My problem is that I have failed to get an answer from the Minister today, and from parliamentary questions addressed to FÁS as to what exactly the issues are surrounding these 53 people. I shall ask the Minister again. Is it the case that 53 certificates over six courses were requested, and either the persons concerned had not actually sat an examination or repeated an exam? We know that there were hundreds of cases in courses around the country where the results had been manipulated. Does that refer to these manipulated courses, specifically, or not?

**Deputy Mary Coughlan:** To clarify, following on from the reports initiated by me and by FÁS as regards the issues that arose in the north east, a number of recommendations were made. One of them was to the effect that we would have to change the way in which we inputted the results. That new system commenced in September this year and is known as the new training standards system.

Another issue that arose was as regards the marking which was very complex and unclear. People either passed or failed unlike, say, in the junior or leaving certificate where there are grades as regards whether a student passes or fails. All of that work is being rolled out since September.

FETAC instigated its inquiry on the basis of the inputting, processing and administration. I am referring to the inputting of the results in order to draw down the certification. We all agree that the integrity of further education is enormously important and that is why FETAC has taken the decision to go to the 17 centres.

However, there are two different issues. This issue has arisen following an examination by FÁS. The other issue in the north east arose from a report arising from an investigation that was carried out. Unfortunately, those matters have not, as yet, been resolved. I have asked that they be resolved as a matter of urgency for the sake of the people concerned.

**Deputy Fergus O'Dowd:** I have made a number of requests, having spoken to senior executives in FÁS and officials in the Minister's Department and others, in an effort to get answers to questions that have been outstanding for some time. I welcome what the Minister is saying and fully support FETAC's actions, as it is very important for it to verify and stand over all the results.

However, are any of the queries being addressed linked in any way to people being recommended for certification who did not actually sit examinations? Can she clarify the situation as regards the 7,700 outstanding certificates? Is it anticipated that the vast majority will pass or are there issues to be addressed in centres other than Dundalk?

**Deputy Mary Coughlan:** In the main, these are not assessment-related issues. They are inputting, processing and administrative issues. However, I do not want to mislead the House since I do not have the full report to hand, as yet. It will be published and any issues that arise from it will then be dealt with forthwith.

As regards the 53 persons who still have not had the finalisation of their examinations, that is a separate issue. The issues pertaining to them are not the same issues that FETAC is examining.

**Deputy Fergus O'Dowd:** What about the people who had not sat an examination or repeated an exam?

**Deputy Mary Coughlan:** Anybody who did not turn up for an exam will not get accreditation.

**Deputy Fergus O'Dowd:** My question is whether that applies to those 53 people, then.

**Deputy Mary Coughlan:** This question is as regards the FETAC examination and I do not wish to mislead the Deputy or be inaccurate in what I am saying. However, I will revert to the Deputy and I appreciate that he has looked for further information. I have asked my officials to ensure that this information will be made available to him, forthwith.

### School Patronage

2. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills if the way in which the patronage of the second post-primary school in Gorey, County Wexford was decided, will now be used on a country-wide basis in determining the choice of patron of the estimated seventy new post primary schools that will be required to meet the projected future growth in the school-going population; and if she will make a statement on the matter.

[47782/10]

**Deputy Mary Coughlan:** The Deputy will be aware that in July this year I announced a significant reform of the process for recognition of new second-level schools. The new framework to be established will involve the setting out of clear criteria against which new second-level school applications are to be assessed and will increase the transparency of decision making, with the establishment of a small expert group to advise on second-level school patronage applications.

Our latest projections show an expected increase of over 67,000 post-primary pupils in the State by 2024. While this increase would equate to circa 67 new post-primary schools catering for 1,000 pupils each, in practice it is likely that the increase will be met through the expansion of a large number of existing schools as well as the establishment of new schools.

The new framework I am putting in place will provide greater clarity into the future, allowing applications to be made where there is demographic need and establishing minimum sizes for such new schools. The expert group, to be known as the second level patronage advisory group, will consider applications for new schools and make recommendations in regard to those applications, having undertaken survey work of parental views and using the criteria to be set down. I plan to establish the group very shortly and will seek its input prior to the finalisation of the detailed criteria and procedures.

In regard to two schools to be established in the near future, the new second level school in Clonburris, Lucan, will be formally established as a VEC school in partnership with Educate Together. I have asked County Dublin VEC and Educate Together to discuss the approach to achieving this with my Department. This will be the first time Educate Together will have a patronage role at second level.

On the new second level school to be established in Gorey for the coming school year, I recently announced that County Wexford VEC is to be patron of this new school. This decision followed a process undertaken by my Department, which involved a meeting with the prospective patron bodies, an interview with them and a survey of parental preferences in Gorey. My Department's report on the process has been published on its website. It includes details on the survey of parental preferences in the area.

**Deputy Ruairí Quinn:** I thank the Minister for her reply. Does the Minister, as outgoing Minister for Education and Skills, accept in principle that it is desirable to have parental choice in our education system? If so, does she believe this should be extended in the primary area where Educate Together has already established a clear position? Does the Minister, as a person with expertise in education, recognise that parental choice and, by implication, compe-



[Deputy Ruairí Quinn.]

tion is a spur to good overall educational outcomes across the entire spectrum? On that basis, is it the Minister's intention to apply the model applied in Gorey to every other new post-primary school, in respect of which Wexford VEC was able to deploy resources of the order of €50,000 to campaign for a referendum outcome? Is this what the Minister is looking for?

**Deputy Mary Coughlan:** I believe in parental choice. Arising from the survey that took place in Gorey, 65% of respondents expressed a preference for County Wexford VEC as patron of the new school, with 35% expressing a preference for Educate Together. The results of this survey were part of the decision making process.

The advisory group will be set up quickly. We have already set down formal criteria in respect of this process. Arising from the discussions that took place in Clonburr and Wexford we will finalise those criteria, which will be published. I do not agree with the view that parental choice in Gorey was not taken into consideration. It is also wrong to suggest that Educate Together had not lobbied or set up a group, either in Lucan or Gorey, to put forward its views or perspectives. If the Deputy comes to my office I will show him correspondence in regard to the considerable amount of lobbying and fundraising activities undertaken by Educate Together, with which I do not have a problem. I agree with the tenet of what the Deputy is asking me, namely, does parental choice have a relevance when it comes to new patronage. The answer is "Yes".

**Deputy Ruairí Quinn:** Will the Minister, therefore, not agree notwithstanding the mechanics of the referendum and amount of taxpayers' money that was spent by Wexford VEC, that she has denied parental choice in Gorey where there are now two schools under the one patronage? Here was a classic example of offering choice in terms of patronage, which is the issue. In this instance we are speaking of one of the largest post-primary schools in the country, which is functioning well. We need another school because of the population increase, which the Minister says will be 67,000 extra pupils by 2020.

In a town like Gorey, which is in the outer suburbs of the east coast metropolis, stretching from Wexford to Dundalk, the Minister could have given parental choice without going through this elaborate time wasting process. She could simply have acknowledged Gorey has one VEC at post-primary level, which is a good school, and could have given patronage of the other school to another body, Education Together which has a proven track record.

**Deputy Mary Coughlan:** Gorey post-primary school is a community college and not a VEC school.

**Deputy Ruairí Quinn:** The patron is the VEC.

**Deputy Mary Coughlan:** No. The patron is the VEC and the Orders. The existing school in Gorey is——

**An Leas-Cheann Comhairle:** It is an amalgam of a number of schools.

**Deputy Mary Coughlan:** ——an amalgam of a number of schools that came together.

I gave a commitment to the people in Gorey that we would address their concerns for next year. It was on this basis a number of children were allowed to attend the school. I gave a financial package to the community college at that time in order to address its immediate needs. I also gave an undertaking in regard to the patronage, the appointment of a principal and to bring together a school for next year.

I do not accept the accusation that there was any manipulation of the parental choice opportunities provided. The competition between Education Together and Wexford VEC was open, in respect of which briefings were made available and people could put forward their proposals, all of which were excellent. The scoring of both bodies was similar. The decision at the end of the day was based on 65% of parents opting for VEC patronage.

We will have to build many new schools over the next number of years, in respect of which a variety of patrons may express an interest. It is for this reason I am setting up the advisory group. The chairman of the group, Mr. Frank Murray, was involved in adjudicating on the surveys, which were independently assessed. The real needs of the people of Gorey need to be met. For this reason, I have fully addressed the issues raised with me by the group when in Gorey, at which time I also met with political representatives of all parties. I was determined to deliver on the undertaking I gave and have done so.

### **Literacy Levels**

3. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Education and Skills her views on the fact that literacy levels in Ireland have dropped more significantly than any other OECD country according to the latest PISA results; and if she will make a statement on the matter. [47892/10]

4. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Education and Skills her views on the finding that Ireland's drop in performance in maths is the second largest fall of any country in the most recent PISA study; and if she will make a statement on the matter. [47893/10]

**Deputy Mary Coughlan:** I propose to take Questions Nos. 3 and 4 together.

The results of the OECD's Programme for International Student Assessment 2009 were published last week. The test results of Irish students were mixed. They scored above the OECD average in science, at the OECD average in reading and below the OECD average in mathematics. Comparisons take place against the last year the subject area was the major focus of the PISA survey. While Ireland's ranking in science between 2006 and 2009 rose from 20th to 18th it fell from 5th to 17th in reading between 2000 and 2009 and from 20th to 26th in mathematics between 2003 and 2009.

While I welcome the results Irish students achieved in the PISA tests for science, I am disappointed with the results in reading and maths. The extent of the falls in the reading scores of Irish students are surprising as Irish students scored well above average in reading in all previous rounds of PISA. The national assessments of mathematics and English reading also show stable literacy and numeracy levels among Irish primary students and standards have remained constant in the State examinations taken by all students at post-primary level. Irish students also obtained a high literacy-related score in the International Civic and Citizenship Education, ICCS, study, ranking 7th out of 36 participating countries in 2009.

My Department has had detailed studies of the Irish data for PISA completed by the educational research centre and by an independent team of experts from Statistics Canada. Both teams of experts have concluded that some, but not all, of the lower scores in reading and maths are explained by changes in the demographics of the group of 15 year olds taking the test. Greater numbers of students whose first language is not Irish or English are now in our classrooms, as are greater numbers of students with special educational needs. We are being more successful in keeping our children in education longer but this means that there are weaker performing students taking the PISA test that might not have remained in school in former years.

[Deputy Mary Coughlan.]

The experts from Statistics Canada and the ERC have advised that “it is likely that issues about the construction of achievement scores and establishing links, trends, across cycles of PISA contributed to the low scores of students in Ireland in reading and mathematics” and that the techniques used by PISA “have overestimated the size of the decline [in achievement]”. The OECD also notes that the “performance changes are associated with a fairly large standard error”. Few educational systems have ever experienced actual changes in educational standards of the size reported for Ireland over the period of time covered by PISA.

While Statistics Canada and the ERC have pointed out that Irish students’ test scores have been declining in reading and maths, they have also cautioned against placing undue importance on the single set of PISA 2009 scores. They believe that it is not possible to say whether the decline in the 2009 PISA tests indicates an actual decline in standards in Ireland.

Irrespective of whether the decline in the scores on the PISA test represent a real decline in standards, I am concerned that Irish students did not achieve high scores on the PISA tests. It would also be unwise to ignore the possibility that the results may reflect some decline in standards in Irish schools. I believe that our focus should be on taking the action needed to ensure that Ireland’s students are among the high-performing countries in reading, maths and science. There is a need to improve Ireland’s overall standards in literacy and numeracy and that is why the Government is taking a proactive approach to improving literacy and numeracy standards.

We have been concerned about our standards in maths for some time. A major reform programme, Project Maths, is under way and was rolled out to all second-level schools in September 2010. The project involves a major curriculum revision, a different approach in the examinations papers and a nationwide programme of teacher education for existing mathematics teachers. It also encourages more students to take mathematics at the higher level in the State examinations and aims to improve standards in mathematics generally. In addition, bonus points are being introduced for entry to higher education to encourage more students to study leaving certificate higher level mathematics.

In November 2010, I launched Better Literacy and Numeracy for Children and Young People: A Draft National Plan to Improve Literacy and Numeracy in Schools. This sets out a range of significant measures to improve literacy and numeracy in early childhood education, primary and post-primary schools. It will involve major reforms to teacher education, the school curriculum, a whole-school focus on strategies to improve literacy and numeracy, curricular changes and a radical improvement in the assessment and reporting of progress at student, school and national level. I am confident that focused attention on literacy and numeracy along the lines proposed in the plan will improve the standards of Irish students over time and their performance relative to their international peers.

**Deputy Ruairí Quinn:** That is a reply worthy of the Vatican.

**Deputy Fergus O’Dowd:** This is the most appalling result for a country that experienced the Celtic tiger era. Is it not the case that for the years 2000 to 2009, Ireland has the worst outcome regarding literacy of the OECD countries that participated in the study? Is it also not the case that one in six of our students has significant reading problems, particularly males? A total of 23% of males have a literacy level below functional literacy, which means they cannot communicate in society. It is a disgraceful situation over which the Minister and the Government have presided for a number of years. What will she do about this?

There has to be a crusade regarding literacy in our schools. There needs to be a radical shake up in the political system and in the administrative system, particularly within the Department, and teachers need to be empowered to achieve the best results for all our children. The Minister is failing those who are most vulnerable. If 23% of all males cannot read properly, how in the name of God can they get jobs and compete with those in China and other countries in the Far East that achieved the top PISA scores? We are falling behind in this most critical area. What will the Minister do about this? Does she not think these results are a disgrace?

**Deputy Mary Coughlan:** There is nothing in the studies carried out by the Department to show that socioeconomic issues are relevant to the outcomes. I will give a simple example of what has been happening. We have low levels of literacy because of the lack of reading material in homes, yet the majority of pupils had a television in the bedroom. The issue is what is prioritised, not money. Is it books or television? We will have to target our resources, including our teaching acumen, at literacy and numeracy. When it comes to professional development the new proposals make it compulsory for teachers to participate every three years and every five years in literacy and numeracy courses. I have also changed the entry requirements for those who wish to enter teaching at primary and post-primary level. I will insist that teaching degrees be extended to four years and they must comprise at least two years of education teaching practice. The H-Dip is not adequate.

I believe an entry requirement for primary teaching should be a minimum of a pass in honours mathematics as well as in honours English and Irish. It is wrong that the Department does not have access to the test results of every school in the State. The unions have opposed this *ad infinitum*. I do not believe in league tables because I do not like them. However, this is wrong and that is why it is compulsory that all the results from primary and post-primary schools be centrally assessed within the Department. I am, therefore, moving towards improved teaching qualifications and curricular change with an emphasis on literacy and numeracy and I will also pursue the curriculum from preschool into junior and high infants.

**Deputy Deirdre Clune:** I would like to focus on teaching standards and refer to the draft report produced by the Minister. It states: “However, we cannot assume that all Irish primary teachers are proficient in the teaching of literacy and numeracy or that they continue to upskill themselves.” That is a shocking and damning statement about the system. How much has been invested in teachers? They have spent at least three years in college, yet we cannot assume they are proficient in the teaching of literacy and numeracy. The report of the Department’s chief inspector, Dr. Harold Hislop, states, “The teaching approaches used need to be addressed, the preparation undertaken by teachers—

**An Leas-Cheann Comhairle:** The Deputy can refer to documents but not quote from them during Question Time

**Deputy Deirdre Clune:** Our system has not measured outputs, which are important. We are trying to pitch Ireland as a smart economy to attract investment. Average in science and below par in maths are not good enough.

**An Leas-Cheann Comhairle:** A question, please.

**Deputy Deirdre Clune:** In response to Deputy O’Dowd, the Minister outlined a number of areas where she feels teaching standards can be improved. Will she outline the timelines for their implementation? Will there be changes to the school year in 2011?

**Deputy Mary Coughlan:** First, following the appointment of the new chief inspector, I looked at probation on the basis that it is too late to deal with underachievers in the system when they have 20 years experience. Teachers must be assessed in their first year as to whether they have the acumen and capacity for the work and to ascertain how they can be supported. There is a need for greater leadership in schools to support teachers.

4 o'clock

Second, I have changed the methods for whole-school evaluations in order that students and parents will be involved. Third, I am carrying out new standardised testing in literacy and numeracy and that information will be centralised. The problem was that these reforms were thwarted on the basis that people thought they would be an assessment of their capacity as teachers. That is not the position; it is about having information in order that we can deal with specific problems that may arise in a school in the delivery of the literacy and numeracy programmes.

In addition, teachers on probation will have to take a specified number of hours in their first year in the teacher education centres. The centres are a significant resource and this will provide for better professional competence and development.

**Deputy Ruairí Quinn:** When will all this happen?

**Deputy Mary Coughlan:** It is happening now because I am driving it. As a parent and as someone who has a great regard for the teaching profession, we must not be seen to undermine it. I agree with Deputy Clune that we must analyse the outputs and we are undertaking other reforms in curriculum development.

**Deputy Fergus O'Dowd:** Is it not a fact that the Government's economic, health and education policies are an abject failure? The education policy is an appalling failure and it is the worst of all OECD countries. Did the Minister say more people are staying in school longer and that is the reason they are not reading as much?

Is it not a fact that in 2000, students up to 15 years of age were compelled to attend school, as is the case at present? There is no difference in the year. This test takes place when they are 15 years of age. All students of 15 years of age are tested in this so it is wrong to claim that more students are staying in school. They must stay in school until that age. Is it not a fact that the Minister does not have a strategy for dealing with it? Does she not believe an all-out battle or crusade is required to ensure our young people can read as well as anybody else, particularly somebody in the Far East?

The Minister's information technology policy is a big failure, with only 2% of schools having high speed broadband. She must address that. Finally, does she agree with empowering school principals to deal with literacy? In other words, would she not consider selecting school principals who wish to be trained in functional literacy, how to teach it and how to improve skills and standards for their staff as something she could do immediately?

**Deputy Deirdre Clune:** With regard to the changes the Minister proposes to make in teaching standards, is it the case that from next September students who start teacher training colleges will have an expanded programme? Will she also implement a professional development programme for teachers from next September?

**Deputy Mary Coughlan:** That is clearly my intention.

**Deputy Deirdre Clune:** Is it the Minister's intention or policy?

**Deputy Mary Coughlan:** That depends on how long I will be on this side of the House. The plan has been sent out for consultation, which should be completed by now. These changes must take place in the delivery of this plan. There is no reason that they should not.

**Deputy Deirdre Clune:** Is it the draft plan?

**Deputy Mary Coughlan:** Yes. I propose to proceed immediately with the development of that plan. It is wrong to say there have not been great achievements in education.

**Deputy Ruairí Quinn:** Nobody is saying that.

**Deputy Mary Coughlan:** The DEIS initiative has resulted in more children staying longer at school. There are fewer school drop-outs, which is good. There is better integrated education, which is excellent. It is accepted that we have experienced changes in our demographics, culture and society. During that PISA process, three other international studies were carried out and a number of those young people were in transition year, where I do not believe there was great regard for the test in the first place. There must also be a realisation on the part of the schools. As Deputies are aware, it is a random sample so we have no idea what schools are involved in the sampling. However, we must take on board the necessity of ensuring that the PISA test is taken seriously by the schools. That is important. The development of new policies that are focused on literacy, numeracy and mathematics is paramount from my perspective.

There will also be reform in the junior certificate. We are moving away from rote learning to critical thinking. This is one of the issues that have arisen from the PISA study. I do not know if the Deputies had an opportunity to look at the examination but it requires more critical thinking and more thought processing than children are, perhaps, accustomed to.

### Higher Education Grants

5. **Deputy Ulick Burke** asked the Tánaiste and Minister for Education and Skills the number of students that will be impacted by the change to the student grant criteria; the number of students who will lose eligibility as a result of the change to the adjacent rate; her views that this will act as an impediment to persons trying to upskill; and if she will make a statement on the matter. [47894/10]

**Deputy Mary Coughlan:** The allocation for student grants in 2011 is just over €385 million. This is an increase of some 5% or €18 million over the 2010 provision. Increases in the number of students qualifying for grants, increases in proportions now qualifying for higher rates of grants as well as the introduction of the student contribution paid on behalf of grant-holders each account for additional cost pressures in 2011. In order to manage these cost pressures, a number of savings measures are necessary in 2011. The measures announced will deliver overall savings of some €22 million, which has been taken into account in the 2011 provision.

A 4% reduction across the board in the rates of student grant is to be implemented for all grant-holders from January 2011. This is in line with reductions in other income maintenance payments, including those for the unemployed, and will yield an estimated saving of some €8 million. The qualifying distance criterion for entitlement to the higher non-adjacent rate of grant is to be extended from 24 km to 45 km. The existing distance has been in place since the grant schemes were introduced in 1968. Vastly improved transport facilities and road networks and better and more cost effective travelling options have altered commuting practice more generally in society over that time. Statistics indicate that some 45% of all full-time students now choose to live in their own or their parents' home during term time, yet some 77% of grant holders are currently on the higher non-adjacent rate.

[Deputy Mary Coughlan.]

The new measure will come into effect from September 2011 and will affect an estimated 18,000 students. A savings yield of some €10 million is estimated in 2011, will a full-year saving of some €30 million. The automatic eligibility of mature students for the higher non-adjacent rate of grant is to be removed from the start of the 2011/12 academic year. Mature students who reside 45 km or more from their higher education institution will continue to be eligible for the higher non-adjacent rate of grant. It is estimated that some 6,900 mature students will be impacted by this measure. The estimated projected saving is €4 million in 2011, with a full year saving of some €13 million.

While the measures outlined will result in changes to the rate of grant payable, none of the measures will result in a student losing a grant or becoming ineligible for a grant. In fact, as a result of the introduction of an additional category of eligibility for support — permitting students to qualify for 50% student contribution' — approximately 2,000 families will benefit under this revised arrangement. This progressive measure will mean that where family income is marginally in excess of the current eligibility levels for maintenance grant support, only 50% of the student contribution or €1,000, will have to be paid, rather than the €1,500 student service charge a student may be liable for under the current arrangements.

**Deputy Ulick Burke:** This is a cost-cutting exercise. The Minister referred to increasing numbers and the grants. She has already reduced the grants across the board by 4% and now she says that due to the numbers factor she must curtail them. She has introduced two changes, in particular, that relate to mature students. They totally contradict what the Government has been saying for so long about upskilling for people who have lost their jobs or whatever and are returning to education. A total of 7,000 of those people will lose out substantially as a result of these changes. They were automatically entitled to the non-adjacent grant.

Second, there is the issue of the increase of the distance from the college for the adjacent and non-adjacent grants, which will affect 18,000 students. Is the Minister expecting students to live at home? She said 45% of students live in their homes during the term. Does she expect them to make a round trip of 90 km per day to go to college as a result of the extension from 24 km to 45 km?

**Deputy Mary Coughlan:** First, if one has an entitlement to a grant, that entitlement will continue. The determination will be whether one is entitled to the higher non-adjacent grant or the adjacent grant. If one has a non-adjacent grant at present and one is now outside that criterion, one will continue to have access to the adjacent grant. Second, there is the issue that mature students received the higher non-adjacent grant, regardless of where they lived even if it was beside the college.

Third, the financial situation of the country is such that we are not in a position to escape savings in the Department of Education and Skills. We had to prioritise mainstream classroom teaching and, to the best of our ability, deal with the demographic issue. There is, correctly, an increase in our third level student population. We must ensure good quality of education and outcome at third level. Furthermore, the capacity of the State to continue to fund third level education is now stretched and we must examine new ways of doing it.

I accept what the Deputy is saying but it is important to assure people that they will not lose the grant if they are eligible for it. The issue is the type of grant for which they are eligible.

**Deputy Ulick Burke:** Approximately 25,000 students will lose out, to the extent of between €1,500 and €3,500 depending on the category of grant. That is a serious blow, and the Minister is not serious about it. When will the Minister publish the Hunt report? If there is a serious

problem, why has she not introduced the replacement of these grants, as was promised? It is awaiting introduction but the Minister dillydallied. The easiest thing to do was cut, and 25,000 students will lose out, some very substantially. It is obvious that these will drop out. The killing part of it is that the Minister is implementing from next September the commitment that they entered into originally, but not for the students who are entering now. That is a serious withdrawal and a contract with the Minister has been broken.

**Deputy Mary Coughlan:** The Fine Gael Party has proposed that it will introduce fees on a full cost basis. The Hunt report will be published at the beginning of the new year. I had hoped to have it last week, but unfortunately we do not have enough to prepare for the launching of the report, so I will do it in the beginning of the new year. We will all have to look at how we are going to sustain financially third level education. That is the harsh reality of it. There must be new ways in which income can be obtained for colleges and universities through internationalisation and through some type of student contribution.

On the student contribution side, I have put a cap on the contribution on each household, depending on how many young people are attending college, and I have introduced a new category within the student maintenance grant scheme that 50% of the contribution will also be paid. It was a matter of taking the resources that I have and using them to the best of my ability. We have seen an increase of almost €18 million on the student maintenance scheme.

**An Leas-Cheann Comhairle:** That concludes Priority Questions. We must now move on to Other Questions.

### Other Questions

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#### Departmental Expenditure

6. **Deputy Dan Neville** asked the Tánaiste and Minister for Education and Skills if she intends to take any action on foot of the recently published Comptroller and Auditor General Report on Education spending; and if she will make a statement on the matter. [47606/10]

**Deputy Mary Coughlan:** I welcome the publication of Special Report No. 74 of the Comptroller and Auditor General, which covers a range of areas of education spending. The report is generally positive about the overall merits of the strategic innovation fund, while also highlighting some areas for improvement. A number of relevant measures have already been taken to implement previous similar recommendations of a mid-term evaluation of the fund conducted by the Higher Education Authority.

The report is critical of the information on school attendance derived from periodic reporting to the NEWB. Periodic reporting is just one way by which schools report on individual student absence. In many cases, direct referrals are made to an education welfare officer. The NEWB is currently rolling out a programme called a 'New Way of Working', which was piloted in 2009 in an effort to standardise the intervention process and focus on early intervention. A reconfiguration of school attendance and participation services is also under way to achieve improved targeting and collaboration in delivery of services and better educational outcomes for all children.

A cost overrun on a capital development at Cork Institute of Technology that was completed in 2005 is also examined. The substantive issue arising has since been addressed in the new public works contract introduced in 2007.



[Deputy Mary Coughlan.]

An early retirement scheme in FETAC, aimed at reducing numbers in certain grades, is also dealt with. The early retirements were authorised by senior management in FETAC, although they did not have the statutory authority to do so. Legal advice in respect of the recovery or reassessment of unauthorised benefits has been obtained and is being considered. The report identifies issues relating to remuneration and expenses paid to a former director of the Royal Irish Academy of Music. The arrangements entered into with the former director were not approved by my Department and were taken up with the academy when this issue came to light. The salary and contractual arrangements for the post are now in line with comparable publicly funded institutions. Significant changes have also been made by the academy in respect of expenses arrangements which are now in line with public service norms. Finally, the report presents a good factual summary of matters already in the public domain relating to the residential institutions redress scheme.

**Deputy Fergus O'Dowd:** In this audit and in earlier audits on education, the issue at stake is that the Minister was not consulted or asked to give his or her consent to the payments that were made. That is the key issue. For a period of nine years in a previous audit, the advice of the Higher Education Authority was not taken by UCD, UL or NUIG. The core of this issue is the lack of governance from the Department of Education and Skills over all of these bodies, even though they are ultimately accountable to the Minister. They refuse to be accountable. They do not listen to the HEA and they ignore the Minister. Is that not at the core of all this? If we are to have real transparency and accountability, then when the Minister says "No", then it should not happen.

**Deputy Mary Coughlan:** That is the core of it. I believe there was discussion on this at the education committee on this issue, and I heard Deputy Quinn ask how many times did they not understand that the answer was "No". No means no. I pursued this issue. It is just not acceptable. The HEA did its utmost to ensure that these matters were addressed. That is why in the reform measures we will be bringing forward, I believe in the autonomy for the institutions, but I also believe that there must be value for the taxpayers' money. When circulars are not abided by, then there should be repercussions.

It is disappointing that this has happened, but I welcome the report of the Comptroller and Auditor General. Now that we have dealt with many of the issues that I alluded to in my reply, I hope that people will accept that when the Department of Finance, the Department of Education and Skills and the HEA state that these are unauthorised, then they should be taken seriously.

**Deputy Ruairí Quinn:** The first proper job I had in this State, after I qualified with a post-graduate degree, was with Dublin City Council. I was told that if I made a mistake that cost the taxpayer money, I would be surcharged. Clearly, management in FETAC made a decision that cost the taxpayer a lot of money. The Department received legal advice that the decision was unauthorised and was in breach of the contracts. The people in question knew their responsibilities and would not be in their posts if they did not have some experience. What does the legal advice say? Will somebody pay? Can a charge be attached to the pension of a chief executive or to other executives who made that decision? When is this country going to get real about this kind of lax attitude to public money?

**Deputy Mary Coughlan:** FETAC had no sanction to grant those early retirement benefits and neither did the board.

**Deputy Ruairí Quinn:** I know that. The Department got legal advice.

**Deputy Mary Coughlan:** We got legal advice and I took it because it is a very serious issue that should never have happened. There has been an acceptance by the board and the CEO that the failure to ensure a statutory compliance was not deliberate, but that is beside the point.

**Deputy Ruairí Quinn:** What does that mean?

**Deputy Fergus O'Dowd:** But it did happen.

**Deputy Ruairí Quinn:** This is the crowd that are measuring standards of adherence.

**Deputy Mary Coughlan:** They accept there were serious failures to comply with legislative and administrative processes. The CEO accepts, as the accountable person, that there was a failure on his part to ensure that an early retirement package was fully compliant with all statutory requirements. In order to strengthen financial management and governance arrangements, the council is undertaking to put in place an arrangement for compliance sign off for all major executive decisions. A comprehensive governance manual is being developed. Risk management procedures are being strengthened and training in corporate governance is being arranged for staff.

**Deputy Ruairí Quinn:** Will we get the money back?

**Deputy Mary Coughlan:** Both FETAC and my Department have received legal advice in respect of the unsanctioned benefits, and this is being considered.

**Deputy Ruairí Quinn:** Will we get the money back?

**Deputy Mary Coughlan:** It is clearly my intention to proceed on that basis.

**Deputy Fergus O'Dowd:** Did the Minister say she will proceed to recover the money? I did not hear exactly what she said.

**Deputy Mary Coughlan:** Yes. I have gone after money in other organisations as well.

**Deputy Fergus O'Dowd:** The big thing is that the Minister is not in charge and her officials are not in charge of the quangos under her control. The Minister has promised new legislation to sort out all this, but will we see it in the new year? Unless she is in charge of her Department, then these things will continue to happen. Right across the third level institutions, especially the universities, there have been a number of instances of moneys paid to people that should never have been paid. The problem is that the Minister is recovering some of that money by increasing student grants. There is a need for significant savings and accountability from third level institutions that are thumbing their noses at the Minister and the HEA. The only people who suffer are taxpayers and students. Everyone else gets away with it.

**Deputy Mary Coughlan:** I do not accept that there should be any waste of taxpayers' money.

**Deputy Ruairí Quinn:** Then the Minister should adjust the pensions accordingly——

**An Leas-Cheann Comhairle:** Allow the Tánaiste to conclude.

**Deputy Mary Coughlan:** I have to be guided by the legal advice made available to me from the Office of the Attorney General. We have looked at innovative ways to deal with these issues

[Deputy Mary Coughlan.]

this week in the House. The other issue that causes constraint to any Minister for Education and Skills is that our third level universities are autonomous.

**Deputy Fergus O'Dowd:** They are a law unto themselves.

**Deputy Mary Coughlan:** However, they must abide by the examination of the Comptroller and Auditor General of financial standards and governance.

**Deputy Fergus O'Dowd:** The universities are running riot.

**Deputy Mary Coughlan:** The legislation for a new qualification authority has been nearly completed in my Department. I hope to publish it early in the new year.

### Higher Education Grants

7. **Deputy John Deasy** asked the Tánaiste and Minister for Education and Skills the number of mature students that will be impacted by the change to the student grant criteria; her views on whether this will act as an impediment to persons trying to upskill; and if she will make a statement on the matter. [47625/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** This question is similar to Question No. 5.

**An Leas-Cheann Comhairle:** We can take the answer as given.

**Deputy Seán Haughey:** There is a slight difference in regard to mature students, which I will outline. The automatic eligibility of mature students to the higher non-adjacent rate of grant is to be removed from the beginning of the 2011-12 academic year. Mature students who reside 45 km or more from their higher education institution will continue to be eligible for the higher non-adjacent rate of grant. It is estimated that some 6,900 mature students will be impacted by this measure, with estimated savings of €4 million in 2011 and a full year saving of some €13 million. Other than that, the response is similar to that for Question No. 5.

**Deputy Fergus O'Dowd:** The Department is imposing new penalties on mature students and other students in terms of new criteria for grants. If it went after the universities for greater efficiencies and savings, it could find a significant amount of the €30 million in grant reductions for third level students. If the Department tackled the issue in the context of previous reports of the Comptroller and Auditor General in regard to contact time between academics and their students, significant savings could be made. Is it not a fact that until and unless the Department stands up and insists that its writ runs and nobody else's, this abuse in the universities will continue?

**Deputy Seán Haughey:** I am not sure the question is particularly related to this issue.

**Deputy Fergus O'Dowd:** It is related to the funding for this issue.

**Deputy Seán Haughey:** I take the Deputy's point and note what the Tánaiste said earlier in this regard. On the particular issue, the situation is that all students in similar circumstances should be treated equally. The Tánaiste dealt with a number of other issues arising from this question earlier in the debate. Some of the issues raised by the Deputy in supplementary questions will be dealt with in the Hunt report. As we heard earlier, it is hoped to have that published in the new year.

**An Leas-Cheann Comhairle:** We will proceed to the next question, which deals with that matter.

### **Third Level Education**

8. **Deputy Tom Sheahan** asked the Tánaiste and Minister for Education and Skills when the Colin Hunt report on the future of the third level sector will to be published; and if she will make a statement on the matter. [47665/10]

**Deputy Ruairí Quinn:** We could take this question as read also as we have heard the answer.

**Deputy Mary Coughlan:** The Deputies are aware of the terms of reference and that the report considers the next 20 years of education into the 21st century. We must deal with many issues and challenges, including growth in participation, expansion of research and development, increasing importance of knowledge as the basis for enterprise development and economic growth, and how we want to support civic and social cohesion, personal growth and cultural development. The strategy will provide a clearly defined framework as to how that can be achieved, how we can agree national priorities and how performance expectations can be articulated and delivered on by autonomous higher education institutions as part of a high performing system.

I accept the report is much anticipated. I would hope to have it at the beginning of the year.

**Deputy Fergus O'Dowd:** Is this not the most circulated report among academics and third level institutions that has ever failed to be published by the Minister? The only people who do not have a copy of the report——

**Deputy Ruairí Quinn:** We know more about it than the secret of Fatima.

**Deputy Fergus O'Dowd:** The secret is that the Minister has not published it so we cannot read it. Are turf wars taking place between different institutions? As I understand it, a couple of months ago the Tánaiste was about to bring it to Cabinet but it did not happen that week, and I am not sure what has happened since. I have had people telephoning me to tell me they have a copy of it on their laptop and asking whether I want to see it. I tell them I do not, and that I want the official report published.

What is the issue? Why does everybody else have the report except the Members of the Oireachtas, in particular the Opposition? Why is there a delay in this regard? Are people within third level institutions of all types objecting to this? There is no reason for delay and no reason it should not be published immediately.

**Deputy Mary Coughlan:** It is unfortunate that a leaked copy of an old draft was spread around the media. Those who were on the group were forthright and the lady who represented the institutes of technology was almost vilified when she would not tell them anything that was going on, as the students did not. That said, it is clearly my intention to publish the report early in the new year. No one in the institutions is preventing me from doing so.

The implementation of the strategy for the next 20 years is very important and will be hugely beneficial to third level education in this country. It will be the first time we will have a real opportunity since the Universities Act to consider this from a legislative, governance and teaching point of view and seek changes. I agree that the teaching contact hours need to be increased for our young people and also that students would have an input and, as we discussed earlier, would be asked for their views. We hear about them when they are at home——

**Deputy Ruairí Quinn:** It is a comment on the delivery of service for which they will now be paying handsomely.

**Deputy Mary Coughlan:** Absolutely. That is exactly what I want to see. They are as entitled as children in primary school, who will now be part of the whole school evaluation and will have a view, as anyone else would.

**Deputy Fergus O'Dowd:** The Minister said no one is preventing her from publishing the report — everyone knows that. The question is whether they are objecting to its publication, which is different.

**Deputy Mary Coughlan:** No.

**Deputy Fergus O'Dowd:** No institution is objecting to it. That is good. In that case, there is no reason the Minister should not publish it tomorrow.

### Departmental Expenditure

9. **Deputy Brendan Howlin** asked the Tánaiste and Minister for Education and Skills the ratio of the reductions in education spending, announced in the recent budget that came from each of the following headings: capital budget; staff pay and pensions; all other resources; the reason she has decided to increase the cost of education on families in the recent budget; if she will note that the cutbacks in school capitation grants, increased third level fees and higher school transport charges in particular, will have serious consequences for families who are already suffering from wage-cuts and increases in taxation; and if she will make a statement on the matter. [47668/10]

**Deputy Mary Coughlan:** The 2011 gross Voted allocation for my Department is just under €8.855 billion. This is a reduction of €147 million, or 1.6%, on the 2010 allocation. In addition, the 2011 provision for expenditure under the national training fund of €362 million represents a reduction of €60 million, or 14%, on 2010, due mainly to a projected significant reduction in fund income.

The €147 million reduction in the Voted allocation for next year is an aggregate figure and takes account of reduced allocations in respect of certain areas of expenditure and of increased allocations for other areas. In regard to capital expenditure, the allocation of €491 million represents a reduction of €216 million, or 31%, compared to 2010. On the current expenditure side, the Voted allocation of €8.364 billion represents an increase of just under 1% on the 2010 figure. Within this, the pensions provision for next year of €1.091 billion is 8.7% or €87 million higher than 2010, while the 2011 allocation for pay of €5.406 billion is €14 million or 0.3% higher than in 2010. The non-pay balance of current expenditure of €1.867 billion compares with an allocation for 2010 of €1.898 billion, a reduction of 1.6%.

In addition to the reduction in capital expenditure in 2011, Voted current expenditure for next year takes account of further savings of some €175 million. These include savings on school transport, public sector numbers, supervision and substitution, student support, third level and post-leaving certificate charges, training allowances, funding grants to schools and a range of administrative savings. Some €73 million of this €175 million relates to pay.

In the context of the considerable savings now required, the Government has gone as far as it can to protect front line education services. We have also sought to limit the impact of savings on families, in particular, less well-off families and families where two or more family members avail of a service. This is why a family cap will apply in respect of the revised school transport charges and why families with two or more dependents at third level, or those that are mar-

ginally over the income levels for higher education grant support, will be protected from the full impact of the introduction of the student contribution. In addition, students eligible for maintenance grant support and from less well-off families will be protected from the new charge for post-leaving certificate courses.

As the Deputy will be aware, achieving savings in the education and skills budget is never easy and this is particularly so at a time of growing numbers in our schools and increased demands on services. The challenge is how to achieve savings in the sector in a balanced and measured way that does not impact detrimentally on the systemic importance and strengths of our education and skills infrastructure or overly burden students or families.

**Deputy Ruairí Quinn:** I thank the Minister for her reply. There are effectively four increases that come into effect as a consequence of the budget. First, will the Minister change the name of the third level student contribution to what it used to be, namely, fees? There are fees for postgraduates and night students, so why have a different nomenclature for the financial cost? It should be called "fees". The Minister has abolished free fees.

Second, has the Minister thought out the implications in regard to €50 charge for primary schools? To my knowledge, this is the first time primary school children have been brought into the free transport area and I would like to get the Minister's response. What are the implications? Will this generate more traffic in rural Ireland, for example, where parents may avoid the €50 charge and begin driving to school, which is counter-productive? The Minister of State discussed this at a committee meeting. At second level the tipping of the balance was that in some cases there were more cars in the car park than there was space for the bus to arrive. Will this be fully evaluated now? If the cost of providing free transport at second level drives people into their own cars, should it not be fundamentally reviewed? Is a cost benefit analysis being done? The matter of the 5% cut arises in a subsequent question and I will deal with it then.

**Deputy Mary Coughlan:** The Minister for State has carried out a value for money review of school transport. It is fairly efficient. There is scope for greater efficiencies in the delivery of school transport through the school transport system, the rural transport system and in the support of those attending health clinics and hospital appointments. Several pilot schemes have taken place. I am aware of one such scheme in my constituency, which has worked out rather well, involving a more efficient use of the service.

We will move towards more privatised service delivery. One issue which arose from the value for money audit, of which the Minister of State took charge, was that people were buying seats but not using them, a desperate waste of money. This meant someone who may have had an entitlement as a concession passenger could not get a place on the bus. The Minister of State will roll out his value for money policy as part of a more efficient way to deliver school transport.

The charge of €50 per primary school pupil was on the basis that our intelligence has shown that there are parents who purchase a seat on a primary school bus but, in the main, do not use it. As a consequence, other children do not have the opportunity from a concessionary perspective. There is a need to be more effective and efficient in the way we deliver the service and the value for money review has given the Minister of State the opportunity to implement several policy initiatives.

**Deputy Fergus O'Dowd:** It seems people buy school bus places and do not use them. Does the Minister have statistics on this? It seems a waste of money on the part of the family if they

[Deputy Fergus O'Dowd.]

do not use it. The space is never used. There are ghost buses paid for by parents who do not use them. It does not make sense.

**Deputy Ruairí Quinn:** Does it suggest the price is too cheap for some?

**Deputy Mary Coughlan:** At primary level, the average seat occupancy is 69% for the morning service and 64% for the evening service. At post-primary, the morning service is at 80% and the evening service is at 74%. Those are the statistics.

**Deputy Fergus O'Dowd:** The difference is that people have paid for the other seats but do not sit in them.

**Deputy Mary Coughlan:** Yes. It is more likely that there would be issues at post-primary level because people stay back at clubs and such things. Sometimes people use the service in the morning and then someone collects them in the evening.

### School Staffing

10. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Education and Skills the reason she is seeking a 5% reduction in the pay terms upon which school secretaries and caretakers are employed; her views that the existing pay and conditions for these workers is well below the average standard in the wider public service; to note the unique and inequitable situation where the funds for payment of these workers is made from a capitation grant to schools which is expected to cover general running costs; and if she will make a statement on the matter. [47405/10]

**Deputy Mary Coughlan:** The Financial Emergency Measures in the Public Interest (No 2) Act 2009 determined the criteria for reducing the pay of public servants with effect from January 2010. However, when the Act was introduced there was a question as to how a public servant should be determined for the purposes of the Act. Subsequently, following receipt of legal advice, it was determined that all staff employed by a recognised school or VEC come within the definition of "public servant" solely for the purposes of the Act. In view of the time lapse involved in reaching a determination on this issue, the Minister for Finance has allowed for a temporary exemption from the application of the Act for these categories of staff up until 31 December 2010. Accordingly, my Department outlined that adjustments in salary should be applied with effect from 1 January 2011 to all relevant staff in the employment of recognised schools or VECs who were not already affected by the pay reductions introduced under the Act. Some of the categories of staff affected by this circular included school secretaries and caretakers.

Regarding the existing pay and conditions of school secretaries and caretakers, it is a matter for each school to determine the level of secretarial and caretaking needs required. Funding to cater for these needs is made available from my Department by way of capitation grants to schools to cover their running costs, including the costs of paying these non-teaching members of staff. Accordingly, boards of management are responsible for the employment of secretaries, caretakers and cleaners. A total of €22 million in savings will be secured in 2011 though an average 5% reduction in funding grants to schools and VECs. This reduction to capitation and ancillary grants for schools will reduce capitation rates in most cases to those that applied to schools between 2007 and 2008, with the exception of primary capitation where the new rate will be between the 2008 and the current rate. The reduced rates to ancillary and support services grants will reflect the reduction in pay that will apply, with effect from January 2011, to personnel who are paid from these grants.

**Deputy Ruairí Quinn:** A net point exists which must be teased out legally. School caretakers and secretaries are not public servants or public sector workers. In effect, they are temporary workers. They are not paid for the entire year; on average, they work approximately 40 weeks. They are not paid from the pay side of the public purse. Their pay comes from the capitation grant, as the Minister is well aware, and they are low-paid.

Why has the Minister insisted that 4% must be reduced under the capitation grant which, in many cases, goes to pay for these people?. The Minister does not reduce the capitation grant. On the one hand, the Minister maintains the schools are the employers and she provides a capitation grant to enable them to run their affairs. However, the Minister then interferes with the employment contract between the school and the caretaker or the secretary by declaring unilaterally that there must be a 4% cut in the pay of the caretakers, without any saving on the capitation grant. This is simply a lazy, bureaucratic across-the-board slash and burn exercise. There is no rationale to it. Let us think of it logically. The capitation grant remains untouched. Through a circular, an instruction goes to the schools to the effect that payment to a caretaker must be reduced. No saving accrues to the Department. This relates to a low-paid person. Since someone in the Department has been too lazy to think through the logic of the Minister's relationship with the school, the board of management and the capitation grant, someone has simply applied the cut to all categories. These are not public sector workers. Does the Minister not agree that the belt and braces approach in the emergency financial measures legislation which we have just enacted has given her some degree of cover? Whatever the legal cover, it has no logical cover. The Minister will not save any money as a result of this measure but she will impose hardship.

**Deputy Mary Coughlan:** A previous Minister was of the view that these people were not public servants. Legal advice was sought to get a determination of "public service" on the basis that if one is determined as a public servant in this country other entitlements arise. As a result of this legal advice it was determined that all persons employed by a recognised school or VEC come within the term "public servant" solely for the purposes of the Act. It follows, therefore, that all persons employed by a recognised school or VEC, are deemed as such regardless of the source of money used to fund his or her salary. The role of the Minister or Department in determining the pay rates remains, irrespective of whether a person is eligible for or a member of a public service pension scheme. They are public servants within the meaning of the pay reduction legislation. I was tied when it came to trying to remove this category of people from the Act when the legal advice indicated that I was obliged to implement it.

**Deputy Ruairí Quinn:** Forget the legal advice. Understandably, the Department of Finance is only concerned with money. There is no saving in the overall scheme of things because the capitation grant remains the same. The only victims are poorly paid temporarily employed secretaries and caretakers. One could argue the beneficiaries are the boards of management because they would have a little more money in the capitation grant but that is a separate issue. This is vindictiveness brought about by bureaucratic laziness. There is no saving to the Minister's Vote or to the Exchequer. Where is the logic in all of this?

**Deputy Mary Coughlan:** A reduction in the capitation and ancillary grants has taken place on the basis of the legal advice available to the Department. Its view was that these people were exempt from the legislation. However, legal advice indicated that they were no longer exempt. Therefore, a circular on adjustments of salary had to be brought forward for January 2011 to all relevant staff, similar to the changes affecting all other public servants in the country. In the interim I fought for an exemption while the discussions took place. That exemption now



[Deputy Mary Coughlan.]

expires at the end of December and I am not in a position to get a further one. The legal advice indicates that under the Act this is the determination that will be made.

**Deputy Fergus O'Dowd:** Will the Minister agree that, as their pay comes out of the capitation grant which will be cut, it will be the students that will suffer?

**Deputy Mary Coughlan:** If Deputy O'Dowd were sitting here, he too would have difficulties coming up with savings in the Department of Education and Skills. We are all curtailed in the ways we can obtain savings in a Department in which the majority of its Vote is expended on pay and pensions. That leaves one with little room for manoeuvre. There is an increase in the number of young people coming into the education system. The capitation grant is only being reduced to 2007 levels for post-primary schools and 2008 for primary schools. It is not a drastic reduction. There has also been a large increase over the past several years in the grants which means, proportionally, this is not a drastic reduction. Schools in the current economic climate should find their purchasing power more competitive and with supports from the private sector should be able to get greater value for money.

### Teaching Qualifications

11. **Deputy Paul Kehoe** asked the Tánaiste and Minister for Education and Skills if she has held discussions with the Teaching Council with regard to the Education (Amendment) Bill; and if she will make a statement on the matter. [47653/10]

**Deputy Mary Coughlan:** Section 12 of the Education (Amendment) Bill provides for the amendment of section 30 of the Teaching Council Act 2001 to allow for the employment in certain exceptional and limited circumstances of persons who are not registered teachers under the Act. This matter has been debated at length in the House. To safeguard the standards and quality of education in schools, it is the policy of the Department of Education and Skills that all teachers should be fully qualified and registered by the Teaching Council. Section 30 of the Teaching Council Act 2001, which has not yet been commenced, provides that only registered teachers can be remunerated out of moneys provided by the Oireachtas.

To commence section 30, as it stands without amendment, could have a serious negative impact for several schools in which unqualified personnel are teaching or in schools where short-term and unavoidable absences occur. I have a responsibility to ensure schools can and are capable of remaining open, even where such absences occur. For this reason, I am providing a way for this to be done while still ensuring a strong teaching profession.

The move to mandatory registration of teachers is an important factor in progressively ensuring a fully qualified and registered teaching cohort. However, it is not always possible for a school to engage a registered teacher. This may be due to geographical reasons or the lack of availability of teachers of particular subjects at a given time. The proposed amendment to the Act is necessary to allow the Minister to regulate the use of unregistered personnel. To date the use of unqualified personnel in schools has not been regulated in this way.

The Department is in ongoing contact with the Teaching Council on several issues including section 30 of the Teaching Council Act. Recently, a delegation of senior departmental officials attended an extraordinary meeting of the council, at which they explained the Department's policy regarding the Bill. I hope the council can accept that our shared view that only registered personnel be employed by schools must be counterbalanced by the obligation on my office to provide schools in the State can function effectively.

**Deputy Fergus O'Dowd:** Does that not fly in the face of the fact that 30% of last year's University College Dublin graduates are unemployed? This highlights the lack of an arrangement with the unions to provide for a database of qualified people that could be used as substitute teachers. Will the Minister consider putting a sunset clause in the Bill to ensure this ceases from the end of next year?

**Deputy Mary Coughlan:** That can be considered for the existing personnel who for one reason or other are not registered. There is no regulation in place with regard to this matter. I will set down strict regulations. On the basis people are not adhering to the circular on the non-employment of retired teachers, I will add another legislative measure to prevent this happening. The INTO does have a list system to allow teachers——

**Deputy Fergus O'Dowd:** What about a sunset clause?

**Deputy Mary Coughlan:** I could consider that approach. I want to see if there is any possibility to get this legislation through the House before the general election.

**An Leas-Cheann Comhairle:** That concludes Question Time for today.

**Deputy Ruairí Quinn:** For this year.

**Deputy Fergus O'Dowd:** Maybe even for ever.

**An Leas-Cheann Comhairle:** Before I conclude my stint in the Chair today, I wish all Members present, our colleagues and the Oireachtas staff who have worked so diligently throughout the year a very restful and invigorating Christmas for whatever lies ahead in 2011.

*Written Answers follow Adjournment Debate.*

### **Message from Select Committee**

**An Leas-Cheann Comhairle:** The Select Committee on the Environment, Heritage and Local Government has completed its consideration of the Local Government (Mayor and Regional Authority of Dublin) Bill 2010 and has made amendments thereto.

### **Adjournment Debate Matters**

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy James Bannon — the need for the Minister to recognise the valuable work of Longford-Westmeath family resource centres through essential funding for 2011; (2) Deputy Joe Costello — the need for a permanent school building for Gaelscoil Bharra, Dublin 7; (3) Deputy Ruairí Quinn — the need to approve an application for home tuition grant; (4) Deputy Ciarán Lynch — to ask the Minister for Health and Children when the amount of Health Service Executive funding for homeless services around the country will be confirmed, and when it will be communicated to the voluntary organisations providing those services; (5) Deputies Phil Hogan and Joanna Tuffy — the need to review expenditure cuts for the National Heritage Council; (6) Deputy Timmy Dooley — the need for a new building for a school in Tulla, County Clare; (7) Deputy Bernard J. Durkan — the precarious position of a person in County Kildare, mother of a young baby, who has been refused social welfare payments on HRC and other grounds and is in a very vulnerable position as a result, is deemed by voluntary organisations such as St. Vincent de Paul as being so given that she has been refused a payment while on appeal, that her appeal could take another six months, if the Minister will therefore

[An Leas-Cheann Comhairle.]

intervene with a view to ensuring immediate payment is made in order to provide for her well-being and that of her child and if the Minister will make a statement on the matter; (8) Deputy Thomas P. Broughan — the urgent need for the Minister for the Environment, Heritage and Local Government to address the growing housing waiting lists on Dublin's north side and particularly in the Dublin City Council administrative area and the necessity for the Minister and Dublin City Council Manager to proactively house individuals and families who have spent many years on the housing and homeless lists; and if he will make a statement on the matter; (9) Deputy Jimmy Deenihan — the delay in sending a technical team to advance the building of a new school at Dromclough, Listowel, County Kerry, which was approved in 2002.

The matters raised by Deputies Costello, Quinn, Dooley, Hogan and Tuffy have been selected for discussion and will be taken now.

### **Adjournment Debate**

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#### **School Accommodation**

**Deputy Joe Costello:** I am delighted to have the opportunity to raise this matter once again. It seems to be my perennial issue. This is the 14th year Gaelscoil Bharra, Cabra, has been based in prefabs. Those provided are not the best and have the usual problems of being too cold in the winter, too hot in the summer. The rooms are untidy and difficult to maintain and the toilets are far from satisfactory. Some of the pupils who have endured these conditions are now in college, which shows the length of time the school has been confined to prefabs.

When the school was originally established, it fulfilled all the Department's conditions for permanent accommodation. It was promised accommodation by a former Taoiseach at every election but it was never delivered. The Department lost the application for four years and other unfortunate circumstances such as locating a site surrounded the school's accommodation needs.

Recently progress was made in the acquisition of a site and that land, currently being leased by Dublin City Council to the Naomh Fionnbarra GAA club, will be extended to allow a school to be built. Has there been a transfer of title? Has the Department prepared any planning applications? Has there been any consultation with the school's staff, board of management and parents on the design plans for the new buildings? It was hoped the building could be used for extra-curricular activities in the community. More important, considering the limits on capital spending, will funding be available for its construction?

This matter has gone on for far too long. It is unfair to the children and the community. We want this intolerable situation to be rectified for once and for all.

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I am taking this Adjournment matter on behalf of my colleague, the Tánaiste and Minister for Education and Skills, Deputy Mary Coughlan. I thank the Deputy for raising the matter as it affords me an opportunity to outline to the Dáil the process being utilised to ensure that there will be adequate accommodation in schools at primary and post-primary level in all parts of the country.

The forward planning section of the Department has carried out a study of the country to identify the areas where, due to demographic changes, there may be a requirement for significant additional school provision at both primary and post-primary levels over the coming years. This study has been conducted using data from the Central Statistics Office, the General Regis-

ter Office and the Department of Social Protection, with reference to recent schools' enrolment data.

School accommodation requirements in Dublin 7 have been considered as part of this detailed study. The indicators are that approximately 12 additional primary classrooms may be required across that area to cater for increased enrolments up to the school year 2014-15. The Department is considering options to meet the deficit identified.

Turning to the specific primary school referred to by the Deputy — Gaelscoil Bharra, Cabra, Dublin 7 — the Department has agreed, in principle, a design solution for Gaelscoil Bharra subject to securing the necessary planning consent from the planning authority. St. Finbarr's GAA Club is agreeable, in principle, to surrendering its interest in the relevant land-holding to facilitate the proposed design solution. The Department has also received permission from the GAA club to apply for planning permission for the school. The Department will now commence working up this planning application. The progression of the accompanying building project will be considered in the context of the capital budget available to the Department for school buildings generally.

I am familiar with the school as my niece is a pupil there. My brother has been lobbying me on this issue and I am aware of the urgent situation that surrounds it. Therefore we will be doing everything we can in this regard. I wish to thank the Deputy once again for affording me the opportunity to outline to the House the steps we are taking on this matter.

### Home Tuition Grants

**Deputy Ruairí Quinn:** This Adjournment matter concerns a simple breakdown in the operation of the Department of Education and Skill's bureaucracy. It concerns a 16-year-old boy who is unable to attend school as he suffers from severe autism and has a profound learning disability. He is non-verbal and has an extremely impaired coping ability. He also has severe dietary problems and is acutely intolerant of all pharmaceutical medicines.

The boy has had a home tuition grant to date. He has been in the system and has been receiving support from the Department of Education and Skills under the criteria which he meets for children who cannot attend school. The parents — who are used to dealing with the bureaucracy involved because of their son's age — completed all the paperwork on 20 August this year. Yet, for some inexplicable reason, as we approach the Christmas break, his application is still under consideration.

I know this matter does not come under the aegis of the Minister, Deputy Gormley's, Department but he has an explanation from the Department of Education and Skills. This family has been driven to distraction trying to get clarification on this matter because they have had to hire a fully qualified teacher to work with the student on a one-to-one basis in his home. They have been denied access to the money, which is unbelievable. This is not a new case because the person concerned is in the system, so it beggars belief. It is out of sheer desperation and a *cri de coeur* from the mother in question that this has been brought to my attention. It seems tragic to me that I have to raise the matter in the House. I hope the Minister will have good news in his reply.

**Deputy John Gormley:** I am taking this Adjournment matter on behalf of the Tánaiste and Minister for Education and Skills, Deputy Mary Coughlan. I would like to thank Deputy Quinn for raising this matter as it provides me with an opportunity to clarify the position concerning the criteria for eligibility under the terms of the home tuition scheme. Furthermore, I wish to clarify that a decision issued to the parent of the child in question regarding their application for home tuition on 1 December 2010.

[Deputy John Gormley.]

The home tuition scheme provides funding to parents to provide education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children as an interim measure whilst awaiting a suitable educational placement, and also to provide early educational intervention for preschool children with autism.

Through its network of local special educational needs organisers, SENOs, the National Council for Special Education, NCSE, is responsible for allocating resource teachers and special needs assistants to schools to support children with special educational needs. The NCSE operates within the Department's criteria in allocating such support. SENOs are a valuable resource in assisting parents with regard to their children's special educational needs and placement options.

Processing of home tuition applications made in respect of children awaiting placement involves liaising with the NCSE to establish on a case-by-case basis the position with regard to securing a placement for the children concerned. Parents are advised when applying for home tuition funding, that any funding sanctioned in this regard is on an interim basis only, pending the provision of an educational placement, and that regular reports may be requested on the updated position on securing school placement.

The child in question had previously been funded under the home tuition scheme while he was awaiting an educational placement. The NCSE advised that for the 2010 to 2011 school year a placement had been identified for the child. As such, the child in question was ineligible for home tuition funding. However, the Department of Education and Skills sought some clarification on the placement from the NCSE. This clarification led to a delay in processing the application and a letter did not issue advising the parent concerned that the child was ineligible for home tuition. On this basis, the Department decided that, as an exception, given the delay in processing the application, tuition would be sanctioned for a term and the Department advised the parent of this in a letter issued on 1 December.

The Department will shortly be in further contact with the parent to advise the outcome of the application. I hope that this clarifies the position for the Deputy and I thank him once again for raising this matter.

**Deputy Ruairí Quinn:** I thank the Minister for his reply. I note that the school of creative writing is alive and well in the Department of Education and Skills.

### **Schools Building Programme**

**Deputy Timmy Dooley:** I thank the Ceann Comhairle for affording me the opportunity to raise this important matter. St. Joseph's secondary school in Tulla, County Clare, has had difficulties with its accommodation needs for over ten years. Various proposals have been put forward by the Department to resolve those difficulties. Some time ago, it was decided by the Department that an extension would be the most appropriate solution to resolve those accommodation needs. Given the population growth in the area and the very small site on which the school is currently housed, it is now clearly recognised that the needs of local children will not be addressed by an extension to the school. The Department should finally make a decision that the appropriate solution to this accommodation problem is a new school. I urge the Department to examine this matter in the context of work that is being done within the community. A community group called Tulla 2016 has been formed, which is working towards providing facilities in the town, including playing fields. An appropriate site has been identified which the Department has reviewed. Now is the time

5 o'clock

to invest in a school building in conjunction with the community group, thus ensuring a campus-style approach catering for all the needs of the community at the same site. There would be significant savings for the Department if it follows that route, so it should be considered in that context.

The school accommodation needs have to be addressed because during the exams earlier this year there was not enough room to accommodate the various exam centres that were required, including separate centres for children with special needs. The school has an excellent special needs programme, which was developed by the previous principal, Jim Cooney, and has been continued by the current principal, Margaret O'Brien. Those two principals have put an enormous amount of work into developing the school for a student base that is growing in line with the town's population generally. It is now high time that we sought to resolve this matter.

The school accommodation issue has been reviewed by departmental representatives who said that the current accommodation is not fit for purpose. It is an exceptionally small site with no recreational area. More than half the schoolrooms are prefabricated and many are old and in poor condition.

Were it not for the principal, the board of management and the parents, the place would be falling down. They have put a tremendous amount of effort into maintaining this very poor facility. I have reasonable knowledge of schools throughout the country, and this one is in an exceptionally bad state.

The Department has identified the need to increase the priority rating of the school. Last Easter, the Minister moved it from a priority band rating of 2.4 to 1.2. I appeal to the Minister to ask the Department of Education and Skills to include the school in the next round of proposals and to allow it to proceed towards construction. I am aware that there are a number of steps in that process and that they take time. However, it is important that we get the school on that path and get away from the notion of trying to develop the existing site. Let us draw a line under that idea and put a plan in place for the delivery of a new school to meet the needs of the pupils in this area of growing population.

**Deputy John Gormley:** I am happy to reply on behalf of my colleague, the Tánaiste and Minister for Education and Skills, Deputy Mary Coughlan, who, unfortunately, cannot be present.

I thank the Deputy for raising this matter as it provides me with the opportunity to outline to the Dáil the Government's strategy for capital investment in education projects and to outline the current position of the application made for an extension to St. Joseph's Secondary School at Tulla in County Clare.

Modernising facilities in our existing building stock as well as the need to respond to emerging needs in areas of rapid population growth is a significant challenge. The Government has shown a consistent determination to improve the condition of our school buildings and to ensure that the appropriate facilities are in place to enable the implementation of a broad and balanced curriculum.

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

[Deputy John Gormley.]

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 available on the Department's website.

St. Joseph's secondary school has submitted an application for grant aid for an extension and refurbishment project. The application was assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band rating of 2.4. The school made a revised application for major capital funding in 2008 for a new building on a ten acre greenfield site. Due to rising enrolments, the current school site was considered inadequate to cater for the long-term needs of the school. In April 2010 the school's project was rebanded to 1.2 to take account of the fact that the major project will cater for special needs pupils as part of the overall brief.

The school has indicated that their preference is to have a new building constructed on a greenfield site. The Tánaiste met with a delegation from the school earlier this year and discussed the possibility of the school's trustees being willing to purchase a new site for a new school building. This issue is under consideration in the context of other demands and the funding required to construct a new school building.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual school building and modernisation programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

In the meantime, the school has received funding under the summer works and emergency works schemes for various works to the existing building including to the roof, windows, boiler, flooring and mechanical services.

I thank the Deputy again for giving me the opportunity to outline to the Dáil the current position regarding the school building project for St. Joseph's secondary school at Tulla in County Clare.

### **Funding for The Heritage Council**

**Deputy Phil Hogan:** I am sorry to have to beg the indulgence of the House to raise the important matter of a massive reduction in expenditure for the Heritage Council in 2011.

The cuts published in the budget for 2011 will impact on the support offered by the State to its heritage assets and the local communities that support them. Our heritage is a vital part of our identity, sense of place and tourism offering and it provides a vital resource for recreation, health, learning and enjoyment. Significantly, the strong economic value of heritage can be shown in job creation, and this has been well tabulated by the Heritage Council itself.

In 2010, the council's budget was decreased by 30% to €9 million. In the 2011 budget it was reduced by a further 47% to €4.49 million. If expenditure cuts to the National Parks and Wildlife Service and the built heritage division of the Department of the Environment, Heritage and Local Government are also considered, there has been a 66% cut in State funding to heritage.

These cuts come at a time when tourism is identified as a key element in the recently published national recovery plan. Some 76% of tourists identified landscape and nature as the primary reason for visiting Ireland. These are integral parts of our national heritage. I cannot understand how this disproportionate cut to the National Heritage Council would be agreed

by the Minister for the Environment, Heritage and Local Government, in view of the contribution it is likely to make to our national recovery. These cuts will affect conservation works in many towns and will mean a cessation in grants to historic buildings and thatched houses. New and innovative research funding schemes will be brought to an end.

I will give another example of the effect of these cuts before I pass to Deputy Tuffy. By cutting investment in State agencies whose core functions are the delivery of EU and internationally agreed biodiversity targets and the implementation of and compliance with various wildlife related EU directives, such as the Birds and Habitats Directives, we risk not meeting the new EU target and being taken to the European Court of Justice for failure to comply with them. Should the court find against Ireland in any of these cases, significant fines could be incurred. It does not make sense to run the risk of incurring fines to the European Union when we do not have to do so and when the Heritage Council has already suffered significant reductions in expenditure in 2010.

Can the Minister explain why he failed so miserably to withstand the pressure from the Department of Finance to cut funding to an agency that is particularly important for tourism development and heritage by 66%?

**Deputy Joanna Tuffy:** The Heritage Council's budget was cut by 30%, to €9 million, in 2010 and this year it has been reduced by 40%, to €4.49 million. A few years ago the budget was €20 million. It has gone down from €20 million to just under €5 million.

The lost funding was used to send assistants into schools to help teachers and children with projects on their local heritage. It provided grants for various projects that created employment, such as thatching. Grants were provided for village design statements. One of these was carried out in my village of Lucan by South Dublin County Council in partnership with the Heritage Council. This involved the stakeholders in the community, including school children and community activists who were interested in the village and its historic character. Money was used to part-fund heritage officers employed in partnership with county councils. These positive developments cannot continue. This is where the cuts will hit. It will not be possible for the Heritage Council to provide funding for these projects unless the Minister finds funding from somewhere else.

Our heritage is important to our tourism. Some 76% of tourists identify landscape and nature as a reason for visiting Ireland. Deputy Hogan referred to the 56% cut in the budget of the National Parks and Wildlife Service. If we are to get moving again and be positive we must invest in our heritage and environment. Instead of going to shopping centres and hotels — too many of which were built during the boom years — people should spend time with their family and friends and in their local communities. They should also visit national monuments, parks, etc. Money spent on our heritage is money well spent. This is a key aspect of the Minister's portfolio and it is a great disappointment, therefore, that the cut in funding for the Heritage Council has been so great. I ask that he suggest other ways in which the work to which I refer might be funded.

**Deputy John Gormley:** I thank the Deputies for raising this matter. Due to the difficult public financial situation, and in common with other Departments, the recent budget has seen a reduction in the financial resources available to my Department from €2.2 billion in 2010 to €1.6 billion in 2011. In recent years, my Department has strategically focused on contributing to economic recovery, assisting those in need of support and protecting and enhancing the environmental resource base on which economic progress ultimately depends. The significant resources being made available to my Department next year will be utilised to maintain this focus.



[Deputy John Gormley.]

The reduction in the 2011 current allocation mainly affects support for the local government fund and also requires savings in the environmental and built and natural heritage areas. While 2011 will see a significant reduction in capital funding in overall terms, the primary effect on the Department will be to extend the timescale for full implementation of programmes, while also taking account of refocused priorities in the current climate and obtaining better value for money — through more competitive tendering and greater efficiency — from the €1 billion which will still be invested in Department capital programmes during the coming year.

The reduction in the overall funding available, contractual commitments on spending programmes and the emphasis on social protection and environmental compliance has led to a significant reduction in the funding that will be available to the Heritage Council and the built heritage area in 2011. This cut in funding must be seen against the backdrop of considerable allocations to the Heritage Council and the built heritage area in previous years — for example, allocations of €36 million in 2007 and €45 million in 2008. The Heritage Council will be obliged to decide on how to make the best use of the financial resources being made available to it and on its priorities. I hope the council will be able to continue with its activities in the areas of policy, heritage infrastructure support and heritage grants.

**Deputy Phil Hogan:** Some hope.

**Deputy John Gormley:** Despite the reduction in the allocation to the built heritage area of my Department, work will continue on the national inventory of architectural heritage, the Government's policy on architecture and the world heritage programme. Funding will be provided to progress the work of the Archaeological Survey of Ireland for archaeological research and to progress completed archaeological excavations at important sites to report publication stage.

My Department is considering how best the reduced allocation to the built heritage capital programme might be used to assist in the conservation of the architectural heritage. In addition, I met Mr. Conor Newman, chairman of the Heritage Council, today and I intend to have further meetings with him in the coming weeks with a view to mitigating these reductions. My proposals will be set out early in 2011. In the area of natural heritage, consideration is being given to providing support from the environment fund to the National Parks and Wildlife Service of the Department.

The Deputies will appreciate that in a budgetary process Ministers are often faced with difficult choices such as, for example, that relating to heritage versus homelessness. While the allocation to my Department in 2011 has unavoidable impacts on funding to the Heritage Council and to the built and natural heritage areas of the Department, work will continue on protecting our built and natural heritage and on encouraging and supporting high-quality, modern architecture.

**Acting Chairman (Deputy Charlie O'Connor):** I thank the Minister and wish him, the Deputies present and the staff of the Houses a very happy Christmas.

#### **Message from Seanad**

**Acting Chairman (Deputy Charlie O'Connor):** Seanad Éireann has passed the Credit Institutions (Stabilisation) Bill 2010 and the Criminal Law (Insanity) Bill 2010, without amendment.

The Dáil adjourned at 5.05 p.m. until 2.30 p.m. on Wednesday, 12 January 2011.

## Written Answers.

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

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*Questions Nos. 1 to 11, inclusive, answered orally.*

### **Post-Leaving Certification Courses**

12. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to impose a €200 charge on students attending post leaving certificate colleges; and if she will make a statement on the matter. [47675/10]

**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.

I am aware that any reduction in funding or additional charges present a challenge to individual learners as well as schools and VECs. However, this €200 per annum charge is modest and in addition, it is proposed that the cost 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. It is estimated that approximately 50% of PLC learners are so eligible, thereby ensuring that those who are less well off continue to get the necessary supports to enable them to access education and training.

In 2010, my Department is providing some €175 million in funding for the PLC programme, covering staff costs and non-pay costs, as well as student support. It is estimated that savings of €4 million will be generated from the proposed charge which is about 2% of the overall cost of the programme. These savings will allow my Department to maintain the overall number of approved PLC places at 31,688 for the coming 2011/2012 academic year. In 2009/2010, VECs and other providers enrolled over 38,600 learners which is a commendable achievement and one which I hope can be maintained for the current academic year.

[Deputy Seán Haughey.]

It is also important that we do not view PLC provision in isolation from other programmes to provide for further education and training. It is estimated that over 170,000 learners are availing of part-time and full-time further education programmes, including PLC, in 2010. The 2011 provision for these programmes will be maintained at similar levels to 2010.

In addition to further education provision, in 2011, FÁS will provide approximately 100,000 training places. On top of that, the Government is introducing several new measures to strengthen the framework of labour market activation supports for the unemployed, including a skills development and internship programme and an expansion of the Work Placement Programme.

### **Departmental Expenditure**

13. **Deputy Simon Coveney** asked the Tánaiste and Minister for Education and Skills the proportion of the capital budget which remains unspent for 2010; if she will list the schools that were due to avail of this funding for capital projects but have not been able to proceed; the cost and location of each project; and if she will make a statement on the matter. [47615/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The total capital available to my Department in the current year amounts to just over €785m. At the end of November close to €645m of this sum had been expended. To date in December a further €105m has been spent and this leaves a balance of just €35m to be spent over the remainder of the month.

The substantial reduction in construction prices in recent times has meant that my Department is now achieving significantly better value for taxpayers' money. In this regard, contract prices are now running at up to 40% lower than prices that prevailed during the boom period. As a result savings that accrue to the school building programme are available for use on other priority demands within my Department's capital programme critically in the current year ICT infrastructure and the higher education sector.

There are further matters occurring within the construction sector generally that are having an impact on spending on schools infrastructure. These include difficulties and delays being experienced by contractors in securing a bond. Possession of a bond is a prerequisite to awarding a contract. Additionally, there are third party planning appeals to some projects that inevitably contribute to delays in completing design work and progressing these projects to tender.

These issues notwithstanding, the Deputy can be assured that there are large scale building projects for 151 first and second level schools listed on my Department's website as progressing to construction, on site or completed in 2010. I will forward to the Deputy up to date details in respect of each of these projects. While all of these projects have been and will continue to be progressed through tender and construction the issues which I have outlined above result in previously anticipated spending targets not materialising in the current 2010. However these savings arising on the schools programme are available for expending on other priority capital areas of my Department. In this regard, I have been able to approve additional funding for ICT equipment in schools in the current year with funding also being channelled to our country's universities and institutes of technology to enable them continue to accommodate an expanding student cohort.

At the Education Committee two weeks ago, I also referred to over 200 devolved grants to the value of €30m that have been approved for schools, but where over six months later, the

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In addition to further education provision, in 2011, FÁS will provide approximately 100,000 training places. On top of that, the Government is introducing several new measures to strengthen the framework of labour market activation supports for the unemployed, including a skills development and internship programme and an expansion of the Work Placement Programme.

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At the Education Committee two weeks ago, I also referred to over 200 devolved grants to the value of €30m that have been approved for schools, but where over six months later, the

school authority has not made any claim to draw down the funding. I will also forward the Deputy the list of the schools and projects involved.

### School Transport

14. **Deputy Martin Ferris** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to impose a €50 school transport charge on primary school children and increase the fee for secondary school children by €50 to €350; and if she will make a statement on the matter. [47671/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The 2011 estimate for school transport services is €180 million compared to an allocation for 2010 of €186 million. Under the four year national recovery plan €4.5 million in savings will need to be secured in 2011, rising to €17 million in 2014, through a combination of increases in charges and the implementation of measures identified in the value for money review of the school transport scheme.

The primary charge is being introduced to ensure that school transport provided for eligible primary pupils is fully utilised. Given that the cost per child per annum of this service is approximately €1,020 per year, it is essential to ensure that the seats provided on buses daily are utilised to the maximum extent. Survey work undertaken over two surveys on selected primary and post primary routes in the context of the Value for Money Review showed that the average seat occupancy is 69% on the morning service and 64% on the evening service and at post primary it is 80% for the morning service and 74% for the evening service. With the termination of the 3 for 2 seating policy and the introduction of a separate seat for every child in 2006, if all pupils holding tickets were travelling on the bus daily these reserved seats on buses would not be empty. As a consequence of the policy of reserving a seat for each individual child, the surveys conducted showed that buses are now running with empty reserved seats.

In relation to the increase of €50 per annum for individual post primary pupils, while I recognise that difficult choices had to be made as part of the estimates process, it should be borne in mind that there was no increase in this charge in the current school year.

Research in the context of the value for money review showed that the annual cost per child of providing school transport is approx €958. This new charge still only represents just over a third of the cost to the exchequer of providing this service for eligible post primary pupils.

It should be borne in mind that a significant number of eligible pupils holding medical cards are, and will continue to be, exempted from paying the charge. The latest data shows that this represents 42% of all post primary pupils travelling, and using this percentage as a guide in respect of eligible primary pupils, it is estimated that based on current take up a total of 64,000 eligible pupils will be liable to pay charges in the 2011/2012 school year. Approximately 8,000 pupils with special educational needs will also continue to be transported free of charge.

Finally, I would point out to the Deputy that the maximum family charge to be levied at primary level for eligible pupils will be €110 while the overall combined maximum charge per family is not being increased from the current rate of €650. Parents will continue to be given the option of spreading the annual amount payable over two instalments in July and December.

Changes since 1998 in school transport changes are summarised in the table below:

[Deputy Seán Haughey.]

Table showing School Transport Charges

Category of pupil	Rates effective from September, 1998	3rd term 2007/08 school year (term charge)	1st term 2008/09 school year (term charge)	Annual charge 2009/10 and 2010/2011 school year	Annual charge 2011/2012 school year	% increase Over 2010/2011
Post primary Eligible pupil	€33 €99 – annual	€461 €138 – annual	€56 €168 – annual	€300 – annual	€350 – annual	16.6%
Eligible Senior Cycle pupil	€51 €153 – annual	€71 €213 – annual	€78 €234 – annual	€300 – annual	€350 – annual	16.6%
Eligible primary pupil	—	—	—	—	€50	—
Concessionary primary pupil	€26 €78 – annual	€36 €108 – annual	€40 €120 – annual	€200 – annual	€200 – annual	Nil
Concessionary post-primary pupil	€51 €153 – annual	€71 €213 – annual	€78 €234 – annual	€300 – annual	€350 – annual	16.6%
Maximum overall family contribution	€107 €321 – annual	€150 €450 – annual	€165 €495 – annual	€650 – annual	€650 annual	Nil
Maximum family contribution (Primary)					€110	Nil

Table showing amounts collected in charges in 2007, 2008 and 2009

	2007	Expressed as a % of overall outturn for 2007	2008	Expressed as a % of overall outturn for 2008	2009 (Provisional)	Expressed as a % of overall outturn for 2009
Receipts	€6.626 million	4%	€8.751 million	4.7%	€11.6m	6.5%

### Coibhneas Idir Daltaí agus Múinteoirí

15. D'fhiafraigh **Deputy Ulick Burke** den Aire Oideachais agus Scileanna an bhfuil athrú déanta aici ar an choibhneas idir daltaí agus múinteoirí (sonraí tugtha) in Gaelscoileanna; cén uair a rinneadh an t-athrú agus an dtuigeann sí an drochthoradh a bheidh ar obair na nGaelscoileanna dá bharr. [47376/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Tá caighdeánú an sceideal foirnithe do Ghaelscoileanna, i dtreo is go mbeidh sé mar an gcéanna leis sin atá i mbunscoileanna i gcoitinne, i measc líon beart buiséadacha atá ceaptha chun líon na múinteoirí a laghdú. Beidh feidhm ag na hathruithe seo ó Mheán Fómhair 2011 ar aghaidh.

As an athrú seo tiocfaidh laghdú de tuairim 50 post i nGaelscoileanna. Tá iomlán de bhreis is 1,500 post múinteoireachta insna scoileanna seo.

Cinnfear an méid tionchair a bheidh aige seo ag leibhéal na scoileanna aonair mar chuid den ghnáthphróiseas leithdháilte don scoilbhliain 2011/12 agus tabharfar fógra do scoileanna sa ghnáthshlí.

Buiséad is ea Buiséad 2011 a aithníonn chomh tábhachtach is atá an earnáil oideachais agus scileanna d'ionchais na hÉireann amach anseo. Bíodh is go mb'éigean roghanna deacra a

dhéanamh chun coigiltí a shainaithe laistigh de shainchúram mo Roinne — ar a n-áirítear na hathruithe foirnithe do Ghaelscoileanna — tá an Rialtas tar éis a sheacht ndícheall a dhéanamh chun seirbhísí túslíne oideachais a chosaint i 2011. Táimid ar bhealach chuig pointe ag a mbeidh ár gcaiteachas iomlán poiblí tagtha ar ais chun comhchuibhis leis an méid is acmhainn dúinn mar thír agus tá sé de dhualgas ar gach réimse den Rialtas, Gaelscoileanna san áireamh, feidhmiú a fheabhas is féidir leo ar leibhéal laghdaithe acmhainní.

### School Accommodation

16. **Deputy David Stanton** asked the Tánaiste and Minister for Education and Skills the progress she has made in providing additional second level school places in Midleton, Carrigtwohill and the east Cork area; and if she will make a statement on the matter. [47377/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Forward Planning Section of my Department is in the process of analysing all areas in the country in order to determine the level of additional provision which will be required at both primary and post primary level up to 2017. Overall post-primary requirements in the Midleton, Carrigtwohill and the East Cork area will be fully considered in this context.

It is expected that initially any additional places would be provided by extensions to the existing schools. In this context, I can confirm to the Deputy that my Department has, in the last two years, approved capital funding to provide additional accommodation in CBS Midleton, Midleton College and St Aloysius College to provide for the schools' immediate accommodation needs.

The progression of all large scale building projects arising from Forward Planning Section's analysis will be considered in the context of my Department's School Building and Modernisation Programme.

### Departmental Expenditure

17. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Education and Skills if she will reverse the cuts to the capital budget for education which will see a 9% cut for primary schools and a 20% cut for post-primary schools; and if she will make a statement on the matter. [47677/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As the Deputy will be aware, the capital allocation for my Department for 2011 is €491m. This level of provision, at a time of budgetary constraint, reflects the Government's commitment to ensuring that urgently needed capital projects will receive priority.

Current market conditions mean that my Department will continue to achieve excellent value for money in relation to construction costs and land prices. This will allow my Department to carry out a major programme of capital works in 2011 and beyond in order to meet the demands for additional school accommodation arising due to recent demographic trends and demand for continued upgrading of the existing stock of buildings in the education sector.

### Special Educational Needs

18. **Deputy Damien English** asked the Tánaiste and Minister for Education and Skills if the review of special needs assistants by the National Council for Special Education has been completed; the total reduction in the number of special needs assistants at primary and second level since this review began; and if she will make a statement on the matter. [47634/10]



**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As the review of special needs assistants is being conducted by the National Council for Special Education (NCSE), I have arranged for your request for information to be forwarded to the NCSE for their attention and direct reply.

### Literacy-Numeracy Levels

19. **Deputy Eamon Gilmore** asked the Tánaiste and Minister for Education and Skills the measures she is taking to address the findings of the recent Programme for International Student Assessment, published by the OECD on 7 December 2010; her views on Ireland's 12 place drop in reading literacy rankings in particular; the measures she is taking to put Irish education back into the top ten rankings for reading, science and maths; and if she will make a statement on the matter. [47667/10]

130. **Deputy Joan Burton** asked the Tánaiste and Minister for Education and Skills her views on the recent OECD findings in its PISA study that Irish 15 year olds have fallen from fifth to 17th place in terms of literacy and 16th to 26th place in terms of numeracy; the reasons for these declines and her plans to reverse them; and if she will make a statement on the matter. [48037/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 19 and 130 together.

The results of the OECD's Programme for International Student Assessment 2009 were published last week. The test results of Irish students were mixed. They scored above the OECD average in Science, at the OECD average in reading and below the OECD average in Mathematics.

Comparisons take place against the last year the subject area was the major focus of the PISA survey. Ireland's ranking rose from 20th to 18th in Science between 2006 and 2009 but it fell from 5th to 17th in Reading between 2000 and 2009 and from 20th to 26th in Mathematics between 2003 and 2009.

While I welcome the results Irish students achieved in the PISA tests for science, I am disappointed with the results in reading and maths.

The extent of the falls in the reading scores of Irish students are surprising as Irish students scored well above average in reading in all previous rounds of PISA. The National Assessments of Mathematics and English Reading also show stable literacy and numeracy levels among Irish primary students and standards have remained constant in the State Examinations taken by all students at post-primary level. Irish students also obtained a high literacy-related score in the International Civic and Citizenship Education (ICCS) study, ranking 7th out of 36 participating countries in 2009.

My Department has had detailed studies of the Irish data for PISA completed by the Educational Research Centre and by an independent team of experts from Statistics Canada. Both teams of experts have concluded that some, but not all, of the lower scores in reading and maths are explained by changes in the demographics of the group of 15-year-olds taking the test. Greater numbers of students whose first language is not Irish or English are now in our classrooms, as are greater numbers of students with special educational needs. We are being more successful in keeping our children in education longer but this means that there are weaker-performing students taking the PISA test that might not have remained in school in former years.

Both the experts from Statistics Canada and the ERC have advised that “it is likely that issues about the construction of achievement scores and establishing links (trends) across cycles of PISA contributed to the low scores of students in Ireland in reading and mathematics” and that the techniques used by PISA “have overestimated the size of the decline [in achievement].” The OECD also notes that the “performance changes are associated with a fairly large standard error.”

Few educational systems have ever experienced actual changes in educational standards of the size reported for Ireland over the period of time covered by PISA. While Statistics Canada and the ERC have pointed out that Irish students’ test scores have been declining in reading and maths, they have also cautioned against placing undue importance on the single set of PISA 2009 scores. They believe that it is not possible to say whether the decline in the 2009 PISA tests indicates an actual decline in standards in Ireland.

Irrespective of whether or not the decline in the scores on the PISA test represent a real decline in standards, I am very concerned that Irish students did not achieve high scores on the PISA tests. It would also be unwise to ignore the possibility that the results may reflect some decline in standards in Irish schools. I believe that our focus should be on taking the actions needed to ensure that Ireland’s students are among the high-performing countries in reading, maths and science. I believe that there is a need to improve Ireland’s overall standards in literacy and numeracy and that is why the Government is taking a proactive approach to improving literacy and numeracy standards.

We have been concerned about our standards in maths for some time. A major reform programme “Project Maths” is underway and was rolled out to all second-level schools in September 2010. The Project involves a major curriculum revision, a different approach in the examinations papers and a nationwide programme of teacher education for existing mathematics teachers. Project Maths encourages more students to take mathematics at the higher level in the State examinations and aims to improve standards in mathematics generally. In addition, bonus points are being introduced for entry to higher education to encourage more students to study Leaving Certificate Higher Level Mathematics.

In November 2010, I launched “Better Literacy and Numeracy for Young People: A draft national plan to improve literacy and numeracy in schools.” This sets out a range of significant measures to improve literacy and numeracy in early childhood education, primary and post-primary schools. It will involve major reforms to teacher education, the school curriculum, a whole-school focus on strategies to improve literacy and numeracy, curricular changes and a radical improvement in the assessment and reporting of progress at student, school and national level. I am confident that focussed attention on literacy and numeracy along the lines proposed in the Plan will improve the standards of Irish students over time and their performance relative to their international peers. In relation to Science, as the deputy will be aware, the government wide Strategy for Science, Technology and Innovation 2006 to 2013 sets out a range of measures to further strengthen science teaching and learning, and to increase the uptake of senior cycle Physics and Chemistry, with the target of increasing participation in Leaving Certificate Physics and Chemistry to 20%. Measures include ensuring that the project based hands-on investigative approach now in place at junior cycle is extended to senior cycle, that the appropriate type of assessment is used and that there is an emphasis on the inter-disciplinary nature of science in society. The comprehensive set of measures provided for in the SSTI will build on the improvements made in recent years and ensure even greater support for science education.

### **Higher Education Grants**

20. **Deputy Jim O’Keeffe** asked the Tánaiste and Minister for Education and Skills her views

[Deputy Jim O’Keeffe.]

on the number of mature students who are being denied higher education authority grants because of the documentary proofs required in relation to independent living may not be available in all cases; if she will arrange to have such cases independently reviewed by an appropriate appeals procedure; and if she will make a statement on the matter. [47408/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** For student grants purposes, students are categorised according to their circumstances either as students dependent on parents or a legal guardian, or as independent mature students. An independent mature student is defined as a mature student who was not ordinarily resident with his or her parents or legal guardian from the October preceding entry to an approved course.

When assessing the means of students other than independent mature students, the schemes specify that parental income or legal guardian’s income must be taken into account. Independent mature students, on the other hand, are assessed without reference to their parents’ income or that of a legal guardian. The reckonable income of an independent mature student is that of the candidate only and of his or her spouse where appropriate.

In order to establish a candidate’s status as an independent mature student, documentary evidence is required as proof of a candidate’s address from 1st October of the year preceding entry into college. In considering whether a mature student meets the conditions to be assessed independently of his or her parents, awarding authorities are obliged to satisfy themselves beyond doubt that an acceptable degree of proof of independent living in the relevant period has been submitted by the grant applicant.

The documentary evidence normally required includes utility bills, such as telephone, gas or electricity bill, evidence of registration with the Private Residential Tenancies Board or official documentation received at the address, for example, from a Government Department.

In exceptional circumstances, where it is not possible to produce such proofs of residence in the relevant period for demonstrable reasons, the awarding authority may, at its discretion, agree to accept other documentary evidence that provides an acceptable degree of proof of independent living in the relevant period. For example, while an affidavit, if accompanied by other supporting documentation, may be considered as evidence of independent living, an affidavit in isolation is not considered acceptable as sole proof of residency.

My Department has reviewed the requirements for establishing independent residency and is satisfied that the current practice in this regard is both reasonable and appropriate.

### **Departmental Expenditure**

21. **Deputy Jim O’Keeffe** asked the Tánaiste and Minister for Education and Skills the details of the pay savings and administrative efficiencies to lead to savings of €64 million in 2011 and €160 million in a full year; and if she will make a statement on the matter. [47409/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The following is a breakdown of pay savings and other administrative efficiencies which will amount to €64 million in savings in 2011, as recently announced in the context of the Budget:

Savings in the region of €24 million will be achieved by reducing teacher numbers through a combination of measures. These measures will lead to a deferral of 150 extra posts and to a reduction of up to approximately 1,200 posts from September 2011 (approximately 700 primary and 500 post-primary posts) which, however, will be partly offset by the addition of an estimated 875 new posts due to demographics.

The measures to reduce teacher posts include:

- Deferral of the provision of 150 extra teachers originally planned to be allocated at primary and post-primary level in September 2011;
- Changing the existing favourable pupil-teacher ratio (PTR) to the standard PTR for the Leaving Certificate Vocational Programme (LCVP).
- Standardising the staffing schedule for Gaelscoileanna to the same that operates for other ordinary national schools o Withdrawal of Resource Teachers for Travellers posts at primary level so that educational teaching supports to Traveller students will now be provided on the same basis as other students in schools. Alleviation measures will be put in place for schools with a high concentration of Traveller children. At post-primary level teaching hours for Travellers will be withdrawn, again with alleviation measures for schools with high concentrations of Traveller children.
- A phased reduction of 500 over four years in the number of Language Support Teachers, through a demand driven reduction and, if necessary, a change in allocation rules over the period of the plan.
- The redeployment of some 170 existing supernumerary posts in post-primary schools from September 2011;
- The removal of 47 primary rural co-ordinator teaching posts currently allocated to DEIS rural primary schools. All of these schools, however, will continue to receive other DEIS supports including financial support, professional development supports, school meals and school books supports;
- The withdrawal from September 2011 of 42 Visiting Teachers for Travellers posts, currently assigned to the National Educational Welfare Board (NEWB). The School Support services, including the School Completion Programme and the Home School Liaison Service under the NEWB, will be adapted to undertake work with Travellers in the future.

€10 million in savings will be secured from rule changes and efficiencies in relation to supervision and substitution arrangements in schools. This will include implementation of the flexibility measures provided for under the Croke Park Agreement whereby post-primary teachers will be available for an extra class period each week to cover for absent colleagues. There will also be a general tightening of the rules covering substitution. In addition, €1 million will be saved in 2011 through the impact of a 10% reduction in salary scales for new entrants to the public service, with all new entrants starting on the minimum point of the new scale. €16 million will be achieved through further reductions in public service numbers on the Education and Skills Vote, including in the Civil Service and the Non-Commercial State Agencies under the aegis of the Department.

€13 million in savings will be achieved through a range of non-pay administrative savings across the Civil Service and Non-Commercial State Agencies.

It is estimated that the above measures will achieve savings in the region of €160m in 2014.

### **Pupil-Teacher Ratio**

22. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the extent to which she proposes through the school building programme to accommodate a lower pupil-teacher ratio in the classroom; if she will ensure that all schools in respect of which she has received requests from the school authorities for such accommodation will be favourably

[Deputy Bernard J. Durkan.]

considered given both the need to meet the accommodation requirements and the economic needs at this particular time; and if she will make a statement on the matter. [47380/10]

48. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the extent to which she proposes, through the school building programme, to accommodate a lower pupil to teacher ratio in the classroom; if she will ensure that all schools in respect of which she has received requests from the school authorities for such accommodation in County Kildare will be favourably considered given both the need to meet the accommodation requirements and the economic needs at this particular time; and if she will make a statement on the matter. [47110/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 22 and 48 together.

Any school experiencing an immediate deficit in accommodation, for whatever reason, may apply for capital funding to my Department for additional accommodation. The assessment process will, inter alia, take account of existing accommodation in the school.

The standard area of classrooms at primary and post primary levels have remained the same for classrooms constructed in recent years. This allows plenty of space for the range of activities carried out under the modern school curriculum.

These class areas applied before the pupil teacher ratio was reduced and they served the needs of schools in terms of delivering the curriculum. Therefore, it is not my intention to revise them in light of adjustments in the pupil teacher ratio introduced in recent years.

### **FÁS Training Programmes**

23. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills if she has received a detailed proposal for the reform and restructuring of FÁS by the board of that organisation; the contents of that proposal; when she expects to make a decision regarding the restructuring of FÁS; and if she will make a statement on the matter. [47393/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The Board of FÁS recently submitted its proposal for a new training agency. This takes into account the transfer of certain responsibilities from this Department to the Department of Social Protection. The proposal includes:

- The provision of short to medium training courses ranging from level 3 to 6 on the NFQ delivered through a variety of methods including e learning;
- The delivery of training through specific industry-related career cluster frameworks related by skills or products such as ICT, sales or marketing;
- The same access to training programmes for persons with disabilities as other individuals except those who require higher levels of support including the assistance of Specialist Training Providers;

I met with the Board of FÁS last month to discuss its proposal. The proposal is currently being reviewed in my Department in the context of the National Skills Strategy with a view to ensuring optimum synergy with other actors in the further education and training area. Work on this process will continue in tandem with the integration of the employment programmes and employment services into the Department of Social Protection. I intend to announce final detail of the newly-focussed skills and training provider next year.

### School Curriculum

24. **Deputy Jack Wall** asked the Tánaiste and Minister for Education and Skills the programmes she has in place to educate schools in relation to the effects of drugs; if these programmes involve students' parents; and if she will make a statement on the matter. [46047/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Social Personal and Health Education forms a mandatory part of the curriculum in primary schools and in junior cycle. The overall aim is to help develop students' self confidence and self-esteem, and promote the skills for living, for responsible decision making and for mental, physical and emotional well-being. Substance use education is included at primary level as part of the "safety and protection" and "taking care of my body" strand units, and is a specific module in the curriculum at post primary level.

It is set out in the Primary SPHE Curriculum for schools that an SPHE programme is most effective when it is based on consistency of approach and where the responsibility is shared by parents, teachers, children, Board of Management, health professionals and relevant members of the community. Close consultation with the partners, including parents, is seen as an essential element in the planning process and in regular reviews of the programme. This partnership approach helps to ensure that children are provided with a consistent experience in SPHE and are able to make connections between life at home, in the school and in the community. A similar approach is advocated in the Post-Primary SPHE Curriculum, advising that schools need well-structured continuing links with the lives of the students outside of schools, and that these links can provide parents with strategies for supporting the work of the school in its SPHE programme as well as helping teachers to prioritise particular SPHE modules.

The implementation of these programmes in schools is supported by the Professional Development Service for Teachers which provides training, advice and support to schools. The second level support service is operated jointly with the Health Sector. A range of resources are available to support the programmes. These include the Walk Tall Programme at primary level, On My Own Two Feet at post- primary level, the Teacher Guidelines for SPHE developed by the National Council for Curriculum and Assessment, a Substance Misuse Prevention Information Booklet for schools and parents, Guidelines for Developing a School Substance Use Policy, including a policy template, and links and references to relevant websites.

The guidelines provided to schools require that a committee is established representing the school board of management, principal, staff, students, and parents to develop a school's draft substance abuse policy, and that the draft policy is circulated as widely as possible for feedback, including to parents, before being finalised. A sample policy is also included on my Department's website which urges that schools organise information sessions for parents on the issue of substance abuse. Many schools organise such sessions on a regular basis.

There is scope for schools to offer alcohol and substance misuse programmes within the Transition Year programme. In addition to the above, the Department has, since 2001, provided funding for a large number of mainstreamed projects in local drugs task force areas. These projects, through a variety of programmes and activities, seek to encourage young people not to engage in drug-taking.

Most of these projects are administered by three VECs — Dublin City, Dublin County and Dun Laoghaire — while a small number are funded directly by the Department. With effect from January 2011, 21 of these projects will, by agreement and with a transfer of DES funding, become the responsibility of the Office of the Minister for Children and Youth Affairs (OMCYA). These projects mainly provide for the employment of Youth Workers and Project Leaders and so will complement other youth projects funded by the OMCYA. Many projects

[Deputy Mary Coughlan.]

currently receive allocations under a number of OMCYA funding streams, accordingly the transfer should enhance the services provided and minimise duplication of provision. DES will continue to administer the remaining projects.

Eighteen VECs also administer over 70 interim funded projects in drug task force areas around the country which are funded by the Department of Community, Equality and Gael-tacht Affairs.

Outside of education settings, there is also a wide range of awareness-raising and prevention programmes in place to combat drug and alcohol misuse which are primarily the responsibility of, and are funded through, the Health Service Executive. The HSE provides information on drug and alcohol abuse for students and parents through the website [www.drugs.ie](http://www.drugs.ie).

### **Vocational Education Committees**

25. **Deputy Willie Penrose** asked the Tánaiste and Minister for Education and Skills the position regarding the proposed amalgamation of vocational education committees from 33 to 16; if the draft heads of the required legislation have been prepared; if she will to publish the legislation ahead of the forthcoming general election; and if she will make a statement on the matter. [47391/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Government has decided to reduce the number of VECs from 33 to 16 in order to deal with issues of scale and having regard to the current and prospective requirements of the education sector and has decided on the merger of particular city and or county VECs.

Consultations with the stakeholders, within the context of the Croke Park agreement, are underway in relation to the implementation of this Government decision. In addition, many of the detailed aspects of the restructuring will fall to be considered and worked through by my Department in conjunction with the VECs involved in any one merger before decisions are taken.

These changes will also require amendments to existing legislation and/or new legislative provisions. My Department has commenced work on the preparation of legislation with a view to bringing it forward during 2011.

It is anticipated that the project will have a timeframe for implementation of approximately 18 months.

### **Educational Disadvantage**

26. **Deputy Denis Naughten** asked the Tánaiste and Minister for Education and Skills the steps she is taking to support disadvantaged children in the classroom; and if she will make a statement on the matter. [47406/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The majority of schools include among their pupils, children with disadvantaged backgrounds. In general most schools address the individual needs of these children without recourse to supplementary targeted resources.

Evidence has shown that disadvantage associated with poverty and social exclusion assumes a multiplier effect where the levels are highly concentrated in schools.

DEIS (Delivering Equality of Opportunity in Schools), the action plan for educational inclusion, provides for a standardised system for identifying levels of disadvantage and an integrated School Support Programme (SSP). As a result of the identification and review pro-

cesses, 876 schools have been included in the School Support Programme (SSP) under DEIS. These comprise 676 primary schools (urban and rural) and 200 second-level schools.

DEIS provides various supports for both primary and post primary schools. These include:

- reduced pupil teacher ratio in primary schools in urban areas with most disadvantage;
- allocation of administrative principal on lower figures than generally apply in primary schools in urban areas;
- additional capitation funding based on level of disadvantage;
- additional funding for schools books;
- access to the School Meals Programme
- access to numeracy/literacy supports and measures at primary level;
- access to Home School Community Liaison services;
- access to the School Completion Programme;
- enhanced guidance counselling provision at post primary level;
- access to planning supports;
- provision for school library and librarian support in post primary schools with most disadvantage;
- access to the Junior Certificate School Programme and Leaving Certificate Applied;
- access to a range of professional development supports.

In the context of The National Recovery Plan, while it is expected that the majority of schools will be affected by the range of adjustments in ancillary grants as well as in specific post allocations, supports that are provided directly to schools under the DEIS programme will remain largely unaffected, with the exception of the some 330 rural primary schools which will be affected by the withdrawal of the Rural Coordinator Scheme, which will be discontinued from September 2011.

My Department's main focus has been to retain, where possible, key resources in the schools targeted under the DEIS initiative and this is in line with the broad thrust of the recommendations of the Comptroller and Auditor General in his report on Primary Disadvantage in 2006.

An evaluation of DEIS has been undertaken by the Educational Research Centre on behalf of my Department and a report of this evaluation is expected shortly. The outcomes of the ERC evaluation will inform any future changes to the current programme.

### **Employment Support Services**

27. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Education and Skills the further education, training and activation measures catered for by Budget 2011; her strategy for providing such measures; and if she will make a statement on the matter. [47681/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The Government are committed to ensuring that an appropriate mix of training, work experience and educational responses are in place to support the unemployed and to enhance their employ-



[Deputy Seán Haughey.]

ability. The training, work experience and education measures that are being implemented in 2011 are designed to help those who are unemployed gain valuable work experience, maintain close linkages with the labour market, improve their skills and education levels and ultimately to improve their career prospects.

The provision of training places for the unemployed for 2011 is currently being discussed between officials from my Department and the relevant providers. However, I expect that my Department will provide approximately 100,000 training places for the unemployed next year.

The number of places on the Work Placement Programme will be increased from the current 2,000 places to 7,500 places. This programme provides unemployed individuals with valuable work experience for up to 9 months which will considerably improve their chances of securing employment in the future. 5,000 of the additional places being delivered will be in the public sector. The remaining 500 additional places are for graduates in the private sector.

FAS are being provided with a budget of €7.3m with the objective of providing on-the-job training for up to 1,000 apprentices in the public and private sectors. This is a proactive approach to ensure as many apprentices as possible are progressed through the relevant on-the-job phases of their apprenticeship and attain their necessary qualifications. FAS intends to more than double the number of apprentices who can be placed and trained next year with provision for up to 1,000 places being made in the budgetary allocation. A number of other labour market activation measures will be introduced by FAS in conjunction with the higher educational sector in 2011 to assist up to 700 redundant apprentices and craftspeople.

A new Skills Development and Internship Programme for the Unemployed will be introduced next year. This programme aims to enable the unemployed maintain their links with the labour market while also facilitating their upskilling and reskilling, thereby improving their employability. As part of the programme participants will undertake a 12 month placement in a private sector and will also receive a substantial education and training offering. It is expected that the programme will commence by the end of the first quarter of 2011.

My Department is committed to the provision of upskilling opportunities and has maintained the level of funding invested in Adult and Further Education despite the budgetary challenges faced. The level of overall expenditure on Further Education has grown from over €177 million in 2000 to almost €426 million in 2010. The 2010 level of provision will be maintained for 2011.

It is estimated that over 170,000 learners will avail of part-time and full-time further education programmes ranging from FETAC Level 1 to 6 this year through the network of VECs nationwide. Over 40,000 full time places are available in Youthreach, Vocational Training Opportunities Scheme (VTOS), Senior Traveller Training Centre (STTC), and Post Leaving Certificate (PLC) programmes. An estimated 125,000 learners will avail of part time provision in Adult Literacy, Community Education and Back to Education Initiative (BTEI).

In the Higher Education sector approximately 156,000 places will be available. In addition, next years provision for the unemployed includes a new €20 million Higher Education Labour Market Fund. The higher education sector has a key role to play in helping people who have lost their jobs to enhance their qualifications and related workforce skills. The aim of this Fund is to increase the number of part time and flexible up skilling opportunities available in the higher education sector so that people can continue to look for work and be available to take up employment while upgrading their qualifications and skills.

The suite of programmes that my Department will provide represents a significant diverse range of provision that is available for the unemployed in 2011.

### Capitation Grants

28. **Deputy Martin Ferris** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to cut school capitation grants by 5%; and if she will make a statement on the matter. [47674/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Budget 2011 recognises the critical role of the education and skills sector to Ireland's future prospects. While difficult choices have had to be made to identify savings across my Department's remit, the Government has gone as far as it can to protect front-line education services in 2011.

€22 million in savings will be secured in 2011 though an average 5% reduction in funding grants to schools and Vocational Educational Committees. This reduction to capitation and ancillary grants for schools will reduce capitation rates, in most cases, to those that applied to schools between 2007 and 2008, with the exception of primary capitation, where the new rate will be between the 2008 and the current rate.

The reduced rates to ancillary and support services grants will reflect the reduction in pay that will apply, with effect from January 2011, to personnel who are paid from these grants, and who have not yet had the reduction applied to them, e.g. school cleaners and caretakers.

As agreed in the Renewed Programme for Government, schools will continue to receive an additional per capita payment to enable them to provide funding for books. In 2010, a total of €14.6 million issued, €7.8 million at primary and €6.8 million at post-primary. In addition, post-primary schools will continue to receive funding for Junior Certificate Schools Programme, Transition Year, Leaving Certificate Applied, Leaving Certificate Vocational and Physics and Chemistry. Total funding in 2010 amounted to €4.2 million. Details of the revised rates for each grant category will be issued to schools and VECs shortly.

### Vocational Training Opportunities Scheme

29. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Education and Skills if she will reverse the Budget 2011 decision to reduce the vocational training opportunities scheme training allowance from €31.80 to €20.00 per week; and if she will make a statement on the matter. [47670/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The training allowance referred to by the Deputy is a training bonus payment made to Vocational Training Opportunities Scheme (VTOS), Youthreach and Senior Traveller Training Centre (STTC) participants and FÁS trainees who have been in receipt of their relevant social welfare payment for at least 12 months directly before joining the VTOS, Youthreach, STTC or FAS course. This bonus is paid in addition to the weekly training allowance which is paid to participants in lieu of their social welfare payment.

Participants in these programmes are also eligible for a range of meal and travel allowances as well as for childcare support under the Childcare in Education and Training Scheme (CETS).

The decision to reduce the weekly training bonus payment from €31.80 to €20.00 was taken as part of Budget 2011.

### College Registration Fees

30. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to increase the student registration fee to €2,000; her views on whether this fee will adversely affect persons' ability to attend third level courses; and if she will make a statement on the matter. [47673/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As announced in the budget, a new flat Higher Education Student Contribution of €2,000 will be introduced with effect from the 2011/2012 academic year. This new student contribution will replace the existing Student Services Charge and will apply to all students who currently benefit under the 'free fees' scheme. The Government was particularly conscious of the financial pressures that this charge may place on families where family income is marginally in excess of current eligibility levels for maintenance grant support and on families with more than one sibling in higher education at the same time. With this in mind, the current higher education grants schemes threshold will be increased to provide for an additional eligibility category of support qualifying for '50% Student Contribution'. In addition, arrangements will be made to provide that second and subsequent siblings from a single family will not have to bear the full increased cost of the new €2,000 charge.

It is also important to remember that the contribution will be paid by the Exchequer in respect of students who qualify under the third level grant schemes. These students, who account for some 43% of all undergraduates, will not be impacted by any increase in charges.

Higher education institutions will also be asked to put in place arrangements under which a student may opt to pay the charge in two equal instalments of 50% in September and 50% in January in a given academic year.

Participation growth in Irish higher education has been significant over the past three decades, with the number of new entrants almost trebling in that period. The expansion of higher education opportunities continues to be an important policy priority for government. In the last three years higher education institutions have sought to respond to the increases in demand from school leavers and adults returning to education, including unemployed people, by increasing the number of full time places they offer and also by expanding part time and other flexible types of provision.

It should also be recognised that for students affordability is just one of a number of factors that impact on participation rates in higher education. There are a range of wider factors that also impact on participation, including social and cultural issues, prior academic attainment and teacher and parental expectations.

The Government is committed to ensuring that opportunities to engage in higher education continue to be made available to potential learners and that access to higher education will continue to be determined by a student's ability and not their financial circumstances.

### **School Accommodation**

31. **Deputy David Stanton** asked the Tánaiste and Minister for Education and Skills if she will provide funding for the construction of permanent accommodation for a primary school in Midleton (details supplied) under the school building and modernisation programme 2011; the further consideration she has given to the school's proposal on the way the accommodation could be financed; and if she will make a statement on the matter. [47378/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** My Department is in receipt of a major capital application for an extension from the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 2.2 rating.

Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at [www.education.ie](http://www.education.ie).

The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

The Department has recently received an application from the school for a devolved grant for the replacement of temporary accommodation with a permanent structure. The application is under consideration and a decision on the matter will issue to the school authority in due course.

### **Higher Education Grants**

32. **Deputy Arthur Morgan** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to cut the student maintenance grant by 4%; and if she will make a statement on the matter. [47676/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As announced in the Budget, a reduction of 4% is being applied to the rates of student grants. This reduction is being implemented in respect of all existing and new grant-holders from January 2011. This reduction is in line with reductions in other income maintenance payments including those for the unemployed.

The reductions in the rates of student grants were necessary to ensure that the system is not extended beyond what current resources will allow in a climate of overall pressures on public finances.

Students who qualify for student grants will continue to receive substantial grant funding, together with full support for payment of the student service charge. Those on particularly low incomes will also continue to receive a "top-up" in the special rate of grant.

In addition, some €5m will continue to be made available through the access offices of third-level institutions to assist students in exceptional financial need. The access offices themselves will also continue to provide support and advice to students to enable them to continue with their studies.

### **Employment Support Services**

33. **Deputy Willie Penrose** asked the Tánaiste and Minister for Education and Skills the steps she is taking to assist persons under 25 years who are on the live register to find employment or to access retraining; and if she will make a statement on the matter. [45547/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** Last year, in order to minimise the drift into long-term unemployment, the Government through the Cabinet Committee on Economic Renewal, decided to prioritise four cohorts of the unemployed for support and assistance. The four cohorts are; the low skilled; those under 35 years of age; those on the Live Register for longer than 1 year and those suffering from structural unemployment in the manufacturing, construction and retail sectors.

[Deputy Seán Haughey.]

The provision of training places for the unemployed for 2011 is currently being discussed between officials from my Department and the relevant providers. However, I expect that my Department will provide approximately 100,000 training places for the unemployed next year. In addition, my Department is also investing significantly in the Further and Higher Education sectors. In 2011 it is expected that 170,000 full time and part time Further Education places and 156,000 full time Higher Education places will be provided. The bulk of this provision is open to persons under 25 years of age when they meet the relevant criteria.

Included in this provision and of particular relevance to young people would be the following programmes.

The €32 million Labour Market Activation Fund, which will provide approximately 12,000 activation places for the unemployed. Almost sixty organisations were successful in the Labour Market Activation's Fund's tendering process. As part of their proposals, organisations had to demonstrate how they would improve the employability and enhance the skills of unemployed persons from the priority cohorts, including those under 35 years of age.

The Work Placement Programme was launched last year with a view to providing unpaid work experience for the unemployed in a real work environment. This Programme provides work experience placements for periods of up to nine months. Since the start of the programme a total of 2,574 people have commenced a placement under the programme. A total of 524 participants currently on the programme are under 25 years of age. In Budget 2011, the Government announced that the number of places on the Work Placement Programme will be increased from the current 2,000 to 7,500 with 5,000 additional places in the public sector. The remaining 500 places will be for graduates in the private sector.

The Government also announced the new Skills Development and Internship Programme in Budget 2011. This programme will provide participants with a placement in an enterprise in the public sector and access to a significant education and training element. It is intended that the programme will be operational by the end of the first quarter next year.

In relation to redundant apprentices, FÁS has introduced a number of measures which have assisted over 4,000 redundant apprentices with on and off-the-job training. FÁS is providing an expanded Redundant Apprentice Placement Scheme for up to 1,000 apprentices in specified trades who have been made redundant. In addition, up to 700 places in the Institute of Technology for redundant apprentices and crafts persons will commence early next year.

FÁS has recently developed the Local Training Options (LTO) pilot programme under the Local Training Initiative programme. This pilot programme is increasing the capacity of the Local Training Initiative programme to respond to the needs of low or semi-skilled unemployed people aged between 18-25 years and who have low educational qualifications.

For early school leavers, there are 6,000 places available under the Youthreach Programme. The programme provides participants with two years integrated education, training and work experience. The programme facilitates early school leavers with opportunities to acquire certification and progress to further training or employment.

In summary, my Department will continue next year to provide a significant, diverse range of labour market activation provision to the unemployed, including those under 25 years of age. This will aim to keep young people active, close to the labour market and will improve their prospects of securing employment.

### **FÁS Training Programmes**

34. **Deputy Seán Sherlock** asked the Tánaiste and Minister for Education and Skills regarding

the FÁS work placement programme for schools recently announced by her in circular 0066/2010, if she will confirm if these positions are open only to recently qualified graduates to enable them to obtain work experience; if schools will only be allowed to recruit persons with a recognised teaching qualification under this scheme; the positions non-teaching graduates will be eligible to apply for under this scheme; if she has considered the administrative burden this scheme will impose upon principals; the implications this programme will have for teachers who are currently relying on substitution jobs to make an income and gain experience; the safeguards that will be put in place to ensure existing members of staff will not be displaced by this scheme; and if she will make a statement on the matter. [47381/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Circular 66/2010, recently issued by my Department, permits schools to participate in the FÁS Work Placement Programme (WPP). This FÁS programme is intended to assist people who are unemployed to retain their skills levels and secure work experience that will assist them in finding employment. This involves a placement for a defined period, rather than employment, and participants in this voluntary programme may be entitled to maintain their social welfare entitlements subject to the rules of the Department of Social Protection.

Placements are open to both graduates and non-graduates. The year of graduation is not a factor in these placements. Schools are entitled to apply for placements in whichever area they deem appropriate. It is not confined to teachers or SNAs but rather will offer an opportunity for schools to engage people from a wide variety of disciplines. This may include teaching or non-teaching graduates or non-graduates. The level and type of skill required will be dependant on the placement offered by the school. It provides an opportunity for schools to access skills and experience which may otherwise be unavailable. Where a person is engaged to teach, however, he or she must be a registered teacher.

Participation in the programme is entirely voluntary. Schools who feel that they cannot offer a placement or do not wish to participate in the programme are not obliged to apply to FÁS for inclusion in the scheme. However, I would encourage schools to participate in the programme. By being innovative there is a real opportunity for schools to benefit from people with a diverse range of skills and for people who are out of work to retain their skills levels and broaden their experience.

It is a condition of the programme that any placements should not displace an existing member of staff or be used to fill a vacant post and each school must sign a declaration to this effect. The programme specifies that placements may not be used to cover vacancies. This includes substitute vacancies. Where a person on placement chooses to take up paid employment with the same employer, such as a teacher on placement wishing to undertake substitute work, then he or she forfeits the placement because a person cannot be an employee with the same school with which they have a placement. However, part-time employment in another school may be possible, subject to meeting the other requirements for the placement. In addition, if an individual is in receipt of a social welfare entitlement this may also have implications for any entitlement to retain social welfare payments as they would be means-tested as a result of the income they are receiving for substitute work. This is a matter for the Department of Social Protection.

### **Computerisation Programme**

35. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to significantly cut the allocation for schools information and communications technology; and if she will make a statement on the matter. [47678/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** While the capital allocation of €1.5 million in 2011 for Schools Information and Communications Technology is lower than the 2010 allocation, it is important to note that two thirds of the proposed funding under the Smart Schools = Smart Economy Report has been provided to schools in the past 12 months. The Smart Schools = Smart Economy Report proposed that €150m be invested in the ICT in Schools Programme over a three year period and €92m in capital funding has been provided. Also to date in 2010, €9m has been spent on broadband connectivity to schools, continuous professional development and other initiatives to further integrate ICT into teaching and learning. The funding provided to date has allowed schools to ensure that at least the recommended baseline of ICT equipment is in place.

The focus in 2011 will be to build on the considerable progress made in equipping schools with the necessary ICT hardware. The ICT in Schools Steering Group established under the Smart Schools Report has a role to play in ensuring that the equipment deployed in schools to date will be utilised fully.

My Department will work closely with the National Centre for Technology in Education and the ICT in Schools Steering Group and focus on continuous professional development and increasing digital resources for schools. The ICT in Schools Steering group has responsibility for providing advice on future policy directions, taking account of technology developments and future trends and will advise on the organisational approach to integrating ICT into teaching and learning. The group also acts as a forum to foster the sharing of best practice in, and innovative approaches to, integrating ICT into teaching and learning.

My Department is currently assessing a number of innovative ICT projects and it is proposed to establish demonstration projects in schools which will assist my Department and the National Centre for Technology in Education in forming future ICT policy for schools.

### Higher Education Grants

36. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 to reduce the automatic eligibility of mature students to the higher non-adjacent rate of grants payment; and if she will make a statement on the matter. [47679/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The automatic eligibility of mature students to the higher non-adjacent rate of grant will be discontinued from the start of the 2011/12 academic year. However, mature students who reside 45 kilometres or more from their higher education institution will continue to be eligible for the higher non-adjacent rate of grant. Essentially, this will mean that all students in similar circumstances will now be treated in a similar way. The Government's approach to dealing with the current difficulties in the public finances has meant that, in making very difficult choices, the burden has been spread as fairly as possible. It is important to remember that qualifying students will continue to receive substantial grant funding, together with full support for payment of the €1,500 student service charge. Those on particularly low incomes will also continue to receive a significant "top-up" in the special rate of maintenance grant. In addition, some €5m will continue to be made available through the access offices of third-level institutions to assist students in exceptional financial need. The access offices themselves will also continue to provide support and advice to students to enable them to continue with their studies.

37. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Education and Skills if she will reverse the decision in Budget 2011 which will see changes to the non-adjacent rate of grant support whereby the distance required to qualify will effectively be doubled from 24km

to 45 km for all existing and new applicants from September 2011; her views on whether such a proposal would adversely effect grant-holders ability to attend third level courses; and if she will make a statement on the matter. [47672/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The change in the qualifying distance criterion for entitlement to the higher non-adjacent rate of grant from 24 to 45 kilometres has been introduced as one of a number of savings measures necessary to manage the increasing cost pressures in the student grants area.

The existing distance has been in place since the grant schemes were introduced in 1968. However, vastly improved transport facilities and road networks and better and more cost effective travelling options have altered commuting practice more generally in society over that time. Statistics indicate that some 45% of all full-time students now choose to live in their own or their parents' home during term time. Yet some 77% of grant holders are currently on the higher non-adjacent rate.

The new measure will come into effect from September 2011 resulting in a savings yield of some €10m in 2011, with a full-year saving of some €30m.

While the measures in relation to student grants outlined in Budget 2011 will result in changes to the rate of grant payable, none of the measures will result in a student losing a grant or becoming ineligible for a grant.

### **FÁS Training Programmes**

38. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills her views on whether the 2000 places sanctioned under the work placement programme are sufficient in view of the fact that over 440,000 people are unemployed at the moment; and if she will make a statement on the matter. [43777/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** Last year, the Government introduced the FÁS Work Placement Programme (WPP) to provide valuable work experience for unemployed individuals. The Work Placement Programme provides up to 9 months work experience to unemployed individuals and is open to employers from all sectors of the economy, including the private, public and the community and voluntary sectors.

Since the start of the programme a total of 2,574 people have commenced a placement under the programme and as of the 3rd December there were a further 1,258 placements potentially available to be filled. In Budget 2011, as part of its response to the level of unemployment the Government announced the expansion of the Work Placement Programme from the current 2,000 places to 7,500 places. 5,000 of the additional places are in the public sector. Public sector bodies will be encouraged to actively participate in the programme and offer more placement opportunities to the unemployed. The other 500 places are to be provided for graduates in the private sector.

In addition to the WPP, the Government will also provide a broad range of training and employment places, Further Education places and Higher Education places next year. The unemployed will be able to access these places. Next year's provision for the unemployed also includes a new €20 million Higher Education Activation Fund, enhanced measures to assist redundant apprentices and a new Skills Development and Internship Programme that is intended to be operational before the end of the first quarter in 2011.



### European Globalisation Adjustment Fund

39. **Deputy Joe Costello** asked the Tánaiste and Minister for Education and Skills the amount of money the Government has obtained from the European Globalisation Adjustment Fund for the 1,200 SR Technic workers who were made redundant in 2009; the amount of money put into the fund by the Government; the services that have been provided through the fund to date; the amount of money that remains in the fund; the deadline for use of all moneys in the fund; and if she will make a statement on the matter. [42722/10]

43. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Education and Skills when funding from the European Globalisation Adjustment Fund will be drawn down and dispersed to the ex-employees of a company (details supplied) for education, re-training and small business support purposes; the mechanisms that have been put in place to access and disperse the EU funding; and if she will make a statement on the matter. [47720/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** I propose to take Questions Nos. 39 and 43 together.

The EU budgetary authorities have recently approved the Irish application for European Globalisation Adjustment Fund (EGF) co-financing assistance in support of 1,135 workers made redundant in 2009 at the S R Technics aircraft maintenance facility at Dublin Airport. This process culminated in the approval by the European Parliament of the Irish application on 11 November 2010.

The EGF application is for a total of €11.46m of which the EU contribution sought is €7.45m. A formal notification of the successful EU decision was received on 8 December and receipt of EU co-funding is expected shortly.

Notwithstanding the fact that no EU monies have been received by the Irish authorities to date, the relevant State agencies and educational bodies have, since March 2009, already provided the workers affected with a range of occupational guidance, training, educational opportunities and enterprise supports.

Under the EGF Regulation, EU co-funding can be used for measures delivered from the commencement of service provision to the affected workers until 9 October 2011.

### Special Educational Needs

40. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills her plans to meet the accommodation and special needs teaching requirements of children with autism, aspergers, attention deficit disorder and attention deficit hyperactivity disorder or other special needs at primary and second level schools here; the extent to which she expects or intends to provide the necessary special needs assistants and teachers to meet such requirements in the present and unfolding economic situation; if she will ensure that these needs are kept to the fore in the planning and budgetary sectors of her Department; and if she will make a statement on the matter. [47379/10]

47. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills her plans to meet the accommodation and special needs teaching requirements of children with autism, attention deficit disorder and attention deficit hyperactivity disorder and or other special needs at primary and second level schools in County Kildare; the extent to which she expects or intends to provide the special needs assistants and teachers to meet such requirements in the present and unfolding economic situation; if she will ensure that these needs are

kept to the fore in the planning and budgetary sectors of her Department; and if she will make a statement on the matter. [47109/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 47 and 40 together.

The Deputy will be aware of my Department's commitment to ensuring that all children, including those with special needs, can have access to an education appropriate to their needs.

Children with special educational needs, including the specific conditions mentioned by the Deputy, have a range of placement options available to them. Many pupils with special needs, including those mentioned by the Deputy, attend mainstream schools alongside their peers. Depending on the extent of their special educational need, these pupils may receive support from the school's Learning Support teacher and/or additional tuition hours provided by a Resource teacher. In addition, schools with pupils enrolled who have significant care needs, can apply for additional support through the special needs assistant scheme.

Other pupils with special educational needs attend a special class attached to a mainstream school while some pupils attend a special school. These pupils are supported through lower pupil teacher ratios and, where necessary, special needs assistants. The Deputy will be aware that the expansion in the network of autism-specific special classes in schools has been a key priority in recent years.

My Department continues to fund special school transport arrangements for pupils with special educational needs. Funding is also provided to schools to purchase assistive technology and/or specialist equipment. In addition, funding can be provided for school buildings to be adapted where necessary.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers, for allocating supports to schools to support children with special educational needs. Schools, which have enrolled pupils with special educational needs that are eligible for such support, apply to the NCSE for the allocation of the necessary resources.

The Deputy will be aware that there has been unprecedented investment in providing supports for pupils with special needs in recent years, with over €1 billion being spent this year in supporting special educational provision this year.

There are now in excess of 20,000 adults in our schools working solely with pupils with special needs. This includes over 10,000 special needs assistants; over 9,000 resource and learning support teachers employed in mainstream schools; over 500 teachers in special classes and over 1,100 special school teachers.

The education of children with special educational needs remains a key Government priority and the Government will continue to provide for learning support and resource teacher posts and special needs assistant posts in schools.

### **Computerisation Programme**

41. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Education and Skills the progress in rolling out next generation broadband in primary schools; and if she will make a statement on the matter. [44836/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** My Department's ICT in Schools Programme addresses four broad areas — the provision of essential ICT infrastructure and networking within schools, the provision of access to broadband connectivity to

[Deputy Mary Coughlan.]

school, up-skilling teachers' ICT skills and finally, integrating ICT within the curriculum and providing curriculum relevant digital content and software. Since 1998 almost €300m has been invested in the programme with some €50m being invested in broadband for schools.

Under the Schools Broadband Programme connectivity to the internet is routed through a National Broadband Network, developed by HEAnet — the National Education and Research Network provider. HEAnet controls the broadband access to schools, and it provides centrally managed services for schools such as security, anti-spam/anti-virus and content filtering. Access to resources such as on-line versions of Britannica and World Book are also only available through the Schools Broadband Network. A national helpdesk managed by the National Centre for Technology in Education (NCTE) has been established to interface between the network, the Internet Service Provider (ISP) and the schools. It also provides schools with on-going advice and assistance. My Department has secured broadband services on behalf of schools and under the resultant contracts the best available connections, within resources, were provided.

Since commencement of the rollout of phase 2 of the Schools Broadband Programme in 2009 there has been over a 50% increase in bandwidth capacity, this is due to improved bandwidth speeds being made available to schools and the substantial reduction in the number of schools who are connected via satellite. Schools are only offered satellite connections where no alternative was offered during the procurement process. Should a better solution become available from the contractors over the lifetime of the contracts, schools will be migrated to the new solution.

### **Special Educational Needs**

42. **Deputy Denis Naughten** asked the Tánaiste and Minister for Education and Skills the steps she is taking to support children with a disability in the classroom; and if she will make a statement on the matter. [47407/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Deputy will be aware of my Department's commitment to ensuring that all children including those with special needs can have access to an education appropriate to their needs preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers, special needs assistants and the appropriate school curriculum with the option, in line with each child's ability, of full/partial integration and interaction with other pupils.

My Department's policy is to provide for children with special educational needs to be integrated into mainstream schools unless such a placement would not be in their best interests or the interests of the children with whom they are to be educated. Some children may be supported in a special class attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils. Other children may have such complex needs that they are best placed in a special school.

Students with special educational needs have access to a range of support services including additional teaching and/or care supports. In special schools and special classes, students are supported through lower pupil teacher ratios. Special needs assistants may also be recruited specifically where pupils with disabilities and significant care needs are enrolled.

There are now in excess of 20,000 adults in our schools working solely with pupils with special needs. This includes over 10,000 Special Needs Assistants; over 9,000 resource and learning support teachers employed in mainstream schools; over 500 teachers in special classes and over 1,100 special school teachers.

My Department continues to fund special school transport arrangements for pupils with special educational needs. Funding is also provided to schools to purchase assistive technology and/or specialist equipment. In addition, funding can be provided for school buildings to be adapted where necessary.

My Department has also responded to the need to provide teachers with continuing professional development in special education. This has been a key priority in recent years. The establishment of the Special Education Support Service (SESS) to provide expert support, professional development and training opportunities in special education for school staff has been very significant. Last year alone 23,602 training places were provided through the SESS.

The National Council for Special Education (NCSE) was set up to improve the delivery of education services to persons with special educational needs arising from disabilities with particular emphasis on children. The NCSE, with its network of Special Educational Needs Organisers (SENOS), provides a service to schools seeking additional teaching and/or care supports for enrolled students who qualify for additional supports. Working locally on the ground, the SENOs are a focal point of contact for parents and schools.

The Deputy will be aware that there has been unprecedented investment in providing supports for pupils with special needs in recent years and Special Education continues to be a key Government priority. Over €1 billion is being spent in supporting special educational provision this year.

*Question No. 43 answered with Question No. 39.*

### **Community Employment Schemes**

44. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Education and Skills the new rates for special community employment participants; the budget allocation for training participants on a special community employment scheme for 2011; and if the budget has affected the so-called double payments. [47739/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The following are the details of the weekly pay rates for all Community Employment (CE) participants for 2011: CE Single Adult Rate: €208.00 Increase for Qualified Adult: €124.80 Full rate Child Dependant: €29.80 Half rate Child Dependant: €14.90.

In line with the transfer of budgetary and policy responsibility for CE to the Department of Social Protection commencing in 2011, the budget allocation for CE remains subject to agreement between FÁS and that Department.

The continued payment of all or part of a social welfare entitlement whilst simultaneously receiving a payment from Community Employment has not been affected by the 2011 Budget.

### **Child Abuse**

45. **Deputy Richard Bruton** asked the Tánaiste and Minister for Education and Skills the reason the Ryan report did not substantially address those abused when placed by the State in foster care; if he plans to commission a report into abuse in foster homes; if he will extend the State compensation scheme to give redress to those who have been abused in foster homes; and if she will make a statement on the matter. [47815/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Commission to Inquire into Child Abuse is an independent body established pursuant to the Commission to Inquire into Child Abuse Acts 2000 and 2005. The term “institution” was defined by the

[Deputy Mary Coughlan.]

legislation to include “a school, an industrial school, a reformatory school, an orphanage, a hospital, a children’s home and any other place where children are cared for other than as members of their families.” Accordingly, foster care came within the scope of the definition of an institution. The Commission comprised two separate and distinct Committees which were required to report separately to the Commission as a whole. Chapter 15 of Volume 3 of the Commission’s Final Report, is the final report of the work of the Confidential Committee and details the evidence heard from witnesses who reported being abused while in foster care.

The Redress Scheme was established in 2002 as an exceptional measure to address abuse in specified residential institutions and to quote the then Minister from the Second Stage Debate on the redress legislation “It is not, and was never intended to be, a panacea for every injustice committed on children”. The inclusion of children abused in foster care was raised during the passage of the original legislation, however foster care settings were not included on the basis that there was no substantial evidence of widespread abuse in foster homes. Following the publication of the Ryan Report in May 2009, there were a range of demands for the redress scheme to be extended, including demands to include foster care settings. The Government considered these demands and in its statement of 15 April last indicated that it did not propose to revise the arrangements.

### **FÁS Training Programmes**

46. **Deputy Finian McGrath** asked the Tánaiste and Minister for Education and Skills the reason FÁS students who passed all exams are not receiving their certificates. [47933/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** I understand that FÁS, in the implementation of its new Training Standards System, discovered processing issues in the North East which gave rise to errors on requests which had been made by FAS to FETAC. Certificates for 53 learners on 6 courses were involved but the certificates in question had not issued to the learners involved. The errors arise from administrative, processing and data entry issues rather than with the quality of the programmes. FÁS informed FETAC on 10 November.

FETAC, on 10 November, 2010, decided to hold the issuing of certificates to FÁS. FETAC is now conducting an examination of the processes underpinning the requesting of certificates by FÁS from FETAC and are doing so with the full co-operation of FÁS which is in agreement with this approach. FETAC is visiting each of the 17 centres that request certificates from FETAC and, as of close of business on Wednesday 15 December, had completed 10 site visits. I understand that FETAC expects to complete the visits by the end of December and it will then consider the outcomes and determine next steps.

It has become clear as site visits have progressed that the issues encountered do not affect apprenticeship certificates or certificates issued under the Construction Skills Certification Scheme and that FETAC processing of these awards has recommenced. FETAC will be publishing a report of its examination which will outline any issues encountered and learners affected. I understand that FETAC will not be publishing outcomes in advance of the finalisation of the report. I can assure the Deputy that FÁS will address any issues raised in the FETAC report.

*Question No. 47 answered with Question No. 40.*

*Question No. 48 answered with Question No. 22.*

### School Accommodation

49. **Deputy Deirdre Clune** asked the Tánaiste and Minister for Education and Skills the process by which a community can progress the development of a secondary school in their area; and if she will make a statement on the matter. [47700/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Forward Planning Section of my Department is in the process of analysing all areas in the country in order to determine the level of additional provision which will be required at both primary and post primary level up to 2017. I have recently announced the setting up of a new framework in relation to the establishment of new second-level schools and their patronage. This will involve an expert Group to be known as the Second-Level Patronage Advisory Group that will consider applications for new schools and advise me in relation to those applications, having undertaken survey work of parental views and using the criteria to be set down. I plan to establish the group very shortly and I will seek their input prior to the finalisation of the detailed criteria and procedures. The progression of all large scale building projects arising from Forward Planning Section's analysis will be considered in the context of my Department's School Building and Modernisation Programme.

### Schools Building Projects

50. **Deputy Denis Naughten** asked the Tánaiste and Minister for Education and Skills the position regarding an application by a school (details supplied) in County Roscommon; and if she will make a statement on the matter. [47709/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** My Department is in receipt of a major capital application for an extension from the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 4.1 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at [www.education.ie](http://www.education.ie). The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners.

There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

### Higher Education Grants

51. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the reason a person (details supplied) in County Kildare has difficulty proving they were living independently in view of the fact that they spent a year in Australia in relation to their application for a higher education grant; and if she will make a statement on the matter. [47748/10]

**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

[Deputy Mary Coughlan.]

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**

52. **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. [47749/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As the Deputy will be aware from my reply of the 7 December 2010, 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](http://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 recently received an application from the local Education Welfare Officer (EWO) for home tuition support hours for the child in question. It should, 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 understand my officials in Schools Division have confirmed to the EWO that the child does not qualify for home tuition support hours because he has a school placement. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

### **Schools Building Projects**

53. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the position regarding a building project application by a school (details supplied) in County Kildare; the degree to which the project is on schedule; and if she will make a statement on the matter. [47750/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I am pleased to inform the Deputy that a contractor has been appointed for the project to which he refers. It is anticipated that the project will commence construction shortly.

54. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the position regarding a school (details supplied) in County Kildare; when this matter is likely to proceed; and if she will make a statement on the matter. [47752/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I am pleased to inform the Deputy that the project to which he refers, commenced construction last January and is expected to be completed in early 2011.

55. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills when she received an application for large scale capital funding in respect of a school (details supplied) in County Kildare; when the matter is likely to proceed; and if she will make a statement on the matter. [47753/10]

92. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Education and Skills when a design team will be appointed for the required extension to a school (details supplied) in County Kildare. [47875/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 55 and 92 together.

The school to which the Deputy refers originally applied to my Department for large scale capital funding in September 2007. The application has been assessed in accordance with the published prioritisation criteria for large scale capital projects and assigned a Band 3 rating. Information in respect of the current school building programme along with assessed applications for major capital works, including the project referred to by the Deputy, is available on my Department's website at [www.education.ie](http://www.education.ie). The progression of all large scale building projects, including the project for this school, from initial design through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in the light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

### Schools Recognition

56. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the extent to which she has reviewed temporary recognition of a school (details supplied) in County Kildare with the objective of permanent recognition; and if she will make a statement on the matter. [47754/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The school to which the Deputy refers currently operates with provisional recognition and has applied to my Department for permanent recognition status. My Department is prepared to consider the school's application subject to conditions as set out in a letter that issued to the school authority in June 2010 which included a requirement in relation to enrolments at the school and a satisfactory report from the Inspectorate as to the continued viability and operation of the school. My Department's Inspectorate has been requested to visit the school in this regard and to provide a report on the matter. The question of permanent recognition will be considered following receipt and consideration of the Inspector's Report and a decision will be conveyed to the school authority in due course.

### Schools Building Projects

57. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the progress to date in relation to building works at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [47755/10]



**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The school in question received grant aid in 2007 to provide four resource rooms under my Department's Permanent Accommodation Scheme. I am pleased to inform the Deputy that construction works on the school have recently been completed.

58. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the progress over the past three months in relation to an application for large scale capital funding by a school (details supplied) in County Kildare; when the matter is likely to proceed in view of increased demands on the school; and if she will make a statement on the matter. [47756/10]

60. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the timescale for granting of funding to a school (details supplied) in County Kildare in view of the increased demands on the school; and if she will make a statement on the matter. [47758/10]

61. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills when a school (details supplied) in County Kildare will be granted funding under the application for large scale capital funding in view of the increased demands on the school; and if she will make a statement on the matter. [47759/10]

63. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the position and progress over the summer period in respect of an application for large scale capital funding in respect of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [47761/10]

68. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 177 of 3 June 2010, the position regarding an application for large scale capital funding; her plans to progress same in view of the long period of time that has elapsed since the application was made; and if she will make a statement on the matter. [47766/10]

70. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the position regarding an application for large scale capital funding in respect of a school (details supplied) in County Kildare in view of the fact that an application for same was made 11 years ago; her plans to progress same given the long period of time elapsed since the application for same was made; and if she will make a statement on the matter. [47768/10]

91. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Education and Skills if she will appoint a design team for the building of a permanent school (details supplied) in County Kildare. [47874/10]

93. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Education and Skills if she will sanction the appointment of a design team for a school (details supplied) in County Kildare. [47876/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 58, 60, 61, 63, 68, 70, 91 and 93 together.

I can confirm that the schools to which the Deputy refers have made applications to my Department for large scale funding. The applications have been assessed in accordance with the published prioritisation criteria for large scale capital projects and assigned an appropriate band rating. Information in respect of the current school building programme, along with assessed applications for major capital works, including the projects referred to by the Deputy,

is available on my Department's website at [www.education.ie](http://www.education.ie). The progression of all large scale building projects, including projects for these schools, from initial design through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in the light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of these projects at this time.

59. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills when a new school (details supplied) in County Kildare will be ready for occupation; if the projected completion date is in line with previous expectations; and if she will make a statement on the matter. [47757/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As the Deputy will be aware, the original contractor appointed for this project went into receivership and a completion contractor was subsequently appointed. The contract with the completion contractor commenced in April and it is envisaged that the new school will be ready for occupation early next year.

*Questions Nos. 60 and 61 answered with Question No. 58.*

62. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills when an application was first made by a school (details supplied) in County Kildare in respect of an application for large scale capital funding; the progress of same on a year by year basis since the application was submitted; and if she will make a statement on the matter. [47760/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The school to which the Deputy refers originally applied to my Department for large scale capital funding in 2001.

The application has been assessed in accordance with the published prioritisation criteria for large scale capital projects and has been assigned a Band 2 rating.

Information in respect of the current school building programme along with assessed applications for major capital works, including the project referred to by the Deputy, is available on my Department's website at [www.education.ie](http://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.

*Question No. 63 answered with Question No. 58.*

64. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the progress in the past six months of the advancement of a school building project in respect of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [47762/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I am pleased to inform the Deputy that the project to which he refers, commenced construction last August and is anticipated to be completed in late 2011.

65. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the position regarding the school building project for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [47763/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I am pleased to inform the Deputy that the project, for the school to which he refers, commenced construction in September 2009 and is expected to be completed in early 2011.

#### **School Accommodation**

66. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills if provision has been made for the necessary temporary accommodation at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [47764/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I am pleased to inform the Deputy that the school to which he refers was approved capital funding in May 2010 to provide three additional classrooms. The school authority has confirmed to my Department that it intends using this funding to provide permanent accommodation.

In November 2010, my Department approved an increase in the level of grant aid to the school to provide additional ancillary works at the school.

#### **Schools Building Projects**

67. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 178 of 3 June 2010, when it is likely that this project will progress to construction in view of the increased demands on the school; and if she will make a statement on the matter. [47765/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I am pleased to inform the Deputy that the construction phase for this project commenced on 12th July 2010.

*Question No. 68 answered with Question no. 58.*

69. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 176 of 3 June 2010, the progress of this matter over the past three months; when a decision on this proposal will issue; and if she will make a statement on the matter. [47767/10]

82. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills having regard to the urgent need for long term accommodation needs of a school (details supplied) in County Kildare, when a decision will be made on this proposal which was submitted some considerable time ago; and if she will make a statement on the matter. [47780/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 69 and 82 together.

I am pleased to inform the Deputy that the school to which he refers has been approved funding on a devolved basis to construct four mainstream classrooms. A letter regarding this matter issued to the school authority in September 2010. It is now a matter for the school management to deliver the project within the parameters of the grant sanctioned.

*Question No. 70 answered with Question No. 58.*

71. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills if she has received any correspondence from the board of management of a school (details supplied) in County Kildare regarding the proposed building project; her plans for the short, medium and long term in this regard; and if she will make a statement on the matter. [47769/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I can confirm that the school to which the Deputy refers has applied to my Department for large scale capital funding for an extension/refurbishment.

In accordance with the published criteria for large scale building projects, the project for this school has been assigned a Band 2 rating. My Department has recently received correspondence from the school management requesting a review of the assigned band rating. The school's request will be considered within the context of the published criteria and a decision will be conveyed to the school in due course.

Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at [www.education.ie](http://www.education.ie)

The progression of all large scale building projects, including this project, from initial design 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 my Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

In the meantime, it is open to the school management to apply to my Department for funding for temporary accommodation to meet its immediate needs.

### **Pupil-Teacher Ratio**

72. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the locations in County Kildare now deemed to have the worst pupil to teacher ratio; her plans to address the issue; and if she will make a statement on the matter. [47770/10]

74. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills her targets in respect of pupil to teacher ratio at primary level in County Kildare in 2011; and if she will make a statement on the matter. [47772/10]

78. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills her targets in respect of pupil to teacher ratio in the coming year and for County Kildare; the way this compares with previous years; and if she will make a statement on the matter. [47776/10]

98. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills her targets in respect of pupil-teacher ratio in the coming year; the way this compares with previous years; and if she will make a statement on the matter. [47881/10]

102. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills her targets in respect of pupil-teacher ratios at primary level throughout the country in 2011; and if she will make a statement on the matter. [47885/10]

104. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the location throughout the country now deemed to have the worst pupil to teacher ratios, her plans to address the issue; and if she will make a statement on the matter. [47887/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 72, 74, 78, 98, 102 and 104 together.

The Statistics Section of my Department's website contains extensive information relating to pupil teacher ratio (PTR) and class sizes in primary schools. The PTR in respect of all primary schools is currently only available at national level and not disaggregated by county or any other variable. The most recent statistical information relates to the 2009/10 school year.

Statistical information in respect of the 2010/11 school year is due for publication in September 2011.

Pupil numbers at both primary and post-primary level continue to increase and this results in an increased requirement for additional teachers for the foreseeable future. The criteria used for the allocation of teachers to schools is published annually on my Department's website. In terms of the position at individual school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at 30 September of the previous year. While the staffing schedule allocates on the basis of an average number of pupils each individual school decides on how to arrange its classes.

### School Staffing

73. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the number of teaching posts awaiting approval or otherwise awaiting to be filled in County Kildare; and if she will make a statement on the matter. [47771/10]

103. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total number of teaching posts awaiting approval or otherwise awaiting to be filled throughout the country; and if she will make a statement on the matter. [47886/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 73 and 103 together.

The teacher allocation process for the current school year would have commenced earlier in 2010 and would be largely completed before schools open in September. In terms of the position at individual school level the key factor for determining the level of resources provided by my Department is the pupil enrolment at the 30 September of the previous year.

The recruitment, selection and appointment of teachers to all schools is a matter for each individual school authority as employer. Unlike other areas of the public service teaching vacancies continue to be filled in schools in the normal manner.

*Question No. 74 answered with Question No. 72.*

### Schools Building Projects

75. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the number of school building projects for County Kildare currently before her; the total expected capital costs arising; the extent to which she intends to proceed with the programme in the coming year; and if she will make a statement on the matter. [47773/10]

101. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the number of school building projects currently before her; the total expected capital costs arising; the extent to which she intends to proceed with the programme in the coming year; and if she will make a statement on the matter. [47884/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 75 and 101 together.

All projects currently progressing to tender, at tender stage, on-site and completed in 2010, including those projects in County Kildare are listed on my Department's web-site. For the Deputy's convenience I set out below a copy of the tabular statement outlining the current status of each these projects.

My Department's capital allocation for 2011 is €491m. This provision reflects the reduced allocation in 2011 for such expenditure overall. However, I am confident that the funding available will allow for demographic needs to be met and will provide for continued improvement to the stock of educational capital, particularly given falling land values and tender prices.

Major Projects progressing to construction, on-site or completed (14th December 2010)

County	Roll No.	School	Band Rating	Project Description	Status
Galway	08512U	Iomair NS, Killimor	2.2	New School	Progressing to Tender
Galway	12706J	SN Sailearna, Indreabhán	2.4	Extension/refurbishment	Progressing to Tender
Donegal	16672P	St. Patrick's NS, Lurgybrack	1.1	Extension/refurbishment	Progressing to Tender
Wexford	17017L	SN Phádraig, Crossabeg	2.4	Extension/refurbishment	Progressing to Tender
Kildare	17064U	Scoil Phadraig, Ballylinan, Athy	2.2	New School	Progressing to Tender
Cork	17609N	Rathcormac NS, Rathcormac	2.2	New School	Progressing to Tender
Cork	17667E	SN Pádraig Naofa, Whitechurch	2.4	Extension/refurbishment	Progressing to Tender
Meath	17821L	Scoil Nais Mhuire Naofa, Enfield, Co Meath	1.1	New School	Progressing to Tender
Donegal	18052S	Scoil Mhuire gan Smál, Letterkenny	1.1	Extension/refurbishment	Progressing to Tender
Dun Laoghaire-Rathdown	18451J	Scoil Lorcaín, Eaton Square, Monkstown	2.2	Extension/refurbishment	Progressing to Tender
Cork	18786R	Sc Iosagain, Farranree	2.4	Extension/refurbishment	Progressing to Tender
Dun Laoghaire-Rathdown	19474D	St. Colmcille's Junior NS, Knocklyon, Templeogue (Linked to 19742C)	2.1	New School	Progressing to Tender
Sligo	19495L	Carbury NS, The Mall	2.2	New School	Progressing to Tender
Wicklow	19522L	St. Catherine's Secondary School, Newcastle	1.2	New School	Progressing to Tender
Dun Laoghaire-Rathdown	19742C	St. Colmcille's Junior NS, Knocklyon, Templeogue (Linked to 19474D)	2.1	New School	Progressing to Tender
Galway	19795A	Tirellan Heights NS, Headford Road, Galway	1.1	Extension/refurbishment	Progressing to Tender
Dublin Belgard	19878E	Ballycragh NS, Ballycragh, Firhouse, Tallaght, Dublin 24	2.1	New School	Progressing to Tender
Monaghan	19936P	Gaelscoil Ultain, Monaghan Town	2.2	New School	Progressing to Tender
Donegal	19971R	Gaelscoil Adhamanain, Letterkenny	1.1	Extension/refurbishment	Progressing to Tender
Kildare	20114D	Scoil Brid, Naas	1.1	Extension/refurbishment	Progressing to Tender
Galway	20199O	Oughterd NS, Oughterd	1.4	New School	Progressing to Tender
Louth	20349H	Scoil Oilibheir Naofa, Drogheda	1.1	New School	Progressing to Tender
Cork	62690E	Scoil Mhuire, 2 Sydney Place, Wellington Road	2.3	Extension/refurbishment	Progressing to Tender
Louth	63920A	Dundalk, Grammar School, The Crescent	2.1	Extension/refurbishment	Progressing to Tender
Limerick City	64240G	St. Munchin's College, Limerick City	2.4	Extension/refurbishment	Progressing to Tender
Tipperary SR	65240L	Scoil Mhuire Presentation Secondary School, Ballingarry, Thurles	2.4	Extension/refurbishment	Progressing to Tender

Major Projects progressing to construction, on-site or completed (14th December 2010) — *continued*

County	Roll No.	School	Band Rating	Project Description	Status
Tipperary NR	65470F	Ursuline Convent, Thurles	2.4	Extension/refurbishment	Progressing to Tender
Dublin Fingal	76062B	Castleknock Community College, Carpenterstown Road, Castleknock, Dublin 15	1.1	Extension/refurbishment	Progressing to Tender
Monaghan	76091I	Gaelcholaiste Oriall, Monaghan Town	2.4	New School	Progressing to Tender
Monaghan	76095Q	Monaghan Institute of Further Education	2.2	New School	Progressing to Tender
Dun Laoghaire-Rathdown	81001L	Newpark Comprehensive School, Blackrock	2.2	New School	Progressing to Tender
Cork	81008W	Ashton Comprehensive School, Blackrock Road	2.1	New School	Progressing to Tender
Dublin Fingal	00697S	St. Brigid's NS, Castleknock	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Kildare	06209J	Athy Model School (linked to 16705E & 20192A)	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Laois	07442U	Convent of Mercy NS, Borris in Ossory	2.1	New School	Tender Stage — Progressing to Construction
Wicklow	09760V	Powerscourt NS, Powerscourt, Enniskerry	2.2	New School	Tender Stage — Progressing to Construction
Cork	13450F	Rushbrook NS, Cobh	2.2	New School	Tender Stage — Progressing to Construction
Dublin Fingal	15315J	St George's NS, Naul Rd. Balbriggan	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Tipperary NR	15696B	Silvermines National School	2.1	New School	Tender Stage — Progressing to Construction
Kildare	16705E	Scoil Phadraig Naofa, Athy (linked to 06209J & 20192A)	1.1	New School	Tender Stage — Progressing to Construction
Cork	16746S	Ballygarvan NS , Ballygarvan, Co Cork	1.1	New School	Tender Stage — Progressing to Construction
Meath	17213L	SN Mhuire, Ma Nealta, Ceannanus Mór	2.2	New School	Tender Stage — Progressing to Construction
Carlow	17501Q	Bennykerry NS, Bennykerry	2.1	New School	Tender Stage — Progressing to Construction
Laois	17617M	Scoil Chomhgain Naofa, Killeshin	2.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Kerry	17646T	Sn Uaimh Bhreanainn, Ballymacelligott, Tralee	2.3	Extension/refurbishment	Tender Stage — Progressing to Construction
Kildare	17674B	SN Aine Naofa, Ard Cloc, Straffan	1.1	New School	Tender Stage — Progressing to Construction
Dublin City	17936F	Scoil Eoin Baisde Snr, Clontarf (see also 19006Q)	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Offaly	18267Q	Croinchoill NS, Birr	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Cork	18279A	St. Mary's NS, Waterpark, Carrigaline	1.2	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin City	19006Q	Scoil Eoin Baisde B Sois, Clontarf (see also 17936F)	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Dun Laoghaire-Rathdown	19374W	Garran Mhuire, Goatstown, Dublin 14	2.2	Extension/refurbishment	Tender Stage — Progressing to Construction
Galway	19506N	Cappataggle Central School, Ballinasloe	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Limerick	19587Q	St. Augustines Youth Encounter Project	1.2	Extension/refurbishment	Tender Stage — Progressing to Construction



Major Projects progressing to construction, on-site or completed (14th December 2010) — *continued*

County	Roll No.	School	Band Rating	Project Description	Status
Galway City	19858V	Gaelscoil Dara, Galway City	1.1	New School	Tender Stage — Progressing to Construction
Waterford City	20050D	Gaelscoil na Deise, Grace Dieu Road, Waterford (see also 20160K)	1.1	New School	Tender Stage — Progressing to Construction
Laois	20071L	Scoil Bhríde, Rathdowney	1.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Cork	20106E	Scoil Nioclais, Frankfield, Grange	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Longford	20128O	St. Matthew's Mixed NS, Ballymahon	1.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Mayo	20142I	Scoil Íosa, Ballyhaunis	1.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Waterford City	20160K	Waterford Educate Together NS (see also 20050D)	1.1	New School	Tender Stage — Progressing to Construction
Dublin Fingal	20161M	Donabate/Portrane ETNS	1.1	New School	Tender Stage — Progressing to Construction
Kildare	20192A	Scoil Ath Í, Athy (linked to 06209J & 16705E)	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Kerry	20197K	Kenmare NS, Kenmare	1.4	New School	Tender Stage — Progressing to Construction
Dublin Fingal	20201V	Tyrrelstown ETNS	1.1	New School	Tender Stage — Progressing to Construction
Meath	20215J	St Pauls NS Rathoat	1.1	New School	Tender Stage — Progressing to Construction
Dublin Fingal	20252P	Gaelscoil Bhaile Brigín, Balbriggan (Linked to 20282B)	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Kildare	20271T	Scoil Naomh Uilig, Rickardstown, Newbridge	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin Fingal	20282B	Bracken ETNS, Balbriggan (linked to 20252P)	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Louth	20294I	Aston Village ETNS	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	20303G	Lucan East ETNS, Clonburis	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin City	60450U	Colaiste Mhuire, CID Campus, Cabra, Dublin 7	1.1	New School	Tender Stage — Progressing to Construction
Kerry	61440W	St Mary's CBS, Tralee	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Kilkenny	61580P	Loreto Secondary School, Granges Road	2.2	Extension/refurbishment	Tender Stage — Progressing to Construction
Westmeath	63290Q	Loreto College, Mullingar	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Louth	63870L	Drogheda Grammar School	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Waterford City	64970U	Presentation Secondary School, Waterford City	2.1	New School	Tender Stage — Progressing to Construction
Sligo	65170Q	Summerhill College, Sligo	2.2	Extension/refurbishment	Tender Stage — Progressing to Construction
Tipperary NR	72370P	Borrisokane Community College, Tipperary	2.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Tipperary NR	72440K	Nenagh VS, Nenagh	2.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Meath	76103M	Colaiste Na hInse, Laytown	1.1	New School	Tender Stage — Progressing to Construction

Major Projects progressing to construction, on-site or completed (14th December 2010) — *continued*

County	Roll No.	School	Band Rating	Project Description	Status
Wexford	76127D	Gorey Post-Primary School	1.1	New School	Tender Stage — Progressing to Construction
Cavan	06998Q	SN Tulach a Mhile, Corlough	2.2	New School	In Construction
Kildare	11976K	Scoil Choca Naofa, Kilcock, Co. Kildare	1.1	Extension/refurbishment	In Construction
Limerick	13026P	Kilfinane National School	2.2	New School	In Construction
Laois	14260F	Abbeyleix Sth NS, Abbeyleix	2.2	New School	In Construction
Kilkenny	15160G	Marymount N.S., The Rower, Inistioge	2.4	Extension/refurbishment	In Construction
Dublin City	16964F	Scoil Mhuire Ogh 1, Loreto College, Crumlin Rd, Dublin 12	2.5	Extension/refurbishment	In Construction
Donegal	17268N	SN An Br M O Cleirigh, Creevy, Ballyshannon	2.3	Extension/refurbishment	In Construction
Offaly	17523D	SN Cronain Naofa, Dromakeenan	2.4	Extension/refurbishment	In Construction
Offaly	17637S	SN Sheosaimh Naofa, Beál Átha na gCarr, Tullamore	2.2	New School	In Construction
Kildare	17662R	Scoil Bhríde Kill NS	1.1	New School	In Construction
Monaghan	18028V	Corr a Chrainn NS, Corr a Chrainn	2.4	Extension/refurbishment	In Construction
Louth	18069M	Naomh Seosamh, Mell, Drogheda	1.1	New School	In Construction
Donegal	18219F	SN Chonaill, Machaire Chlochair, Bun Beag	2.1	Extension/refurbishment	In Construction
Dublin Belgard	18324C	Scoil Bríde C, Palmerstown	2.3	Extension/refurbishment	In Construction
Carlow	18363M	SN Muire gan Smal, Green Lane	1.1	Extension/refurbishment	In Construction
Kildare	18654A	Caragh NS, Naas	1.1	Extension/refurbishment	In Construction
Westmeath	18812P	Loch an Ghair NS Mullingar	2.2	New School	In Construction
Limerick City	18991S	JFK Memorial School, Ennis Road	2.4	New School	In Construction
Meath	19253K	Scoil Naomh Barra, Wilkinstown	2.3	Extension/refurbishment	In Construction
Louth	19598V	Muire na nGael NS, Bay Estate, Dundalk	1.1	Extension/refurbishment	In Construction
Waterford	19629G	Holy Cross School, Ballycarnane, Tramore	1.1	New School	In Construction
Dublin Fingal	19898K	Gaelscoil an Duinnigh, Feltrim, Swords	1.1	New School	In Construction
Wicklow	20016D	Gaelscoil Uí Chéadaigh, Bray	2.1	Extension/refurbishment	In Construction
Mayo	20046M	Gaelscoil Na Cruaiche, Cathair na Mart, Co. Mayo	1.1	New School	In Construction
Kildare	20058T	Sc Uí Fhiach, Maynooth	1.1	New School	In Construction
Waterford	20076V	Bunscoil Bhothar na Naomh, Lismore	2.4	Extension/refurbishment	In Construction
Dublin (Fingal)	20095C	Gaelscoil Bhrian Boroimhe, Swords, Co Dublin	1.1	New School	In Construction

Major Projects progressing to construction, on-site or completed (14th December 2010) — *continued*

County	Roll No.	School	Band Rating	Project Description	Status
Cork	20105C	Star of the Sea Primary School, Passage West	1.4	New School	In Construction
Dublin City	20139T	Inchicore NS, Sarsfield Road, Dublin 10	1.4	Extension/refurbishment	In Construction
Dublin (Fingal)	20145O	Swords Educate Together NS, Applewood, Swords, Co Dublin	1.1	New school	In Construction
Meath	20180Q	Scoil Eoin National School, Navan	1.1	New School	In Construction
Kerry	20196I	Ballybunion NS	1.4	New School	In Construction
Louth	20205G	St Mary's Parish School, Drogheda	1.1	New School	In Construction
Dublin Fingal	60010P	Loreto Secondary School, Balbriggan	1.1	Extension/refurbishment	In Construction
Dun Laoghaire-Rathdown	60860Q	Our Lady's School, Templeogue Road, Terenure, Dublin 6W	2.4	Extension/refurbishment	In Construction
Cavan	61060M	St Patrick's College, Cavan, Co. Cavan	2.3	New School	In Construction
Kildare	61710C	Meánscoil Iognáid Ris, Naas	1.1	Extension/refurbishment	In Construction
Wicklow	61800D	Presentation College, Bray	2.2	New School	In Construction
Galway City	62970K	Coláiste Iognáid SJ Bothar na Mara	1.1	Extension/refurbishment	In Construction
Limerick City	64201T	Ardscoil Ris, North Circular Rd, Limerick	2.4	Extension/refurbishment	In Construction
Roscommon	65100S	Scoil Mhuire, Strokestown, Co Roscommon	2.4	Extension/refurbishment	In Construction
Offaly	65610S	Colaiste Choilm, O'Moore Street, Tullamore, Co Offaly	1.1	New School	In Construction
Dun Laoghaire-Rathdown	70030E	Senior College, Dun Laoghaire	1.4	Extension/refurbishment	In Construction
Donegal	71240U	Stranorlar Vocational School (Finn Valley College)	2.2	New School	In Construction
Wexford	71630K	Vocational College, Enniscorthy, Co Wexford	1.1	Extension/refurbishment	In Construction
Longford	71690F	Ballymahon Vocational School	2.3	Extension/refurbishment	In Construction
Mayo	76060U	Davitt College, Castlebar	4.1	Extension/refurbishment	In Construction
Dublin Fingal	76098W	Pobail Scoil Setanta, Phibblestown (see also 20247W)	1.1	New School	In Construction
Dublin Fingal	76104O	Donabate Community College	1.1	New School	In Construction
Donegal	91409A	Pobalscoil Ghaoth Dobhair, Derrybeg, Letterkenny	4.1	Extension/refurbishment	In Construction
Kildare	00779U	Presentation Convent, Maynooth	1.1	Extension/refurbishment	Practical Completion 2010
Meath	00885T	Ratoath Jnr NS, Ratoath (Linked to 20200T)	1.1	Extension/refurbishment	Practical Completion 2010
Roscommon	01607T	Scoil Náisiúnta Cor Na Fola, Athlone	2.2	Extension/refurbishment	Practical Completion 2010

Major Projects progressing to construction, on-site or completed (14th December 2010) — *continued*

County	Roll No.	School	Band Rating	Project Description	Status
Wicklow	10111O	Lacken National School, Lacken, Blessington, Co Wicklow	2.1	New School	Practical Completion 2010
Kildare	13350A	Scoil Bhríde, Athgarvan	1.1	Extension/refurbishment	Practical Completion 2010
Clare	14830U	Barefield N.S., Ennis	2.1	Extension/refurbishment	Practical Completion 2010
Limerick	16237U	Dromtrasna NS Abbeyfeale	1.3	New School	Practical Completion 2010
Kildare	16345A	Scoil Bhríde, Nurney, Co. Kildare	2.2	New School	Practical Completion 2010
Meath	16646O	St Marys Convent NS Trim	1.1	Extension/refurbishment	Practical Completion 2010
Westmeath	17089N	Cluain Maolain NS, Cluain Maolain, An Uaimh	2.1	New School	Practical Completion 2010
Meath	17964K	SN Mhuire Naofa, Rathfeigh	2.4	Extension/refurbishment	Practical Completion 2010
Dublin City	18646B	Springdale NS, Lough Derg Rd., Raheny	2.1	New School	Practical Completion 2010
Meath	20200T	Ratoath Snr NS, Ratoath (Linked to 00885T)	1.1	Extension/refurbishment	Practical Completion 2010
Dublin Fingal	20202A	Balbriggan ET	1.1	New School	Practical Completion 2010
Meath	20216L	Scoil Oilibheir Naofa, Laytown	1.1	New School	Practical Completion 2010
Dublin Fingal	20231H	St. Benedicts Ongar NS, Littlepace	1.1	New School	Practical Completion 2010
Dublin Fingal	20247W	Scoil Ghráinne Community National School , Phibblestown (see also 76098W)	1.1	New School	Practical Completion 2010
Kildare	20271T	Scoil na Naomh Uilig, Rickardstown, Newbridge (Phase I)	1.1	New School	Practical Completion 2010
Kildare	70650L	Athy Community College (St. Bridgets Post Primary School)	1.3	New School	Practical Completion 2010
Galway	91514U	Glenamaddy Community School, Glenamaddy	1.4	New School	Practical Completion 2010

### Special Educational Needs

76. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the number of autism or other special teacher units currently available at all mainstream schools in County Kildare; the full extent of the requirement; the number of applications for such facilities currently before her; her intentions to respond to such requests; and if she will make a statement on the matter. [47774/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Deputy will be aware that the Government is committed to ensuring that all children with special educational needs, including those with autism, can have access to an education appropriate to their needs preferably in school settings through the primary and post primary school network.

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 to schools to support students with special education needs. The SENO will also consider applications from schools to establish special classes for students with autism. I set out below, for the Deputy's information, a list provided by the NCSE of schools approved for ASD classes in the Kildare area.

When a school is approved for an ASD/Special Needs Unit, and its existing accommodation does not meet this need, the school may apply to my Department for funding for such accommodation. All such applications are afforded a high priority. In some cases, if it is not possible to carry out a major extension to the school in the time available, temporary accommodation is put in place. I can confirm to the Deputy that all schools in Kildare that applied for additional accommodation in this regard in 2010 were provided with funding.

Roll Number	School Name & Address	Class Type	No. of Classes
18288B	Scoil Micheál Naofa, Athy	2 : Mild General Learning Disability 3 : Moderate General Learning Disability Autism	1
			1
			5
			<b>7</b>
20271T	Scoil na Naomh Uilig, Newbridge, Co. Kildare	4 : Severe/Profound General Learning Disability Autism	1
			2
			<b>3</b>
20114D	Scoil Brid, Oldtown, Naas, Co Kildare	Autism	2
			<b>2</b>
18515J	Scoil an Linbh Iosa, Prosperous, Naas, Co Kildare	Autism	2
			<b>2</b>
19459H	Leixlip GNS, Leixlip, Co Kildare	Autism	2
			<b>2</b>
19675N	Scoil Bhríde, Kilcullen, Co Kildare	Autism	2
			<b>2</b>
19995I	North Kildare Educate Together, Clane Road, Celbridge	Autism	2
			<b>2</b>

Roll Number	School Name & Address	Class Type	No. of Classes
18093J	Clogherinkoe NS, Moyvalley, Co Kildare	Autism	2
			<b>2</b>
20292E	Maynooth Educate Together, Celbridge Rd., Maynooth	Autism	1
			<b>1</b>
91371B	Colaiste Chiarain, Leixlip	Autism	1
			<b>1</b>
61661P	Salesian Secondary School, Celbridge	Autism	1
			<b>1</b>
70720G	St. Farnans VEC, Prosperous, Naas	Autism	1
			<b>1</b>
70710D	St. Patricks, Community College, Naas	Autism	1
			<b>1</b>
00779U	Presentation Girls PS, Maynooth	Autism	1
			<b>1</b>
18449W	St Conleth's NS, Derrinturn, Carbury.	Autism	1
			<b>1</b>
17873H	St Conleth's & Mary's Junior School	Autism	1
			<b>1</b>
70650L	Athy Community College, Athy	Autism	1
			<b>31</b>

77. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the extent to which she has received requests for special needs teachers from school authorities in County Kildare; the degree to which her response has met such needs; and if she will make a statement on the matter. [47775/10]

99. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the extent to which she has received requests for special needs teachers from school authorities throughout the country; the degree to which her response has met such needs; and if she will make a statement on the matter. [47882/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos 77 and 99 together.

As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers to schools to support children with special educational needs.

The NCSE is an independent agency with responsibility for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in mainstream and special schools. Additional teaching supports are allocated as necessary by the NCSE in

[Deputy Mary Coughlan.]

line with my Department's policy to support children with special educational needs. Schools, which have enrolled pupils with special educational needs that are eligible for such support, apply to the NCSE for the allocation of the necessary resources. The NCSE has outlined the processes involved in the consideration of applications for special needs supports in its Circular 01/05 which is available on [www.ncse.ie](http://www.ncse.ie).

I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

*Question No. 78 answered with Question No. 72.*

79. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total requirement in respect of speech and language teachers available in County Kildare at present; the way this meets the local requirement; and if she will make a statement on the matter. [47777/10]

97. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the current total requirement in respect of speech and language teachers available in each county at present; the way this meets the local requirement; and if she will make a statement on the matter. [47880/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos.79 and 97 together.

My Department provides for the establishment of special classes for specific speech and language disorder (SSLD) in primary schools. Applications to establish such classes are considered by the special educational needs organiser (SENO) and those meeting the criteria for establishment are approved by the National Council for Special Education (NCSE).

A full-time teacher is assigned to each class, and classes operate with a reduced pupil-teacher ratio of 7:1. A minimum number of five eligible pupils is then required for a school to retain a SSLD class. There are 66 special classes for children with SSLD in primary schools nationwide. A list of these classes is attached. Speech and language therapy services are provided to these classes by the Health Service Executive (HSE).

It is to be noted in general that the NCSE will consider applications from schools for the establishment of special classes and will also discontinue classes, as required in line with my Department's policy.

As the Deputy will be aware, the HSE is funded to provide therapy services, including speech therapy services for children.

80. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total requirement of special needs assistants as identified by the various school authorities at primary level in County Kildare at present; the degree to which she has responded to such requests in the past six months; her plans by way of provision for 2011; and if she will make a statement on the matter. [47778/10]

96. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total requirement of special needs assistants as identified by the various school authorities at primary level in each county at present; the degree to which she has responded to such requests

in the past six months; her intentions by way of provision for 2011; and if she will make a statement on the matter. [47879/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 80 and 96 together.

As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers, for allocating resource teachers and Special Needs Assistants to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support.

I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

### School Staffing

81. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total number of teachers, permanent and temporary, employed at primary and second level schools in County Kildare; the extent to which this has fluctuated in each of the past three years; the way the pupil to teacher ratio was affected over the period; and if she will make a statement on the matter. [47779/10]

95. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total number of teachers, permanent and temporary, employed at primary and second level schools; the extent to which this has fluctuated in each of the past three years to date in 2010; the way the pupil to teacher ratio was affected over the period; and if she will make a statement on the matter. [47878/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I propose to take Questions Nos. 81 and 95 together.

The information which the Deputy has requested in relation to the total number of teaching posts at primary and post primary level is as follows:

Public Sector Numbers (Whole Time Equivalents)

	Primary Teachers	Post-Primary Teachers
Dec-07	30,765	27,627
Dec-08	31,856	28,254
Dec-09	31,731	27,736
Sep-10	32,120	27,960

The number of teaching posts is available at national level only and not disaggregated by geographical area.

The Statistics Section of my Department's website contains extensive information relating to pupil teacher ratio (PTR) in primary and post primary schools. The PTR is currently only available at national level and not disaggregated by county or any other variable. The most recent statistical information relates to the 2009/10 school year. Statistical information in respect of the 2010/11 school year is due for publication in September 2011.

*Question No. 82 answered with Question No. 69.*



### Schools Building Projects

83. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 184 of 3 June 2010, the band rating in respect of a school (details supplied) in County Kildare; her plans to advance this project in the next six months; and if she will make a statement on the matter. [47781/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I can confirm that the school to which the Deputy refers made an application to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 2 rating.

Information in respect of the current school building programme along with assessed applications for major capital works, including the project referred to by the Deputy, is available on my Department's website at [www.education.ie](http://www.education.ie).

The progression of all large scale building projects, including this project, from initial design through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in the light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

### Ministerial Appointments

84. **Deputy Michael Ring** asked the Tánaiste and Minister for Education and Skills the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47787/10]

**Deputy Mary Coughlan:** The information requested is currently being collated and will be forwarded to the Deputy.

### FÁS Training Programmes

85. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills the percentage of beneficiaries of training provided by FÁS specialist training providers who have progressed to the labour market, broken down annually, for the years 2006 to 2009 inclusive; and if she will make a statement on the matter. [47826/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The information in the format requested by the Deputy is not currently readily available. I will respond to him directly with this information as soon as possible.

86. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills if she will provide a breakdown of the rate of labour market progression of participants in FÁS training for the years 2005 to 2009 inclusive; and if she will make a statement on the matter. [47827/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** Data on post-programme outcomes for FÁS trainees are collected by means of a large follow-up survey carried out every 2/3 years. Two such surveys have been carried out over the period covered in the Question. The most recent survey was conducted in the last quarter of 2009, and covered outcomes for trainees who completed training just over a year earlier (during the period June-September 2008). (Table a)

The survey identifies the proportion of trainees in various programmes who have a) entered employment or b) gone on to further education or training during the year since they completed courses. On the assumption that the survey period figures are representative of all leavers for the year concerned, the following estimates can be made for persons who completed the main FÁS training programmes for unemployed people in 2008:—One third of trainees had found employment, and a similar proportion had engaged in further training/education, within the year since they completed training. In total, some two thirds of participants had therefore progressed.

This most recent survey covered a period when unemployment was rising rapidly — from about 7% at the time the trainees completed their courses to almost 13% at the date of the survey.

The earlier prior survey, covering leavers from late 2005, was carried out in late 2006. Again on the assumption that the survey period figures are representative of all leavers for the year concerned, the following estimates can be made for persons who completed the main FÁS training programmes for unemployed people in 2005: (Table b)

Over half of the trainees had found employment, and one third had engaged in further training/education, within the year since they completed training. In total, some 80% of participants had therefore progressed. This earlier survey was carried out at a time when unemployment was much lower and falling — from 4.6% at the time the trainees completed their courses to 4% at the date of the survey.

FÁS collects employment data following the completion of each training course and at various intervals following course completion when data is made available by contracted trainers and occasionally by participants themselves. However, this data does not present an accurate picture of job placement success as many participants do not choose to make further contact with FÁS after they have completed their course. It is for this reason that FÁS commissions follow up surveys as the main source of comprehensive information on the post-training experience of trainees.

Table A: FÁS Trainee Outcomes 2008

Programme	Number completing in 2008	Survey-based estimate for found employment within approx 12 months		Survey-based estimate for entered further training/education within approx 12 months	
		%	Number	%	Number
Bridging/ Foundation	6,800	27	1,800	33	2,200
Community Training Centres	2400	27	600	33	800
Local Training Initiatives	3,300	35	1,200	33	1,100
Return to Work	900	19	200	34	300
Specific Skills Training	8,000	37	3,000	35	2,800
Traineeship	2,600	54	1,400	27	700
<i>Total Training</i>	24,000	33	7,900	33	7,900

[Deputy Seán Haughey.]

Table B: FÁS Trainee Outcomes 2005

Programme	Number completing in 2005	Survey-based estimate for found employment within approx 12 months		Survey-based estimate for entered further training/education within approx 12 months	
		%	Number	%	Number
Bridging/ Foundation	6,400	47	3,000	36	2,300
Community Training Centres	2,100	55	1,200	34	700
Local Training Initiatives	2,800	46	1,300	44	1,200
Return to Work	1,300	36	500	22	300
Specific Skills Training	6,800	67	4,600	26	1,800
Traineeship	2,000	78	1,600	32	600
<i>Total Training</i>	21,400	57	12,200	33	7,100

### Higher Education Grants

87. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills the reason students applying for back to education and student support are allowed a maximum break from the academic system of one year; if an exemption can be made for a person (details supplied) in County Donegal whose personal family circumstances prevented them from proceeding with their studies for a period of more than one year; and if she will make a statement on the matter. [47829/10]

**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.

### Site Acquisitions

88. **Deputy Tom Hayes** asked the Tánaiste and Minister for Education and Skills the progress made in securing a site for a school building project (details supplied) in County Tipperary; and if she will make a statement on the matter. [47853/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** In 2004, agreement was reached to amalgamate the two primary schools referred to by the Deputy. The application for capital funding to facilitate this amalgamation was assessed and assigned a band rating of 1.4.

A technical inspection was carried out on the existing school buildings to determine which would be suitable to facilitate the amalgamated school. The report produced following this

inspection concluded that the most suitable building to facilitate the amalgamation would be the girls' school. It also found that an additional portion of land would be required from the Sisters of Mercy to facilitate the development. The Department has received an offer of lands from the Sisters of Mercy under the Residential Institutions Redress compensation scheme. The Department is considering this offer in the context of the religious orders' response to the Government request for an increase in their contribution under the Redress scheme.

On conclusion of the acquisition of the site, the progression of the amalgamated school building project will be considered in the context of the Department's multi-annual school building and modernisation programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

### **FÁS Training Programmes**

89. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills with regard to the FÁS work placement programme for teachers announced by her, if it is possible for teachers who use this scheme to gain the relevant experience required for the Dip qualification; if she will encourage trainee teachers to apply to Dip programmes ahead of the deadline of 14 January 2011 on the assumption that the work placement programme will be of aid to them; and if she will make a statement on the matter. [47862/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** In the event that newly qualified primary teachers in a placement under the FÁS Work Placement Programme can meet the conditions associated with the operation of the primary probationary process, as outlined in circular 58/2010, there will be nothing to preclude them from applying to be probated.

I do not intend to encourage students to apply to undertake the Higher Diploma in Education study based solely on the ongoing provision of the Work Placement Programme. The provision of teaching placements under the scheme is at the discretion of individual boards of management and, as such, I cannot guarantee that placements would be available for all teaching graduates. However, I would encourage both schools and individuals to participate in the programme. There is a real opportunity for schools to benefit from people with a diverse range of skills and for people who are out of work to develop skills and broaden their experience.

90. **Deputy Fergus O'Dowd** asked the Tánaiste and Minister for Education and Skills further to Parliamentary Question No. 100 of 23 November 2010, when information will issue; and if she will make a statement on the matter. [47871/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The information requested by the Deputy is being compiled by FÁS. It is a complex exercise and, therefore, the information requested is not easily available. I will reply to the Deputy as soon as I have the figures requested to hand.

*Question No. 91 answered with Question No. 58.*

*Question No. 92 answered with Question No. 55.*

*Question No. 93 answered with Question No. 58.*

### **Schools Building Projects**

94. **Deputy Emmet Stagg** asked the Tánaiste and Minister for Education and Skills further

[Deputy Emmet Stagg.]

to Parliamentary Question No. 114 of 30 September 2010, if she will sanction the provision of a gaelcholáiste for north Kildare. [47877/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As I previously outlined to the Deputy the Forward Planning Section of my Department is in the process of analysing all areas in the country in order to determine the level of additional provision which will be required at both primary and post primary level up to 2017. Overall post-primary requirements in the North Kildare area, including the case for the provision of a new Irish language post-primary school will be considered in this context.

A multi-million Euro building project has been provided for Coláiste Cois Liffe, Lucan to cater for a long term projected enrolment of 600 pupils. This Gaelcholaiste, under the aegis of Co. Dublin VEC was built to serve the needs of the west Dublin /north Kildare area, including Maynooth and Kilcock. The enrolment for 2009/10 in Coláiste Cois Life was 345 and therefore this school would appear to have capacity to cater for the North Kildare area.

In addition to this I have recently announced the setting up of a new framework in relation to the establishment of new second-level schools and their patronage, whereby an expert Group to be known as the Second-Level Patronage Advisory Group will consider applications for new schools and advise me in relation to those applications, having undertaken survey work of parental views and using the criteria to be set down.

The progression of all large scale building projects arising from Forward Planning Section's analysis will be considered in the context of my Department's School Building and Modernisation Programme.

*Question No. 95 answered with Question No. 81.*

*Question No. 96 answered with Question No. 80.*

*Question No. 97 answered with Question No. 79.*

*Question No. 98 answered with Question No. 72.*

*Question No. 99 answered with Question No. 77.*

### **Special Educational Needs**

100. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Education and Skills the total number of autism or other special teaching units currently available at all mainstream schools throughout the country; the full extent of the requirement; the number of applications for such facilities currently before her; the way she intends to respond to such requests; and if she will make a statement on the matter. [47883/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Deputy will be aware that the establishment of a network of autism-specific special classes in schools across the country to cater for children with autism has been a key educational priority in recent years. In excess of 420 classes have now been approved around the country at primary and post primary level, including many in special schools.

The Deputy will also be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating special needs resources to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. The NCSE

will continue to support schools, parents, children and teachers and special needs assistants will continue to be deployed to schools to meet children's needs in line with my Department's policy.

I have arranged for your request for information to be forwarded to the NCSE for their attention and direct reply.

*Question No. 101 answered with Question No. 75.*

*Question No. 102 answered with Question No. 72.*

*Question No. 103 answered with Question No. 73.*

*Question No. 104 answered with Question No. 72.*

105. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills, further to Parliamentary Question No. 97 of 11 November 2010, if she will make an immediate decision on the home tuition grant for a child (details supplied); the reason for the delay in making this decision; and if she will make a statement on the matter. [47911/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I wish to advise the Deputy that officials from my Department wrote to the parent of the child in question on December 1st advising her that home tuition has been sanctioned until the end of the current school term. My Department will be in further contact with her shortly in this regard.

#### **Social Welfare Benefits**

106. **Deputy Paul Kehoe** asked the Tánaiste and Minister for Education and Skills when the forms required to make a social welfare claim will be completed and returned to a person (details supplied); and if she will make a statement on the matter. [47913/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Officials from my Department were in contact with the person referred to by the Deputy recently and the matters raised by him are now resolved.

#### **Proposed Legislation**

107. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Education and Skills when the Education (Qualification and Training) Bill will be published; when she expects it will be debated on Second Stage; and if she will make a statement on the matter. [47917/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Qualifications and Quality Assurance (Education and Training) Bill is a substantial piece of legislation dealing with a range of qualifications and quality assurance issues in the context of the establishment of an amalgamated qualifications and quality assurance body. The Bill will be published early in the new year and I hope that it will be debated at second stage shortly thereafter.

#### **Departmental Programmes**

108. **Deputy Mary O'Rourke** asked the Tánaiste and Minister for Education and Skills if the institutes of technology are participating in the scheme whereby an unemployed teacher can be taken on by the institute and work for social payments. [47922/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Work Placement Programme provides up to 9 months work experience to unemployed individuals and is

[Deputy Mary Coughlan.]

open to employers from all sectors of the economy, including the private, public and the community and voluntary sectors. The programme is intended to assist people who are unemployed to develop their skills levels to secure work experience that will assist them in finding employment.

Participation on the programme is voluntary and participants may be entitled to maintain their social welfare entitlements subject to the rules of the Department of Social Protection. In addition, it is a condition of the programme that any placements must not displace an existing member of staff or be used to fill a vacant post. All higher education bodies, including Institutes of Technology have been specifically urged to facilitate the placement of graduates in line with the commitment in the Renewed Programme for Government that provides for the taking on of 1,000 graduates to provide additional capacity and skills across the public service. In addition, the Government have decided that the number of places on the Work Placement Programme will be increased from the current 2,000 to 7,500 in 2011, with 5,000 of the additional placements being offered in the public sector.

### School Transport

109. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills the way the removal of the closed school rule, which guarantees free transport to students, will impact on this commitment as a result of the new €50 charge per student; and if she will make a statement on the matter. [47938/10]

110. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills if she will confirm that the minimum 3.2 km distance requirement from primary schools for the purposes of school transport will be changed; if she will give a detailed explanation of these changes; and if she will make a statement on the matter. [47939/10]

111. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills the way savings will be made under the closure of the closed school rule and the removal of the catchment boundary rule; and if she will make a statement on the matter. [47940/10]

112. **Deputy Joe McHugh** asked the Tánaiste and Minister for Education and Skills the way students who fall within the new distance ruling for primary school transport will be facilitated from a school transport point of view; if she will address an example case (details supplied); and if she will make a statement on the matter. [47941/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** I propose to take Questions Nos. 109 to 112, inclusive, together.

The report of the Value for Money Review of the School Transport Scheme, which will outline the recommendations of the Steering Committee, has recently been finalised and the findings and recommendations in the report were considered as part of the budget and estimates process. The report is to be considered by Government in advance of publication in the near future.

The 2011 estimate for school transport services is €180 million compared to an allocation for 2010 of €186 million. Under the four year national recovery plan €4.5 million in savings will need to be secured in 2011, rising to €17 million in 2014, through a combination of increases in charges and the implementation of measures identified in the value for money review of the school transport scheme. The primary charge is being introduced to ensure that school transport

provided for eligible primary pupils is fully utilised. This charge will apply to all eligible primary pupils including pupils who retain school transport eligibility under the Closed School Rule.

Given that the cost per child of this service is approximately €1,020 per year, it is essential to ensure that the seats provided on buses daily are utilised to the maximum extent. Survey work undertaken over two surveys on selected primary routes in the context of the Value for Money Review showed that the average seat occupancy is 69% on the morning service and 64% on the evening service.

It should be borne in mind that eligible pupils holding medical cards will be exempted from paying the charge. The latest data shows that 42% of all post primary pupils travelling are currently exempt from paying the charge, and using this percentage as a guide in respect of eligible primary pupils, it is estimated that based on current take up a total of 64,000 eligible pupils will be liable to pay charges in the 2011/2012 school year. Approximately 8,000 pupils with special educational needs will also continue to be transported free of charge. Also, I would point out to the Deputy that the maximum family charge to be levied at primary level for eligible pupils will be €110 while the overall combined maximum charge per family is not being increased from the current rate of €650 per annum. Parents will continue to be given the option of spreading the annual payments over two instalments in July and December.

In relation to the Deputy's query on the 'Closed School Rule (CSR)' I would advise that from the beginning of the 2011/12 school year the distance criteria will be applied to all pupils attending primary schools and the exemption under the CSR will cease. This means that children who reside less than 3.2 kilometres (2 miles) from the school of attendance and who are availing of free transport to that school under the CSR will lose their transport eligibility. From the 2012/13 school year, eligibility based on the CSR and the central school rule will cease for all new children entering primary schools. Existing primary pupils availing of transport under the CSR will retain transport eligibility for the duration of their schooling, provided the requisite distance is met.

Regarding the transport eligibility of the pupil referred to by the Deputy in the details supplied, provided this pupil resides 3.2 kilometres or more from the school of attendance, s/he will continue to retain school transport eligibility until s/he completes her/his education at this school. Finally, from the 2012/13 school year, the use of the catchment boundary system will cease for all new post-primary children. Eligibility for all new children entering post-primary transport will be determined on the basis of their nearest post-primary centre or school. Current arrangements will remain in place for existing eligible post primary pupils for the duration of their schooling. There are no plans to change the distance eligibility criteria for primary or post primary pupils at this stage.

### **Schools Building Projects**

113. **Deputy Denis Naughten** asked the Tánaiste and Minister for Education and Skills the status of an application for a new school building by a school (details supplied) in County Roscommon; and if she will make a statement on the matter. [47948/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** My Department is in receipt of a major capital application for a new school building from the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 2.2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at [www.education.ie](http://www.education.ie).



[Deputy Mary Coughlan.]

The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website. The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

### **Special Educational Needs**

114. **Deputy Denis Naughten** asked the Tánaiste and Minister for Education and Skills the steps she is taking to meet the educational requirements of autistic children; the timetable for having all such requirements in place; and if she will make a statement on the matter.  
[47950/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The Deputy will be aware of my Department's commitment to ensuring that all children, including those with autism, can have access to an education appropriate to their needs in school settings. This facilitates access to individualised education programmes, fully qualified professional teachers, special needs assistants and the appropriate school curriculum with the option, in line with each child's ability, of full/partial integration and interaction with other pupils.

My Department's policy is to provide for children with special educational needs, including autism, to be included in mainstream schools unless such a placement would not be in their best interests or the interests of the children with whom they are to be educated. Some children may be supported in a special class attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils. Other children may have such complex needs that they are best placed in a special school. Students with special educational needs have access to a range of support services including additional teaching and/or care supports. In special schools and special classes, students are supported through lower pupil teacher ratios. Special needs assistants may also be recruited specifically where pupils with disabilities and significant care needs are enrolled.

The Deputy will be aware that the establishment of a network of autism-specific special classes in schools across the country to cater for children with autism has been a key educational priority in recent years. In excess of 420 classes have now been approved around the country at primary and post primary level, including many in special schools. My Department has put in place a training programme for teachers in autism-specific interventions including Treatment and Education of Autistic Communication Handicapped Children (TEACCH), Picture Exchange Communications System (PECS) and Applied Behaviour Analysis (ABA) through the Special Education Support Service.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating special needs resources to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. The NCSE will continue to support schools, parents, children and teachers and special needs assistants will continue to be deployed to schools to meet children's needs in line with my Department's

policy. SENOs with their local knowledge and expertise are a valuable resource to parents in sourcing an educational placement.

The Deputy will also be aware that my Department provides grant aid under the Home Tuition Scheme to provide early education intervention for pre-school children with a confirmed diagnosis of autism or to parents of children with autism who are awaiting an educational placement.

### **Public Service Reform**

115. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Education and Skills the performance management systems implemented in her Department as specified in the Public Service Agreement 2010-2014; and if she will make a statement on the matter. [47963/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** My Department implements the Performance Management and Development System (PMDS) as agreed in General Council Reports 1368, 1398 and 1452. Performance management in my Department and indeed across the civil service is already linked to promotion and to incremental progression.

The systems in place to address underperformance are now being assessed in light of the Public Service Agreement 2010-2014 which contains a commitment to “introduce significantly improved performance management across all Public Service areas. Following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures”.

In the civil service, work is well underway towards achieving this goal. The 2010 Evaluation of PMDS has been completed and negotiations with the Unions have commenced in relation to how the PMDS can be further strengthened. The Department of Finance has started rolling out initiatives, such as focus groups, in order to identify barriers to addressing under-performance, aimed at strengthening PMDS. My Department is committed to continuing its existing policies in addressing under-performance and to implementing any further changes to strengthen PMDS to support this position.

### **Departmental Staff**

116. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Education and Skills the number of staff working within her Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if she will make a statement on the matter. [47977/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Eleven retired school inspectors were engaged by my Department in 2009 and 2010. Ten were assigned to carry out probationary inspections on newly recruited teachers while one has been contracted as the interim manager of three community primary schools pending the amendment of the Vocational Education Act to enable patrons of the schools concerned to establish boards of management. The cost involved in 2009 was €186,844.81 and €26,301.96 to date in 2010. A retired school principal works part-time as Chairperson on the Commission for School Accommodation and received a sum of €2,160 in 2009 and €2,760 to date in 2010.

[Deputy Mary Coughlan.]

Nineteen temporary clerical officers were employed at my Department in 2009 at a cost of €216,368. Twelve temporary clerical officers and one temporary executive officer were employed at my Department in 2010 at a cost of €147,385. These staff were primarily engaged to carry out front line services. Sixteen of the staff employed in 2009 were employed previously in the public service while five of the staff engaged in 2010 were engaged previously in the public service. The majority of this previous service was of a temporary nature.

### Site Acquisitions

117. **Deputy Joan Burton** asked the Tánaiste and Minister for Education and Skills if she will provide an update on the status of the site being acquired for a school (details supplied) in Dublin 15; if she has taken ownership of this site; the funds that have been set aside in the Estimates for 2011 for the construction of this school; the timeline for the delivery of this school; and if she will make a statement on the matter. [47996/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As the Deputy will be aware, Fingal County Council are leading the negotiations in relation to the acquisition of a site for the school in question. Fingal County Council have advised my Department that they expect the outstanding legal matters to be completed shortly thereby allowing for the onward disposal of the site to my Department. Once the site has been acquired and transferred to my Department, the proposed building project will be considered in the context of the capital budget available to my Department for school buildings generally.

### Schools Building Projects

118. **Deputy Joan Burton** asked the Tánaiste and Minister for Education and Skills the funds that have been set aside in the Estimates for 2011 for the construction of schools (details supplied); the timeline for the delivery of these schools; and if she will make a statement on the matter. [47997/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The two schools to which the Deputy refers, were announced for the appointment of design teams in February 2010. The first of these projects is currently at an advanced stage of the tender process, the second is in architectural planning. The notification of decision to grant permission for the first school issued on 6th December 2010 and is currently being reviewed by my Department.

### School Staffing

119. **Deputy Noel Ahern** asked the Tánaiste and Minister for Education and Skills if she will examine a matter (details supplied); and if she will make a statement on the matter. [48015/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** The issues raised by the Deputy primarily related to the recent budget. Budget 2011 is a budget that recognises the critical role of the education and skills sector to Ireland's future prospects. While difficult choices had to be made to identify savings across my Department's remit, the Government has gone as far as it could to protect front line services in 2011.

The Deputy also raised issues about the amendment to section 30 of the Teaching Council Act. Section 30 of the Teaching Council Act 2001, which has not yet been commenced, provides that only registered teachers can be remunerated out of moneys provided by the Oireachtas. While it is still the aim of the Minister that all teachers in schools be registered with the Council (and therefore fully qualified), it is apparent that to commence Section 30 as it stands could

have a serious negative impact for a small number of schools where, in specific circumstances, unqualified personnel are required in the short term. Section 12 of the Education (Amendment) Bill 2010 is necessary for the amendment of Section 30 of the Teaching Council Act to allow for the employment, only in certain exceptional and limited circumstances, of persons who are not registered teachers under the Act.

It is the policy of my Department that only qualified personnel should be employed by schools. Circular 40/2010, which issued earlier this year, directs schools to ensure that teachers proposed for appointment to publicly paid teaching posts are registered with the Teaching Council and have qualifications appropriate to the sector and suitable to the post for which they are proposed. In addition, my Department recently issued a reminder to school authorities calling on schools to give priority to newly or recently qualified teachers when making appointments for periods of substitution and other temporary appointments.

### **Disadvantaged Status**

120. **Deputy Noel Ahern** asked the Tánaiste and Minister for Education and Skills if she will clarify the current staffing complement and the complement for the next school year for a school (details supplied); and if she will make a statement on the matter. [48018/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** The school to which the Deputy refers qualifies for a range of staffing supports under Band 1 of DEIS (Delivering Equality of Opportunity in Schools), the action plan for educational inclusion, which includes reduced pupil teacher ratio in primary schools in urban areas with most disadvantage, an allocation of administrative principal on lower figures than generally apply in primary schools in urban areas and access to Home School Community Liaison Service. In the context of The National Recovery Plan, the Government has taken a decision to provide educational teaching supports to Traveller students on the same basis as other students in schools. Traveller students who require additional tuition will receive this tuition through the existing learning support provision in schools. All schools will be advised to select students for learning support on the basis of priority of need.

The impact at individual school level will be determined as part of the allocation process for 2011/12 school year and schools will be notified in the normal manner.

### **Third Level Fees**

121. **Deputy Noel Ahern** asked the Tánaiste and Minister for Education and Skills the position regarding tax relief on third level fees; if tax relief is available for all universities including private; if same can be claimed by the parents and if there are any conditions regarding age, living at home and so on; if the rate is 20% or 41%; if it can be claimed by others for example brothers or sisters if parents were not in tax net; and if she will make a statement on the matter. [48020/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Section 473A of the Taxes Consolidation Act, 1997 provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved full/part-time courses in both private and publicly funded third level colleges and universities in the State and any other EU Member State. This relief also extends to approved post-graduate courses in non- EU member states.

Further details and conditions in relation to this tax relief are available from the Revenue Commissioners.

### FÁS Training Programmes

122. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the number of public sector bodies who have applied for and been approved for the FÁS work placement scheme to date; and if she will make a statement on the matter. [48023/10]

123. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the number of private employers who have applied for and been approved for the FÁS work placement scheme in 2009; and if she will make a statement on the matter. [48024/10]

124. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the number of applicants who have been placed and commenced work under the FÁS work placement programme; the location of these placements on a county basis; the FÁS areas at which work placements need to be filled in tabular form; and if she will make a statement on the matter. [48025/10]

**Minister of State at the Department of Education and Skills (Deputy Seán Haughey):** I propose to take Questions Nos. 122, 123 and 124 together.

As of 15th December 2010 the number of public sector bodies who have applied for and have been approved to participate in the Work Placement Programme is 206. The number of private employers who have applied for and been approved to participate in the Work Placement Programme in 2009 is 559. In addition, the number of private employers who have applied for and been approved to participate in the programme to 15 December 2010 is 3,772. FÁS does not collect data on a county basis but rather on its regional structure.

The number of applicants who have been placed and commenced work under the Work Placement Programme to 15 December 2010 is 2,574 (see table below).

It should be noted that in Budget 2011 the Government announced that the number of places on the Work Placement Programme will be increased from 2,000 to 7,500 places. 5,000 of the additional places will be in the public sector. The remaining 500 additional places are for graduates in the private sector. All public sector bodies will be encouraged to actively participate in the programme.

The location of these placements by region:

FÁS Region	Areas/Counties	Number of Placements Commenced
Dublin Central	Baggot Court, D'Olier House, Parnell Street, Ballyfermot, Cabra	472
Dublin North	Baldoyle, Balbriggan, Swords, Blanchardstown, Coolock, Finglas	176
Dublin South	Rathfarnham, Crumlin, Tallaght, Clondalkin, Tallaght, Dun Laoghaire, Loughlinstown	274
Midlands	Kildare, Laois, Longford, Offal, Westmeath	237
Mid West	Clare, Limerick, Tipperary	192
North East	Cavan, Louth, Meath, Monaghan	214
North West	Donegal, Leitrim, Sligo	98
South East	Carlow, Kilkenny, Tipperary South, Waterford, Wexford, Wicklow	287
South West	Cork, Kerry	360
West	Galway, Mayo, Roscommon	264
Total		2,574

The FÁS areas at which work placements need to be filled in tabular form:

FÁS Region	Areas/Counties	Number Of Available Placements
Dublin Central	Baggot Court, D'Olier House, Parnell Street, Ballyfermot, Cabra	197
Dublin North	Baldoyle, Balbriggan, Swords, Blanchardstown, Coolock, Finglas	105
Dublin South	Rathfarnham, Crumlin, Tallaght, Clondalkin, Tallaght, Dun Laoghaire, Loughlinstown	142
Midlands	Kildare, Laois, Longford, Offal, Westmeath	114
Mid West	Clare, Limerick, Tipperary	73
North East	Cavan, Louth, Meath, Monaghan	87
North West	Donegal, Leitrim, Sligo	73
South East	Carlow, Kilkenny, Tipperary South, Waterford, Wexford, Wicklow	223
South West	Cork, Kerry	144
West	Galway, Mayo, Roscommon	101
Total		1,259

### Schools Building Projects

125. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills when the second level Vocational Education Committee school planned for Clonburris, Lucan will be built; and if she will make a statement on the matter. [48026/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** I recently announced that I would be exploring new methodologies for the delivery of major school building projects. As part of this process, I announced that some VECs would be tasked with the procurement and delivery of major school building projects.

I am pleased to confirm to the Deputy that County Dublin VEC has been asked to proceed with the procurement and delivery of a new second level school building project planned for Clonburris in Lucan, Co. Dublin, which is to be under the patronage of the VEC in partnership with Educate Together.

As my decision was only recently announced, the Deputy will appreciate that plans for the new school are at an early stage and it is not possible to be specific about the timeframe for delivery of the project at this time.

126. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the position regarding the purchase of land at St. Edmundsbury to build a national school to accommodate a school (details supplied) including the price of the land; and if she will make a statement on the matter. [48027/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** As part of the contract exchange between the OPW and the vendor, an outline planning application for the above school was submitted to South Dublin County Council by the OPW. Due to commercial sensitivities it is not the Department's policy to provide details of the purchase cost of sites acquired in 2010 as this information could prejudice ongoing negotiations for school sites.

Once the acquisition is concluded, the proposed building project will be considered in the context of the capital budget available to my Department for school buildings generally.

### Higher Education Grants

127. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the steps she will take to ensure that maintenance grants are made available to third level students efficiently and in a timely manner; and if she will make a statement on the matter. [48028/10]

**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 on-line 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.

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.

### Schools Building Projects

128. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the new school buildings planned to commence in Dublin mid west constituency in 2011; and if she will make a statement on the matter. [48029/10]

**Tánaiste and Minister for Education and Skills (Deputy Mary Coughlan):** Information in respect of the current school building programme along with all assessed applications for major capital works, is available on my Department's website at [www.education.ie](http://www.education.ie).

The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on my Department's website.

I regret to inform the Deputy that information on school building projects is not available by constituency. However, for the Deputy's convenience, a list of projects for County Dublin is attached for ease of reference.

County	Roll No.	School	Band Rating	Project Description	Status
Dublin	19878E	Ballycragh NS, Ballycragh, Firhouse, Tallaght, Dublin 24	2.1	New School	Progressing to Tender
Dublin	76062B	Castleknock Community College, Carpenterstown Road, Castleknock, Dublin 15	1.1	Extension/refurbishment	Progressing to Tender
Dublin	18451J	Scoil Lorcaín, Eaton Square, Monkstown	2.2	Extension/refurbishment	Progressing to Tender
Dublin	19474D	St. Colmcille's Junior NS, Knocklyon, Templeogue (Linked to 19742C)	2.1	New School	Progressing to Tender
Dublin	19742C	St. Colmcille's Junior NS, Knocklyon, Templeogue (Linked to 19474D)	2.1	New School	Progressing to Tender
Dublin	81001L	Newpark Comprehensive School, Blackrock	2.2	New School	Progressing to Tender
Dublin	20303G	Lucan East ETNS, Clonburris	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	17936F	Scoil Eoin Baisde Snr, Clontarf (see also 19006Q)	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	19006Q	Scoil Eoin Baisde B Sois, Clontarf (see also 17936F)	2.4	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	60450U	Colaiste Mhuire, CID Campus, Cabra, Dublin 7	1.1	New School	Tender Stage — Progressing to Construction
Dublin	00697S	St. Brigid's NS, Castleknock	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	15315J	St George's NS, Naul Rd. Balbriggan	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	20161M	Donabate/Portrane ETNS	1.1	New School	Tender Stage — Progressing to Construction
Dublin	20201V	Tyrrelstown ETNS	1.1	New School	Tender Stage — Progressing to Construction
Dublin	20252P	Gaelscoil Bhaile Brigin, Balbriggan (Linked to 20282B)	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	20282B	Bracken ETNS, Balbriggan (linked to 20252P)	1.1	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	20095C	Gaelscoil Bhrian Boroimhe, Swords, Co Dublin	1.1	New School	In Construction
Dublin	20145O	Swords Educate Together NS, Applewood, Swords, Co Dublin	1.1	New school	In Construction
Dublin	18324C	Scoil Bride C, Palmerstown	2.3	Extension/refurbishment	In Construction
Dublin	19374W	Garran Mhuire, Goatstown, Dublin 14	2.2	Extension/refurbishment	Tender Stage — Progressing to Construction
Dublin	16964F	Scoil Mhuire Ogh 1, Loreto College, Crumlin Rd, Dublin 12	2.5	Extension/refurbishment	In Construction
Dublin	20139T	Inchicore NS, Sarsfield Road, Dublin 10	1.4	Extension/refurbishment	In Construction
Dublin	19898K	Gaelscoil an Duinnigh, Feltrim, Swords	1.1	New School	In Construction
Dublin	60010P	Loreto Secondary School, Balbriggan	1.1	Extension/refurbishment	In Construction
Dublin	76098W	Pobail Scoil Setanta, Phibblestown (see also 20247W)	1.1	New School	In Construction
Dublin	60860Q	Our Lady's School, Templeogue Road, Terenure, Dublin 6W	2.4	Extension/refurbishment	In Construction
Dublin	70030E	Senior College, Dun Laoghaire	1.4	Extension/refurbishment	In Construction
Dublin	76104O	Donabate Community College	1.1	New School	In Construction
Dublin	20202A	Balbriggan ET	1.1	New School	Practical Completion 2010
Dublin	20231H	St. Benedicts Ongar NS, Littlepace	1.1	New School	Practical Completion 2010
Dublin	20247W	Scoil Ghráinne Community National School , Phibblestown (see also 76098W)	1.1	New School	Practical Completion 2010
Dublin	18646B	Springdale NS, Lough Derg Rd., Raheny	2.1	New School	Practical Completion 2010



### Employment Support Services

129. **Deputy Joanna Tuffy** asked the Tánaiste and Minister for Education and Skills the number of places that have been made available to date on labour market activation courses; the number that have been filled on a county basis, in tabular form; and if she will make a statement on the matter. [48030/10]

**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 6,300 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 targets. As of end-November some 5,408 or 87% of Phase 1 places were already filled, with further courses coming on stream in 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 will be 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 of the phase 2 projects are still in the process of recruiting participants and further courses are coming on stream January 2011. In line with contractual arrangements Phase 2 projects are required to submit a progress report on implementation of the project early in 2011. It is therefore not possible yet to state the total number of beneficiaries from the Fund. However figures submitted to date by programme provider indicate that over 60% of place have already been filled.

It has not been possible to provide numbers on a county by county basis. However this data is been collated and will be forwarded to the Deputy in due course.

*Question No. 130 answered with Question No. 19.*

### Environmental Funds

131. **Deputy Lucinda Creighton** asked the Minister for Finance if an environmental clean energy fund has been established by the banks covered under the State guarantee; the funding each institution has provided to the fund; and if he will make a statement on the matter. [47953/10]

**Minister for Finance (Deputy Brian Lenihan):** There was no condition under the Covered Institutions (Financial Support) Scheme or the Eligible Liabilities Guarantee Scheme requiring the banks covered under State guarantees in relation to environmental funds. As part of the agreement on the 2009 recapitalisation of Bank of Ireland and AIB, both banks committed to establish a €100 million fund to support environment friendly investment and innovations in

clean energy. These funds have been established and both banks have been reporting on disbursements from them on a quarterly basis. This information is commercially sensitive.

More recently, in the context of NAMA and the associated recapitalisations, both banks have agreed to set up a further fund of up to €100 million for Environmental, Clean Energy and Innovation projects. This is in addition to the €100 million provided under the 2009 recapitalisation. It is envisaged that these funds will come on-stream when the initial funds are exhausted.

### Tax Code

132. **Deputy John Deasy** asked the Minister for Finance the number of companies in Waterford city and county approved for accelerated capital allowance in 2009 and 2010; the amount of funding involved in each of those years; and if he will make a statement on the matter. [47689/10]

**Minister for Finance (Deputy Brian Lenihan):** It is not clear if the Deputy has in mind a particular type of capital allowances or all capital allowances in general. I am informed by the Revenue Commissioners that the latest available data in relation to capital allowances claimed by companies is for the tax year 2008. Corporation tax returns for 2008 show total capital allowance claims of approximately €118 million by some 1,589 companies in Waterford city and county. A breakdown of these claims to identify claims for accelerated allowances is not available.

It should be noted that some of the claims may not have been fully used in the tax year due to insufficient profits being available to absorb all of the relief.

No doubt the Deputy is aware of the scheme of accelerated capital allowances for expenditure on new specified energy-efficient equipment. The scheme came into operation in late 2008 for companies and data on the use of the scheme was requested from companies in the Corporate Tax return (CT1) for the first time in respect of accounting periods ending in 2009. Therefore, the first information in relation to this scheme should be available in 2011 when all of the returns for the tax year 2009 have been received and processed.

The figures for capital allowance claims set out above were given on the basis of “bailiwick”, meaning, in this case, the jurisdiction or boundaries within which Revenue Sheriffs, County Registrars or their officers operate for the purposes of enforcement of tax debt and which equates geographically with “county”.

Companies are associated on the tax record with the county address of the head-office or branch with which contact is established for tax purposes, which may be different to the city or county addresses of other branches. The distribution of corporate tax between regions can also vary from year to year as companies relocate.

133. **Deputy John Deasy** asked the Minister for Finance the total number of sole traders, trusts and partnerships registered in Waterford city and county in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47690/10]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners that the number of tax registrations for sole traders, trusts and partnerships for Waterford City and County in past 5 years and to date in 2010 are given in the table below:

[Deputy Brian Lenihan.]

	Total to Date	2005	2006	2007	2008	2009	2010 to date
Sole Traders (Male)	5,098	1,067	1,042	1,094	822	598	475
Sole Traders (Female)	2,225	430	467	427	369	319	213
Total	7,323	1,497	1,509	1,521	1,191	917	688
Partnerships	701	154	169	149	116	71	42
Trusts	71	20	21	8	13	8	1

134. **Deputy John Deasy** asked the Minister for Finance the total number of employers registered for PAYE/PRSI in Waterford city and county in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47691/10]

**Minister for Finance (Deputy Brian Lenihan):** Unfortunately, it was not possible to collate the information required for this answer in the time allowed. I will provide the Deputy with the answer in writing shortly.

#### Pension Provisions

135. **Deputy Michael McGrath** asked the Minister for Finance if he will respond to an issue raised in correspondence (details supplied) regarding budget proposals. [47706/10]

**Minister for Finance (Deputy Brian Lenihan):** The issue raised is the payment from public service pension schemes of transfer amounts to beneficiaries of Pension Adjustment Orders (PAOs) granted under the Family Law Acts. The Family Law Acts are the responsibility of the Minister for Justice and Law Reform and any regulations made under those Acts are the responsibility of the Minister for Social Protection. The Acts provide that, in certain prescribed circumstances, payment under the orders must be made in the form of transfer amounts calculated on an actuarial basis. Civil and public service schemes are subject to the legislation in the same way as are pension schemes in the private sector and must pay transfer amounts when obliged to do so. A transfer amount will reflect the pension, which may be reduced as appropriate, at that time.

#### Tax Code

136. **Deputy Olivia Mitchell** asked the Minister for Finance if it is possible to apply the new stamp duty measures or a reduced stamp duty retrospectively to the few persons who purchased their homes in the month prior to the budget; and if he will make a statement on the matter. [47715/10]

**Minister for Finance (Deputy Brian Lenihan):** The Stamp Duty reforms announced in the Budget have two aims: stimulation of the property market and commencing the necessary infrastructure for the commitment in the National Recovery Plan to introduce a Site Value Tax. As a result of the changes, Stamp Duty at a rate of 1% where the property value is under €1m and 2% on the excess above €1m, will now be payable on all residential property transactions.

I have, however, put in place a transitional arrangement: where a binding contract has been entered into before 8 December 2010, and the effect of this measure would increase the Stamp

Duty otherwise chargeable, Stamp Duty can be calculated and charged under the old regime, so long as the instrument effecting the transfer of the property is executed before 1 July 2011.

I am aware that there will always be winners and losers in a situation such as this, but unfortunately this will happen no matter what date is chosen to commence any new measure. I have no plans to make the changes suggested by the Deputy. The overall transaction costs for property transfers are much lower this year than in recent years because of the decline in property values.

137. **Deputy John Perry** asked the Minister for Finance if he will reverse the decision to make full medical card holders liable for the new universal social charge in view of the extreme financial hardship many such holders are already experiencing; and if he will make a statement on the matter. [47719/10]

**Minister for Finance (Deputy Brian Lenihan):** The position is that having an entitlement to a medical card will not exempt an individual from the Universal Social Charge (USC). However, it should be noted that payments from the Department of Social Protection such as job seeker's benefit, job seeker's allowance and the contributory and non-contributory State pension will be exempt from the USC. Therefore, the Universal Social Charge will apply to the income or portion of the income of a medical card holder to the extent that it is not a payment from the Department of Social Protection. Furthermore, the legislation provides that where an individual's total annual income which is chargeable to the USC, is below €4,004 in a year of assessment, the USC would not apply. In addition, those who are over 70, will not be liable to the higher rate of 7%.

I am satisfied that these concessions protect those on low incomes and those in receipt of payments from the Department of Social Protection.

138. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance his plans to extend the artists tax exemption in some form to performing musicians and actors; and if he will make a statement on the matter. [47733/10]

**Minister for Finance (Deputy Brian Lenihan):** Section 195 of the Taxes Consolidation Act 1997 provides an exemption from tax for the profits or gains arising to a person from the publication, production or sale of an original and creative work which has artistic or cultural merit in any of the five categories set out in the legislation, namely, a book or other writing; a play; a musical composition; a painting or other like picture; or a sculpture. The legislation does not include performing musicians and actors, per se. However, performers who write their own compositions could avail of the exemption in respect of the income from such compositions. Similarly, actors that write their own plays can avail of the exemption.

Under the legislation, the Revenue Commissioners are required to make a determination as to whether or not a work has artistic or cultural merit before the exemption can be awarded. It is difficult to see how the performance, by musicians and actors, of the artistic and cultural creations of others could merit the provision of a tax exemption in its own right.

### Ministerial Appointments

139. **Deputy Michael Ring** asked the Minister for Finance the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form [47790/10]

**Minister for Finance (Deputy Brian Lenihan):** In the period in question the following government appointments were made to bodies under the aegis of my Department:

[Deputy Brian Lenihan.]

Name of Body	Name of Appointee	Date appointed
The Commission of investigation into the Banking Sector	Mr Peter Nyberg	08th July 2010
Conciliation and Arbitration Board for the Civil Service	Mr Turlough O'Donnell Mr Tom Wall Mr Gerard Barry Mr Kieran McGovern (Adjudicator)	All appointed 21 July 2010

### Semi-State Bodies

140. **Deputy Enda Kenny** asked the Minister for Finance the total amount of dividends in euro received by the Exchequer from the ESB, Bord na Móna, Bord Gáis, Coillte and Eirgrid on an annual basis from 2000 to date in 2010; and if he will make a statement on the matter. [47804/10]

**Minister for Finance (Deputy Brian Lenihan):** The information sought by the Deputy is set out in the table.

Year	ESB	Bord na Móna	Bord Gáis	Coillte	Eirgrid
	€m	€m	€m	€m	€m
2000	—	—	14.0	—	—
2001	—	—	50.6	—	—
2002	19.0	—	21.7	—	—
2003	18.7	—	9.8	—	—
2004	63.8	—	9.7	—	—
2005	73.5	—	10.1	—	—
2006	68.8	3.9	9.1	—	—
2007	63.0	8.0	8.4	—	—
2008	123.0	12.0	27.9	2.6	—
2009	78.0	5.0	38.0	—	—
2010 (to date)	90.0	3.3	30.0	—	—

### Financial Support Programme

141. **Deputy Leo Varadkar** asked the Minister for Finance if he will clarify the issues around the interest rate that will be paid by Ireland as part of the International Monetary Fund-EU loan facility; the different rates for the IMF, European Financial Stability Fund, European Financial Stabilisation Mechanism and bi-lateral loans from the UK, Denmark and Sweden; if money will be drawn down from different funds at different times and at different rates or will it all be aggregated; his views on claims in a magazine (details supplied) that Ireland will have to pay interest on money even before it is drawn down; and if he will make a statement on the matter. [47855/10]

**Minister for Finance (Deputy Brian Lenihan):** The Government agreed on 28 November 2010 to the provision of a €85 billion financial support programme for Ireland in the context of a joint EU-IMF Programme. The State's contribution to the programme will be €17.5 billion

while the external support will amount to €67.5 billion. The external assistance being provided is as follows:

- €22.5 billion from the European Financial Stabilisation Mechanism (EFSM)
- €22.5 billion from the European Financial Stability Facility (EFSF) and bilateral loans from the UK, Sweden and Denmark.
- €22.5 billion from the IMF.

The average interest rate on the €67.5 billion available to be drawn from these three external sources under the EU-IMF programme is 5.82 per cent on the basis of market rates at the time of the agreement. The actual cost will depend on the prevailing market rates at the time of each drawdown. The average life of the borrowings, which will involve a combination of longer and shorter dated maturities, under each of these sources is 7.5 years and the interest rates applying to borrowings from each are set out below based on market rates at the time of the agreement.

#### *EFSM*

The interest rate on the EFSM loan will be 5.7% which is comparable to IMF rates. Under Council Regulation (EC) No. 407/2010 of 10 May 2010 the rate is made up of the cost of borrowing by the European Commission and a margin which is charged to the Member State concerned. The margin which has been agreed for the EFSM loan to Ireland is 2.925% within the overall interest rate of 5.7%.

#### *EFSF*

The interest rate on the EFSF loan is 6.05%. The EFSF borrows on the international capital markets on the strength of guarantees provided by Euro area countries (excluding Ireland and Greece). In order to obtain the top AAA rating from the credit rating agencies it was necessary for the EFSF to put in place certain enhancements in the form of collateral and the cost of these arrangements are reflected in the interest rate charged by EFSF on its lending.

#### *IMF*

The interest rate on the IMF loan is 5.7%. IMF lending is denominated in the Fund's unit of account, Special Drawing Rights (SDRs). The SDR comprises a basket of four currencies, Euro, Sterling, the US Dollar and Japanese Yen. The IMF's lending rate is based on the three month floating interest rates for the currencies in the basket. The interest cost on the IMF loans is expressed as the equivalent rate when the funds are fully swapped into fixed rate Euro of 7.5 years duration. This expresses the interest rate in terms which can be compared with the cost of borrowing from EU sources.

#### *UK bilateral loan*

The interest rate on the UK loan is 5.9%. The amount lent to Ireland by the UK will be the sterling equivalent of €3.8bn. The interest rate is based on a 7.5 year period. The rate on each tranche will be a fixed rate, set by adding a fixed margin to the sterling 7.5 year swap rate at the time of disbursement. The interest charge is aligned with international rates and is between the EFSM and EFSF rates.

[Deputy Brian Lenihan.]

### *Bilateral loans from Sweden and Denmark*

Discussions have not yet commenced on the bilateral loans with Sweden and Denmark. It is anticipated that loans will be disbursed in tandem from the EU and IMF. Disbursements of the UK loan which is backloaded will commence following the IMF third review of Ireland's Memorandum of Understanding in September 2011.

It is important to note that the (blended) interest rate of 5.8% on these loans is at a far lower cost than would be available to Ireland in the financial markets. It is designed to avoid overburdening the Member State concerned or acting as an impediment to economic growth while at the same time providing an incentive to return to the markets. At present the yield on Irish government bonds is over 8% in the secondary markets as compared to the rate of 5.8% at which we will be borrowing under the EU-IMF Programme. We will not be obliged to drawdown any of these loans if there is an opportunity to return to the markets at sustainable rates or we can access funds at lower cost elsewhere.

There have been suggestions made that Ireland is being charged an excessive rate of interest compared to that available to Greece under the Euro Area Loan Facility. This is not correct. The loan facility to Greece is based on three-year loans — those to Ireland on 7.5 years. Moreover, as has widely been reported, the Greek authorities have sought to have their borrowing realigned on similar terms to Ireland's.

The conditionality attached to drawdown is provided for in the relevant loan agreements which will be laid before the Houses of the Oireachtas. It is not correct to suggest that Ireland will have to pay interest on money before it is drawn down. I might explain, however, that under the terms of the EFSF there is provision for the retention of a loan specific cash buffer in order to underpin the AAA rating attached to EFSF borrowings and there are as normal in such circumstances some transactions costs in this connection, details of which will be set out in the EFSF Loan Facility Agreement.

### **Budget Statement**

142. **Deputy Róisín Shortall** asked the Minister for Finance the reason the budget night information leaflet from the Department of Finance contained political statements as opposed to budget facts as has been the standard practice for many years; when such a fact sheet will be available; and if he will make a statement on the matter. [47863/10]

**Minister for Finance (Deputy Brian Lenihan):** The Budget process is the key mechanism through which Government fiscal policy is determined and presented each year. Generally, therefore, the annual Budget booklet is a necessarily long and very detailed publication.

In order to provide Deputies and others with the key information with regard to the main budgetary aggregates and the taxation and expenditure policy measures being introduced, in a quick and easily accessible format, the practice has developed whereby a Budget Summary Leaflet is prepared as part of the Budget documentation.

The contents of this leaflet are not formally prescribed but generally the information contained in it is based on the contents of the Financial Statement of the Minister for Finance.

The Budget 2011 Summary Leaflet contains a significant amount of factual information on the measures introduced in Budget 2011, including in the areas of taxation, public spending and the labour market. It also sets the context in which Budget 2011 is being introduced, namely

the requirement for a significant fiscal adjustment to be implemented in order to continue with the process of restoring sustainability to the public finances and the recently announced joint IMF/EU programme of financial assistance. I deemed this to be appropriate in the context of the very significant complexities of the current economic situation.

### **Public Interest Directors**

143. **Deputy Mary O'Rourke** asked the Minister for Finance the Irish banks that have public interest directors on their boards; in the case of each director when they were appointed; the remuneration of each such director; the duties each director was required to carry out in the public interests; the term of office of each such Director; and to whom do the public interests Directors report [47920/10]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy will be aware that public interest directors though nominated by me have been appointed by the boards of the various covered institutions. Details of individual public interest directors including remuneration are published in the annual reports. The general rule is that directors, including non executive directors, owe their duties to the company. The interests of the company are paramount. Public Interest Directors bring in addition to other experiences, a civic mindedness and a sense of what is in the public interest and this experience will inform their sense of what is in the covered institutions' interests. To a great extent the public interest and the covered institutions' interests are likely to coincide. A solvent, liquid, low-risk, prudentially run, profitable company which is a going-concern and which has the confidence of its stakeholders is as much in the public interest as it is in the interests of the institutions.

### **Flood Relief**

144. **Deputy Denis Naughten** asked the Minister for Finance the total allocation of funding made under the European Solidarity Fund for the flooding of November 2009; the conditions attached to these funds; the plans for the dispersal of same; and if he will make a statement on the matter. [47927/10]

**Minister for Finance (Deputy Brian Lenihan):** My Department made an application to the EU Commission for funding under the EU Solidarity Fund. A regional application was made as the estimate of the extent of the damage does not meet the Solidarity Fund's threshold of 0.6% of GNI or 935.5m euro for a national disaster. 111.5m euro of the 276.9m euro costs to the State were eligible for assistance under the EU Solidarity Fund criteria or 21.4% of total direct costs. This included damage to roads, infrastructure, the provision of temporary accommodation and the costs incurred by the rescue services. The EU Solidarity Fund does not fund full reconstruction nor does it fund prevention works. It funds emergency operations to allow a rapid return to normal living conditions.

The Commission informed the Department on 14th September 2010 that it is proposing financial aid amounting to 13.02m euro in response to Ireland's application to the EU Solidarity Fund. This amount has been confirmed by the European Parliament and the European Council by way of an amending budget procedure.

The funds received will be used to recoup in part the significant expenditure incurred by the State in responding to the emergency. As soon as the budget appropriations become available, consultation will begin with the relevant Departments and local authorities to determine how the money will be recouped to them.



### Pension Provisions

145. **Deputy Róisín Shortall** asked the Minister for Finance the basis on which he is estimating that €10 million can be raised in 2011 and €20 million in a full year through the lowering of the standard fund threshold in relation to pension funds and the reason such estimates were not provided in reply to recent parliamentary questions [47931/10]

146. **Deputy Róisín Shortall** asked the Minister for Finance the basis on which he is estimating that €5 million can be raised in 2011 through the reduction of the overall life time limit on tax free lump sums to €200,000; and the reason such estimates were not provided in reply to recent parliamentary questions [47932/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 145 and 146 together.

In my response to previous questions from the Deputy in these matters in October last, I explained that there is currently no underlying data available to my Department or to the Revenue Commissioners on which to base reliable estimates of the savings across the various scenarios outlined by the Deputy. Information on the numbers and values of individual pension funds or benefits are not generally required to be supplied to the Revenue Commissioners by the administrators of pension schemes and personal pension arrangements. Likewise, information on all retirement lump sum payments is not required to be provided by pension administrators.

I indicated that my Department had approached the pensions industry with a view to obtaining data in these areas on which to base a response to the Deputy. To date, no data has been provided in response to that request.

In the meantime, in Budget 2011, I reduced the Standard Fund Threshold (SFT) by over 50% with transitional arrangements for those with relevant pension rights above the reduced threshold on Budget Day. In addition, I also changed the tax arrangements applying to retirement lump sums so that, among other things, amounts of retirement lump sums in excess of €200,000 and below 25% of the reduced SFT will be taxed at the standard rate of income tax.

For the reasons already outlined, the estimated yields from these measures are quite conservative, based as they are on incomplete data and using very broad assumptions.

147. **Deputy Róisín Shortall** asked the Minister for Finance if the universal social charge will be applied to a single person in receipt of a State pension with an occupational pension of less than €4,004 that is, where their gross income is greater than €4,004 but where the gross income less the value of the State pension is less than the €4,004 threshold [47936/10]

**Minister for Finance (Deputy Brian Lenihan):** The position is that payments from the Department of Social Protection such as the contributory and non-contributory State pension will be exempted from the Universal Social Charge and are not included in an individual's overall income for the purpose of the Universal Social Charge (USC). The legislation also provides that where an individual's total annual income which is chargeable to the USC is below €4,004 in the year of assessment, the USC will not apply.

Therefore, based on the information provided by the Deputy, a single person with an occupational pension of less than €4,004 per annum will not be subject to the USC.

### Public Service Agreement

148. **Deputy Lucinda Creighton** asked the Minister for Finance the action taken to create a unified public service labour market; the details of the review to revise contractual and other arrangements as specified in the public service agreement 2010-14; and if he will make a statement on the matter. [47958/10]

**Minister for Finance (Deputy Brian Lenihan):** In 2008 the OECD Review of the Irish Public Service identified the need to move towards a more integrated Public Service. This would involve networked approaches to working with increased flexibility for workers. The report of the Task Force on the Public Service, *Transforming Public Services*, endorsed the need for a more integrated Public Service and a move to a unified labour market as a way of heightening the service-wide identity of Public Servants. This would include removing barriers to movement between different sectors and organisation in the Public Service as a means of promoting deeper collaboration, and putting in place the means to redeploy employees across existing boundaries to areas of greatest priority.

The Croke Park Agreement provides that, to the greatest extent possible, there will be standardised terms and conditions of employment across the Public Service with the focus initially within sectors. The redeployment arrangements in the Croke Park Agreement will be used to ensure flexibility in the deployment of staff in light of the reduced numbers. The sectoral Action Plans outline the initial programme of changes proposed by management to achieve the reforms, efficiencies and savings needed in each sector, including where appropriate, standardisation of non-pay conditions. I expect Public Service managements to pursue vigorously the changes proposed for their sectors.

*Transforming Public Services* also recommended the establishment of a Senior Public Service aimed at developing and managing Public Service leaders and reinforcing Public Service values and a system-wide identity. The Government has decided to proceed with this recommendation, with the Senior Public Service being established initially in the Civil Service before being extended to the wider Public Service.

In Budget 2010 I announced the introduction of a new single pension scheme for new entrants to the Public Service in 2011. Relevant legislation is in the course of preparation. The new scheme will be based on a career-average system and later pension age and will reduce longer-term pension costs significantly.

149. **Deputy Lucinda Creighton** asked the Minister for Finance the performance management systems implemented in his Department as specified in the public service agreement 2010-14; and if he will make a statement on the matter. [47966/10]

**Minister for Finance (Deputy Brian Lenihan):** The Performance Management System in operation in my Department is the Performance Management Development System (PMDS) introduced throughout the Civil Service on foot of General Council Report 1452. The Public Service Agreement 2010-2014 contains a commitment ‘to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures’.

[Deputy Brian Lenihan.]

In the civil service work is well underway on achieving this goal. The 2010 Evaluation of PMDS has been completed. Negotiations with the Unions have commenced in relation to how the PMDS can be strengthened.

Performance management in the civil service is already linked to promotion and to incremental progression and the systems in place to address underperformance are now being assessed.

### Departmental Staff

150. **Deputy Lucinda Creighton** asked the Minister for Finance the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47980/10]

**Minister for Finance (Deputy Brian Lenihan):** During 2009, 2 people were employed on a short-term, temporary or consultancy basis by my Department. The annualised salary costs for 2009 was €290,203. During 2010, 7 people (including those employed in 2009) were employed on a short-term, temporary or consultancy basis by my Department. The annualised salary costs for 2010 was €739,474. The numbers above do not include staff on temporary secondment from other Civil Service Departments or Offices. 3 of those employed are on secondment from other areas of the public service.

### Fiscal Policy

151. **Deputy Joan Burton** asked the Minister for Finance his views on the EU Commission's autumn economic forecasts in so far as they concern Ireland; his views on whether the implication is that the EU Commission does not have confidence in Ireland meeting its fiscal deficit target of below 3% by 2014; his further views on whether the implication of the debt-to-GDP forecasts contained therein imply that the EU Commission expects that the cost of recapitalising the Irish banking system is likely to be some €10 billion higher than previously acknowledged, even before the revised PCAR analysis is carried out; his views on whether this scenario is deeply worrying; and if he will make a statement on the matter. [47990/10]

**Minister for Finance (Deputy Brian Lenihan):** The EU Commission's Autumn Forecasts project real GDP growth of 0.9% for 2011 and 1.9% for 2012 after an anticipated marginal decline of 0.2% for 2010. My Department's forecasts are 1.7% for 2011 and 3.2% for 2012 after a marginal increase of 0.3% for 2010. Reuters also publish a monthly survey of private sector economic forecasts (typically 10 economists surveyed). The results are known as the Reuters consensus forecast. The consensus forecast for end-November was published in early December. For next year the consensus is for GDP growth of 1.6% (DoF is 1.7%). The GNP projection for next year is 1.0% (DoF is also 1.0%). The headline in the Reuters circular is "Economists views closer to that of the Irish government than the more pessimistic EU Commission". Economic forecasts are, by their very nature, highly uncertain — forecasting is not an exact science especially at the current juncture.

The differences between the Department and the EU Commission mainly relate to private consumption — the Department is taking the view that the budgetary consolidation measures will help restore confidence and lead to some decline in the rate of savings by households.

In terms of the debt-to-GDP ratio, the Commission is forecasting a debt-to-GDP ratio of 114% by 2012 whereas my Department anticipates a debt-to-GDP ratio of 102% by 2012. Some of the difference is explained by the Commission's lower economic growth forecasts and hence its higher projected deficits in the medium term. However, some of the differences relate to the assumptions that the Commission has made in relation to banking sector recapitalisation needs.

If developments in the Irish economy were to evolve in line with the Commission's forecasts, it would take Ireland until 2015 to reach a deficit to GDP ratio of 3%. The Ecofin Ministers have granted Ireland an extra year to achieve a deficit of less than 3% of GDP in the event that it is required. The budgetary plans, as set out in Budget 2011 and the National Recovery Plan are based on achieving a deficit of less than 3% of GDP by 2014 and these plans are realistic in the current circumstances.

The joint EU-IMF programme of financial assistance for Ireland provides for up to €35 billion to be made available to support the banking system with €10 billion available for immediate recapitalisation and the remaining €25 billion provided on a contingency basis.

The budgetary forecasts contained in Budget 2011 assume that the €10 billion for immediate recapitalisation comes from the State's own resources, through the National Pensions Reserve Fund (NPRF) and other domestic cash resources, and as such does not add further to General Government Gross debt.

### **Banks Recapitalisation**

152. **Deputy Joan Burton** asked the Minister for Finance his views on reports attributed to the Chairman of Anglo Irish Bank recently to the effect that the further costs of recapitalising the Irish banking sector will run to more than the €35 billion currently envisaged as the maximum under the terms of the International Monetary Fund — EU programme of external assistance; if he will provide a revised estimate of the likely total cost of recapitalising the Irish banking sector; and if he will make a statement on the matter. [47991/10]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy will be aware that I have already stated that I do not agree with the comments made by the Chairman of Anglo. The Central Bank set out its estimates of the banks' capital requirements following the results of the PCAR exercise on 30 September. The PCAR takes account of all elements of the banks' loan books, including the mortgage loan books. It has taken a realistic view of the likely losses to mortgage lenders. Indeed, the loss rates that have been used in both the base and stress case scenarios are in excess of the latest official figures released by the Central Bank.

Furthermore, the detailed review undertaken by the external authorities of the financial status of the Irish banks and, in particular, of the Central Bank's PCAR exercise was an important part of the technical discussions underpinning the negotiated package of assistance with the IMF and our European partners. The Governor of the Central Bank recently confirmed that the external experts had found no fault with the methodology used for the PCAR stress test earlier this year.

As part of the agreed assistance package, the Government has committed that the minimum core tier 1 capital ratios for AIB, Bank of Ireland, ILP and EBS Building Society will be increased from 8% to 10.5%. This decision is consistent with recent international trends for banks to hold higher levels of higher quality capital, reflecting both the new Basel III standards and market expectations. As an immediate step towards enhancing confidence in the sector, the Central Bank is instructing these institutions to increase their capital levels so that they

[Deputy Brian Lenihan.]

meet a 12% core tier 1 ratio (after taking account of expected future losses out to December 2012).

### **Bank Guarantee Scheme**

153. **Deputy Joan Burton** asked the Minister for Finance in respect of bonuses paid by credit institutions covered by the eligible liabilities guarantee, if he will set out the tax arrangements; if income tax becomes payable on these bonuses in the year in which they were earned or the year in which they are paid; and if he will make a statement on the matter. [47992/10]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that income tax is chargeable on employee bonuses in respect of the year in which those bonuses were earned, although PAYE tax is deducted in the year in which they are actually paid. Where the marginal income tax rate is the same for the year of payment and for the year the bonus was earned — for example, the rate has remained at 41% since 2007 — the tax deducted under PAYE will have discharged the correct liability. Employee bonus payments are charged to the Income Levy and the Health Levy, or the Universal Social Charge for 2011 onwards, for the year in which the payment is made, irrespective of the year in which the bonuses were earned.

154. **Deputy Joan Burton** asked the Minister for Finance, in respect of bonuses paid by Allied Irish Bank, when he first became aware of the payment of sums of €54 million and €40 million in the years 2009 and 2010 respectively; when he became aware of these bonuses; if he sought to introduce a system for reducing or mitigating them; and if he will make a statement on the matter. [47993/10]

**Minister for Finance (Deputy Brian Lenihan):** In July 2009, Allied Irish Banks (AIB) brought to the attention of my Department that certain legacy issues had arisen regarding pre-existing contractual payments arising from their 2008 Capital Markets bonus scheme. The 2009 Scheme was withdrawn. These issues related to overseas locations where legal action had been threatened or initiated by some AIB employees. AIB advised that awards due to Irish based staff under the same bonus scheme had been deferred. AIB, based on legal advice available to them, paid these and other similarly pre-existing contractual bonus commitments whilst continuing to defer the awards due to Irish based staff.

In April 2010, AIB informed my Department that legal action to obtain payment of awards outstanding to Irish based employees had been initiated. They indicated that the legal opinion they had procured stated that the bank had a legal obligation to make these payments. They further advised that the aggregate value of the awards was c€35.5m covering 1,460 employees with no senior executives involved.

The legal advice, I received at that time, was that there were no legal powers available to me based on the circumstances pertaining to stop AIB from fulfilling any legal commitment. In July 2010, AIB were advised that the matter of the payment of the awards to Irish based employees under the 2008 Scheme was a matter for the board of AIB to determine whether it had a legal obligation in relation to the awards.

The Deputy will be aware of the ensuing events which led to the High Court Order of 3 November 2010 in relation to a particular case and the subsequent controversy which ensued over the proposed payment of the remaining awards. The Deputy will also be aware that, following recent consultations, based on legal advice from the Attorney General that it was

now possible in view of the changed circumstances of the bank since the bonuses were earned to stipulate that the provision of further State funding to AIB will be conditional, inter alia, on the non-payment of any bonuses.

155. **Deputy Joan Burton** asked the Minister for Finance in respect of bonuses paid after September 2008 by credit institutions covered by the bank guarantee, the reason the obligations in respect of these bonuses was not either reviewed or made subject to emergency financial measures in the public interest in the form of a surtax or a *de minimis* rule whereby bonuses would be taxed at a minimum effective rate of circa 80%, or their abolition in view of the institutions' reliance on State support and inability to meet financial commitments; if such options were examined by him or by any of the authorities advising him; if so, if he will publish this advice; and if he will make a statement on the matter. [47994/10]

**Minister for Finance (Deputy Brian Lenihan):** The position regarding the payment of bonuses to senior management and staff in the covered institutions since the publication of the CIROC Report in March 2009 is that the legal advice at the time was that pre-existing contracts had to be honoured and bonuses relating to such contracts should be paid. For details of the bonuses paid out by the covered institutions since September 2008 the Deputy should refer to my answer to PQ 47995. The Deputy will be aware that a breakdown of bonus amounts and staff levels show that many were for performance related payments to Junior Management, Professional/ Specialist and Clerical Grades. However, very substantial sums have also been paid to people at higher levels, including the €1ml paid to the CEO of INBS in November 2008.

Since the commencement of the Government Guarantee Scheme in September 2008 many of the covered institutions have become more dependent on State support for their funding. This additional reliance on Government intervention has changed the situation with regard to payment of any bonuses, and as a result I have taken action to introduce provision in the Credit Institutions (Stability) Bill 2010 which will stem the payment of bonuses for those banks receiving State support by way of capital investment by the Government. The question of a surtax is one which I will consider in the context of the forthcoming Finance Bill.

156. **Deputy Joan Burton** asked the Minister for Finance in respect of bonuses paid after September 2008 by credit institutions covered by the bank guarantee, the number of staff at each of the institutions who have received bonuses for the years 2008, 2009 and 2010; the sums of money that have been paid by each institution by way of bonuses in each of the years 2008, 2009 and 2010; and if he will make a statement on the matter. [47995/10]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy will be aware that since the introduction of the Government Guarantee Scheme in September 2008 there have been a number of Government backed initiatives which impact on the operational environment and place specific restrictions and limitations on the covered institutions in relation to the payment of bonuses to their senior management and staff. I refer to the publication of the CIROC report and the subscription agreements for the recapitalisation of Bank of Ireland and AIB, the nationalisation of Anglo Irish Bank, and the later capital injections by Government in support of the EBS and INBS. I would point out to the Deputy that the covered institutions operate in an arms length capacity in relation to operational issues. It is a matter for the respective individual boards and senior management to determine and implement pay policy in their organisations subject to their relevant operating environment.

[Deputy Brian Lenihan.]

From enquiries made, I am informed by the respective institutions that the position regarding the issues raised by the Deputy in relation to their organisation is as laid out in the following appendix. I am still awaiting a reply from Bank of Ireland which I will forward on to the Deputy as soon as I receive it.

Year that bonuses were paid	Bank	No. of staff paid	Total amount of bonuses paid
After Sept 2008	BOI		
	AIB	681	€1.3m
	Anglo Irish	1,594	€20,771,353
	EBS	Nil	Nil
	INBS	318	€1,448,000
	IL&P	13	€11,834
2009	BOI		
	AIB	1,387	€19.3m
	Anglo Irish	10	€396,603
	EBS	35	€145,600
	INBS	2	€12,300
	IL&P	509	€745,680
2010	BOI		
	AIB	Nil	Nil
	Anglo Irish	5	€273,787
	EBS	69	€326,006
	INBS	1	€9,000
	IL&P	103	€46,891

Regarding AIB, of the €19.3m paid in 2009, €18.3m was paid to overseas staff. The remainder represents payments to 750 staff in areas such as contact centres. Anglo Irish Bank has ceased to award bonuses since 2009. Bonus payments reported in the table above refer to bonuses paid that were awarded prior to 2009. The payment amounts set out in the 2008 section of the above table are in respect of bonuses earned prior to that period. There were ten bonus awards paid during 2009. The breakdown was as follows: nine were contractual entitlements to a deferred portion of a bonus earned in previous years and one was a performance related bonus in respect of year 2008 but implemented for payment in 2009. There were five bonus awards paid during 2010. All of these awards were contractual entitlements to a deferred portion of a bonus earned in previous years. There were no performance related bonuses awarded during 2010.

No management or general bonuses have been paid in EBS Group since 2008 with the exception of two cases set out below which relate to a contractual remuneration structure in one case and a once off retention payment in the other case. In January 2009, as part of their normal contractual remuneration structure, 35 employees in staff grades in EBS' Direct Call Centre received bonuses averaging €4,160 per employee. In January 2010 the same category of 43 staff grade employees received an average bonus of €2,442. Exceptionally in January 2010 as part of a once off contractual retention scheme, 26 employees in the EBS Broker business subsidiary, Haven Mortgages Ltd., received lump sum retention payments averaging €8,500 per employee.

INBS advise that in November 2008, the former Chief Executive of the Society received a bonus of €1m from the Society. As set out in the INBS 2008 annual report and accounts, this comprised part of his overall remuneration of €2.313m in 2008 which also included €450,000 described as “other payments” in the report. The Society further advises that, apart from the payments to the former Chief Executive in 2008, payments totalling €378,000 were paid to 314 staff in December 2008 in line with similar payments made at Christmas in preceding years. This payment was not made in either 2009 or 2010 and has now been discontinued. In addition, performance related bonuses totalling €70,000 were paid to three staff in 2008. Two staff received payments totalling €12,300 in 2009, one of which was a contractual payment and the other an ex-gratia payment. One member of staff received a contractual payment of €9,000 in 2010, but which will no longer apply in the future.

The breakdown in the level of staff receiving bonuses in Irish Life and Permanent is as follows: Specialist / Professional and Clerical staff received bonuses in respect of the three years 2008, 2009 and 2010. Executive and Senior Management received bonuses in 2009 only and included with other staff levels in the table above. Junior Management received bonus payments for 2009 and 2010. The number of payments which is the number reported as number of staff paid in the table may differ from the actual number of staff paid, as some staff members may have received more than one payment in the year.

### **Departmental Properties**

157. **Deputy Joan Burton** asked the Minister for Finance the action he has taken during 2010 to find an appropriate use for the old Allied Irish Banks branch building on Blanchardstown Main Street in Dublin 15; the cost of providing ongoing security, maintenance, insurance and other costs for this building; and if he will make a statement on the matter. [47999/10]

**Minister of State at the Department of Finance (Deputy Martin Mansergh):** Planning permission has been obtained to convert the former Allied Irish Banks branch building in Blanchardstown for use as a Driving Test Centre and this is a development option when funding becomes available. In this regard this building is also being assessed as to its suitability for use on other State requirements.

Ongoing maintenance costs (electricity) are of the order of €4,750.00 per annum. There are no costs in 2010 associated with security. Insurance costs do not arise as the State carries its own insurance.

### **Bank Guarantee Scheme**

158. **Deputy Joan Burton** asked the Minister for Finance, in respect of the directors at each of the credit institutions covered by the bank guarantee, the number of directors in office since before the introduction of the bank guarantee; the name of these Directors; and if he will make a statement on the matter. [48000/10]

**Minister for Finance (Deputy Brian Lenihan):** I would point out, to the Deputy that, contrary to public perception, a lot of changes at director level at the covered institutions have taken place. The Government has sought to bring certainty to the operation of the Irish financial system by making progressive changes at board level and implementing other measures such as changes in the manner that new director appointments are now made. It is not only a change of personnel that is required but a change of culture. The public interest aspect of decisions taken at board level of these institutions has to have a much greater prominence. Based on information supplied to me by the 6 covered institutions, 28 directors representing 38% of those who were in office pre the introduction of the Government Guarantee are still in situ. I



[Deputy Brian Lenihan.]

do not propose to list the names of those directors. 46 cessations by directors from office (62% of aggregate board strength pre September 2010) have taken place since that time.

### **Tax Reliefs**

159. **Deputy Noel Ahern** asked the Minister for Finance the position regarding tax relief on third level fees; if tax relief is available for all universities including private; if same can be claimed by the parents and if there are any conditions regarding age, living at home and so on; if the rate is 20% or 41%; and if it can be claimed by others, for example brothers or sisters, if parents were not in tax net. [48019/10]

**Minister for Finance (Deputy Brian Lenihan):** Section 473A of the Taxes Consolidation Act 1997 provides income tax relief in respect of the cost of tuition fees paid on behalf of a student who is undertaking ‘an approved course’ at ‘an approved college’. A list of the approved courses and approved colleges can be found on the Revenue website at [www.revenue.ie](http://www.revenue.ie). The maximum limit on tuition fees for each course for the academic year 2010 / 2011 is €5,000 @ 20% (standard rate).

The tax relief is confined to tuition fees only and does not extend to items such as registration fees, administration fees, accommodation, etc. Tuition fees that are, or will be, met directly or indirectly by grants, scholarships, employer contribution or other means are to be deducted in arriving at the net fees qualifying for tax relief. The relief may be claimed at the end of the tax year or, for PAYE taxpayers, the relief may be claimed via the PAYE system during the tax year when the fees have been paid.

There is no age restriction or requirement to live at home attaching to the relief. For the tax year 2007 onwards, an individual can claim tax relief on fees paid as long as he/she has actually paid the qualifying fees. For example, a parent can claim the tax relief in respect of fees paid in respect of a course pursued by a son or daughter. Likewise, a brother or sister of a student can claim the tax relief provided that the brother or sister actually paid the fees. However, a brother or sister of a student cannot claim the tax relief if the fees are paid by their parents.

### **Dormant Accounts Fund**

160. **Deputy Noel Ahern** asked the Minister for Finance the position regarding the original amalgamation of the Dublin Savings Bank which had branches in Thomas Street and Abbey Street; if dormant accounts legislation existed at the date of the original amalgamation; if so, the amount that went to the dormant accounts fund; if the legislation came later, the amount passed over in initial implementation of the Act by the Dublin Savings Bank or overall parent company at the relevant time; and if he will make a statement on the matter. [48021/10]

**Minister for Finance (Deputy Brian Lenihan):** The Dublin Savings Bank was merged into the Trustee Savings Bank in 1988 and now forms part of Permanent TSB. The merger preceded the Dormant Accounts legislation by more than a decade. The Dormant Accounts Act 2001 established the Dormant Accounts Fund. The Act provided for the first transfer of moneys to the Fund in respect of dormant accounts to be made not later than 30 April 2003. Permanent TSB transferred 17,397,639 euros to the Fund on 15th April 2003. Any person who held an account in the Dublin Savings Bank and has a dormant account query should, in the first instance, directly contact Permanent TSB.

### **Public Service Staff**

161. **Deputy Joanna Tuffy** asked the Minister for Finance the numbers employed in the

public sector, by sector, at the end of 2008, 2009 and to date in 2010 in tabular form; and if he will make a statement on the matter. [48032/10]

**Minister for Finance (Deputy Brian Lenihan):** Information on the numbers employed in the Public service, on a functional classification basis at end 2008, end 2009 and Quarter 3 2010 is presented in the following table.

Table 1\*

	2008 Qtr4	2009 Qtr4	2010 Qtr3
Civil Service	39,313	37,356	36,604
Defence Sector	11,265	10,736	10,397
Education Sector	94,663	92,984	93,253
Health Sector	111,025	109,753	108,801
Justice Sector	15,692	15,117	14,847
Local Authorities	35,008	32,044	31,211
NCSA	12,474	11,801	12,152
Total	319,440	309,791	307,265

\*Note that the above figures are on a whole-time equivalent basis, and are subject to revisions reflecting methodological changes and updated information regarding numbers in particular sectors.

### Fiscal Policy

162. **Deputy Joan Burton** asked the Minister for Finance if he will provide the full estimate of the annual cost of each tax expenditure on the statute books; if he will itemise each of those that are to be withdrawn over the course of the national recovery plan; to set out the saving to the Exchequer in each of the next four years of these measures; and if he will make a statement on the matter. [48033/10]

**Minister for Finance (Deputy Brian Lenihan):** In relation to the first part of the Deputy's question the reply is provided at Annex 1 and sets out the most recent information available as advised by the Revenue Commissioners. The second part of the question relating to tax expenditures that are to be withdrawn over the course of the National Recovery Plan are as set out in Annex 2. The National Recovery Plan provided for a series of restrictions to and curtailments of entitlement to a wide range of reliefs. I am pleased to say that all the general tax expenditure measures highlighted in the Plan have either been abolished or otherwise restricted in Budget 2011. Indeed the Budget took measures beyond those in the Plan. A total of 14 reliefs are being abolished (5 on a phased basis), 10 are restricted with a further 6 measures taken to reduce costs in the pensions area. The yield from these combined measures will be of the order of €300 million in 2011 and will increase to around €1,500 million by 2014 (inclusive of additional planned measures).

Revenue is generated by economic activity, not by increased tax rates. High tax rates and a narrow base of economic activity may raise far less revenue than lower rates on a much wider base. Accordingly, the National Recovery Plan is concerned not just with the "quantity" of revenue to be raised but also with the "quality" of the measures adopted and their ability to deliver sustainable structural reforms. At the end of this process we must have confidence that we have a revenue system that is fit-for-purpose.

For these reasons, there must be an emphasis on base broadening across the tax system.

[Deputy Brian Lenihan.]

- We are increasing the numbers paying tax. An income tax system where more than 45% of tax units paid no income tax was not sustainable.
- Tax expenditures and reliefs are being abolished or restricted: higher earners cannot shelter themselves from paying their fair share of tax.

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 fairer to all. This is an unprecedented broadening of the tax base to distribute the burden and ensure that those who can pay most will pay most.

### *ANNEX 1*

I am advised by the Revenue Commissioners that the total identifiable costs to the Exchequer of all income tax and corporation tax allowances, reliefs, exemptions and tax credits available are set out in the following tables for 2006, the most recent year for which the necessary detailed historical information is available. Relevant notes relating to items in the tables are also included.

Estimates of the prospective yield to the Exchequer in 2011 from the abolition or standard rating of each deduction and relief from incomes over the specified ranges are not available. These estimates could not be provided without undertaking an extensive and costly development of the Revenue tax model nor would they capture any behavioural change on the part of taxpayers as a consequence of such change or their economic effects. Estimates of the costs of tax deductions and reliefs for 2007 are currently being compiled.

#### *Cost of Tax Credits, Allowances and Reliefs 2006 and 2005*

The following table IT 6 shows the estimated cost in terms of revenue forgone of the personal tax credits and the main reliefs and deductions allowable under the income tax system. A number of reliefs which apply both to individuals and companies is also included and the cost shown in relation to these reliefs covers income tax and corporation tax.

An adjustment is included in the cost figures applying to income tax to compensate for incomplete numbers of tax returns on record at the time of compiling the estimates.

The tax credits and reliefs listed in the table serve varying purposes. Many are essentially structural reliefs through which individual tax liabilities are adjusted to reflect relative taxable capacity. The main personal tax credits are a good example of this since they may be regarded as part of the progressive income tax structure representing a band of income chargeable at a zero rate. Others, such as relief for interest paid in full or investment in corporate trades, are tax-based incentives in favour of specific groups or activities which are designed to promote certain aspects of public policy.

In computing taxable profits, account needs to be taken in some way of the depreciation of capital assets incurred in earning those profits. To this extent, the figures in the table of the “costs” of capital allowances should not be regarded as measuring a “loss of tax revenue” on profits. To compute such “loss”, regard would have to be had to the excess of the amount of the capital allowances at current rates over the amount of the normal allowances.

The figures shown for the basic personal tax credits (married, single and widowed) are the costs of these tax credits as if all other tax credits and the exemption limits did not apply. They do not include individuals who are not on Revenue records because their incomes are below

the income tax thresholds. The cost figures for the exemption limits are based on the excess of the exemption limits over the basic personal tax credits.

The figures of cost are for 2006 and 2005 and all figures are based on tax due in respect of assessments for each year and not on tax receipts within that year. The figure against each credit or allowance represents the additional tax which would become payable if the tax credit or allowance were withdrawn assuming no consequent change in the behaviour of taxpayers (for example, in relation to the reliefs for savings), or the amounts of payments (for example, interest payable on certain savings schemes might need adjustment to take account of the new tax liability). The numbers of claimants of each credit or relief are shown for both years to the extent that they are available. The numbers included are the taxpayers who would be adversely affected by the withdrawal of the respective credit or relief.

In the calculations, each tax credit or allowance has been dealt with separately and on the assumption that the rest of the tax system remained unchanged. It would be therefore inaccurate to calculate the effect of withdrawing all the credits, reliefs and allowances by simply totalling the figures. For example, the costs shown for capital allowances and stock relief are also calculated on the basis of separate withdrawal of these reliefs. Their combined cost would be greater than the sum of the separate costs because allowances are not always fully set off against available profits. For instance, a person with €1,000 gross trading profits, €1,000 capital allowances and €1,000 stock relief would pay no tax if either of the reliefs were withdrawn but would pay tax on €1,000 profits if both reliefs were withdrawn. In this case, the cost of each relief separately is nil but the combined cost is tax on €1,000. Basic data is not available to enable an estimate of the combined cost of these reliefs to be made. The figures for estimates based on tax returns have been grossed up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data was extracted for analytical purposes.

Finally, the estimates shown in many cases are tentative and are subject to revision in the light of later information. Some of the cost figures included in the table for 2005 reflect revisions to figures previously published in the 2007 Report.

#### INCOME TAX AND CORPORATION TAX

TABLE IT6: Cost of Tax Credits, Allowances and Reliefs 2005 and 2006

	<sup>(1)</sup> Estimated cost for			
	2005		2006	
	€m	Numbers	€m	Numbers
<b>INCOME TAX</b>				
<i>Exemption limits:</i>				
General Exemption <sup>(2)</sup>	0.0	0	0.0	0
Child Addition <sup>(2)</sup>	0.3	1,000	0.2	800
Age Exemption <sup>(2)</sup>	61.5	49,600	62.0	50,100
Married Person's Credit <sup>(3)</sup>	2,268.9	756,500	2,396.9	777,700
Single Person's Credit <sup>(3)</sup>	1,854.3	1,330,100	2,137.2	1,494,700
Widowed Person's Credit <sup>(3)</sup>	132.2	71,500	155.2	78,400
Additional Credit to Widowed Person in Year of Bereavement	4.7	4,000	4.5	4,000
Additional Bereavement Credit to Widowed Parent	4.3	2,400	4.9	2,300
Additional Personal Credit for Lone Parent	194.1	124,900	186.11	23,100
Homecarer Credit	63.9	87,900	61.8	85,000

[Deputy Brian Lenihan.]

	<sup>(1)</sup> Estimated cost for			
	2005		2006	
	€m	Numbers	€m	Numbers
Additional Credit for Incapacitated Child	10.3	10,400	16.0	11,000
Employee (PAYE) Credit	2,030.8	1,493,300	2,522.0	1,626,700
Dependent Relative Credit	1.0	15,200	1.4	15,500
Person Taking Care of Incapacitated Taxpayer	1.8	660	2.8	820
Age Credit	20.6	68,800	28.3	76,700
Blind Person's Credit	0.8	890	1.2	880
Medical Insurance Premiums <sup>(4)</sup>	229.6	1,073,400	260.5	1,134,800
Health Expenses	134.0	260,700	167.2	348,800
Contributions Under Permanent Health Benefit Schemes, after Deduction of Tax on Benefits Received <sup>(5)</sup>	3.2	21,600	3.1	23,000
Employees' Contributions To Approved Superannuation Schemes <sup>(6)</sup>	423.4	565,200	543.3	693,100
Employers' Contributions To Approved Superannuation Schemes <sup>(6)</sup>	90.0	296,500	120.0	363,100
Exemption of Investment Income and Gains of Approved Superannuation Funds <sup>(6) (7) (11)*</sup>	1,050.0	N/A	1,200.0	N/A
Exemption of employers' contributions from employee BIK <sup>(6)</sup>	370.0	296,500	510.0	363,100
Tax Relief on "tax free" lump sums <sup>(6)</sup>	120.0	N/A	130.0	N/A
Retirement Annuity Contracts <sup>(6)</sup>	357.7	121,200	435.9	125,900
Personal Retirement Savings Account <sup>(6)</sup>	42.2	32,900	56.4	45,200
<i>Interest paid:</i>				
Loans relating to Principal Private Residence	279.0	587,800	351.6	668,400
Other <sup>(8)</sup>	22.2	4,800	31.1	4,900
Rent Paid in Private Tenancies	48.1	144,500	64.0	171,800
Expenses Allowable to Employees under Schedule E	65.0	908,800	71.2	960,400
Third Level Education Fees	14.3	29,900	15.7	30,800
Exemption of Certain Earnings of Writers, Composers and Artists	34.8	2,220	65.9	2,890
Dispositions (Including Maintenance Payments made to Separated Spouses)	18.9	6,100	20.2	7,640
Exemption of Interest on Savings Certificates, National Instalment Savings & Index Linked Savings Bonds	129.5	N/A	216.3	N/A
Rent a Room	3.3	2,820	3.9	3,560
Exemption of Income of Charities, Colleges, Hospitals, Schools, Friendly Societies, etc. <sup>(9)</sup>	19.8	N/A	35.0	N/A
Donations to Approved Bodies	34.0	63,800	49.5	107,100
Donations to Sports Bodies <sup>(10)</sup>	0.2	430	0.3	580
Retirement Relief for certain Sports Persons <sup>(10)</sup>	0.3	42	0.2	32
Exemption of Irish Government Securities where owner not ordinarily resident in Ireland <sup>(11)*</sup>	169.3	N/A	197.0	N/A
Exemption of Statutory Redundancy Payments	72.8	22,000	77.7	22,100
Service Charges	17.2	304,700	21.4	363,900
Top Slicing Relief — Reduced Tax Rate for Payments in Excess of Exemption Amounts Made as Compensation for Loss of Office	11.1	1,480	20.2	2,050
Revenue Job Assist allowance	0.4	550	0.3	360
Allowance for seafarers	0.4	200	0.3	170
Trade Union Subscriptions	11.8	272,100	19.2	294,300

	<sup>(1)</sup> Estimated cost for			
	2005		2006	
	€m	Numbers	€m	Numbers
<i>Exemption From Tax of Certain Social Welfare Payments:</i>				
Child benefit*	366.6	373,500	377.4	375,300
Early childcare Supplement*	N/A	N/A	64.9	192,000
Maternity allowance*	9.6	10,800	12.2	14,900
Exemption of Income arising from the Provision of Childcare Services	N/A	N/A	0.3	230.0
Approved Profit Sharing Schemes*	55.8	55,000	87.8	87,500
Savings-Related Share Option Schemes*	6.2	N/A	2.8	N/A
Approved Share Option Schemes*	0.4	464	3.4	1,400
Relief for New Shares Purchased by Employees	N/A	N/A	0.2	184
Investment in Corporate Trades (BES)	16	1,650	21.4	2,000
Investment in Seed Capital	1.3	42	1.2	42
Stock Relief*	2.0	N/A	2.0	N/A
Relief for expenditure on significant buildings and gardens	3.3	84	6.2	180
Donation of Heritage items	5.8	7	5.7	5
Special Savings Incentive Scheme	597.4	1,083,600	438.9	718,570
<b>INCOME TAX AND/OR CORPORATION TAX<sup>(12)</sup></b>				
Employee Share Ownership Trusts*	1.8	16,800	6.3	16,300
Total Capital Allowances: <sup>(13)</sup>	1,877.5	266,200	2,036.3	260,700
Rented Residential Relief — Section 23 <sup>(14)*</sup>	239.7	4,126	252.4	4,132
Effective Rate of 10% for Manufacturing and Certain Other Activities <sup>(15)</sup>	396	3,034	384.1	2,831
Double Taxation Relief	439.1	13,200	590.0	15,400
Investment in Films*	15.7	1,500	36.4	3,500
Group Relief	421.6	1,578	255.6	1,592
Research & Development Tax Credit <sup>(16)</sup>	65.2	135	74.7	141

#### NOTES ON TABLE IT 6

- <sup>(1)</sup> Figures accompanied by an asterisk\* are particularly tentative and subject to a considerable margin of error.
- <sup>(2)</sup> The cost figures for the exemption limits are based on the excess of the exemption limits over the basic personal tax credits. They include the cost of marginal relief for taxpayers whose incomes are not greatly in excess of the exemption limits.
- <sup>(3)</sup> The figures shown for the basic personal tax credits (married, single and widowed) are the costs of these tax credits as if all other tax credits and the exemption limits did not apply. They do not include individuals who are not on Revenue records because their incomes are below the income tax thresholds.
- <sup>(4)</sup> Arising from the change over to Tax Relief at Source the figures relate to the number of policies issued. These include policies where subscriptions were paid by businesses on behalf of their employees.
- <sup>(5)</sup> Part of the cost of contributions to Permanent Health Benefit Schemes is not identifiable as a result of the move to a “net pay” basis for contributions by PAYE taxpayers from 6 April 2001.
- <sup>(6)</sup> See the following table “Green Paper on Pensions” for background commentary and cost figures for 2007.

[Deputy Brian Lenihan.]

- <sup>(7)</sup> Arising from the work on the “Green Paper on Pensions” (2007) the basis for costing this item was changed for 2005 and is not directly comparable with the figures for earlier years. See also the following table “Green Paper on Pensions” for more recent figures.
- <sup>(8)</sup> “Other” relates to borrowings for purposes such as acquiring an interest in a company or partnership or to pay death duties.
- <sup>(9)</sup> The cost of exempting the income of charities, colleges, hospitals, schools, friendly societies, etc. from income tax includes the sums repaid in respect of tax credits, income tax deducted at source (certain dividends, other investment income and payments received under covenant), and also includes tax on (see Note 10) (a) donations made by the PAYE and self-employed sectors to approved bodies (b) income tax repayments on foot of PAYE donations. It also includes the cost of exempting certain bodies from the deduction on income arising from government securities. Information is not available about other income received gross.
- <sup>(10)</sup> The cost figures for relief for donations to Approved Sports Bodies and for certain Sports Persons are based on self assessment returns.
- <sup>(11)</sup> In the absence of other information, tax has been assumed at the standard rate of income tax even though a different rate might be appropriate in many cases.
- <sup>(12)</sup> The costs included for corporation tax are by reference to accounting periods which ended in the years 2005 and 2006.
- <sup>(13)</sup> The cost shown for capital allowances does not include any cost associated with “unused capital allowances”, that is, capital allowances which are not absorbed by a company in the accounting period in which they arise because they exceed the amount of the company’s profits of that accounting period which are available for offset. Unused capital allowances can be offset as losses against taxable profits arising in the previous accounting period and against certain profits arising in future accounting periods and can be offset against the profits of another company in the same group of companies. It is estimated that €3,340 million of unused capital allowances were claimed in respect of 2006 accounting periods but as the proportion of this item which is included in previous years losses and in group relief is not separately identifiable a reliable estimate of the cost of the capital allowance element cannot be provided.
- <sup>(14)</sup> The tax cost shown for section 23 type relief is the estimated ultimate tax cost relating to the total allowable expenditure in respect of claims made in 2005 and 2006 tax returns for the first time. The cost shown is for income tax cases only.
- <sup>(15)</sup> The cost does not include any notional cost associated with IFSC companies. The International Financial Services activity in Ireland represents new business which has developed as a result of, among other things, the concessionary tax rate. This means that as the cost of the concessionary rate is not just the difference between the concessionary tax rate and the full tax rate, it is therefore not quantifiable. In regard to the cost shown for the effective rate of 10 per cent for manufacturing and certain other activities, no account is taken of the fact that without these incentives, many enterprises may not have set up here. To the extent that profits earned by such enterprises would not have been available for Irish tax purposes, part of the cost figure shown might be regarded as notional.
- <sup>(16)</sup> The costs shown for R&D is for claims for R&D on corporation tax returns for accounting periods ending in 2005 and 2006. However, the cost includes the cost associated with

claims where the company was entitled to the credit but was unable to absorb it in that accounting year.

*Green Paper on Pensions — updated estimates of cost for 2007*

As part of the work on the Green Paper on Pensions, a review was carried out of the current regime of incentives for supplementary pension provision with a view to developing more comprehensive and reliable estimates of the cost of reliefs in this area. The review examined, among other things, the current reliefs and incentives for investment in supplementary pensions and the data available on which to base reliable estimates of the costs in revenue foregone to the Exchequer.

The review drew on newly available 2007 aggregate data on contributions to pension schemes by employers and employees arising from a P35 initiative introduced on foot of provisions that were included in Finance Act 2004 with a view to improving data quality. Estimates of the cost of tax for private pension provision updated for 2007 are included in the table below:

Estimate of the cost of tax and PRSI reliefs for private pension provision 2007

	Estimated costs	Numbers*
	€	
	million	
Employees' Contributions to approved Superannuation Schemes	590	708,100
Employers' Contributions to approved Superannuation Schemes	150	385,100**
Estimated cost of exemption of employers' contributions from employee BIK	540	385,100
Exemption of investment income and gains of approved Superannuation Funds	900	Not available
Retirement Annuity Contracts (RACs)	420	123,900
Personal Retirement Savings Accounts (PRSAs)	65	56,400
Estimated cost of tax relief on "tax-free" lump sum payments	130	
Estimated cost of PRSI and Health Levy relief on employee and employer contributions	240	Not available
Gross cost of tax relief	3,035	
Estimated tax yield from payment of pension benefits	410	
Net cost of tax relief	2,625	

\*Numbers as included in P35 returns from employers to Revenue for 2007. Figures are as verified to date but may be understated and subject to revision.

\*\*This is numbers of employees for whom employers are contributing to occupational pension funds as included in P35 returns to Revenue for 2007. Figures are as verified to date but may be understated and subject to revision.

The breakdown and make-up of these estimated costs of reliefs differ from presentations of costs in this area for previous years in a number of respects and are not directly comparable. For further details on the cost of tax and other reliefs and the changes in the methodology, refer to pages 106 and 107 of the Green Paper on Pensions which is available at [www.pensionsgreenpaper.ie](http://www.pensionsgreenpaper.ie).

*Certain property-based tax incentives and incomes exempt from tax — uptake and estimated potential cost to the Exchequer in terms of income tax and corporation tax forgone based on 2006 tax returns*

Provisions were included in the Finance Acts of 2003 and 2004 to enable new statistical data on the uptake of tax relief for certain property-based tax incentives and incomes exempt from tax to be obtained from tax returns. This information, derived from changes introduced by the



[Deputy Brian Lenihan.]

Revenue Commissioners to income tax returns and corporation tax returns for 2006, is set out in the following table.

The figures shown include the amounts claimed in the year but exclude amounts carried forward into the year either as losses or capital allowances, and include any amounts of unused losses and/or capital allowances which will be carried forward to subsequent years.

Tax Incentive/Income Exemption	Amount Claimed	Assumed maximum tax cost	Number of claimants
	€m	€m	
Urban renewal	351.7	140.5	3,436
Town Renewal	93.0	38.7	1,149
Seaside Resorts	15.7	6.4	1,167
Rural Renewal	94.0	38.0	2,137
Multi-storey car parks	40.2	16.6	119
Living Over the shop	7.1	2.7	82
Enterprise Areas	7.4	3.0	129
Park and Ride	6.9	2.8	32
Holiday Cottages	22.9	9.5	660
Hotels	277.1	106.6	1,515
Nursing Homes	35.5	14.7	538
Housing for the Elderly/infirm	3.4	1.4	95
Hostels	1.96	0.82	23
Guest Houses	0.2	0.1	7
Convalescent Homes	4.1	1.7	18
Qualifying Private Hospitals	25.2	10.6	284
Qualifying sports injury clinics	0.1	0	3
Buildings Used for certain childcare purposes	14.3	6.0	304
Student Accommodation	162.5	64.3	1,059
Exemption of profits or gains from Greyhounds	0.4	0.1	6
Exemption of profits or gains from Stallions	90.7	22.5	185
Exemption of profits or gains from Woodlands	13.6	5.4	1,231
Exempt Patents (section 234, TCA 1997)	395.0	83.8	1,120
Totals	1,662.9	576.2	15,299

*Notes:*

The figures shown relate to the various reliefs/incentives and exemptions as specified in the 2006 form 11 and CT1. There were concerns that in some instances the new, separately categorised data on property incentives may not have been correctly entered on the Tax returns. Revenue drew the attention of the relevant tax practitioner bodies to these deficiencies to rectify them in future returns and also increased awareness among its own staff involved in processing tax returns of the need to ensure, through closer examination of the returns, that they are correctly completed.

The estimated costs have assumed tax foregone at the 42% rate in the case of income tax and 12.5% in the case of corporation tax. This means the figures shown correspond to the maximum Exchequer cost in terms of income tax and corporation tax. However, the actual Exchequer cost could be lower, particularly in relation to the exempt income items, as the income could be subject to deductions for allowable expenses and other costs thereby reducing the level of income that would be actually subject to tax.

Some of the costs shown above are included in the costs shown for capital allowances and section 23 relief in Table IT6. For example, exempt income included above is not part of capital allowances.

*Reliefs in Respect of which Costs are not Currently Quantifiable or are Negligible or are not Identifiable within Total Aggregates.*

- Exemption in respect of certain income derived from the leasing of farm land;
- Relief for new shares purchased on issue by employees;
- Relief from averaging of farm profits;
- Exemption for income arising from payments in respect of personal injuries;
- Exemption of certain payments made by Haemophilia HIV Trust;
- Exemption of Pensions, Benefits or Gratuities Payable to Veterans of the War of Independence their Widows or Dependents;
- Exemption of lump sum retirement payments;
- Relief for allowable motor expenses;
- Tapering relief allowable for taxation of car benefits in kind;
- Reduced tax rate of 10% for authorised unit trust schemes;
- Reduced tax rate of 10% for special investment schemes;
- Exemption of certain grants made by Údarás na Gaeltachta;
- Relief for investment income reserved for policy holders in life assurance companies;
- Relief for various business related expenses such as staff recruitment, rent, legal fees, and other general expenses;
- Exemption in certain circumstances on the interest on quoted bearer Eurobonds;
- Exemption of payments made as compensation for loss of office;
- Exemption of scholarship income;
- Exemption for income received under Sceim na bhFoghlaimoiri Gaeilge.

### **Tax Reliefs**

163. **Deputy Joan Burton** asked the Minister for Finance the way the revised arrangements for tax relief on pension contributions, as set out in the national recovery plan, will apply to top earners over the next five years; if he will set out a schedule to demonstrate this impact; and if he will make a statement on the matter. [48034/10]

**Minister for Finance (Deputy Brian Lenihan):** Unfortunately, it was not possible to collate the information required for this answer in the time allowed. I will provide the Deputy with the answer in writing shortly.

### **Employment Support Services**

164. **Deputy Joan Burton** asked the Minister for Finance if he will publish a full cost benefit analysis of the business expansion scheme; if he will publish before Second Stage of the 2011 Finance Bill a full cost benefit analysis of the BITES scheme; and if he will make a statement on the matter. [48035/10]

**Minister for Finance (Deputy Brian Lenihan):** A full review of the Business Expansion Scheme (BES) was carried out in 2006. The report can be obtained from the Department of Finance website, at <http://www.finance.gov.ie/documents/publications/Reports/BESSCSReport.pdf>. This review highlighted the lack of equity capital support for small firms in their start up and early development phases, how vital the scheme had been in the past for such firms and the continuing needs in this regard. It also noted the potential return to the economy from indigenous Irish companies and the clear support for continuation from a large number of representative and other bodies in the public and private sector.

Following this review, the Government decided to extend the scheme until the end of 2013, and enhance it in certain respects. The approval of the European Commission for the scheme was granted in August 2007. In Budget 2011, I announced that the BES is being reformed and will be renamed the Employment and Investment Incentive (EII). 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. An Ex Ante Economic Impact Analysis of EII will be published at the same time as the forthcoming Finance Bill. Evaluation of the current BES will feature as part of this report.

### **Bank Guarantee Scheme**

165. **Deputy Joan Burton** asked the Minister for Finance in respect of the directors at each of the credit institutions covered by the bank guarantee, the sum of money that has been paid to directors by way of fees and emoluments for each of the years 2008 to 2010; and if he will make a statement on the matter. [48036/10]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy will be aware that directors at the covered institutions, including public interest directors who are nominated by me, are appointed by the respective boards. Accordingly, disclosure of details of their remuneration is covered by various rules and procedures. The guidelines on fees payable to directors are as set out in the report of the Covered Institutions Remuneration Oversight Committee established under Covered Institutions Financial Support legislation. The information sought by the Deputy, to the extent that it has been released publicly by the respective covered institutions, is available in their Annual Reports.

### **Tax Reliefs**

166. **Deputy Joan Burton** asked the Minister for Finance further to Parliamentary Question No. 20 of 8 December 2010, if he will provide a breakdown of interest allowed for tax purposes in respect of the construction and property development sectors for each tax year from 2000; and if he will make a statement on the matter. [48038/10]

**Minister for Finance (Deputy Brian Lenihan):** It is assumed that the Deputy is seeking information on the amount of interest on borrowings claimed as a deduction for corporation tax by companies in the property or construction sectors for year 2000 and onwards.

As indicated in my reply of 8 December to parliamentary question number 46635/10 information in relation to interest claimed as a deduction is so far available only for the tax years 2007 and 2008. In corporation tax returns for 2007 interest claimed by these companies was just over €1 billion, with an assumed associated maximum tax cost of approximately €129 million as indicated in the earlier reply. The corresponding interest claimed in corporation tax returns for 2008 was just over €1.3 billion, assuming an associated maximum tax cost of approximately €165m.

This information is not available for years prior to 2007 because the source of the data, which is the inclusion of extracts from all company accounts within corporation tax returns, was not a requirement for all companies prior to 2007.

The sector identifier on the tax records that is used to identify the property or construction sectors is based on the 4-digit NACE code (Rev. 1), which is an internationally recognised economic activity code system.

### **Tax Collection**

167. **Deputy Joan Burton** asked the Minister for Finance if under section 11(1) of the Income Tax (Employment) (Consolidated) Regulations SI555/2001 the Inspector of Taxes is obliged to issue all employees with notification of determination of tax credits; if he will confirm that it is the intention of the Revenue Commissioners to issue automatically such notices to employees for the 2011 tax year; and if he will make a statement on the matter. [48049/10]

**Minister for Finance (Deputy Brian Lenihan):** I am informed by the Revenue Commissioners that Regulation 11, subsection (1) of the Income Tax (Employments) (Consolidated) Regulations, 2001 (S.I. No. 559 of 2001) as amended by Regulation 2 of the Income Tax (Employments) Regulations 2009 (S.I. No. 573 of 2009) does not oblige the Inspector of Taxes to issue all employees with notification of determination of tax credits. The Regulation allows the Inspector to send, make available or cause to make available notice of his or her determination of tax credits and standard rate cut off point to the employee. This accommodates, for example, the making available of the Notice of Determination through Revenue's on-line PAYE Anytime service whereby employees can view their tax credits and print off their Notice of Determination.

I am advised by Revenue that they have decided not to automatically issue a Tax Credit Certificate to each PAYE taxpayer for 2011. Such individuals can either, view a copy of their Tax Credit Certificate online on Revenue's PAYE Anytime service or, request a copy by texting Revenue or by using Revenue's automated telephone service. Revenue has already advertised the availability of detailed information on how the Budget changes affect PAYE taxpayers and will be conducting a major marketing campaign early in the New Year to inform PAYE taxpayers of how they can access their Tax Credit Certificate.

### **Fiscal Policy**

168. **Deputy Joan Burton** asked the Minister for Finance the gross interest charged by the International Monetary Fund on the drawdown of special drawing rights; to set out the maturity of this lending arrangement; the nature and terms of the interest rate swap, currency swap or other derivative contracts related to the drawdown of SDRs by Ireland, including the margin or other cost charged on these contracts; the net interest, inclusive of associated derivative contracts, being paid by Ireland in respect of its drawdown of SDRs from the IMF; and if he will make a statement on the matter. [48050/10]

**Minister for Finance (Deputy Brian Lenihan):** The International Monetary Fund (IMF) issue on the basis of Special Drawing Rights (SDRs). The SDR is an international reserve asset, created by the IMF in 1969, to supplement its member countries' official reserves. Its value is based on a weighted basket of four key international currencies (US dollar, Euro, Sterling and Yen), and SDRs can be exchanged for freely usable currencies. The loan available to Ireland is worth €22.5bn but is denominated in SDRs (i.e. SDR 19.5 billion). It will have an average

[Deputy Brian Lenihan.]

life of 7.5 years. Each tranche as it is drawn down will have a four year capital holiday, and repayments will be made in 12 equal six monthly instalments beginning after 4.5 years.

The interest rate charged is based on a floating rate based on three month money rates in the respective SDR currencies. The lending rate on Ireland's Extended Fund Facility (EFF) is tied to the IMF's market-related interest rate, known as the basic rate of charge\*, which is, in turn, linked to the SDR interest rate (which is calculated on a weekly basis). The SDR Rate for the week starting 22 November 2010, which the calculations in this note are based on, was 0.37%.

Large loans, like the one extended to Ireland, carry a surcharge of 200 basis points, paid on the amount of credit outstanding above 300 per cent of quota. Ireland's current quota stands at SDR 838.4 million and the IMF loan is SDR 19.5 billion, which represents about 2,320 per cent of quota. If credit increases above 300 per cent of quota after three years, the surcharge rises to 300 basis points. A service charge of 50 basis points is also applied on each drawdown.

Based on the SDR rate for the week starting 22 November 2010, the IMF interest rate, including the service charge, at the current quota level, gives a cost of borrowing of 3.62 per cent in the first three years, rising to 4.49 per cent in the following years (see tables below).

Initial Interest Rate:

Interest Rate Calculation of an IMF Loan
First 300 per cent of quota @ 1.38%
Next 2,020 per cent of quota @ 3.38%
Weighted Average Interest Rate: 3.12%
Service Charge 0.50%
Estimated Average Interest Rate 3.62%

After three years:

Interest Rate Calculation of an IMF Loan
First 300 per cent of quota @ 1.38%
Next 2,020 per cent of quota @ 4.38%
Weighted Average Interest Rate: 3.99%
Service Charge 0.50%
Estimated Average Interest Rate 4.49%

As mentioned above, the loan liability is in SDRs, hence, the underlying rate is floating. The interest rate charged by the IMF at the time of loan tranche drawdowns will depend on the prevailing SDR rate, the quota level and the cost of swap transactions from SDR to euro. It was estimated at the time of the agreement with the IMF that the cost would translate to 5.7% if the SDR loan proceeds were swapped to fixed rate euro of a 7.5 year maturity. The actual cost will depend on the prevailing market rates at the time of each drawdown.

\*Rate of Charge = SDR Interest Rate + 100 basis points + 0.01 Adjustment for Deferred Charges.

### Legislative Programme

169. **Deputy Joan Burton** asked the Minister for Finance the new or amending legislation

arising from the EU-International Monetary Fund bailout; if he intends this legislation to be enacted before his Government leaves office; and if he will make a statement on the matter. [48051/10]

**Minister for Finance (Deputy Brian Lenihan):** As the Deputy is aware, the Credit Institutions (Stabilisation) Bill 2010 was published on 14 December 2010, completed all stages in the Houses of the Oireachtas over the course of 15 and 16 December 2010 and has been signed into law by the President as the Credit Institutions (Stabilisation) Act 2010. The Act provides the legislative basis for the reorganisation and restructuring of the banking system agreed in the joint EU — IMF Programme for Ireland. It provides broad powers to the Minister for Finance (in consultation with the Governor of the Central Bank of Ireland) to act on financial stability grounds to effect the restructuring actions and recapitalisation measures envisaged in the Programme. The Act applies to banks that have received financial support from the State, domestic building societies and credit unions. The Act is the first important step in putting in place an extensive Special Resolution Regime (SRR) that will provide for a comprehensive framework to facilitate the orderly management and resolution of distressed credit institutions. As agreed under the Programme, draft legislation providing for the introduction of a comprehensive SRR, consistent with best international practice and the evolving EU framework, is scheduled for introduction to the Oireachtas by end-February 2011.

The Credit Institutions (Stabilisation) Act 2010 also provides for the amendment of the National Pensions Reserve Fund Act 2008 to facilitate the State's own contribution to the EU/IMF Programme of Financial Support for Ireland over the next three years.

In addition to the Credit Institutions (Stabilisation) Act, the NAMA legislation will be amended to underpin the valuation and acquisition of land and development loans below a value threshold of €20m.

The Provisional Collection of Taxes Act 1927 effectively requires that the Finance Act must be enacted within four months of Budget Day. For this year's Budget Day of 7th December, the Finance Bill has to be signed by the President by 6th April. The Finance Bill is normally published around the end of January and, typically, passed by the Oireachtas over an eight week period. In relation to Finance Bill 2011, which will be published in January, a decision has yet to be taken in relation to the final timetable.

The Social Welfare Act, 2010 has been passed. Provisions announced in the National Recovery Plan 2011-2014 in relation to the National Minimum Wage and the reduction of public service pension costs require legislation, and to this end the Financial Emergency Measures in the Public Interest (No. 2) Bill 2010 has been approved by both Houses of the Oireachtas.

In the National Recovery Plan 2011-2014, the Government sets out proposals for a range of budget reforms to underpin the sustainability of the Irish public finances into the future, including a Budget Advisory Council to provide an independent commentary on the Government's budgetary planning, by means of assessing the appropriateness of the budgetary stance and the aggregate targets being adopted; a medium term expenditure framework to ensure that public expenditure is managed within fixed, sustainable limits; and a Fiscal Responsibility Law to put key reform measures on a statutory basis. These commitments are also reflected in the EU/IMF Programme of Financial Support for Ireland.

Other areas where it is at present envisaged that legislation will arise in the context of the EU-IMF Programme are detailed in the Memorandum of Understanding which was laid before the Houses of the Oireachtas on 14 December 2010. Many of the proposals concerned are already contained in the National Recovery Plan. These include measures related to the labour market including measures designed to reduce the risk of long-term unemployment; increases

[Deputy Brian Lenihan.]

to the state pension age under the Government's National Pension Framework; and legislative changes to remove restrictions to trade and competition in sheltered sectors and to enhance competition in open markets.

### **Banking Sector Regulation**

170. **Deputy Joan Burton** asked the Minister for Finance the progress made with preparations for the introduction of a special resolution regime for Irish banks; and if he will make a statement on the matter. [48052/10]

**Minister for Finance (Deputy Brian Lenihan):** The Credit Institutions (Stabilisation) Bill 2010 which completed all stages in the Houses of the Oireachtas on 16th December 2010 provides the legislative basis for the reorganisation and restructuring of the banking system agreed in the EU-IMF Programme. It is the first step in putting in place an extensive Special Resolution Regime that will provide for a comprehensive framework to facilitate the orderly management and resolution of distressed credit institutions. In line with the commitment in the Programme agreed with the external authorities my Department is working in conjunction with the Central Bank of Ireland to publish legislation by end-February 2011 to strengthen the legal framework for dealing with distressed deposit-taking institutions. This draft legislation will broaden the available resolution tools with the aim of promoting financial stability.

### **Fiscal Policy**

171. **Deputy Joan Burton** asked the Minister for Finance his views on the net exposure of the National Asset Management Agency and the credit institutions supported by the eligible liabilities guarantee to derivative instruments; the extent to which these exposures arise from hedging arrangements or from speculative positions; and if he will make a statement on the matter. [48053/10]

**Minister for Finance (Deputy Brian Lenihan):** I can confirm that there are no derivative instruments covered under the Eligible Liabilities Guarantee. In relation to NAMA, I am advised that NAMA does not enter speculative derivative positions but rather seeks to use derivatives to manage to the greatest extent possible, the Balance Sheet exposures arising from the transfer of assets from participating institutions. For example, NAMA has to use currency derivatives to hedge the foreign exchange exposure which arises on the purchase of foreign currency loans with Euro denominated NAMA Securities. In addition NAMA uses interest rate derivatives to assist in hedging interest rate risk arising on NAMA Securities and borrower derivatives which transferred to NAMA.

### **Public Service Pay Scales**

172. **Deputy Joan Burton** asked the Minister for Finance if the proposal to introduce a new pay scale for entrants to the public service is also to include TDs and Senators elected at the next general election; if the new arrangements will necessitate legislation; and if he will make a statement on the matter. [48054/10]

**Minister for Finance (Deputy Brian Lenihan):** The Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Act 2009 provides that with effect from the next election long service increments will be abolished and that a single rate of pay for TDs and a single rate for Senators will be payable. I have no plans to bring forward any legislation to reduce that rate of pay further.

### Banking Sector

173. **Deputy Joan Burton** asked the Minister for Finance his plans to proceed with the Allied Irish Banks rights issue priced at 50 cent per share, underwritten by the National Pensions Reserve Fund; and if he will make a statement on the matter. [48055/10]

196. **Deputy Joan Burton** asked the Minister for Finance if, in view of the recently announced arrangements for restructuring the Irish banking sector, he plans to proceed with the Allied Irish Banks rights issue, as announced on 30 September 2010; and if he will make a statement on the matter. [48078/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 173 and 196 together.

The Deputy will be aware that arising from the Programme of Financial Support and the Central Bank announcement of 28 November 2010, Allied Irish Banks p.l.c. is required to raise sufficient capital to achieve a capital ratio of at least 12% Core Tier 1 by 28 February 2011.

To date, AIB has announced an anticipated raising of €3.4 billion Core Tier 1 own funds through the disposal of assets and it is required to raise the balance of up to €9.8 billion by end February.

It has been decided not to proceed with the State Underwritten Open Offer and Placing referred to by the Deputy because of the significant increase in the capital requirements of the Bank and the difficulty in completing and issuing the required transaction related documentation in the time available.

The Credit Institutions (Stabilisation) Act 2010 was commenced on 21 December 2010. As previously stated by me, the Government intends to use the provisions of the Act before year end to ensure that AIB continues to meet its capital requirements as prescribed by the Central Bank. To the extent that the bank cannot raise the capital required through its own resources to meet the end February target, the Government is committed to providing the balance.

174. **Deputy Joan Burton** asked the Minister for Finance if he will provide an update on the progress with the restructuring and consolidation of the Irish banking system; and if he will make a statement on the matter. [48056/10]

**Minister for Finance (Deputy Brian Lenihan):** The State's primary consideration in its involvement in the banking system is to protect, in the public interest, the financial and economic system of the State. Therefore, all of the Government's actions in the banking area are designed to support the development of a reformed and reinvigorated banking system that can serve our economy in a proper manner and, within which, there is scope for all viable credit institutions operating in the Irish market to play their full part. The agreed joint EU — IMF Programme of Financial Support builds upon the banking measures taken to date and provides for further reform and reorganisation of the banking sector. The fundamental objective of the Programme, in so far as it relates to banking, is to determine the appropriate size of the banks and to capitalise them so that they will be in a position to meet the real needs of the economy and to enable them operate with reduced public support, including reducing the funding reliance on the eurosystem and the Central Bank of Ireland. The Programme provides for a range of deleveraging measures, including appropriate actions to dispose of assets, as well as the enhanced re-capitalisation of certain banks. To that end, further restructuring and viability plans for the relevant credit institutions will be submitted to the European Commission, including a plan for the resolution of Anglo Irish Bank and Irish Nationwide Building Society in a



[Deputy Brian Lenihan.]

manner that will fully protect their depositors, realise the maximum value from the two institutions' non-NAMA assets over time and minimise capital losses.

### **National Pensions Reserve Fund**

175. **Deputy Joan Burton** asked the Minister for Finance, based on the latest valuations, if he will provide a breakdown of the National Pensions Reserve Fund into moneys committed to the banking system, moneys committed to the banking system but not yet drawn down, moneys foreseen to form part of the International Monetary Fund — EU for assistance package, and the remainder; if he plans to introduce amending legislation to allow for the use of these funds to further fund the banking system; and if he will make a statement on the matter. [48057/10]

**Minister for Finance (Deputy Brian Lenihan):** The National Pensions Reserve Fund Commission — who control and manage the National Pensions Reserve Fund (NPRF) — publishes its statutory annual report, as well as quarterly performance reports on the Commission's website [www.nprf.ie](http://www.nprf.ie). The most recent quarterly report, to 30 September 2010, valued the Fund at €24.5 billion. On 30 March 2009, I directed the National Pensions Reserve Fund Commission to invest €3.5 billion in preference shares issued by Bank of Ireland and on 12 May 2009 I directed the Commission to invest €3.5 billion in preference shares issued by Allied Irish Banks plc (AIB). I gave these directions having consulted the Governor of the Central Bank and the Regulatory Authority and having decided that the investments were required in the public interest to prevent potential serious damage to the financial system in the State and to ensure the continued stability of that system.

These investments were in perpetual preference shares with an annual non-cumulative fixed dividend of 8% payable in cash or, in the case of non-payment by either bank of the cash dividend, ordinary shares in lieu. The preference shares could be repurchased at par up to the fifth anniversary of the issue and at 125% of face value thereafter. Warrants issued with, but detachable from, the preference shares gave an option to purchase up to 25% of the enlarged ordinary share capital of each bank (following exercise of the warrants). The warrants were exercisable at any time from the fifth to tenth anniversary of issue of the preference shares or immediately prior to any takeover or merger of the bank concerned, whichever is earlier. The number of ordinary shares which may be acquired pursuant to the exercise of the warrants was subject to anti-dilution protection in line with market norms for warrants. Accordingly, the warrants will be proportionately adjusted for any increase or decrease in the number of ordinary shares in issue resulting from a subdivision or consolidation of units of ordinary shares. The warrants will also be proportionately adjusted for any capital distributions by the bank and for certain bonus issues or rights issues by the bank.

In February and May 2010 the Fund received ordinary shares in Bank of Ireland and AIB respectively in lieu of cash as payment of the first dividend on its preference share investments. The payment was made in the form of ordinary shares as the European Commission requested that discretionary coupon payments on Tier 1 and Upper Tier 2 capital instruments in Bank of Ireland and AIB not be paid while it considered each bank's restructuring plan. The number of shares issued in each case represented the amount of the annual preference share dividend divided by the average share price in the 30 trading days prior to the date of issue.

On 25 April 2010, again having consulted the Governor of the Central Bank and the Regulatory Authority and again having decided that it was required in the public interest to prevent potential serious damage to the financial system in the State and to ensure the continued stability of that system, I issued directions to the National Pensions Reserve Fund Commission

to convert part of its €3.5 billion holding of Bank of Ireland preference stock into ordinary stock as part of the capital raising exercise announced by the bank on 26 April. The details of the transaction are as follows:

*Placing/ Conversion (Step 1)*

The National Pensions Reserve Fund (NPRF) subscribed for 576 million units of ordinary stock. In exchange for this stock the NPRF converted 1,036 million units of preference stock at their issue price of €1.00 into ordinary stock.

*Warrant cancellation*

The NPRF received €491 million in cash in return for the cancellation of the warrants issued in conjunction with the preference stock.

*Rights Issue (Step 2)*

The NPRF participated in the Bank of Ireland rights issue taking up the full allocation to which it was entitled at a price of €0.55 per unit of ordinary stock. In order to exercise the rights, the NPRF converted a further 627 million units of its preference stock into ordinary stock.

*Fees*

The NPRF received €52 million in fees for its participation in the transaction.

*Change in dividend rate on preference stock*

The dividend rate on the remaining preference stock increases from 8.00% to 10.25%.

The transaction involved no new investment by the NPRF in Bank of Ireland and was funded entirely via conversion of preference stock. Including the cancellation of the warrants issued in conjunction with the preference stock and fees, the NPRF received total cash income of €543m from Bank of Ireland for participation in the transaction.

The NPRF's directed investment in Bank of Ireland now consists of:

- 1,900 million units of ordinary stock valued at their current market price (36% of the bank's ordinary stock in issue); and
- 1,837 million units of preference stock held at their issue price of €1.00 paying an annual dividend of 10.25%.

The NPRF's directed investment in AIB now consists of:

- 3,500 million units of preference shares held at their issue price of €1.00 paying an annual dividend of 8.00%.
- 198 million ordinary shares valued at their current market price (18% of the bank's ordinary stock in issue).

The current value of these investments, following their restructuring, is €6.6 billion.

The NPRF Commission publishes information on the overall return on and value of the investments it holds at my direction in credit institutions in its quarterly Performance and Portfolio Updates. The value of the Discretionary Portfolio i.e. those investments made by the Com-

[Deputy Brian Lenihan.]

mission under the Fund's investment policy as set out in the National Pensions Reserve Fund Act 2000, was €17.9 billion at end September 2010.

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 Pensions Reserve Fund (NPRF) and other domestic cash resources. This means that the extent of the external assistance will be reduced to €67½ billion.

The Credit Institutions (Stabilisation) Bill which is currently before the Houses provides for the reorganisation and restructuring of the banking system agreed in the joint EU — IMF Programme and includes a number of amendments to the National Pensions Reserve Fund Act 2000 which will facilitate the State's own contribution to the EU/IMF Programme. No further legislation is envisaged at this time.

### **National Asset Management Agency**

176. **Deputy Joan Burton** asked the Minister for Finance if the €20 million floor on counterparties participating in the National Assets Management Agency is to be lowered or abolished to take account of the agreement with the EU-International Monetary Fund for external assistance; the estimated total amount of loans now expected to be taken over by NAMA; the estimated total consideration expected to be paid by NAMA in respect of these loans; when the loan transfer period will be completed; if amending legislation is necessary to take account of these new arrangements; and if he will make a statement on the matter. [48058/10]

**Minister for Finance (Deputy Brian Lenihan):** NAMA was established to remove land and development and associated loans from the books of participating institutions as provided by the National Asset Management Agency (Designation of Eligible Bank Assets) Regulations 2009. It had been announced on 30 September 2010 that where the total exposure of a debtor was below a €20 million threshold at Allied Irish Banks and Bank of Ireland then the loans of that debtor would not be transferred to NAMA. This was intended to achieve operational efficiencies in the management of NAMA's loan portfolio and to allow for the completion of all NAMA transfers by the end of the year. However, this has been further reviewed in the context of the Programme of Financial Support for Ireland and a decision was taken to include the sub €20m land and development loans with a view to achieving further deleveraging. This does not constitute an expansion beyond the original focus of NAMA on land and development loans.

The precise number and value of the loans to transfer and the consideration to be paid are yet to be determined. It is expected that the loans will be acquired by end-March 2011. Amendments will be necessary to the National Asset Management Agency Act 2009 to provide for the valuation and acquisition of these loans on a pooled basis and these amendments will be introduced early in 2011. As stated in the Programme, NAMA will build on the existing outsourcing arrangements with the banks for the management of these smaller loans.

### **External Assistance Package**

177. **Deputy Joan Burton** asked the Minister for Finance if he will provide a detailed breakdown, by source, by maturity and by rate, of the €67.5 billion external assistance package

agreed with the EU-International Monetary Fund with an average interest rate of 5.83%; and if he will make a statement on the matter. [48059/10]

189. **Deputy Joan Burton** asked the Minister for Finance if he will provide a detailed breakdown, by source, by maturity and by rate, of the €67.5 billion external assistance package agreed with the EU-International Monetary Fund with an average interest rate of 5.8%; and if he will make a statement on the matter. [48071/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 177 and 189 together.

The external assistance being provided under the joint EU- IMF Programme is as follows:

- €22.5 billion from the European Financial Stabilisation Mechanism (EFSM)
- €17.7 billion from the European Financial Stability Facility (EFSF) and €4.8 billion in bilateral loans from the UK, Sweden and Denmark.
- €22.5 billion from the IMF.

The average interest rate on the €67.5 billion available to be drawn from these three external sources under the EU-IMF programme was estimated to be 5.82 per cent on the basis of market rates at the time of the agreement. Since then, however, market conditions have deteriorated. The actual cost will depend on the prevailing market rates at the time of each drawdown. The average life of the borrowings, which will involve a combination of longer and shorter dated maturities, under each of these sources is envisaged to be 7.5 years. The details set out below on the interest rates for the specific loans are based on the rates applying when the Programme was agreed at end-November.

#### *EFSM*

The interest rate on the EFSM loan was estimated at that time to be 5.7% — comparable to IMF rates.

Under Council Regulation (EC) No. 407/2010 of 10 May 2010 the rate is made up of the cost of borrowing by the European Commission and a margin which is charged to the Member State concerned. The margin, which has been agreed by ECOFIN, for the EFSM loan to Ireland is 2.925% within the overall indicative interest rate of 5.7%.

#### *EFSF*

The interest rate on the EFSF loan was estimated at that time to be 6.05% — comparable to the loan facility for Greece. This rate comprised three elements — the actual cost to the lender, a margin of 2.47%, and a commitment fee of 0.5%.

The EFSF borrows on the international capital markets on the strength of guarantees provided by Euro area countries (excluding Ireland and Greece). In order to obtain the top AAA rating from the credit rating agencies it was necessary for the EFSF to put in place certain enhancements in the form of collateral and the cost of these arrangements are reflected in the interest rate charged by EFSF on its lending.

#### *IMF*

The interest rate on the IMF loan was estimated at that time to be 5.7%.

[Deputy Brian Lenihan.]

IMF lending is denominated in the Fund's unit of account, Special Drawing Rights (SDRs). The SDR comprises a basket of four currencies, Euro, Sterling, the US Dollar and Japanese Yen. The IMF's lending rate is based on the three month floating interest rates for the currencies in the basket. The interest cost on the IMF loans is expressed as the equivalent rate when the funds are fully swapped into fixed rate Euro of 7.5 years duration. This expresses the interest rate in terms which can be compared with the cost of borrowing from EU sources.

#### *UK bilateral loan*

The interest rate on the UK loan is estimated at 5.9%.

The amount lent to Ireland by the UK will be the sterling equivalent of €3.8bn. The interest rate is based on a 7.5 year period. The rate on each tranche will be a fixed rate, set by adding a fixed margin of 2.29% to the sterling 7.5 year swap rate at the time of disbursement. There will also be a commitment fee of 0.5% per annum on drawdowns expected in the year.

The interest charge is aligned with international rates and is between the EFSM and EFSF rates.

#### *Bilateral loans from Sweden and Denmark*

Detailed discussions have not yet commenced on the bilateral loans with Sweden and Denmark.

It is anticipated that loans will be disbursed in tandem from the EU and IMF. Disbursements of the UK loan which is backloaded will commence following the IMF third review of Ireland's Memorandum of Understanding in September 2011.

It is important to note that the (blended) indicative interest rate of 5.82% on these loans is at a far lower cost than would be available to Ireland in the financial markets, even if that indicative interest rate would have increased somewhat in the meantime as a result of a deterioration in market conditions. The rate of interest to apply is designed to avoid overburdening the Member State concerned or acting as an impediment to economic growth while at the same time providing an incentive to return to the markets. At present the yield on Irish government bonds in the secondary markets is almost 9% for 10 year bonds, and 8.5 % for 7.5 year bonds as compared to the indicative rate in late November of 5.82% for borrowings under the EU-IMF Programme. We will not be obliged to drawdown any of these loans if there is an opportunity either to return to the markets at sustainable rates or to access funds at lower cost elsewhere.

### **Debt Servicing Costs**

178. **Deputy Joan Burton** asked the Minister for Finance if he will set out the assumed average interest rate on the national debt underpinning the national recovery plan; the impact, in terms of cash flow and average interest rate, on the forecast general Government balance for 2011, 2012, 2013 and 2014 as set out in the national recovery plan as a result of the agreement on external assistance with the EU-International Monetary Fund; and if he will make a statement on the matter. [48060/10]

188. **Deputy Joan Burton** asked the Minister for Finance if he will provide revised forecasts for national debt service costs by 2014 as set out in the national recovery plan to take account of the average interest rate of 5.8% negotiated as part of the programme of external assistance negotiated with the International Monetary Fund, European Central Bank and EU Commission; and if he will make a statement on the matter. [48070/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 178 and 188 together.

Debt servicing costs are made up of three separate components: (i) debt interest payments, (ii) the sinking fund provision and (iii) debt management expenses.

The National Treasury Management Agency (NTMA) has advised that the estimates for debt servicing costs in the National Recovery Plan were prepared on the basis of the market conditions for Irish Government bonds prevailing at the time of preparation of the Plan and for reasons of commercial sensitivity the NTMA does not disclose the assumed interest rate underpinning the estimates.

However, in the context of the joint IMF/EU programme of financial assistance, it was announced that the combined annual average interest rate on drawdowns from the different facilities would be 5.82% per annum, on the basis of prevailing market rates at the time of the agreement.

The NTMA has advised that 5.82% is the interest rate assumed on new debt issuance in the Budget 2011 forecasts.

I have been advised by the NTMA that the debt service estimates underpinning the Budget 2011 public finance forecasts are as set out in the table below. Debt servicing costs are made up of three separate components: (i) debt interest payments, (ii) the sinking fund provision and (iii) debt management expenses.

€ billion	2011	2012	2013	2014
Estimated National Debt Servicing Costs	5.6	6.8	7.8	8.7

The NTMA has advised that of the estimated €5.6 billion cost of servicing the national debt in 2011, €5 billion will come from the Exchequer with the remaining €0.6 billion coming from the Capital Services Redemption Account.

As the 5.82% interest rate on new debt issuance assumed in the Budget 2011 forecasts is a more favourable interest rate than had been factored into the debt servicing forecasts underpinning the National Recovery Plan, the debt servicing estimate for 2011 underpinning the Budget 2011 forecast is just under €200 million lower on a cash basis than that underpinning the National Recovery Plan forecast.

However, the full cash saving is not reflected in the forecast of the General Government deficit for 2011 contained in Budget 2011, as the General Government deficit is calculated on an accruals basis. The structure of the joint IMF/EU programme of financial assistance has led to some interest payments on the 2011 disbursement not being payable until 2012. The 2011 cash figure does not include these amounts but the 2011 accrual figure must do.

In 2012, the estimated saving in the Budget 2011 forecast compared to the National Recovery Plan forecast is approximately €200 million on a cash basis. In 2013 and 2014, the estimated savings are over €400 million and over €500 million respectively on a cash basis as the full benefit of borrowing at lower projected interest rates over the previous years of the forecast period, than those assumed in the National Recovery Plan, materialises.

Since agreement on the joint IMF/EU programme of financial assistance at end-November, market conditions have deteriorated. The actual cost of servicing the borrowing under the programme will depend on the prevailing market rates at the time of each drawdown.

### Insurance Industry

179. **Deputy Joan Burton** asked the Minister for Finance if he will provide an update on progress with the re-structuring of Quinn Group; and if he will make a statement on the matter. [48061/10]

**Minister for Finance (Deputy Brian Lenihan):** On 3 June the High Court granted the Joint Administrators permission to appoint advisors on any prospective sale of Quinn Insurance Ltd (QIL). The advisors, on behalf of the Joint Administrators, issued an information memorandum on 27 August on the sale of the company to interested parties which set out a two stage process for selecting a purchaser. The first stage required the submission of a non-binding indicative proposal by Friday 17 September. I understand that following evaluation by the advisors and the Joint Administrators of the above mentioned proposals, a limited number of prospective purchasers were shortlisted by the Administrator to participate in Phase II of the sale process. They have conducted further due diligence including the consideration of the necessary commercial information underlying the company to enable them make a final bid.

The next step in the process is that it is expected that the Joint Administrators will decide on a preferred bidder shortly with a view to entering into detailed discussions with them to seek to conclude an agreement. I understand that the Administrator wants to conclude a sale transaction as soon as possible.

Finally, the Deputy should note that the role of the Joint Administrators is to assess bids on the basis of protecting the interests of policyholders and returning the company to a sound commercial footing. It should also be noted that retention and protection of employment is a very important priority of the Joint Administrators, subject to their other responsibilities.

### Fiscal Responsibility Law

180. **Deputy Joan Burton** asked the Minister for Finance his views on the constitutionality of a fiscal responsibility law as envisaged in both the national recovery plan and the draft memorandum of understanding to be signed with the International Monetary Fund; his plans to bring in legislation to enact such a fiscal responsibility law; if he intends to act in cognisance of the recent discussions and conclusions of the Joint Oireachtas Committee on Finance and the Public Service, including its recently published Report on Macro-economic Policy and Effective Fiscal and Economic Governance; and if he will make a statement on the matter. [48062/10]

195. **Deputy Joan Burton** asked the Minister for Finance his views on the constitutionality of a budget advisory council as envisaged in the national recovery plan and the draft memorandum of understanding; if he envisages bringing in legislation to put such a council on a statutory footing; if he intends to act in cognisance of the recent discussions and conclusions of the Joint Oireachtas on Finance and the Public Service, including its recently published Report on Macro-economic Policy and Effective Fiscal and Economic Governance; the powers he envisages allocating to this council; and if he will make a statement on the matter. [48077/10]

**Minister for Finance (Deputy Brian Lenihan):** I propose to take Questions Nos. 180 and 195 together.

The provisions of the Fiscal Responsibility Bill will be published in the New Year. The Dáil and Senate will then have the opportunity to discuss its contents. The Bill will take into account relevant discussions by the Oireachtas so far. I do not propose to publish a Bill that is unconstitutional.

### **National Asset Management Agency**

181. **Deputy Joan Burton** asked the Minister for Finance if it is intended that the scope of the National Asset Management Agency be expanded beyond its original focus on land and development loans to cover commercial, personal and mortgage loan books; and if he will make a statement on the matter. [48063/10]

**Minister for Finance (Deputy Brian Lenihan):** The National Asset Management Agency Act 2009 provides for expansion of the scope of NAMA but only where the Minister is of the opinion that such an action is necessary for the purposes of the Act. An expansion of the scope of NAMA was not included in the Programme of Financial Support for Ireland and there are no plans at present to expand the scope of NAMA.

### **Financial Services Regulation**

182. **Deputy Joan Burton** asked the Minister for Finance if he will consider moving from 50% to 100% industry cost coverage of financial regulation in 2011; and if he will make a statement on the matter. [48064/10]

**Minister for Finance (Deputy Brian Lenihan):** I have asked officials in my Department to undertake a process of consultation with the Central Bank and representatives of the financial services industry with a view to examining how a move towards 100% funding of the regulation of financial services by the industry might come about. However, under the provisions of the Central Bank Act 1942 (Sections 33J and 33K) Regulations 2010 a supplementary levy has already been imposed on credit institutions covered by the Credit Institutions (Financial Support) Scheme 2008 to recoup 100% of the costs of the more intensive level of supervision necessary to ensure compliance by relevant credit institutions with the provisions of the Scheme. The Governor of the Bank, in a statement to the financial services industry in December 2009, signalled his expectation of an increasing degree of industry funding for financial regulation. The Central Bank also identifies its intention to move towards 100% funding of the cost of financial regulation by the financial services industry in its strategic plan for the years 2010 to 2012.

### **Personal Debt**

183. **Deputy Joan Burton** asked the Minister for Finance if he will provide an update on progress with the implementation of the recommendations of the expert group on mortgage arrears and personal debt; and if he will make a statement on the matter. [48065/10]

**Minister for Finance (Deputy Brian Lenihan):** The Deputy will be aware that the Mortgage arrears and Personal Debt Expert Group (Group) concluded its work last month having submitted to me an Interim Report on 6th July 2010 and their Final Report on 16th November 2010. A complete list of all the recommendations is included in Chapter 2 of the Final Report available at ([www.finance.gov.ie](http://www.finance.gov.ie)). Since then the Central Bank having consulted widely published a revised Code of Conduct on Mortgage Arrears (CCMA) on the 6th December 2010. The revised CCMA closely follows the recommendations of the Group and will apply to all regulated mortgage lenders with effect from 1 January 2011. The Central Bank will also be writing to lenders to issue directions under Section 149 of the Consumer Credit Act 1995 which will mean they cannot impose arrears charges or penalty interest on borrowers who are co-operating with the Mortgage Arrears Resolution Process.



[Deputy Brian Lenihan.]

The Deputy should note that in addition to those recommendations being implemented through amendments to the CCMA other recommendations will require legislative support involving my own Department, the Departments of Social Protection (DSP), Environment, Heritage and Local Government (DEHLG), Justice and Law Reform (DJLR).

In the case of my own Department recommendations to do with the scope and the admissibility in Court of the CCMA will be examined in the context of the preparation of the second Central Bank Bill.

In order to implement those recommendations in relation to the mortgage interest supplement scheme (MIS) changes to both primary and secondary legislation will be required. The Department of Social Protection is currently developing an implementation plan that will set out a framework for the future of the scheme.

New regulations and guidance are currently being developed by DEHLG in the context of the social housing reform programme to provide that housing authorities could disregard the household's current accommodation for the purposes of determining eligibility for social housing support. I am informed that work is ongoing on the development of a new needs assessment process which will allow an earlier trigger point for the social housing needs assessment process to take place where a case has been determined to be unsustainable in the long term, following exploration of all other options.

It has already been indicated by the Minister for Justice and Law Reform to the House on several occasions that he intends to give early attention to the Final Report on *Personal Debt Management and Debt Enforcement* of the Law Reform Commission which has just been published. That Report contains recommendations on comprehensive reform of the system of personal insolvency law in Ireland.

In the interim, the Minister, in the Civil Law (Miscellaneous Provisions) Bill 2010, which is before the House, has provided for:

- (i) a reduction in the application period to the Court for discharge from bankruptcy from 12 to 6 years, and
- (ii) automatic discharge from bankruptcy where the adjudication order has existed for 20 years.

The commitment in the Renewed Programme for Government of October 2009 indicates that debt enforcement will be reformed in light of the deliberations of the Law Reform Commission.

Recommendations which are not required to be supported by legislation or are not being underpinned by the revised CCMA are not obligatory on the lender. However as the recommendations are intended to be of benefit to the lender as well as the borrower it is assumed that lenders will cooperate and implement the Groups proposals or variations of them. The Group further recommends that those systems and supports for borrowers in difficulty as set out in their Reports should be reviewed within 18 months of commencement in order to inform whether alternative policy actions are required. This review will also include the level of take up by all lenders.

### **Banking Sector**

184. **Deputy Joan Burton** asked the Minister for Finance in the context of the programme of external assistance negotiated with the EU-International Monetary Fund, the way it is envis-

aged that the Irish banks are to be weaned off the European Central Bank's emergency liquidity assistance, and how the sovereign is to redeem debt as it matures over the 2011-2014 period; and if he will make a statement on the matter. [48066/10]

**Minister for Finance (Deputy Brian Lenihan):** Further deleveraging of the banks is required under the financial sector reforms set out in the Programme of Financial Support and there are a variety of ways in which the banks may be deleveraged. Both AIB and BOI will significantly reduce their loan books by transferring their remaining land and development books to NAMA. For operational reasons it was previously agreed to hold loans below the €20m threshold in the banks and not transfer them to NAMA. However my Department is now preparing legislation to underpin the transfer and management of these loans which would avoid many of those operational issues and would align the interests of the participating institutions with those of NAMA in terms of maximising realisation of value. Other forms of deleveraging could involve the sale or securitisation of loan portfolios, divisions or subsidiaries. Such transactions could be supported by appropriate credit enhancement mechanisms, which will help secure a progressive and balanced reduction in bank size consistent with the prudent drawdown of resources from the Contingent Capital Facility. In addition, the Central Bank will complete a Prudential Liquidity Assessment Plan (PLAR) for 2011 setting out measures to achieve a steady deleveraging and to bring about a reduction in the reliance of the banks on Central Bank funding by the end of the programme period.

#### Tax Code

185. **Deputy Joan Burton** asked the Minister for Finance if measures to combat fuel poverty have been examined and are foreseen in the context of the proposal set out in the national recovery plan to double the rate of the carbon tax to €30 per tonne; and if he will make a statement on the matter. [48067/10]

**Minister for Finance (Deputy Brian Lenihan):** The proposal over the period of the National Recovery Plan to double the price of carbon from €15 to €30 per tonne underlines the commitment to actions to reduce emissions and mitigate climate change. It was decided not to increase the carbon tax rate in 2011 because of other tax increases faced by householders. The carbon tax will be increased on a phased basis in 2012 and 2014. The Government has been, and remains, fully committed to protecting vulnerable households from energy poverty. The Minister for Communications, Energy and Natural Resources is working closely with the Ministers for Social Protection and Environment, Heritage and Local Government, to deliver a fully cohesive Government response to the challenges of addressing energy affordability in Ireland through a combination of institutional supports, investment in improving the energy efficiency of housing stock and the wide availability of advice on energy efficiency. I understand the new Strategy will be brought to Government in the coming weeks.

The affordable energy strategy will be the framework for building upon the many measures already in place to protect households at risk from the effects of energy poverty. These measures include social welfare supports such as the Fuel Allowance and the Household Benefits package, as well as thermal efficiency-based measures such as the Warmer Homes Scheme (WHS), which provide significant energy efficiency improvements in low-income homes. The number of homes that were upgraded under the WHS in 2008 were 5,343, 16,240 in 2009 and 22,949 to date in 2010.

186. **Deputy Joan Burton** asked the Minister for Finance the preparatory work undertaken to date by him on the implementation of the site value tax as foreseen in both the programme for Government and the national recovery plan; and if he will make a statement on the matter. [48068/10]

**Minister for Finance (Deputy Brian Lenihan):** As the Deputy is aware, the National Recovery Plan included a site value tax which will be introduced with a fixed household charge of €100 per annum in 2012, with a value-based addition being introduced in 2013. Initial consultation on the implications of a recurrent annual tax on property has taken place with relevant stakeholders. Work is currently underway in preparation for relevant legislation to be published in Finance Bill 2011.

187. **Deputy Joan Burton** asked the Minister for Finance the rationale for eliminating the property based tax incentives over four years, as envisaged in the national recovery plan, as opposed to eliminating them in 2011; and if he will make a statement on the matter. [48069/10]

**Minister for Finance (Deputy Brian Lenihan):** In the Joint Programme for Government we committed to end unnecessary tax reliefs. The National Recovery Plan sets out the measures by which we will achieve the phased abolition of the property-based “legacy” tax reliefs over the period of the Plan. The Government has sought to adopt a pragmatic and balanced approach and provide for an orderly winding down of these schemes to reduce and eliminate the remaining cost to the Exchequer.

In the Budget I announced measures targeted at passive investors which will restrict the carry forward of capital allowances and limit Section 23 relief to income from the individual Section 23 property.

In addition a “guillotine” provision will ensure that all unused capital allowances after 2014 and Section 23 reliefs are lost. This provision will effectively terminate all property-based reliefs in 2014.

An Impact Assessment will be carried out to identify any significantly anomalous and unfair effects of the proposed changes in advance of the 2014 guillotine.

*Question No. 188 answered with Question No. 178.*

*Question No. 189 answered with Question No. 177.*

*Question No. 190 disallowed.*

191. **Deputy Joan Burton** asked the Minister for Finance his views on the distributional impact of the 2011 budget; the likely distributional impact of the national recovery plan; and if he will make a statement on the matter. [48073/10]

**Minister for Finance (Deputy Brian Lenihan):** I am advised by the Revenue Commissioners of the distribution effects on income earners as set out in the table below. The table includes the distributional effect on income earners on a pre and post Budget 2011 basis and the corresponding distribution of the impact of the income tax changes proposed in the National Recovery Plan 2011-2014 in terms of projected 2011 incomes. A distribution in terms of projected 2014 incomes is not available. The figures are estimates from the Revenue tax-forecasting model using actual data for the year 2008, adjusted as necessary to take account of the most

recent data available for income and employment trends in the interim. They are, therefore, provisional and likely to be revised.

	Exempt		Standard Rate* (incl. those whose liability at higher rate is fully offset by credits)		Higher Rate liability not fully offset by credits		Total number of cases
	Number of cases	As % of all cases	Number of cases	As % of all cases	Number of cases	As % of all cases	
2010	982,900	44.3%	925,500	41.7%	311,900	14.0%	2,220,300
2011 on a pre-Budget basis	975,600	43.9%	930,400	41.8%	318,800	14.3%	2,224,800
2011 on a post-Budget basis	843,400	37.9%	978,500	44.0%	402,900	18.1%	2,224,800
National Recovery Plan**	799,200	35.9%	956,200	43.0%	469,400	21.1%	2,224,800

\*Includes those benefiting from the system of marginal relief taxation.

\*\*In terms of projected 2011 incomes.

Numbers are rounded to the nearest 100.

A married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

As set out in the National Recovery Plan 2011-2014, it is proposed to reduce the level of credits and bands by 16.5% beginning with a 10% reduction as announced in Budget 2011.

It is estimated that the measures introduced in Budget 2011 will reduce the numbers of income earners exempt from Income Tax to 38% in 2011. The numbers with a liability at 41% will increase to 18% in 2011. The estimates for 2014, assuming a total reduction of 16.5% in credits and bands, indicate that about 36% of income earners will be exempt from Income Tax and about 21% will have a liability at 41%.

These changes are necessary in the context of the National Recovery Plan 2011-2014 to rebalance the income tax system which is unsustainable and fails to provide the adequate yield.

### National Asset Management Agency

192. **Deputy Joan Burton** asked the Minister for Finance if, in view of proposed changes to the scale and scope of operations to be undertaken by the National Asset Management Agency, it is envisaged that a new business plan will be prepared for NAMA; the proposed timeline for the introduction of such a revised business plan; and if he will make a statement on the matter. [48074/10]

**Minister for Finance (Deputy Brian Lenihan):** The NAMA Business Plan is a matter for the Board of NAMA. In July 2010, the Board published a business plan which projects that the Agency will return a profit to the taxpayer of €1.0 billion in Net Present Value (NPV) terms under its central scenario whereby NAMA recovers the LEV (Long Term Economic Value) of the assets. I understand that the Chairman of NAMA has recently indicated that there is no compelling basis for revising that estimate at present but that the Board is likely to review some Business Plan projections in the light of the final figures for acquired loans and associated acquisition values once all the due diligence has been completed.

### Fiscal Policy

193. **Deputy Joan Burton** asked the Minister for Finance his views on proposals to set up a permanent successor fund to the European Financial Stability Facility; if he expects that conditionalities attached to any such fund would necessitate amendments to the Lisbon Treaty;

[Deputy Joan Burton.]

to report on the ECOFIN discussions of these arrangements on 6 December; and if he will make a statement on the matter. [48075/10]

**Minister for Finance (Deputy Brian Lenihan):** The European Council agreed on 28-29 October on the need to set up a permanent crisis mechanism to safeguard the financial stability of the euro area as a whole. The Council asked President Van Rompuy to undertake consultations on a limited change to the EU Treaties in order to establish the mechanism. At their meeting on 28 November 2010, Eurogroup Ministers agreed that the European Stability Mechanism (ESM) will be based on the European Financial Stability Facility (EFSF) and be capable of providing financial assistance packages to euro area Member States under strict conditionality functioning according to the rules of the current EFSF. The Ecofin Council of 7 December 2010 took note of work in progress on this issue in the run-up to the December European Council. As the Deputy will be aware, in the light of a report by President Van Rompuy, the European Council on 16-17 December 2010 agreed on the text of a limited amendment to the Treaty to provide for the establishment of the proposed mechanism. It decided to immediately launch the simplified revision procedure provided for in Article 48(6) of the Treaty on European Union (TEU). It also decided that consultations should now take place with the European Commission, the European Parliament and the ECB so as to allow formal adoption of the decision in March 2011, completion of national approval procedures by the end of 2012, and entry into force on 1 January 2013.

The proposed Treaty amendment provides that “The Member States whose currency is the euro may establish a stability mechanism to be activated if indispensable to safeguard the stability of the euro area as a whole. The granting of any required financial assistance under the mechanism will be made subject to strict conditionality.”

The amendment to the Treaty will be pursued through the simplified revision procedure under Article 48.6 which applies where the proposed amendment does not involve any transfer of competence to the Union. I welcome the proposals which are important for the EU, the euro area and for Ireland. Subject to the views of the Attorney General, it is not anticipated that the proposed Treaty amendment will give rise to the need for a referendum.

The December European Council also called for Finance Ministers of the euro area and the Commission to finalise work on the intergovernmental arrangement setting up the future mechanism by March 2011, integrating the general features set out in the Eurogroup statement of 28 November 2010, which the Council endorsed. The mechanism will be activated by mutual agreement of the euro area Member States in case of risk to the stability of the euro area as a whole.

### **GDP Growth Forecasts**

194. **Deputy Joan Burton** asked the Minister for Finance his views on the EU Commission most recent forecast of GDP growth of 0.9%, and public budget balance of -10.3%, in Ireland for 2011; and if he will make a statement on the matter. [48076/10]

**Minister for Finance (Deputy Brian Lenihan):** The EU Commission’s Autumn Forecasts project real GDP growth of 0.9% for 2011 whereas my Department’s forecasts are for 1.7% for 2011. Reuters also publish a monthly survey of private sector economic forecasts (typically 10 economists surveyed). The results are known as the Reuters consensus forecast. The consensus forecast for end-November was published in early December. For next year the consensus is for GDP growth of 1.6% (DoF is 1.7%). The GNP projection for next year is 1.0% (DoF is

also 1.0%). The headline in the Reuters circular is “Economists views . . . closer to that of the Irish government than the more pessimistic EU Commission”.

Economic forecasts are, by their very nature, highly uncertain — forecasting is not an exact science especially at the current juncture.

The differences between the Department and the EU Commission mainly relate to private consumption — the Department is taking the view that the budgetary consolidation measures will help restore confidence and lead to some decline in the rate of savings by households.

The EU Commission is forecasting a General Government deficit of 10.3% of GDP in 2011. My own Department is forecasting a deficit of 9.4% next year. The main reasons for the difference are explained by the Commission’s lower economic growth forecasts and their assumptions with regard to banking sector recapitalisation needs.

*Question No. 195 answered with Question No. 180.*

*Question No. 196 answered with Question No. 173.*

197. **Deputy Joan Burton** asked the Minister for Finance his plans to introduce new or amending legislation to allow for a capital injection into the Educational Building Society from the National Pensions Reserve Fund; if he will provide an update on the State’s proposed disposal of EBS, and the timeline for its completion; and if he will make a statement on the matter. [48079/10]

**Minister for Finance (Deputy Brian Lenihan):** The Financial Regulator on 30 March 2010 identified a total capital requirement of €875m for EBS that would have to be in place to meet PCAR requirements by 31 December 2010. In my Dáil statement of the same date, I confirmed that, should private capital not be forthcoming, the EBS capital requirement would be met either partly or fully through the issuance of Special Investment Shares (SIS) and a Promissory Note from the State. €350m has already issued to the society earlier this year in the form of Special Investment Shares and a Promissory Note. On 14 December the Government gave approval for a capital injection from the Central Fund of €525m in EBS Building Society (EBS) in return for the issuance of further Special Investment Shares (SIS) by the Society. This injection was required to ensure that the Society could meet the Financial Regulator’s capital ratio requirements following the transfer of further loans from the Society to NAMA on 17 December 2010.

In relation to the sales process two bids for EBS are now being considered; one from Irish Life & Permanent and the other from an international consortium led by Cardinal Capital Group. The process of final negotiations with these parties is continuing and it would not be proper for me to comment further on the detail at this stage.

### **Bank Guarantee Scheme**

198. **Deputy Joan Burton** asked the Minister for Finance his views on the fact that the decision to introduce the bank guarantee was made on the basis of the best advice available at the time; if he will publish the written record of any such advice; and if he will make a statement on the matter. [48080/10]

**Minister for Finance (Deputy Brian Lenihan):** I would like to direct the Deputy to the Honohan report and in particular to chapter 8 where Professor Honohan sets out in detail the actions taken by the Authorities in advance of the introduction of the Guarantee. In this report Professor Honohan states “It is hard to argue with the view that an extensive guarantee needed

[Deputy Brian Lenihan.]

to be put in place, since all participants (rightly) felt that they faced the likely collapse of the Irish banking system within days in the absence of decisive immediate action. Given the hysterical state of global financial markets in those weeks, failure to avoid this outcome would have resulted in immediate and lasting damage to the economy and society. There would have been additional lost income and employment surely amounting, if it could be quantified, to tens of billions of euros.” The Governor’s report contains a detailed account of events leading up to the provision of the Guarantee including in relation to the advice that would have been received by the Minister from the Central Bank and Financial Regulator. I would like to draw the Deputy’s attention in particular to paragraph 8.19 of the report in which the Governor states that the clear consensus of those bodies was that the problems being experienced by the domestic credit institutions was essentially one of liquidity rather than solvency as a consequence of a world-wide “financial tsunami”. In addition in his discussions with the Joint Oireachtas Committee on Finance and the Public Service on 15 June last the Governor stated that the Minister would not have been aware of solvency concerns relating to the banking system because the Financial Regulator did not have solvency concerns.

At the request of the Committee of Public Accounts, the Accounting Officer of my Department furnished the Committee with copies of the key documents in connection with the introduction of the Bank Guarantee. In compiling these documents my Department had to work within considerable legal and logistical constraints including legal privilege, contractual and copyright issues, issues of banking confidentiality and commercial sensitivity of documentation, cabinet confidentiality etc. For these reasons some documents were not released to the Committee and in other cases portions were redacted particularly where institution-specific material was involved. I understand that all of the material provided to the Committee by my Department has been published by the Committee on its website.

### **Banks Recapitalisation**

199. **Deputy Joan Burton** asked the Minister for Finance his plans to proceed with the issue of promissory notes to the value of €6.4 billion to Anglo Irish Bank and €2.7 billion to Irish Nationwide in line with his statement of 30 September 2010; if so, when this issue is scheduled to take place; and if he will make a statement on the matter. [48081/10]

**Minister for Finance (Deputy Brian Lenihan):** In line with my Statement of 30 September capital is to be provided to Anglo Irish Bank and Irish Nationwide Building Society in the order of €6.4 billion and €2.7 billion respectively. An application under State Aid rules was made to the European Commission and in this regard was approved on 21 December. It is intended that the capital, in the form of Promissory Notes, will be injected into the institutions before year end.

### **National Asset Management Agency**

200. **Deputy Joan Burton** asked the Minister for Finance his views on widely circulated reports of property developers with loans that have been transferred to National Asset Management Agency who are living abroad in trophy houses; if his attention has been drawn to the upset these reports are causing among the general public at a time of severe tax hikes and spending cuts; and if he will make a statement on the matter. [48082/10]

**Minister for Finance (Deputy Brian Lenihan):** I am aware that the Chairman of NAMA has recently outlined a range of measures which the Agency is adopting in its drive to ensure that debtors meet their obligations. In addition to significant lifestyle changes which are being forced

on these debtors, they are also required to reverse asset transfers and to grant NAMA legal charges over their unencumbered assets. I am informed that three debtors have already agreed to the reversal of some €130m in asset transfers as part of their business plan agreements with NAMA. In relation to asset transfers, in circumstances where it is obvious that the purpose of an asset transfer, whether to a spouse or otherwise, was a pre-emptive attempt to put assets beyond the reach of NAMA, NAMA has a number of statutory remedies available to it. These include the provisions of the Conveyancing Act, the Land and Conveyancing Law Reform Act 2009 and some provisions of the NAMA Act. Section 211 of the Act provides that NAMA may apply to a Court to declare a disposition to be void if it can show that the effect of the disposition was to impair the value of an eligible bank asset or any rights that NAMA would have acquired but for the disposition.

Ultimately, where the evidence available to NAMA is that a debtor has failed, as part of a sworn statement, to disclose all his assets as part of the debtor business plan process, he will be faced with very serious consequences. NAMA has made it very clear that it will not work with debtors who fail to co-operate fully and openly with it. NAMA will also pursue through the courts debtors who fail to co-operate with it in terms of agreeing to the reversal of asset transfers or to the granting of legal charges over unencumbered assets.

### **Eligible Liabilities Guarantee Scheme**

201. **Deputy Joan Burton** asked the Minister for Finance the level of guarantee income from the eligible liabilities guarantee that is foreseen in the years 2011, 2012, 2013 and 2014 in the national recovery plan; and if he will make a statement on the matter. [48083/10]

**Minister for Finance (Deputy Brian Lenihan):** The amounts included in the National Recovery Plan in respect of guarantee income from the Eligible Liabilities Guarantee are: 2011 — €800 million, 2012 — €300 million, 2013 — €150 million, and 2014 — €150 million. The Deputy will of course appreciate that, in accordance with the fundamental accounting principle of prudence, all forecasts made by my Department must be based on the current position vis a vis EU State aid approval. Therefore, forecasts for the period after June 2011 are in respect of fees for long-term debt issued under the ELG Scheme, which are paid on an annual basis.

Accordingly, the Deputy should note that these estimates may change if there are changes to the availability and scope of the guarantee or to the level of guarantee fees approved under EU State aid rules.

### **Public Service Staff**

202. **Deputy Joan Burton** asked the Minister for Finance if he will provide a summary per Department, agency and local authority of total staff on an full time equivalent basis at present; the way numbers are expected to evolve over the coming four years; a summary per Department, agency and local authority of staff pension contributions including through employers' PRSI, employee contributions and the pension levy; a summary per Department, agency and local authority of numbers and proportion of staff making the full pension contribution; a summary per Department, agency and local authority of gross and net annual cost of pension provision and total outstanding pension liabilities; the lowest, highest and average pension contribution and pension payout for each Department, agency and local authority; the number of public service pensioners at each Department, agency and local authority with a public service pension income of €0-12k, €12-24k, €24-60k, €60-75k, €75-100k and in €50k intervals up to €500k; and if he will make a statement on the matter. [48084/10]



**Minister for Finance (Deputy Brian Lenihan):** The information requested by the Deputy is set out in tables 1 to 6 below. Table 1 sets out the information in relation to public service numbers by Departmental Vote Groups, Functional Sector (where relevant), Non Commercial State Agency and Local Authority. This data which is sourced from the Public Service Numbers system is on a whole time equivalent (w.t.e) basis for Quarter 3 2010. Table 2 set out the indicative public service numbers ceilings for 2011 — 2014 by Ministerial Vote Group, broken down by Civil Service, Sector and Non-Commercial State Agency (NCSA), consistent with Table 4.3 of the National Recovery Plan. I am not in a position to provide a breakdown of each Ministerial staffing ceiling by organisation for future years because that is a matter for each Minister to decide on an ongoing basis in light of their and the Government's policy priorities.

Table 3 gives a detailed summary of staff pension contributions, including information on the total contribution, the number of staff making full pension contributions and the lowest, highest and average contributions for Departments and office in the Department of Finance Vote Group. Information in relation to staff in other Departments and Offices should be sought from the relevant Ministers.

Vote 7, Superannuation and Retired Allowances, which is part of the Finance Vote Group, covers members of the Established Civil Service Superannuation Scheme and also Non- Established Civil Service Superannuation Scheme and also the Spouses and Children of members of the Spouses and Children's Contributory Scheme for Established Civil Servants and members of the Spouses and Children's Contributory Scheme for Non-established Civil Servants. Table 4 gives a summary of the lowest, highest and average pension payout relating to the last payday in 2009 for Vote 7 and Table 5 provides a breakdown of pensioners by pension band relating to the last payday in 2009. Information in relation to pension schemes under the auspices of other Ministers should be sought from the relevant Ministers.

Table 6 outlines the 2011 estimate for the gross and net cost of pension provision by Vote. As outlined on Page 71 of the National Recovery Plan the Comptroller and Auditor General's report on Public Service Pensions Special Report no. 68, October 2009 estimated the actuarial cost of public service pensions at €108 billion of which approximately €13.5 billion relates to civil service pensions paid out of Vote 7. Further information in relation to these pension schemes can be sought from the relevant Ministers.

Table 1 — Public Service Numbers Q3 2010

	Qtr3
Department	307,265
TAOISEACH GROUP	2,016
ATTORNEY GENERAL	136
Civil Service	117
NCSA	19
Law Reform Commission	19
CENTRAL STATISTICS OFFICE	782
Civil Service	782
CHIEF STATE SOLICITOR	230
DIRECTOR OF PUBLIC PROSECUTIONS	191
Civil Service	191
OIREACHTAS	461
Civil Service	461

	Qtr3
TAOISEACH	214
Civil Service	194
NCSA	21
National Economic and Social Development Office	21
FINANCE GROUP	9,128
COMMISSION FOR PUBLIC SERVICE APPOINTMENTS	8
Civil Service	8
COMMISSION FOR PUBLIC SERVICE APPOINTMENTS	8
COMPTROLLER & AUDITOR GENERAL	149
Civil Service	149
COMPTROLLER & AUDITOR GENERAL	149
FINANCE	609
Civil Service	547
NCSA	62
Special EU Programmes Body	62
OFFICE OF PUBLIC WORKS	1,857
Civil Service	1,857
OMBUDSMAN	87
Civil Service	87
PRESIDENTS ESTABLISHMENT	22
Civil Service	22
PUBLIC APPOINTMENTS SERVICE	103
Civil Service	103
REVENUE COMMISSIONERS	6,060
Civil Service	6,060
STATE LABORATORY	90
Civil Service	90
VALUATION OFFICE	144
Civil Service	144
JUSTICE GROUP	24,176
COURTS SERVICE	1,020
Civil Service	1,020
COURTS SERVICE	1,020
GARDA	16,571
GARDA CIVILIANS	1,951
GARDA	14,620
JUSTICE & LAW REFORM	2,450
Civil Service	2,450
Justice Sector	227
Centres for Young Offenders	227
PRISONS	3,547
Civil Service	3,547
PROPERTY REGISTRATION AUTHORITY	588
Civil Service	588

[Deputy Brian Lenihan.]

	Qtr3
ENVIRONMENT	33,275
ENVIRONMENT	33,275
Civil Service	1,195
Local Authorities	31,211
City Council — Cork	1,382
City Council — Dublin	6,328
City Council — Galway	449
City Council — Limerick	496
City Council — Waterford	388
County Council — Carlow	301
County Council — Cavan	428
County Council — Clare	824
County Council — Cork	2,278
County Council — Donegal	1,000
County Council — Dun Laoire	1,151
County Council — Fingal	1,444
County Council — Galway	885
County Council — Kerry	1,214
County Council — Kildare	920
County Council — Kilkenny	557
County Council — Laois	390
County Council — Leitrim	298
County Council — Limerick	687
County Council — Longford	299
County Council — Louth	681
County Council — Mayo	1,102
County Council — Meath	674
County Council — Monaghan	419
County Council — Offaly	424
County Council — Roscommon	479
County Council — Sligo	505
County Council — South Dublin	1,351
County Council — Tipperary North	526
County Council — Tipperary South	654
County Council — Waterford	510
County Council — Westmeath	481
County Council — Wexford	783
County Council — Wicklow	825
Regional Assemblies	37
Regional Authorities	39
NCSA	869
Affordable Homes Partnership	15
An Bord Pleanála	162
An Comhairle Leabharlanna	16
Dublin Docklands Authority	27
Environmental Protection Agency	329
Heritage Council	15

	Qtr3
Housing Finance Agency	11
Irish Water Safety Association	5
Limerick Northside Regeneration Agency	7
Limerick Southside Regeneration Agency	9
Local Government Computer Services Board	85
Local Government Management Services Board	27
National Building Agency	47
Private Residential Tenancies Board	69
Radiological Protection Institute of Ireland	47
<b>EDUCATION GROUP</b>	<b>97,374</b>
<b>EDUCATION &amp; SKILLS</b>	<b>97,374</b>
Civil Service	1,599
<b>EDUCATION &amp; SKILLS</b>	<b>1,287</b>
<b>NATIONAL COUNCIL FOR SPECIAL EDUCATION</b>	<b>107</b>
<b>STATE EXAMS COMMISSION</b>	<b>203</b>
Education Sector	93,253
College of Education/Non-HEA Institutions	100
Dublin Dental Hospital	138
First Level Education	40,986
Home Economics Colleges	0
Institutes Of Technology	8,334
Second Level Education	32,737
Universities/HEA Institutions	10,960
NCSA	2,522
— Dublin Institute for Advanced Studies (2010 Transfer to 3rd Level)	78
— Royal Irish Academy (2010 Transfer to 3rd Level)	77
— Royal Irish Academy of Music (2010 Transfer to 3rd Level)	64
Foras Áiseanna Saothair	1,989
Further Education and Training Awards Council (FETAC)	37
Grangegorman Development Agency	4
Higher Education and Training Awards Council (HETAC)	31
Higher Education Authority	52
Irish Research Council for Science, Engineering and Technology	5
Irish Research Council for the Humanities and Social Science	5
National Education Welfare Board	101
National Qualifications Authority of Ireland	25
NCTE	18
The Teaching Council	37
<b>COMMUNITY, EQUALITY &amp; GAELTACHT AFFAIRS</b>	<b>1,008</b>
<b>COMMUNITY, EQUALITY &amp; GAELTACHT AFFAIRS</b>	<b>1,008</b>
Civil Service	373
<b>COMMUNITY, EQUALITY &amp; GAELTACHT AFFAIRS</b>	<b>373</b>
NCSA	635
Boord o Ulster-Scotch (An Foras Teanga)	21
Family Support Agency	38
Foras na Gaeilge (An Foras Teanga)	53

[Deputy Brian Lenihan.]

	Qtr3
Human Rights Commission	12
National Disability Authority	35
Údarás na Gaeltachta	96
Waterways Ireland	367
Western Development Commission	14
FOREIGN AFFAIRS	1,508
FOREIGN AFFAIRS	1,508
Civil Service	1,508
COMMUNICATIONS ENERGY & NAT. RESOURCES	1,336
Civil Service	267
NCSA	1,070
Broadcasting Authority of Ireland	33
Commission for Communication Regulation	121
Commission for Energy Regulation	63
Digital Hub Development Authority	16
Foyle, Carlingford and Irish Lights Commission	57
Inland Fisheries Ireland	418
National Oil Reserves Agency	5
Ordnance Survey Ireland	296
Sustainable Energy Authority of Ireland	61
AGRICULTURE	5,534
AGRICULTURE	5,534
Civil Service	3,695
NCSA	1,840
Bord Bia	104
Bord Iascaigh Mhara	129
Marine Institute	195
National Milk Agency	0
Sea Fisheries Protection Authority	100
Teagasc	1,312
TRANSPORT	1,069
TRANSPORT	1,069
Civil Service	506
TRANSPORT	506
NCSA	564
Commission for Aviation Regulation	18
Commission for Taxi Regulation	35
Medical Bureau of Road Safety	35
National Roads Authority	133
National Transport Authority	32
Railway Safety Commission	13
Road Safety Authority	299

	Qtr3
HEALTH GROUP	110,433
HEALTH & CHILDREN	1,632
Civil Service	477
NCSA	1,153
An Bord Altranais — The Nursing Board 1985	42
Blood Transfusion Service	568
Dental Council 2001	5
Food Safety Authority of Ireland	79
Food Safety Promotion Board	32
Health & Social Care Professionals Council 2007	5
Health Information and Quality Authority	149
Health Insurance Authority	9
Health Research Board	73
Irish Medicines Board	252
Medical Council	51
Mental Health Commission	39
National Cancer Registry Board	48
National Cancer Screening Service	263
National Council — Prof Dev of Nursing and Midwifery	12
National Paediatric Hospital Development Board	3
National Social Work Qualifications Board	7
National Treatment Purchase Fund	47
Office of Tobacco Control	3
Opticians Board 1956	2
Pharmaceutical Society of Ireland 1875	22
Pre-Hospital Emergency Care Council	16
HEALTH SERVICE EXECUTIVE	108,801
Health Sector	108,801
ENTERPRISE GROUP	3,053
Civil Service	955
ENTERPRISE, TRADE & INNOVATION	914
LABOUR RELATIONS COMMISSION	41
NCSA	2,098
City and County Enterprise Boards	133
Competition Authority	41
Enterprise Ireland	839
Forfás	113
Health and Safety Authority	189
IDA Ireland	264
InterTrade Ireland	44
Irish Auditing and Accounting Supervisory Authority	12
National Consumer Agency	45
National Standards Authority of Ireland	176
Personal Injuries Assessment Board	75
Science Foundation Ireland	51
SFADCo Ltd (Industrial)	117

[Deputy Brian Lenihan.]

	Qtr3
TOURISM, CULTURE & SPORT	1,446
NATIONAL GALLERY	118
Civil Service	118
TOURISM, CULTURE & SPORT	1,328
Civil Service	157
NCSA	1,171
Arts Council	52
Bord Scannan na hÉireann (Irish Film Board)	16
Chester Beatty Library	36
Crawford Gallery	14
Fáilte Ireland	411
Irish Museum of Modern Art	93
Irish Sports Council	27
National Concert Hall	64
National Library of Ireland	96
National Museum of Ireland	174
National Sports Campus Development Authority	5
SFADCo (Tourism)	24
Tourism Ireland	160
DEFENCE	10,754
DEFENCE	10,754
Civil Service	357
DEFENCE	357
Defence Sector	10,397
Air Corps	777
Army	8,615
Naval Service	1,005
SOCIAL PROTECTION	5,155
SOCIAL PROTECTION	5,155
Civil Service	5,027
NCSA	128
Citizens Information Board	90
Pensions Board	39

Table 2 — Breakdown of Table 4.3 from National Recovery Plan

	2011	2012	2013	2014
<i>Finance</i>	9,010	8,968	8,810	8,676
Civil Service	8,953	8,914	8,758	8,625
NCSA	63	57	55	52
<i>Taoiseach</i>	1,621	1,496	1,486	1,464
Civil Service	1,584	1,461	1,453	1,431
NCSA	37	35	33	33

	2011	2012	2013	2014
<i>Justice</i>	23,127	22,886	22,647	22,404
Civil Service	9,377	9,303	9,231	9,154
Sector	13,750	13,583	13,416	13,250
of which Gardai	13,500	13,333	13,166	13,000
<i>Environment</i>	32,711	32,318	31,866	31,830
Civil Service	1,140	1,125	1,108	1,089
NCSA	821	793	757	741
Sector	30,750	30,400	30,000	30,000
<i>Education</i>	97,144	97,805	98,624	99,282
Civil Service	1,595	1,573	1,550	1,530
NCSA	2,272	2,143	2,039	2,002
Sector	93,278	94,090	95,035	95,750
<i>CEGA</i>	995	970	936	916
Civil Service	362	356	349	343
NCSA	634	614	586	574
<i>Foreign Affairs</i>	1,436	1,515	1,468	1,410
<i>CENR</i>	1,256	1,201	1,152	1,130
Civil Service	260	257	253	248
NCSA	996	944	899	882
<i>Agriculture</i>	5,232	5,104	4,965	4,877
Civil Service	3,605	3,536	3,468	3,411
NCSA	1,627	1,569	1,497	1,466
<i>Transport</i>	1,008	982	949	927
Civil Service	468	461	451	440
NCSA	540	521	498	487
<i>Health</i>	106,874	105,293	103,707	102,157
Civil Service	465	448	431	421
NCSA	1,089	1,044	996	976
Sector	105,320	103,800	102,280	100,760
<i>ETI</i>	2,885	2,769	2,662	2,611
Civil Service	869	859	844	826
NCSA	2,016	1,910	1,818	1,785
<i>TCS</i>	1,253	1,217	1,170	1,146
Civil Service	262	261	258	253
NCSA	991	956	912	893
<i>Defence</i>	10,869	10,767	10,662	10,658
Civil Service	369	367	362	358
NCSA	10,500	10,400	10,300	10,300
<i>Social Protection</i>	5,083	5,071	4,913	4,695
Civil Service	4,964	4,957	4,804	4,588
NCSA	119	114	109	107
<i>Oireachtas</i>	457	450	443	433



[Deputy Brian Lenihan.]

Table 3 — Finance Vote Group — Staff Pension Contributions 2010

Staff Pension Contribution Data 2010 (including through employers' PRSI employee contributions and the pension levy)

Office/Dept	Staff making Full Pension Contribution*	Proportion of Overall Serving Staff	Total Pension Contribution;	Lowest*	Highest	Average
			€	€	€	€
Finance	238	34%	4,844,113	1.68	43,110	6,910
C&AGs	111.6	74%	1,895,000	5,134.00	42,920	13,161
CPSA	5	50%	51,440	326.45	8,974	5,144
Office of the Ombudsman	46	48%	980,000	439.00	27,902	5,974
PAS	89	76%	699,693	13.71	23,819	4,893
Revenue	2,423	39%	46,285,976	0.16	34,610	6,505
State Lab	50	54%	697,481	9.28	14,033	6,707
Valuation Office	84	56%	1,523,887	1,350.00	14,900	9,769
OPW	270	39%	3,339,776	4.63	28,390	8,668

\*Staff Recruited after April 1995 making full pension contribution.

\*\*The lowest contribution represents the contribution made by employees serving for very short periods throughout 2010 and is not representative of the lowest contribution made by full-time employees employed for the full year.

Table 4\* — Lowest, Highest and Average Pension Payouts 2009 — Vote 7

	Gross per Annum
	€
<i>Pensioners</i>	
Lowest pension**:	9
Highest pension:	155,002
Average pension:	21,507
<i>Surviving Spouses</i>	
Lowest pension**:	16
Highest pension:	99,415
Average pension:	10,243

\*Voluntary sacrifices (of full or partial pension entitlement) are not captured by this data.

\*\*The Lowest pension payout represents pensions to staff and their surviving spouses with very short pensionable service.

Table 5 — Vote 7 — Breakdown of Pensioner by pension band 2009

Pension	No. of pensioners	No. of Spouses
0-12k	5,022	2,855
12k-24k	3,041	1,110
24k-60k	4,601	439
60k-75k	93	10
75k-100k	180	1
100k-150k	104	0
150k	1	0

Table 6 — 2011 Estimates for the gross and net cost of pension

All figures in €'000

Vote	Gross 2011	Net 2011
V6 — DEPARTMENT OF FINANCE	4	4
V7 — SUPERANNUATION AND RETIRED ALLOWANCES	469,905	387,655
V19 — JUSTICE AND LAW REFORM	1,618	1,033
V20 — GARDA SÍOCHÁNA	368,773	332,049
V25 — ENVIRONMENT, HERITAGE AND LOCAL GOVERNMENT	4,135	4,135
V26 — EDUCATION AND SKILLS	1,090,941	885,890
V27 — COMMUNITY, EQUALITY AND GAELTACHT AFFAIRS	4,602	4,602
V30 — COMMUNICATIONS, ENERGY & NR	2,765	2,765
V31 — AGRICULTURE, FISHERIES AND FOOD	46,429	46,429
V32 — TRANSPORT	1,344	1,344
V34 — ENTERPRISE, TRADE AND INNOVATION	49,909	44,020
V35 — TOURISM, CULTURE AND SPORT	9,971	9,728
V37 — ARMY PENSIONS	207,935	201,719
V39 — HEALTH AND CHILDREN	1,007	1,007
V40 — HEALTH SERVICE EXECUTIVE	702,164	506,914
Vote Total	2,961,502	2,429,294

### Preschool Services

203. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if an urgent review of a late application for early childhood care and education scheme can be undertaken in the case of a pre school (details supplied) in County Kildare in order that they can avail of same from January 2011; and if she will make a statement on the matter. [47746/10]

**Minister of State at the Department of Education and Skills (Deputy Barry Andrews):** I have responsibility for implementing the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which provides for a free pre-school year for eligible children in the year before they commence primary school.

Childcare services wishing to participate in the ECCE scheme must be in a position to provide the free pre-school provision when the school year commences in September of the relevant year. It is a requirement of the scheme that participating sessional services provide the free pre-school provision for 3 hours a day, five days a week for 38 weeks each year and full or part time services provide the free pre-school provision for 2 hours 15 minutes each day, five days each week for 50 weeks each year. It would not be possible for services to enter the scheme after the commencement of the school year and provide the full pre-school provision required under the scheme.

Childcare services that did not meet the deadline for entry to the scheme in the current school year should contact the local City and County Childcare Committee early in 2011 to establish what arrangements are in place for entry to the scheme in the school year commencing in September 2011.

### Hospital Services

204. **Deputy Martin Ferris** asked the Minister for Health and Children when a person (details supplied) in County Kerry will be admitted to the orthopaedic hospital in Croom. [47707/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### Primary Care Facilities

205. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children her estimate for the average cost of provision, including site acquisition, planning, construction and completion of a single primary care facility under normal procurement and tendering procedures, non public private partnership; and if she will make a statement on the matter. [47711/10]

**Minister for Health and Children (Deputy Mary Harney):** Management of the Health Service Executive property portfolio is a service matter. Therefore your question has been referred to the Executive for direct reply.

### Drugs Payment Scheme

206. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if it is the case that a full-time student who is over 23 years, lives at home with their parents and has no income cannot be included in the family's drugs repayment scheme; if not, can they qualify for a medical card; and if she will make a statement on the matter. [47714/10]

**Minister for Health and Children (Deputy Mary Harney):** Under the Drugs Repayment Scheme, no individual or family have to pay more than the prescribed monthly amount (currently €120) in any calendar month for prescribed drugs, medicines and appliances for use by that person or his/her family in that month.

Family expenditure covers the nominated head of household, who must be an adult, his/her spouse (including a person with whom he/she is living as husband or wife) and children under 18 years. Expenditure by dependants over 18 years and under the age of 23 years who are in full time education may also be included. A dependant with a physical disability or mental handicap or illness who cannot maintain himself/herself fully, who is ordinarily resident in the family home, may be included in the family expenditure under this Scheme regardless of age.

Persons aged 16-25 years, who are dependent on Medical Card or GP Visit Card holders, are eligible for Medical Card/GP Visit Cards.

### Hospital Services

207. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason a person (details supplied) has been refused the surgical procedure they require; when they will have this surgery; and the reason they have been unable to obtain the medical information they requested regarding their situation and care plan. [47716/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### Nursing Homes Support Scheme

208. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children her plans to extend the fair deal scheme to include care in the community. [47734/10]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** I understand that this question relates to the following statement in the National Recovery Plan 2010-2014 — 'building on the success of the Fair Deal scheme, the introduction of an approach to community support for older people which takes need and financial means into account on a nationally consistent basis'.

The Department of Health and Children, in consultation with the HSE, is currently preparing proposals to ensure that access to long-term community services is provided on a nationally consistent and equitable basis having regard to each person's care needs and means. The proposals are at a very early stage, therefore, it is not possible to provide any further detail at the present time.

### Ministerial Appointments

209. **Deputy Michael Ring** asked the Minister for Health and Children the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47792/10]

**Minister for Health and Children (Deputy Mary Harney):** The appointments made to State boards/agencies since 1 June 2010 are as follows:

Name	Board	Date of Appointment
Dorothy Donovan	Health and Social Care Professionals Council	27/10/2010
Conor Burke	Health Research Board	12/06/2010
Colin Doherty	Health Research Board	12/06/2010
John McCormack	Health Research Board	12/06/2010
Prem Puri	Health Research Board	12/06/2010
Marion Rowland	Health Research Board	12/06/2010
Frank Dolphin (Chairperson)	Health Service Executive	15/08/2010
Nuala Hunt	Health Service Executive	11/10/2010
Jane O'Brien	Irish Blood Transfusion Service	01/11/2010
Hilary O'Leary	Irish Blood Transfusion Service	06/12/2010
Paolo Rebullà	Irish Blood Transfusion Service	03/06/2010
Elizabeth Cogan	Leopardstown Park Hospital Board	05/09/2010
Diane Duggan	Leopardstown Park Hospital Board	05/09/2010
Christine Long	Leopardstown Park Hospital Board	05/09/2010
Eugene Magee (Chairperson)	Leopardstown Park Hospital Board	05/09/2010
Jane Smith	Leopardstown Park Hospital Board	05/09/2010
Frank Turvey	Leopardstown Park Hospital Board	05/09/2010
John Bonnar (Chairperson)	National Haemophilia Council	22/07/2010
Michael Davenport	National Haemophilia Council	22/07/2010
Eilish Hardiman	National Haemophilia Council	22/07/2010
Brian O'Mahony	National Haemophilia Council	22/07/2010
Susan O'Shea	National Haemophilia Council	22/07/2010
Barry White	National Haemophilia Council	22/07/2010
Brendan Drumm	National Paediatric Hospital Development Board	16/08/2010
Mary Brazil	National Treatment Purchase Fund	09/11/2010
Rita Hayes	National Treatment Purchase Fund	09/11/2010
John Horan (Chairperson)	National Treatment Purchase Fund	03/06/2010
Dermot Mullane	National Treatment Purchase Fund	09/11/2010
Tom Murphy	National Treatment Purchase Fund	03/06/2010
Val Collier	Social Workers Registration Board	05/08/2010
Damien Courtney	Social Workers Registration Board	05/08/2010
Chris Curtin	Social Workers Registration Board	05/08/2010
Pat Dunne	Social Workers Registration Board	05/08/2010

[Deputy Mary Harney.]

Name	Board	Date of Appointment
Monica Egan	Social Workers Registration Board	05/08/2010
Ursula Fernee	Social Workers Registration Board	05/08/2010
Denis Gallagher	Social Workers Registration Board	05/08/2010
Fiona Geraghty	Social Workers Registration Board	05/08/2010
Mary Hargaden	Social Workers Registration Board	05/08/2010
Ned Kelly	Social Workers Registration Board	05/08/2010
Valentine O'Kelly	Social Workers Registration Board	05/08/2010
Suzanne Quin	Social Workers Registration Board	05/08/2010
Cormac Quinlan	Social Workers Registration Board	05/08/2010
Maureen Lynott	St Jame's Hospital Board	01/09/2010
Liam Downey	VHI	13/10/2010
Cathriona Hallahan	VHI	23/11/2010
Nuala Doherty	Children Acts Advisory Board	18/10/2010
Finbarr Murphy	Children Acts Advisory Board	18/10/2010
Philomena Hanna	Children Acts Advisory Board	18/10/2010
Denis O'Sullivan	Children Acts Advisory Board	18/10/2010
Michael Donnellan	Children Acts Advisory Board	18/10/2010
Michelle Shannon	Children Acts Advisory Board	18/10/2010
Roger Killeen	Children Acts Advisory Board	18/10/2010
Cathal Flynn	Children Acts Advisory Board	18/10/2010
Dermot Stokes	Children Acts Advisory Board	18/10/2010
Laura O'Brien	Consultative Council on Hepatitis C	05/08/2010
Daniel McGing	Drug Treatment Centre Board	14/07/2010
Miriam Cashell	Food Safety Authority of Ireland	19/11/2010
Charlie Daly	Food Safety Authority of Ireland	19/11/2010
Tom Collins	Food Safety Authority of Ireland	19/11/2010
Dan Collins	Food Safety Authority of Ireland	19/11/2010
Anne Nolan	Food Safety Authority of Ireland	19/11/2010
Pat O'Mahony	Food Safety Authority of Ireland	19/11/2010
Eimear Killian	Food Safety Authority of Ireland	19/11/2010
Eamon Corcoran	Food Safety Authority of Ireland	19/11/2010
Frank Dolphin	Health Service Executive	15/08/2010
Padraic White	St Luke's Hospital Board	01/07/2010
Gabriel Burke	St Luke's Hospital Board	01/07/2010
Arnie Hill	St Luke's Hospital Board	01/07/2010
Dermot Kelleher	St Luke's Hospital Board	01/07/2010
John Kennedy	St Luke's Hospital Board	01/07/2010
John McCormack	St Luke's Hospital Board	01/07/2010
Claire McNicholas	St Luke's Hospital Board	01/07/2010
Eugene Murray	St Luke's Hospital Board	01/07/2010
Risteard O'Laoidé	St Luke's Hospital Board	01/07/2010
Tony O'Brien	St Luke's Hospital Board	01/07/2010
Karen Fergus	Hepatitis C and HIV Compensation Tribunal	06/12/2010

### Children in Care

210. **Deputy Richard Bruton** asked the Minister for Health and Children if she plans to

commission a report into abuse in foster homes; and if she will make a statement on the matter. [47816/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The provision of foster care is central to child welfare and protection. As the Deputy is aware, the Social Services Inspectorate (SSI) of the Health Information and Quality Authority (HIQA) commenced an inspection of HSE Foster care services in 2007 and more recently in Dublin in September, 2009 under Section 69 of the Child Care Act, 1991.

In July 2010 the Health Information Quality Authority published its inspection report of the foster care services for Dublin North West, North Central and North Dublin which indicated that in Dublin North West and Dublin North Central there were large numbers of children in care living with carers, who were not seen by a social worker for a considerable period and where a large number of carers were not formally approved by the HSE in line with the Child Care Regulations 1995. A large proportion of these placements were in relative care placements i.e. where a child had been placed formally in the care of a relative and that relative was in receipt of an allowance from the HSE. The inspection findings indicated that the standards of foster care in Dublin North were of a good quality.

In September 2010 HIQA published its report of an inspection of four Local Health Areas in HSE South. Overall the findings from this inspection were positive; however there were deficits in the formal assessment of some relative carers and up to 25 children of the 690 in foster care did not have an allocated social worker due to staff maternity leave. Overall inspection reports found the children were safe and well. HIQA brought their concerns to the attention of the HSE who developed an action plan to address the weaknesses identified. An additional 200 social workers have been approved, resourced and put in place this year in order to ensure, at a minimum, that every child in care has access to an allocated social worker.

It is a positive development that inconsistencies in practice and identified problems are now being identified through the work of the HSE's own internal audit processes and through the inspection process of HIQA. The challenge facing the HSE is the need to ensure that all necessary measures are taken as a priority to address the weaknesses identified. Any allegation of abuse of a child in the care of the State should be notified to the statutory authorities in accordance with Children First. In addition Section 10 of the National Standards for Foster Care sets out good practice in relation to dealing with issues of alleged abuse of children in foster care.

### Health Services

211. **Deputy Denis Naughten** asked the Minister for Health and Children the plans she has to provide ultraviolet light therapy in the midlands; and if she will make a statement on the matter. [47840/10]

**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.

212. **Deputy Denis Naughten** asked the Minister for Health and Children if she will outline the procedure for awarding a contract (details supplied); and if she will make a statement on the matter. [47841/10]

**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

213. **Deputy Denis Naughten** asked the Minister for Health and Children the current processing time in each PCCC for medical cards; the steps being taken to address this situation; and if she will make a statement on the matter. [47842/10]

**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

214. **Deputy Denis Naughten** asked the Minister for Health and Children the urgent status of primary care centres (details supplied); and if she will make a statement on the matter. [47843/10]

**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.

### Medical Cards

215. **Deputy Leo Varadkar** asked the Minister for Health and Children if non-EU national students who are resident for more than a year here are eligible to apply for a medical card; and if she will make a statement on the matter. [47857/10]

**Minister for Health and Children (Deputy Mary Harney):** Under the Health Act, 2004, determination of eligibility for Medical Cards is the responsibility of the HSE. Medical Cards are issued to persons who, in the opinion of the HSE, are unable to provide general practitioner, medical and surgical services for themselves and their dependants without undue hardship.

Entitlement to health services in Ireland is primarily based on residency and means rather than nationality or citizenship. Any person, regardless of nationality, who is accepted by the Health Service Executive (HSE) as being ordinarily resident in Ireland is entitled to either full eligibility or limited eligibility for health services. The HSE normally regards a person as “ordinarily resident” in Ireland if he/she satisfies the HSE that it is his/her intention to remain in Ireland for a minimum period of one year. The HSE would regard a non-EU national student as ordinarily resident in Ireland if he/she is attending a registered course of study of at least one academic year’s duration.

### Hospital Services

216. **Deputy Willie Penrose** asked the Minister for Health and Children the steps she will take to have a person (details supplied) in County Westmeath admitted to Midland Regional Hospital, Mullingar, to have a procedure carried out; and if she will make a statement on the matter. [47864/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Health Services

217. **Deputy Emmet Stagg** asked the Minister for Health and Children if the new public community welfare office for Naas, County Kildare, will open in January 2011 [47873/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

### Health Service Allowances

218. **Deputy John Deasy** asked the Minister for Health and Children the number of persons in Waterford city and county in receipt of domiciliary care allowance in each of the years 2005 to 2009; the amount spent on domiciliary care allowance in each of those years; and if she will make a statement on the matter. [47910/10]

**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.

### Health Services

219. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will directly intervene and reverse the decision to close a nursing home (details supplied) in the interest of health and safety of senior citizens, in view of the fact that the Health Information and Quality Authority did not recommend closure, that there are still residents wishing to remain to live in the facility and widespread support within the community for its current use and retention for the future; and if she will make a statement on the matter. [47918/10]

**Minister of State at the Department of the Health and Children (Deputy Áine Brady):** Under the Health Act 2004, the Health Service Executive has sole operational responsibility for the delivery of health and social services, including those at facilities such as Loughloe House in Athlone. Accordingly, I have referred this matter to the Executive for direct reply to the Deputy.

220. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if the Health Service Executive is in negotiations with private interests or is considering disposal of the site for the proposed primary care unit at Clonbrusk in Athlone and outline future provision of same [47919/10]

**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.

221. **Deputy Denis Naughten** asked the Minister for Health and Children the reason an organisation (details supplied) has failed to secure additional funding from the Health Service Executive to run its vital services in 2011; if her attention has been drawn to the implications this will have for parents; and if she will make a statement on the matter. [47928/10]

222. **Deputy Denis Naughten** asked the Minister for Health and Children the reason the Health Service Executive has not taken over or funded the support of 24 children over the age of four years, even though it assumed responsibility for their care in June 2010; if her attention has been drawn to the financial implications this is having on an organisation (details supplied); and if she will make a statement on the matter. [47930/10]

**Minister of State at the Department of Health and Children (Deputy John Moloney):** I propose to take Question Nos. 221 and 222 together.

The Health Service Executive (HSE) is working jointly with the Jack and Jill Foundation to identify and prioritise the needs of the children on a case-by-case basis. If a child needs hospital care, the HSE will provide this. However, the HSE is prepared to work closely with Jack & Jill to ensure that no child is hospitalised for want of adequate home support, provided by Jack and Jill or the HSE. The Health Service Executive will continue to fund Jack & Jill in 2011 on



[Deputy John Moloney.]

the same basis as in 2010, subject to any overall resources limitations that may arise for all providers in the disability sector generally, but it is not in a position to provide additional funding for the Foundation to compensate for the drop in its private fund-raising.

### **Hospital Staff**

223. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the number of social workers, occupational therapists, rehabilitation assistants and language therapists currently in Beaumont hospital for the years 2007, 2008, 2009 and to date in 2010; and if she will make a statement on the matter. [47935/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### **General Practitioner Services**

224. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if, in view of the extreme hardships that will be faced by low and middle income earners as a result of the budgetary measures, and in view of mounting evidence that persons are already avoiding needed medical treatment due to cost, she will move to control general practitioners fees; and if she will make a statement on the matter. [47937/10]

**Minister for Health and Children (Deputy Mary Harney):** Consultation fees charged to private patients by General Practitioners (GPs) are a matter of private contract between the doctor and the patient. While I have no role in relation to such fees, I would expect GPs to have regard to the overall economic situation in setting their fees. My colleague the Minister for Enterprise, Trade and Innovation has also called on providers of professional services in the private sector to adjust their fees in line with the reductions in fees of those providing such services in the public sector.

The Medical Council's Guide to Professional Conduct and Ethics for Registered Medical Practitioners states that the fees charged should be appropriate to the service provided and that patients should be informed of the likely costs before the consultation and treatment. GPs who hold a General Medical Services contract with the Health Service Executive must not seek or accept money from medical card or GP visit card holders in respect of routine treatment. On 1st November 2010, 1,712,929 persons had access to free GP services (1,598,823 medical card holders and 114,106 GP visit card holders).

### **Departmental Funding**

225. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if funds will be made available in the budget to fund the missing children's 116000 number. [47944/10]

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** The issue of children who go missing is primarily a matter for the Garda Síochána. A hotline for missing children is in operation in some EU Member States. My Office is currently involved in discussions with other relevant Government Departments in relation to the establishment of this service. The issue of the funding of this is under consideration.

### **Irish Blood Transfusion Service**

226. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 191 of 7 July 2010, if she will provide an update on discussions

between the Irish Blood Transfusion Service and the Health Service Executive; and if she will make a statement on the matter. [47945/10]

**Minister for Health and Children (Deputy Mary Harney):** The position has not changed and there are currently no plans to extend the list of eligible conditions covered by the Long Term Illness Scheme, which was introduced on a statutory basis in 1971.

The Irish Blood Transfusion Service (IBTS) is considering the options and opportunities for an expansion of its service for haemochromatosis patients throughout the country, and is exploring this position with stakeholders at present. In this regard, I have asked the Director of Quality and Clinical Care in the HSE to work with the IBTS in relation to setting national guidelines for the management of haemochromatosis.

### Community Care

227. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 134 of 3 December 2009, if approval has been granted to proceed to tender; when work is expected to commence; and if she will make a statement on the matter. [47949/10]

**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

228. **Deputy Denis Naughten** asked the Minister for Health and Children the timetable for the completion and operation of the new cystic fibrosis unit at St. Vincent's hospital, Dublin. [47951/10]

**Minister for Health and Children (Deputy Mary Harney):** St Vincent's University Hospital and the HSE are working to ensure the earliest possible delivery of the new ward block. The project is progressing according to schedule.

The contract for construction of the new facility was signed on the 14 October 2010. The site has been handed over to the contractor. An architect has been appointed, the contractor, design team and project manager are on site and construction work has commenced. The site had previously been cleared in readiness for construction to begin. It is expected that construction of the building will take 18 months. Completion is expected as early as possible in 2012.

### Health Services

229. **Deputy Joe Carey** asked the Minister for Health and Children if she will bring forward a procedure in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [47952/10]

**Minister for Health and Children (Deputy Mary Harney):** As this is a service matter, it has been referred to the HSE for direct reply.

### Croke Park Agreement

230. **Deputy Lucinda Creighton** asked the Minister for Health and Children the performance management systems implemented in her Department as specified in the Public Service Agreement 2010-2014; and if she will make a statement on the matter. [47968/10]

**Minister for Health and Children (Deputy Mary Harney):** The Public Service Agreement 2010-2014 contains a commitment “ to introduce significantly improved performance management across all Public Service areas and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures”

In the Civil Service work is well underway on achieving this goal. The 2010 Evaluation of PMDS has been completed. Negotiations with the Unions have commenced in relation to how the PMDS can be strengthened. The Organisational Review Programme review of my Department published last September sets out an action plan for operating PMDS to improve and maintain performance levels as well as deal with underperformance within the Department. This action plan overlaps significantly with the performance management measures required for the implementation of the Public Service Agreement (2010-2014).

### Departmental Staff

231. **Deputy Lucinda Creighton** asked the Minister for Health and Children the number of staff working within her Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if she will make a statement on the matter. [47982/10]

**Minister for Health and Children (Deputy Mary Harney):** I understand that the Deputy’s question relates to temporary staff employed for periods of up to twelve months. I can confirm that there were 2 such contracts during the period concerned and the total salary involved was €27,810. Neither employee had previous public service experience.

### Patient Private Property Fund

232. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 228 of 6 July 2010, the value of payments made to date; the payments made in 2010; the number of payments which have been issued; when repayments will commence in the western region; the timetable for the completion of this process; the total number of persons to be refunded and the value of the refunds; the provision made in the 2011 estimate for administration and for payments; and if she will make a statement on the matter. [47989/10]

**Minister for Health and Children (Deputy Mary Harney):** This question refers to retained interest on Patient Private Property Accounts. Payment to the value of €66,946 has issued in respect of 1,120 patients to date.

While no payments have issued in 2010, it is hoped to progress payments in 2011, including in the western region, but this is subject to resources being available to do so.

The identification of the total number of people to be refunded and the value of such refunds are yet to be established from records retained at each individual care centre, and is part of a significant workload involved in completing payments. There is no specific provision for administration. Interest retained since 2005 is lodged in the Central PPP Fund for distribution and is managed and audited separately from all other HSE accounts.

There is no requirement on clients or next of kin to make an application for this payment.

The HSE have again expressed their willingness to provide full briefing on PPP related issues to the Deputy, or to meet with him to answer his queries, if he so wishes.

### Eating Disorders

233. **Deputy Joanna Tuffy** asked the Minister for Health and Children the steps she will take to increase public health care for persons with eating disorders; and if she will make a statement on the matter. [48007/10]

**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 Accommodation

234. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the average annual cost of a public bed in an acute hospital [48039/10]

**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 Staff

235. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if she will request the Health Service Executive to expedite an appointment for a person (details supplied) at the Adelaide and Meath hospital, Dublin; and if she will make a statement on the matter. [48040/10]

**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.

### Rural Transport Services

236. **Deputy Richard Bruton** asked the Minister for Transport the overall reduction in the budget for the rural transport scheme for 2011; and if he will make a statement on the matter. [47821/10]

244. **Deputy John Deasy** asked the Minister for Transport the amount of money that has been appropriated for rural transport programmes in Waterford in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47813/10]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 236 and 244 together.

Pobal administers the Rural Transport Programme (RTP) on behalf of my Department and is responsible, among other things, for allocating funds to individual community transport groups from funding provided by my Department. I understand from Pobal that the following amounts were allocated to the RTP Programme in Waterford:

Year	€
2005	163,747
2006	185,986
2007	301,781
2008	307,898
2009	310,953
2010	329,338

[Deputy Noel Dempsey.]

€10.6 million is being provided for the RTP in 2011 in recognition of the important role it plays in combating rural isolation, particularly for the elderly. This is a reduction of some 3.6% on the 2010 allocation.

### **Departmental Funding**

237. **Deputy Arthur Morgan** asked the Minister for Transport the date on which the winning towns will be awarded the funding of €50 million under the smarter travel initiative launched by him and due for decision in July 2010; and if he will make a statement on the matter. [47701/10]

**Minister of State at the Department of Transport (Deputy Ciarán Cuffe):** No decision has yet been announced regarding the outcome of the Smarter Travel Areas Competition. The future of this Programme will be considered in the context of the recently announced budget for 2011 and the National Recovery Plan.

### **Taxi Regulations**

238. **Deputy Thomas P. Broughan** asked the Minister for Transport when he was last briefed by the Commission on Taxi Regulation and the National Transport Authority on current market conditions and proposed new regulations for the taxi industry; if he has made any recent policy proposals to the Commission on Taxi Regulation in respect of the ongoing deteriorating conditions for the taxi workforce; and if he will make a statement on the matter. [47723/10]

239. **Deputy Thomas P. Broughan** asked the Minister for Transport when the Commission on Taxi Regulation will be incorporated into the National Transport Authority; and if he will make a statement on the matter. [47722/10]

**Minister for Transport (Deputy Noel Dempsey):** I propose to take Questions Nos. 238 and 239 together. The Public Transport Regulation Act, 2009, provides for the transfer of functions and staff of the Commission for Taxi Regulation (CTR) to the National Transport Authority (NTA) upon the making of an Order by me. I will shortly make the Order to give effect to the transfer effective from 1 January 2011.

On transfer of functions, the NTA will continue the independent regulatory role of the former CTR and I will, as currently, have no role in the regulation of the taxi sector.

The CTR has published a Strategy Statement for 2010-2014 which sets out the key objectives for the developing the regulatory framework for the taxi sector. In addition the CTR published an Action Plan for 2010-2011 that set outs measurable targets through which the Strategy Statement objectives could be achieved.

Taking account of its statutory independence and its reporting requirements, my officials have regular contact with the Commission for Taxi Regulation on corporate governance issues and general policy relating to the taxi sector. However I have no plans at this time to change the current independent regulation of the sector as provided for in legislation. When the NTA takes on the taxi regulation function it will be open to individuals or taxi representatives to present views to the NTA about their concerns about the taxi sector and the NTA will have the opportunity to consider those views under the terms of its independent statutory mandate.

### **Departmental Staff**

240. **Deputy Simon Coveney** asked the Minister for Transport if any member of staff in his

Department or associated agency received a bonus between 2009 and 2010; if so, when and the reason for same; and if he will make a statement on the matter. [47732/10]

**Minister for Transport (Deputy Noel Dempsey):** No bonus payments were made to any member of staff in my Department between 2009 and 2010. The payment of bonus payments to staff members of the bodies under the aegis of my Department is a matter for the Board of the State Company concerned. Under the Minister for Finance's Guidelines on Contracts, Remuneration and other Conditions of Chief Executives and Senior Management of Commercial State Bodies, a representative of my Department attends and contributes views at the Remuneration Committee meeting of each commercial State body where bonus payments for Chief Executives are being considered.

I wrote to each commercial State body in February 2009 requesting that consideration be given by the Board to achieving a significant reduction in or elimination of bonus awards to Chief Executives payable for 2009 and also 2010. I also wrote to non-commercial State bodies in May 2009 stating that it would be appropriate that consideration of any bonus payments to Chief Executive Officers be suspended pending the issue of further guidelines from the Department of Finance. These issued in February 2010 and requested that bonus schemes in non-commercial bodies be suspended indefinitely. Details of any bonus payments made to the Chief Executive Officer are required to be published in the annual accounts of the State body.

### Ministerial Appointments

241. **Deputy Michael Ring** asked the Minister for Transport the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47796/10]

**Minister for Transport (Deputy Noel Dempsey):** In my capacity as Minister for Transport I do not make Government appointments.

### Air Services

242. **Deputy John Deasy** asked the Minister for Transport the amounts of financial grant aid and public service obligation funding that has been made available to each regional airport in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47811/10]

**Minister for Transport (Deputy Noel Dempsey):** PSO air services subvention is set out in the following table:

PSO Contract Amounts, per contract year

	Jul 05 to Jul 06	Jul 06 to Jul 07	Jul 07 to Jul 08	Jul 08 to Jul09	Jul 09 to Jul10	July10 to July 11
	€	€	€	€	€	€
Galway	2,953,594	3,004,919	3,041,058	3,271,344	3,314,239	3,430,810
Kerry	3,013,556	3,003,493	3,008,433	1,750,000	1,750,000	1,750,000
Sligo/Donegal	4,966,108	5,157,252	5,403,422	5,378,689	5,639,552	5,906,329
Knock/Derry	3,895,112	4,083,235	4,287,719	3,837,595	4,336,276	4,476,732
	14,828,370	15,248,899	15,740,632	14,237,628	15,040,067	15,563,871

[Deputy Noel Dempsey.]

The Sligo/ Donegal and Knock/ Derry routes are operated under a combined contract. Ryanair have discontinued providing the Kerry PSO service since November 2010 and are operating a daily service outside the PSO arrangement at no cost to the exchequer. Operational subvention (OPEX) is set out in the following table:

Airport	2005	2006	2007	2008	2009	2010
	€	€	€	€	€	€
Donegal	255,000	64,600	44,000	0	131,000	278,000
Sligo	255,000	231,200	9,000	0	313,000	395,000
Knock	400,000	0	0	0	445,000	761,000
Galway	280,000	677,848	859,000	1,200,000	962,000	1,800,000
Kerry	400,000	0	0	0	0	0
Waterford	650,000	687,685	1,352,000	1,540,000	1,494,000	1,585,000
Total	2,240,000	1,661,333	2,264,000	2,740,000	3,345,000	4,819,000

Because of a projected shortfall in the resources available to fund the OPEX scheme, after allowing for estimated requirements for the PSO Air Services Programme for 2010, the six Regional Airports were allocated OPEX funding on a pro rata basis in July of this year with no airport getting the full amount it might otherwise expect.

I have decided to provide additional funding for the Scheme for 2010 in line with the OPEX contracts. All the Airports submitted additional information in support of their applications for funding. The combined allocations are as outlined in the above table. Capital Expenditure (CAPEX) is as in the following table:

Airport	2005	2006	2007	2008	2009	2010
	€	€	€	€	€	€
Donegal	112,575	49,490	299,524	992,610	33,536	See below
Sligo	55,852	124,000	303,911	1,907,729	223,607	See below
Knock	3,212,180	529,365	699,465	4,626,956	3,874,017	See below
Galway	692,015	0	673,892	1,049,691	453,624	See below
Kerry	394,650	98,107	189,074	334,393	45,000	See below
Waterford	123,690	0	1,174,489	1,907,729	223,607	See below
Total	1,700,000	800,962	3,340,355	9,023,959	4,714,773	See below

The provision in my Department's Vote to fund the CAPEX grant scheme for all the Regional Airports in 2010 is €3 million. Grant aid for urgently required work at Knock and Donegal airports was approved for this year together with the completion of projects which had been contractually committed prior to July 2008. Just over €1.06m had been drawn down as at 13th December 2010 by the airports with further funds to be drawn down by year end.

243. **Deputy John Deasy** asked the Minister for Transport the number of passengers inbound and outbound using each regional airport in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47812/10]

**Minister for Transport (Deputy Noel Dempsey):** Passenger numbers at the six Regional Airports since 2005, including those available to date in 2010, are set out below:

Passengers Statistics	Part of 2010	2009	2008	2007	2006	2005
Donegal	Up to Nov. 44,640	50,750	64,532	60,388	56,656	47,776
Galway	Up to Oct. 134,209	194,158	266,897	309,302	248,972	252,897
Kerry	Up to Oct. 346,490	356,247	423,291	389,434	392,400	382,678
Knock	Up to Nov. 555,407	607,228	629,000	556,357	621,171	530,084
Sligo	Up to Nov. 19,780	26,706	42,493	44,533	34,310	39,593
Waterford	Up to Sep. 70,499	111,837	143,465	118,771	82,826	74,357

*Question No. 244 answered with Question No. 236.*

### Public Transport

245. **Deputy Joe McHugh** asked the Minister for Transport in reference to the Public Service Obligation, the total budget allocated to this fund regarding transport; the persons eligible to draw down from this budget and the criteria or technical requirement; the breakdown of the allocation for County Donegal, Bus Éireann and private operators; the way it is awarded and monitored; the actual allocation to each of the above; if a service is discontinued by the operator, what happens to the allocation toward that service; the result of the most recent value for money and performance audit; and if he will make a statement on the matter. [47835/10]

**Minister for Transport (Deputy Noel Dempsey):** The total budget for PSOs for air services for the period July 2010 to July 2011 is €15,563,871 of which €5,906,329 is allocated for PSO air services between Donegal Airport and Dublin and between Sligo Airport and Dublin. These two PSO air services are operated under a combined contract. PSO funding is also provided for air services between Dublin Airport and Kerry, Galway, Knock, and Derry airports.

Contracts for provision of PSO air services are awarded to the successful air carrier following an EU public tendering process. Carriers are required to comply with specific key performance standards which are set out in the relevant contracts. The Value for Money Review of Exchequer Expenditure on the Regional Airports Programme, including regarding PSOs for air services, has been completed and is at present being considered by Government. It is expected that, in the light of that Review, decisions on funding for regional airports in future years will be made shortly. Allocations in respect of bus transport public service obligations is a matter for the National Transport Authority (NTA) based on public service contracts between the NTA and providers, including Bus Éireann.

### Air Services

246. **Deputy Denis Naughten** asked the Minister for Transport further to Parliamentary Question No. 464 of 20 April 2010, if he will update Dáil Eireann on the issues raised; and if he will make a statement on the matter. [47924/10]

**Minister for Transport (Deputy Noel Dempsey):** Statutory responsibility for the regulation of safety standards of civil aviation in the State has been vested in the Irish Aviation Authority (IAA) under the Irish Aviation Authority Act 1993. Following a microlight accident near Carnew, Co. Wicklow in September 2007, the Air Accident Investigation Unit (AAIU) of my Department issued Safety Recommendation (SR) 24 of 2008. This gave rise to the review by the IAA of the regulatory and operational framework of microlight operations in Ireland. The IAA consulted extensively with the National Microlight Association of Ireland (NMAI), other aviation representative bodies and all stakeholders through a public consultation process.



[Deputy Noel Dempsey.]

In August 2010, the IAA published new technical requirements for the licensing and operation of microlights. Aeronautical Notice P.17 was issued on the 26th August 2010. The IAA also published new technical requirements to encourage more foreign microlight pilots to visit Ireland on a temporary basis. While the IAA have now completed the review, they will continue to consult with aviation representative bodies, such as the NMAI, to continuously improve safety in aviation in Ireland. The AAIU has informed me that as the required review has been completed, SR 24 of 2008 is considered closed.

### **Departmental Staff**

247. **Deputy Lucinda Creighton** asked the Minister for Transport the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47972/10]

**Minister for Transport (Deputy Noel Dempsey):** The Department of Transport implements the Performance Management and Development System (PMDS) as agreed in General Council Reports 1368, 1398 and 1452. My Department also has a PMDS Policy which underpins these agreements.

248. **Deputy Lucinda Creighton** asked the Minister for Transport the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47986/10]

**Minister for Transport (Deputy Noel Dempsey):** Details as requested by the Deputy for 2009 and 2010 are as follows. There were 8 staff employed in 2009 on temporary contracts at a cost of €59,683. There were 2 staff employed in 2010 on temporary contracts at a cost of € 39,674. I am not aware of any of the above staff being employed previously in the public service.

### **Commercial Rent Review**

249. **Deputy Ciarán Lynch** asked the Minister for Justice and Law Reform his plans to offer relief under the national recovery plan to retail tenants locked into upward only rent reviews under existing leases having regard to the action points listed in 2.24 of the plan to assist other sectors; if his attention has been drawn to the serious threat to employment in the retail sector unless relief is forthcoming; and if he will make a statement on the matter. [47848/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** One of the Action Points listed in the National Recovery Plan 2011-2014 refers explicitly to the implementation of the proposals of the Working Group on Transparency in Commercial Rent Reviews. The responsibility for addressing this Action Point lies with my Department and I am fully committed to progressing the proposals of the Group in a timely manner.

### **Garda Investigations**

250. **Deputy Terence Flanagan** asked the Minister for Justice and Law Reform if he will deal with a matter (details supplied); and if he will make a statement on the matter. [47708/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I abhor this particularly sinister type of criminality where an employee's family become unwitting players in such acts.

In relation to the particular case referred to by the Deputy, I am informed by the Garda Commissioner that the incident remains the subject of an active and ongoing investigation. I am also informed that a local Detective Sergeant has been appointed to liaise with the individual and the family and has kept them apprised of developments in this investigation. In addition, the Superintendent for the locality is also available to discuss any concerns they may have about the investigation.

My Department has established an office to service the Commission for the Support of Victims of Crime. The Commission funds the Crime Victims Helpline which provides information on what services are available to victims of crime and other supports. It can be contacted at its freephone number: 1850 211 407. I recently launched the 'Victims Charter and Guide to the Criminal Justice System' to help victims of crime. The Charter provides a written framework of rights and entitlements against which crime victims can measure the standard of treatment received in their dealings across all sections of the criminal justice system. It also sets out what a person can do if his/her expectations as a victim are not met.

### **Prison Committals**

251. **Deputy Ciarán Lynch** asked the Minister for Justice and Law Reform the number of children who have a parent in prison each year; the policies in place to mitigate the damage caused to children by the imprisonment of a parent; and if he will make a statement on the matter. [47717/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that the Irish Prison Service does not collect statistics on the children of prisoners.

As part of its overall strategy in relation to the rehabilitation of prisoners, the Irish Prison Service pursues a service-wide approach aimed at sustaining and maintaining prisoners' relationships with their families, in as normal a manner as possible. The Service continues to work in partnership with the Probation Service and other statutory, voluntary and community agencies and services to provide best possible service and supports to prisoners' families.

Purpose-built centres for prison visitors are located outside the main entrances of Mountjoy Prison, St. Patrick's Institution, Limerick Prison, Cloverhill Prison and the Midlands Prison and Castlerea. They offer comfortable waiting facilities, light refreshment and, in some instances, a crèche.

Under the Prison Rules sentenced prisoners are entitled to one visit per week but additional special visits for compassionate or family reasons are approved at the Governor's discretion. The option of providing longer visits may be granted where circumstances permit. Remand prisoners are entitled to a visit on any week day. Sentenced prisoners are also entitled to one phone call per day while remand prisoners are entitled to not less than five phone calls per week. The Governor of the prison also has the discretion to grant prisoners special phone calls for family compassionate reasons.

The majority of visits are supervised in sight, but not in hearing, of prison staff to ensure good order and security and to prevent the passing of contraband. Some institutions have visiting boxes or family rooms that trusted prisoners can avail of for non-screened family visits. The 'family visit' system is incentive based and is very successful. Prisoners are facilitated with non-screened family visits if they take a full and active part in the regime available and if they have not had a disciplinary report for a period of time in advance of the family visit taking place.

Families can also expect that offenders will be accommodated close to them. Prisoners are accommodated in prisons as close to their family where possible subject to operational and

[Deputy Dermot Ahern.]

security considerations. It is open to all prisoners to apply for temporary release for milestone family events such as communions, confirmations etc. All requests for temporary release or escorted outings are considered on a case by case basis and subject to appropriate security considerations.

### **Proposed Legislation**

252. **Deputy Thomas P. Broughan** asked the Minister for Justice and Law Reform the measures he will take to review the activities of cash-for-gold operations; and if he will make a statement on the matter. [47721/10]

257. **Deputy Martin Ferris** asked the Minister for Justice and Law Reform his views on the proliferation of gold for cash shops where gold is bought over the counter with seemingly no requirement to produce evidence of direct ownership; his plans to tackle this area which many believe is encouraging theft; and if he will make a statement on the matter. [47849/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I propose to take Questions Nos. 252 and 257 together.

The Deputy will be aware that there has been a significant increase in the number of outlets offering to buy gold for cash in towns and cities in the State. I understand that some established jewellers also offer to buy gold and jewellery for cash. In addition it is understood that many kiosks are situated in hotels or shopping centres operated by individuals that are employed by a number of companies buying gold for cash. The prevalence of this trade would appear to be linked to the high price that gold now commands on international markets, and the 'cash for gold' concept would appear to be an international phenomenon. I am aware that the trade gives rise to concerns reported in communities about crime that may be linked to the cash for gold trade.

The informal purchase of jewellery is not specifically regulated in criminal legislation; however the circumstances under which jewellery is being bought and/or sold may indicate the commission of certain offences, for example handling stolen property and / or possession of stolen property under sections 17 and 18 of the Criminal Justice (Theft and Fraud Offences) Act, 2001.

Section 17 of the Act in essence provides that a person is guilty of handling stolen property if he or she, knowing that the property was stolen or being reckless as to whether it was stolen, dishonestly receives or arranges to receive it, or undertakes, or assists in, its retention, removal, disposal or realisation by or for the benefit of another person, or arranges to do so. A person guilty of handling stolen property is liable on conviction on indictment to a fine or imprisonment for a term not exceeding 10 years or both.

Section 18 of the Act in essence provides that a person who, without lawful authority or excuse, possesses stolen property knowing that the property was stolen or being reckless as to whether it was stolen, is guilty of an offence. A person guilty of an offence under this section is liable on conviction on indictment to a fine or imprisonment for a term not exceeding 5 years or both.

An Garda Síochána enforce the provisions of the criminal law in respect of theft and robbery including the theft and robbery of jewellery and gold. Should members of the public have suspicions that goods being sold or traded may be stolen, the correct action is for these suspicions to be referred to An Garda Síochána for investigation.

To take account of concerns about the matter, my Department last month formally asked the Commissioner of An Garda Síochána to ascertain his view as to the extent, if any, that criminal offences are being committed in the procurement and receipt of gold and similar items in transactions carried out at the cash for gold locations. In particular the Commissioner has been requested to examine whether the trade may be linked generally or in particular areas to burglary offences; whether Criminal Justice legislation, and in particular, the Criminal Justice (Theft and Fraud Offences) Act 2001 is adequate in the context of cash for gold transactions; whether criminal elements involved in organised crime or otherwise may be connected with the operation and ownership of the cash for gold outlets; and whether any new legislative provision may be required to address criminality in respect of cash for gold transactions.

I can assure the Deputy that as soon as the outcome of this examination of the matter is to hand, I will make an assessment as to what if any action, legislative or otherwise may be required.

### **Road Traffic Offences**

253. **Deputy Finian McGrath** asked the Minister for Justice and Law Reform the position regarding parking problems at a location (details supplied) in Dublin 5. [47736/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the location referred is in Raheny Garda Sub-District. Local Garda management is aware of difficulties being experienced at the location.

The member of the local Community Policing Unit allocated to the area has been in contact with local residents and the management of educational facilities nearby. The Garda authorities understand that the educational facilities have contacted parents in relation to the matter.

The area is subject to patrols, particularly during peak traffic periods, by Garda Sub-District and District personnel, including Divisional Traffic Corps personnel. Fixed charge penalty notices and parking fines are regularly issued for offences contrary to the Road Traffic Acts detected in the locality.

Residents have been advised to report any further such incidents. Local Garda management will continue to monitor the situation.

### **Deportation Orders**

254. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform the number of applications to revoke a deportation order and the number of deportation orders revoked in 2009 and 2010. [47742/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** In reply to the Deputy's question on the number of applications to revoke a Deportation Order, these statistics are not recorded in my Department in a manner as would enable me to readily provide the Deputy with the requested information. Any piece of correspondence submitted on behalf of an applicant after a Deportation Order is made against them is potentially an application to revoke the Deportation Order. However, not all such pieces of correspondence are accepted as applications to revoke. Therefore, the Deputy will appreciate that the extraction and complication of such information would involve the deployment of staff from core duties such as case processing to manually examine and cross reference an inordinate amount of files. This could not be justified as an effective use of staff where there are other significant demands on such resources within my Department.

[Deputy Dermot Ahern.]

A total of thirty four deportation orders were revoked in 2009 and a further twenty eight have been revoked up to 10th December 2010.

### Refugee Status

255. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Law Reform the number of proposals to revoke a persons refugee status he has issued, and the number of persons whose refugee status has been revoked in 2009 and 2010. [47743/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** In 2009, twenty eight letters proposing to revoke refugee status were issued. In eleven of those cases status was revoked. To date, in 2010, thirty two letters proposing to revoke refugee status have been issued and status has been revoked in twenty four cases.

### Illegal Immigrants

256. **Deputy John Deasy** asked the Minister for Justice and Law Reform the number of persons refused entry at Irish airports each year for the past five years and to date in 2010; and if he will make a statement on the matter. [47810/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** The following table shows the total number of persons refused Leave to Land, pursuant to the provisions of Immigration Act, 2004, for each year between 2005-2010:

Year	Number
2010	2,811 (to 30 November 2010)
2009	3,857
2008	5,390
2007	5,854
2006	5,556
2005	4,714
Total	28,182

However, a number of those persons who had been refused Leave to Land were subsequently permitted to enter the State, having made application for protection pursuant to the provisions of the Refugee Act, 1996, as amended. The following table shows the number of such persons, for each year between 2005 and 2010:

Year	Number
2010	284 (to 30 November 2010)
2009	317
2008	345
2007	454
2006	506
2005	449
Total	2,355

*Question No. 257 answered with Question No. 252.*

### Departmental Staff

258. **Deputy Leo Varadkar** asked the Minister for Justice and Law Reform if any staff have been promoted in his Department in the past six months; the reason for same; and if he will make a statement on the matter. [47856/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** The staffing numbers of my Department and agencies staffed by it have declined by in excess of 300 since the Moratorium on recruitment and promotion in the public service was introduced at the end of March 2009. The Department of Finance has sanctioned the filling of a limited number of priority posts as exceptions to the Moratorium, which has led to a small number of promotions over the last six months.

### Prison Staff

259. **Deputy Denis Naughten** asked the Minister for Justice and Law Reform his plans to recruit prison officers; and if he will make a statement on the matter. [47946/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** The Deputy will be aware that in accordance with Government Decisions on the implementation of savings measures on public service numbers, more generally referred to as the moratorium on public sector recruitment, filling of vacancies in the Irish Prison Service is subject to the approval of the Minister for Finance. I am pleased to advise the Deputy that sanction has been granted by the Minister for Finance to recruit an additional 80 recruit prison officers, from an existing recruitment panel, to meet the immediate needs of the prison service particularly in view of new prison places coming on stream. I can further advise that it is envisaged that the new recruits will begin training in early 2011.

### Garda Recruitment

260. **Deputy Denis Naughten** asked the Minister for Justice and Law Reform his plans to recruit gardaí; and if he will make a statement on the matter. [47947/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** 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.

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.

### Departmental Staff

261. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47969/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** The Public Service Agreement 2010-2014 contains a commitment to significantly improve performance management across all Public Service areas with promotion and incremental progression linked in all cases

[Deputy Dermot Ahern.]

to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures.

Performance in my Department is managed under the Civil Service wide Performance Management Development System (PMDS) and is already linked to promotion and to incremental progression. My Department is continuing to make every effort to strengthen and improve the process in particular in relation to the identification and management of under-performance.

262. **Deputy Lucinda Creighton** asked the Minister for Justice and Law Reform the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47983/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I would refer the Deputy to my reply to Parliamentary Question No 273 for answer on 9 November, 2010, in which I provided information on the salary costs for 2008 and 2009 for staff employed on fixed term contracts.

In 2010 the Department employed a total of 22 staff on temporary fixed term contracts at a total salary cost of approximately €1 million. These figures do not include individuals who were appointed for short periods to cover shortfalls arising from staff absences on the shorter working year scheme etc or individuals who were appointed on work placements.

It is not possible to provide the information requested on the number of such staff who have been previously employed in the public service as a full employment history would not exist in all cases.

### **Garda Strength**

263. **Deputy Joan Burton** asked the Minister for Justice and Law Reform the number of community police currently stationed at Blanchardstown station in Dublin 15; and if he will make a statement on the matter. [47998/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I am informed by the Garda authorities that the personnel strength of the Community Policing Unit Blanchardstown Garda Station, as at the latest date for which figures are readily available was 23.

The Deputy will appreciate that, as with any large organisation, the numbers in any unit will fluctuate from time to time due to, for example, transfers, retirements, resignations etc.

### **Child Maintenance Orders**

264. **Deputy Joanna Tuffy** asked the Minister for Justice and Law Reform his plans to bring in new legislation in respect of child maintenance debtors; the changes planned; and if he will make a statement on the matter. [48008/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** My proposals for the better enforcement of maintenance orders are contained in section 22 of the Civil Law (Miscellaneous Provisions) Bill 2010 which is before the House.

### **Censorship Measures**

265. **Deputy Joanna Tuffy** asked the Minister for Justice and Law Reform his plans to regu-

late the placing of magazines with adult content on shelves in retail outlets; and if he will make a statement on the matter. [48009/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** I can inform the Deputy that any person may make a complaint regarding a publication to the independent Censorship of Publications Board in accordance with the provisions of the Censorship of Publications legislation, and in particular the Censorship of Publications Regulations, 1980. The Board's only function is to decide whether or not to prohibit a publication. In the event that a publication is prohibited it is an offence to sell or distribute that publication. Neither my Department nor the Board has any power to apply restrictions with respect to the display in retail outlets of items which are not prohibited under the Act.

### Proposed Legislation

266. **Deputy Noel Ahern** asked the Minister for Justice and Law Reform regarding the proposed new legislation on begging; the position regarding same; the stage same is at; if it is his priority and intention to have it passed into law during the course of the life of this Dáil; and if he will make a statement on the matter. [48017/10]

**Minister for Justice and Law Reform (Deputy Dermot Ahern):** The Criminal Justice (Public Order) Bill 2010, when enacted, will provide a basis for dealing with the public order aspects of begging. The Bill has completed Committee Stage in the Dáil and is awaiting Report Stage. It will then be presented to the Seanad.

The Bill is in response to the High Court's judgement in *Dillon v. The DPP*. The Court held that the legislation previously used, namely, section 3 of the Vagrancy (Ireland) Act 1847, was unconstitutional.

The Bill creates an offence of begging and, in addition, it gives the Gardaí important new powers to direct persons who are begging to desist and to move on from the area. These powers may be exercised at a variety of locations, including in the vicinity of ATMs, vending machines, entrances to private dwellings and business premises.

I am pleased to say that arising from amendments brought by me and accepted at Committee Stage, the Bill now also includes new offences relating to organised begging. Penalties of up to five years imprisonment are proposed.

I am aware of the importance of this Bill and of the concerns expressed by traders and others about begging. I am therefore very keen to have the legislation enacted without delay.

### Overseas Development Aid

267. **Deputy Denis Naughten** asked the Minister for Foreign Affairs the impact of the 2011 Estimate on the overseas development aid budget; and if he will make a statement on the matter. [47710/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** For 2011, the Government has provided an overall allocation for Official Development Assistance (ODA) of €669 million. Of this total, €534 million will be administered by the Department of Foreign Affairs and a further estimated €135 million will come from other Government Departments, including Ireland's share of the EU Development Cooperation budget. The 2011 allocation ensures our ODA effort is stabilised at approximately 0.52% of GNP which remains ahead of the EU average. 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. As I have stated many times the stabilisation of our public finances and the return of



[Deputy Micheál Martin.]

economic growth are the best foundations for restoring growth to the development aid programme.

The Government's aid programme is the Irish people's aid programme. We are proud of its strong international reputation for quality and effectiveness and in particular for its sharp focus on the poorest countries and communities in sub-Saharan Africa. I am determined to maintain the high quality of our aid programme and ensure that we continue to deliver a programme that has maximum impact and is rigorously focused on achieving clear results for the lives of the poor and the hungry.

Ireland has provided international leadership on the issue of hunger and nutrition over the last two years. The recent publication of the Report of the Hunger Envoy has outlined clearly the achievements to date. These achievements have been lauded by other donor partners, particularly the United States, and by many of our own NGOs, including Dochas, the umbrella body for key NGOs. Next year's ODA budget will ensure that we continue to save lives and rebuild livelihoods in some of the poorest countries in the world, including those affected by conflict.

### Human Rights Issues

268. **Deputy Brian O'Shea** asked the Minister for Foreign Affairs if he will support the campaign of the Baha'i international community for the release of seven former members of the Yaran group in Iran (details supplied) and all the Baha'is who are imprisoned throughout Iraq; and if he will make a statement on the matter. [47860/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** As the Deputy will be aware from my previous replies on this matter, I am very conscious of the discriminatory treatment of the Baha'i community in Iran and of the particular case of the seven former Baha'i community leaders (known collectively as the Yaran), who have been in detention since 2008 and were sentenced to 20 years' imprisonment in August 2010, with this sentence subsequently being reduced to ten years. I have received a copy of the recent letter sent by the Baha'i community in Iran to the Head of the Iranian Judiciary, Ayatollah Larijani, asking for the release of these detainees, a call which I fully support as I know do many Members of this House. I have personally raised the case of the seven imprisoned Baha'i leaders, and matters relating to human rights and religious freedom generally, directly with the Iranian authorities at the highest levels, including with the Iranian Foreign Minister in June this year. In addition, my Department frequently conveys my concerns on such matters to the Iranian Ambassador here. Officials of my Department also meet regularly with members of the Baha'i community in Ireland.

The EU High Representative issued a strong declaration on 12 August, which Ireland fully supported, expressing the EU's serious concern about the sentencing and calling for their immediate release. The declaration drew attention to Iran's obligations to guarantee freedom of religion under the International Covenant on Civil and Political Rights, to which Iran is a signatory. It also called on Iran to put an end to the persecution of the Baha'i community. This follows an earlier EU statement on 12 January, also strongly supported by Ireland, asking that the trial respect international standards. In the event, there was no independent observation of the proceedings and even the defendants' lawyers, to whom the Baha'i had very limited access during their detention, had some difficulty in obtaining entry. There appears to be no evidence that the seven Baha'i have done anything to incur the displeasure of the Iranian authorities other than practice their faith.

The Government is extremely concerned about this sentencing and other signs of the continued and indeed worsening oppression of the Baha'i minority, including reports of the detention of other Baha'i community members, the denial of education and the violation of property rights. It would appear that the Iranian authorities are persecuting a minority for their religious beliefs and that they are actively trying to suppress that faith. Ireland will continue to call strongly for the immediate release of the seven Baha'i leaders and the end to the persecution of members of this faith in Iran, including through bilateral contacts, with our EU partners and at the UN.

### Departmental Staff

269. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47967/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The original Performance Management and Development System (PMDS) for the civil service was introduced in May 2000 following central discussions between Civil Service Management and Unions. Following its evaluation by external consultants in June 2004 it was agreed to expand the system in June 2005 by integrating it with other aspects of human resource management including in relation to increments and promotion. The Public Service Agreement, 2010-2014, contained a commitment to further significantly improve PMDS and this process is underway. In particular, greater emphasis will in future be placed on addressing under-performance through training or, where necessary, through the disciplinary process. My Department remains fully committed to the PMDS process and will continue to leverage it and related training supports to further improve individual and collective skill levels, performance and output.

270. **Deputy Lucinda Creighton** asked the Minister for Foreign Affairs the number of staff working within his Department who were employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47981/10]

**Minister for Foreign Affairs (Deputy Micheál Martin):** The information requested by the Deputy in respect of my Department is set out in the table below. Information regarding the previous public service employment of the staff in question, if any, is not readily available.

Post	Numbers employed in 2009	Salary Scales	Number employed in 2010	Salary Scales
Temporary Clerical Officers	53	Clerical Officer Standard Scale €23,175 – €37,584 per annum	52	Clerical Officer Standard Scale €22,015 – €35,515 per annum
Interns	8	Executive Officer Standard Scale €30,566 – €48,504 per annum	8	Executive Officer Standard Scale €29,024 – €45,616 per annum
Junior Professional Interns Irish Aid	21	Executive Officer Standard Scale €30,566 – €48,504 per annum	21	Executive Officer Standard Scale €29,024 – €45,616 per annum
Press Officer Irish Aid	1	Assistant Principal Higher Scale €72,681 – €90,884 per annum	1	Assistant Principal Higher Scale €67,913 – €84,296 per annum
Field Information Officer Irish Aid	1	Assistant Principal Standard Scale €66,179 – €82,520 per annum	1	Assistant Principal Standard Scale €61,966 – €76,768 per annum

[Deputy Micheál Martin.]

Post	Numbers employed in 2009	Salary Scales	Number employed in 2010	Salary Scales
Special Advisers to the Ministers	4	Principal Officer Standard Scale €86,168 – €106,582 per annum (1 officer also receives a 10% attraction allowance)	4	Principal Officer Standard Scale €80,051 – €98,424 per annum (1 officer also receives a 10% attraction allowance)
Other Ministerial Staff	3	Secretarial Assistant Scale €23,182 – €44,727 per annum plus a 10% attraction allowance	3	Secretarial Assistant Scale €22,023 – €42,122 per annum plus a 10% Attraction Allowance
	1	Higher Executive Officer Standard Scale per annum €46,558 – €59,097	1	Higher Executive Officer Standard Scale €43,816 – €55,415 per annum
	1	Parliamentary Assistant Scale €41,092 – €52,200 per annum plus a 10% attraction allowance	1	Parliamentary Assistant Salary €38,760 – €49,035, plus a 10% Attraction Allowance
	1	Executive Officer Standard Scale €30,566 – €48,504 per annum	1	Executive Officer Standard Scale €29,024 – €45,616 per annum
Temporary Civilian Drivers	4	Temporary Civilian Driver €33,977 per annum	4	Temporary Civilian Driver €32,965 per annum
Temporary Cleaners	1	Cleaners Standard Scale €20,914 – €23,690 per annum	1	Cleaners Standard Scale €19,868 – €23,067 per annum
Short Time Consultancy Assignment	1	€3,633.76 net amount paid	1	€7,018.49 net amount paid

In some of the above cases the staff were employed for only a part of the year in question. In the time available it has not been possible to establish the total annual cost in respect of each post.

Overtime, travel and subsistence expenses are paid in accordance with normal civil service regulations.

The above figures exclude persons on temporary contacts in missions abroad.

### Departmental Programmes

271. **Deputy Richard Bruton** asked the Minister for Social Protection the intended reduction in funding for the community service programme in 2011; the areas which will be affected by the cut; his views on whether such a reduction in funding will correspond with a diminution in the quality of the service which is provided; if changes to the minimum wage will have an impact; and if he will make a statement on the matter. [47822/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The contracts with all 445 service providers funded by the Community Services Programme will expire at the end of December 2010. Contracts for up to three years from the 1st January 2011 are being offered to the service providers approved. These contracts are subject to satisfactory performance of the contract holders and the continued eligibility of services provided and the annual provision of resources for the Community Services Programme. It is expected that the contract renewal process will be completed very shortly. For the majority of contract holders there has been no reduction on the previous level of grant support.

Given the nature of the Programme, some variation in grant support, upwards and downwards will occur to reflect changes in the service provision or in the level of Programme supported staff. A number of contract holders will see a reduction in the level of overall value of

the contract as the process of eliminating the non-wage element of the grant is completed. In such circumstances, the contract holder may seek to have the grant reduction reviewed where the elimination of this element of the grant causes short term financial hardship or where the longer term financial viability of the organisation is in doubt.

The Deputy should be aware that it is a requirement of the Community Services Programme that supported services generate a substantial proportion of their income from fees, charges and profits from traded services and that they should not be wholly reliant on the Programme for non-wage or operational funds.

### **Social Welfare Appeals**

272. **Deputy John O'Mahony** asked the Minister for Social Protection the reason for the ongoing delay in finalising the unemployment assistance claim in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [47741/10]

**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 22 September 2010 together with the relevant Departmental papers and comments by or on behalf of the Deciding Officer and have since been referred to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 44% in the number of appeals received in the first eight months of 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

A number of initiatives have been put in place to enhance the capacity of the office to deal with the current caseload and inflows. In that regard: 3 additional Appeals Officers were assigned to the Office in 2009; a number of additional staff were assigned to the administration area of the Office; the organisation of the Appeals Officer's work has been changed so as to increase productivity; a project to improve the business processes in the office was undertaken which has resulted in a number of improvements being implemented; and significant enhancements have been made to the office's IT and phone systems.

In addition, it was decided to use experienced retired staff strictly on a short term basis to supplement the current resources and the services of eight retired officers have now been secured on a part-time basis and have been operating since July.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Ministerial Appointments**

273. **Deputy Michael Ring** asked the Minister for Social Protection the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form [47794/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The three statutory bodies operating under the aegis of the Department are the Social Welfare Tribunal, the Citizens Information Board and the Pensions Board. In addition, the Pensions Ombudsman comes under the remit of the Department.

As Minister for Social Protection, I appointed the chairperson of the Pensions Board on 28 June 2010.

This is the only appointment to the boards of any of the above statutory bodies from 1 June 2010 to date.

### Social Welfare Benefits

274. **Deputy John Deasy** asked the Minister for Social Protection the number of pensioners in Waterford currently in receipt of the over 80 years allowance and the number in Waterford in receipt of the over 80 years allowance in each of the past five years; the amount paid under the over 80 years allowance in Waterford in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47806/10]

275. **Deputy John Deasy** asked the Minister for Social Protection the number currently receiving the living alone allowance in Waterford and in each of the previous five years; the amount paid in Waterford under the living alone allowance in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47807/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** I propose to take Questions Nos. 274 and 275 together.

The information requested by the Deputy is not available on a county basis.

### Social Welfare Appeals

276. **Deputy Michael Creed** asked the Minister for Social Protection if he has received an appeal regarding a disability allowance application in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [47817/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** I am informed by the Social Welfare Appeals Office that an appeal, for the person concerned, has not been received by that office. A form for the opening of an appeal has been forwarded to the person concerned and requesting him to state the grounds for his appeal. On receipt of his reply the appeal will be opened and processed in the normal manner.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Departmental Funding

277. **Deputy Joe McHugh** asked the Minister for Social Protection with regard to Pobal funding granted by the Department to Bus Éireann and to private operators in County Donegal, if she will provide the free travel pass budget and the way it is allocated; the total budget allocated to the free travel pass scheme nationally; the persons eligible to draw down from this budget and the criteria or technical requirements; the Bus Éireann allocation for County Donegal; the private operators allocation for County Donegal; the break down of the number of operators and the amount awarded to each; the actual monetary amount per passenger journey; the way this is awarded and monitored; if it is calculated per passenger carried

and allocated on a reimbursable basis on block amount or per year; if there is any form of compensation awarded due to extreme remoteness and high level of deprivation in County Donegal; if a service is discontinued by the operator, the position regarding the awarded allocation toward that service; the result of the most recent value for money and performance audit; and if he will make a statement on the matter. [47833/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The total estimated budget allocation for the Free Travel scheme for 2010 was €77 million. This includes an allocation to Pobal of € 1.5 million for funding to Rural Transport Programmes throughout Ireland. The estimated provision for 2011 is also €77 million and the apportionment of this funding will not be available until early in the New Year.

Participation in the Free Travel Scheme is open to public and private transport operators who wish to participate in the scheme subject to my Department's guidelines and Department of Transport criteria. Rates of payment are reviewed annually and adjusted on the basis of changes in rates of fares and numbers of eligible customers. Payment is made on the basis of fares foregone.

My Department pays the CIÉ Group centrally in respect of transport services provided and the apportionment of payments per county is a matter for the CIÉ Group.

The following is a breakdown of the number of private operators and amount awarded to each in County Donegal for 2009.

Transport Provider	2009
	€
Cómharchumann Thoraf Teo	2,000
Doherty Travel	124,000
Donegal Coaches	14,000
Feda O' Donnell	129,000
Foyle Coaches	162,000
John McGinley	214,000
Joseph Mangan	39,000
Londonderry & Lough Swilly	391,000
Maoin na Farrage Teo	11,000
McGeehan Coaches	105,000
Ostán Thóraigh	29,000
Patrick Gallagher (Brinaleck)	90,000
Patrick Gallagher (Churchill)	23,000
Réalt na Maidne Teo	40,000
Turasmara Teo	9,000

Payment is made to operators on the basis of 70% of cost of passenger journey and detailed passenger activity data presented by the operators. Operators currently invoice my Department on a monthly/bi-monthly /quarterly basis having regard to passenger usage but this is in the process of being changed. With effect from 2011 all operators are being requested to submit their invoices on a monthly basis.

Route analysis, provision of transport services and the review to which the Deputy refers are all matters for my colleague, the Minister for Transport.

### Community Development

278. **Deputy Joe McHugh** asked the Minister for Social Protection further to Parliamentary Question No. 215 of 30 November 2010, his views on the prospects of the application for the additional FTE so that the relevant organisation will be able to plan this month for the services it will provide next year, given the short amount of time left in this month; and if he will make a statement on the matter. [47836/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** I have in recent days approved the offer of funding for this co-operative to contribute to the cost of employing a manager and four and a half full-time equivalent staff members for three years from the 1st January 2011. As indicated in my reply of 30th November 2010, the contract is subject to satisfactory performance of the services, continued provision of resources for the Community Services Programme and the continued eligibility of activities undertaken by the co-operative. The additional staffing requirement is reflected in the contract offer. The co-operative will be required to generate significant additional resources from its activities over the course the contract in order to maintain this level of Programme support.

### Social Welfare Benefits

279. **Deputy Denis Naughten** asked the Minister for Social Protection the number of domiciliary care allowance applications received, granted, refused, on hand, appealed in 2010; the average processing time; the corresponding figures for 2009; and if he will make a statement on the matter. [47844/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The Department has been accepting new claims for Domiciliary Care Allowance (DCA) since the 1st of April 2009. This follows the transfer of the scheme from the Health Service Executive on foot of a Government decision to reallocate certain functions between Departments and Agencies as part of the health service reform programme.

In the period 1st April 2009 to 31st December 2009 a total of 3,389 DCA applications were registered by the Department, of which 2,823 were fully processed in 2009. Of these applications, 1,031 were awarded and 1,792 refused. 836 appeals were registered in 2009.

In the period 1st January 2010 to 30th November 2010 a total of 5,256 applications were registered by the Department. In this period 2,006 applications have been awarded, 3,188 applications refused and there are currently 628 claims pending decision. 1,807 appeals have been registered to end November 2010.

In 2009 the average time taken to process a DCA application was 7 weeks, while the average processing to date in 2010 is 8 weeks.

280. **Deputy Willie Penrose** asked the Minister for Social Protection when an application for mortgage allowance in respect of a person (details supplied) in County Westmeath will be processed; and if same can be expedited. [47866/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The Health Service Executive (HSE) has advised that they have requested additional information in relation to the application for mortgage interest supplement from the person in question. A decision will be made on this application when the information has been provided.

281. **Deputy John Deasy** asked the Minister for Social Protection the amount paid to persons in receipt of rent allowance in County Waterford in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47897/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. Details of expenditure on rent supplement are not available on a county basis.

*Question No. 282 withdrawn.*

283. **Deputy John Deasy** asked the Minister for Social Protection the amount paid to persons in Waterford city and county in receipt of illness benefit in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47905/10]

284. **Deputy John Deasy** asked the Minister for Social Protection the amount paid to persons in Waterford city and county in receipt of occupational injury benefit in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47906/10]

285. **Deputy John Deasy** asked the Minister for Social Protection the amount paid to persons in Waterford city and county in receipt of injury benefit in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47907/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** I propose to take Questions Nos. 283 to 285, inclusive, together.

Expenditure on illness benefit and injury benefit under the scheme of occupational injuries benefits is not recorded on a geographic basis. Accordingly, the information requested by the Deputy is not available.

### **Departmental Staff**

286. **Deputy Lucinda Creighton** asked the Minister for Social Protection the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47970/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** My Department is currently engaged in an extensive multi-year programme of modernisation, involving fundamental redesign of its business processes and the supporting ICT infrastructure. This has already led to efficiencies and service improvements and also entails the enhancement of measures to further embed the implementation of a performance culture based on achieving outcomes. The Performance Management and Development System is an important element of this process.

The Public Service Agreement 2010-2014 contains a commitment “to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures”.

In the civil service work is well underway towards achieving this goal. The 2010 Evaluation of PMDS has been completed. Negotiations with the Unions have commenced in relation to how PMDS can be strengthened. Performance management in the civil service is already linked to promotion and to incremental progression and the systems in place to address underperformance are now being assessed.



287. **Deputy Lucinda Creighton** asked the Minister for Social Protection the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47984/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** Temporary staff are recruited by this Department to cover absences of permanent staff on maternity leave, long term sick leave, other statutory leave and also to provide cover for some staff availing of the shorter working year scheme. They are also recruited to alleviate work pressure in certain areas.

Temporary contracts are offered for a fixed purpose and the term can vary according to the purpose of the contract.

In 2009, a total of 582 temporary staff were employed by the Department of Social Protection. Of this figure 246 people were previously employed in the public service, in either a temporary or a permanent capacity. The gross cost to the Department was €5,745,388.

In 2010 to date, a total of 579 temporary staff were employed by the Department of Social Protection. Of this figure 266 people were previously employed in the public service, in either a temporary or a permanent capacity. The gross cost to the Department was €5,912,966.

The cost of the recruitment of temporary staff can be offset by the fact that permanent staff on certain statutory leave and those availing of the shorter working year scheme are on unpaid leave.

### Departmental Offices

288. **Deputy Joanna Tuffy** asked the Minister for Social Protection his plans to open a further social welfare office in Lucan; and if he will make a statement on the matter. [48001/10]

**Minister for Social Protection (Deputy Éamon Ó Cuív):** The Office of Public Works (OPW) has responsibility for the acquisition and maintenance of office accommodation for the Department of Social Protection. The Department has requested the OPW to give a high priority to the provision of a new local office to serve the Lucan area.

Jobseeker claims for people living in the Lucan area are administered by the Social Welfare Local Office in Clondalkin. Signing-on for the majority of jobseekers occurs once in any 4-week period. However, to avoid the necessity for people in Lucan to travel to Clondalkin, they may sign-on at a signing centre in Lucan village.

The signing centre in Lucan was open 2 days per month. However, with the increasing numbers claiming Jobseeker's payments, this was increased to 4 days and subsequently to 5 days per month since July 2010. The Department is keeping this arrangement under review.

### Social Welfare Appeals

289. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection if the appeals process will be expedited in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [48041/10]

**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 25 August 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 23 September

2010 and the appeal has been referred 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

290. **Deputy Michael Ring** asked the Minister for Tourism, Culture and Sport the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47795/10]

**Minister for Tourism, Culture and Sport (Deputy Mary Hanafin):** The information requested by the Deputy is set out in tabular form hereunder.

Name of appointee	Body to which appointment made	Date of Appointment
Mr. Patrick McMahon	National Library of Ireland	31/08/2010
Professor Diarmaid Ferriter	National Library of Ireland	31/08/2010
Dr. Marion Fitzgibbon	National Library of Ireland	31/08/2010
Ms. Pat Quinn	National Library of Ireland	31/08/2010
Mr. Paul Rellis	National Library of Ireland	31/08/2010
Ms. Carol Maddock	National Library of Ireland	31/08/2010
Mr. Des mArnane	National Library of Ireland	31/08/2010
Mr. Brian Halpin	National Library of Ireland	03/09/2010
Professor Robert Spoo	National Library of Ireland	03/09/2010
Mr. H. Paul Showlin	National Library of Ireland	17/09/2010
Ms. Susan Philips	National Library of Ireland	17/09/2010
Mr. Tim Lucey	Crawford Art Gallery Cork	20/10/2010
Mr. Eoin McGonigal (Chair)	Irish Museum of Modern Art	09/07/2010
Dr. John O'Mahony (Chairman)	National Museum of Ireland	21/10/2010
Mr. Gerard Collins	National Museum of Ireland	21/10/2010
Mr. Fergus McKenna O'Hagan	National Museum of Ireland	21/10/2010
Mr. Eamonn McEneaney	National Museum of Ireland	21/10/2010
Mr. Eamon Stack	National Museum of Ireland	21/10/2010
Ms. Eileen Jackson	National Museum of Ireland	21/10/2010
Mr. Olivier Kazmierczak	National Museum of Ireland	21/10/2010
Ms. Mary Sleeman	National Museum of Ireland	21/10/2010
Ms. Frances Rocks	National Museum of Ireland	21/10/2010
Mr. Paul Kelly	National Museum of Ireland	21/10/2010
Mr. Kieran Mulvey (Chairman)	Irish Sports Council	16/09/2010
Mr. Colm O'Floinn	Culture Ireland	08/10/2010
Mr. Kevin Dundon	Fáilte Ireland	03/09/2010
Ms. Marguerite Howley	Fáilte Ireland	03/09/2010
Ms. Mary Coveney	Fáilte Ireland	03/09/2010
Ms. Susan Bergin	Fáilte Ireland	17/11/2010

### Harbours and Piers

291. **Deputy Jimmy Deenihan** asked the Minister for Tourism, Culture and Sport if she has

[Deputy Jimmy Deenihan.]

received representations regarding the development of a pier at Doolin, County Clare and the potential impact this will have on surfing in the area; her views that this development will have a negative impact on tourism in the area; and if she will make a statement on the matter. [47859/10]

**Minister for Tourism, Culture and Sport (Deputy Mary Hanafin):** My Department received representations in August of this year, seeking a meeting with me to discuss this matter. Due to other commitments, it was not possible for me to meet with the person concerned. A separate query for reply, also received in August, was referred to the Minister for Environment, Heritage and Local Government for direct reply.

I am advised by Fáilte Ireland that it welcomes the proposed development in principle due to the improved services and infrastructure that would be provided for visitors. However, Fáilte Ireland also recognises the importance of surfing as a tourist activity, and that the particular area in question is known internationally to provide some of the best surfing in the country.

Fáilte Ireland wrote to the Planning Section of Clare County Council on 13 August 2010 outlining its concerns regarding this proposed development and requested that Clare County Council re-examine the proposal to ensure that the improvement of the pier facilities can proceed without compromising the amenity value of the area for surfers.

### **Sports Capital Programme**

292. **Deputy Emmet Stagg** asked the Minister for Tourism, Culture and Sport if the sports capital programme and the local authority swimming pool programme will recommence in 2011 [47872/10]

**Minister for Tourism, Culture and Sport (Deputy Mary Hanafin):** Under the Sports Capital Programme, which is administered by my Department, and part funded from the proceeds of the National Lottery, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. While no new call for applications for funding has been made since 2008 over 1,000 payments have been made so far in 2010 and all of the €48m provided in the estimates will be distributed to clubs across the country by the end of the year. For 2011 a provision of €28m has been made to cover the payment of grants previously allocated.

Given the current budgetary situation and the high level of outstanding commitments it was considered prudent to pause prior to announcing the next round of the Programme and no date has been set for the next round of the Programme.

It is not intended to launch a new round of the Local Authority Swimming Pool Programme in 2011.

### **Departmental Staff**

293. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport the performance management systems implemented in her Department as specified in the Public Service Agreement 2010-2014; and if she will make a statement on the matter. [47971/10]

**Minister for Tourism, Culture and Sport (Deputy Mary Hanafin):** The Public Service Agreement, 2010-2014, contains a commitment “to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary,

through disciplinary procedures". I wish to assure the Deputy that my Department is fully committed to implementation of this Agreement through the use of the Performance Management and Development System (PMDS) in managing the performance, career and development needs of each staff member. PMDS links directly into the Department's Human Resource processes and is used for all decisions in relation to increments, promotion competitions and higher scale posts.

294. **Deputy Lucinda Creighton** asked the Minister for Tourism, Culture and Sport the number of staff working within her Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if she will make a statement on the matter. [47985/10]

**Minister for Tourism, Culture and Sport (Deputy Mary Hanafin):** The number of staff working within my Department in 2009 who were employed on a short-term, temporary or consultative basis was 5 and the cost was €216,201. The figure for 2010 was 6 and the cost was €200,778. On the basis of the records available I am not in a position to indicate the number of such staff who have been previously employed in the public service

### Coastal Protection

295. **Deputy P. J. Sheehan** asked the Minister for the Environment, Heritage and Local Government when an application for foreshore works (details supplied) will be processed; when a decision will issue; and if he will make a statement on the matter. [47825/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The foreshore application concerned is currently at an advanced stage in the foreshore consent process and I expect to make a decision on it shortly.

### Social and Affordable Housing

296. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the position regarding an application for funding by Dublin City Council in respect of social housing units (details supplied); and if he will make a statement on the matter. [47702/10]

**Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran):** My Department is currently awaiting Dublin City Council's submission of further details relating to its proposal for a social housing project at the site in question. It is a matter for Dublin City Council, in the first instance, to prioritise and manage the advancement of such projects within its social housing investment programme, having regard to its available funding resources.

297. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the position regarding an application for funding by Dublin City Council in respect of social housing units (details supplied); and if he will make a statement on the matter. [47703/10]

**Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran):** The social housing proposal in question has not advanced beyond Dublin City Council's submission of a pre-planning proposal to my Department. It is a matter for the Council, in the first instance, to prioritise and manage the advancement of such projects within the context of its overall social housing investment programme, having regard to its available funding resources.

298. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the position regarding an application for funding by Dublin City Council in respect of voluntary and cooperative housing (details supplied); and if he will make a statement on the matter. [47704/10]

**Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran):** My Department's Capital Assistance Scheme (CAS) provides funding to approved housing bodies of up to 100% of the approved costs of accommodation for older people, the homeless, persons with special needs, returning emigrants and victims of domestic violence. In February 2010, I announced approval to advance some 75 voluntary and co-operative housing projects at various locations around the country, including the project referred to in the question.

My Department's involvement with the CAS relates primarily to the provision of funds for individual projects. The detailed administration of the scheme, including the certification that projects comply with its terms and conditions, the processing of applications and the payment of capital grants in respect of approved housing projects, are the responsibility of the local authority. Dublin City Council is working with the voluntary body in question to progress this project in accordance with the terms and conditions of the CAS, including the requirements of the Capital Works Management Framework. My Department has recently received a detailed report from the City Council in regard to this project and will be in touch with the Council following consideration of this report.

299. **Deputy Brian Hayes** asked the Minister for the Environment, Heritage and Local Government the position regarding an application for funding by Dublin City Council in respect of voluntary and cooperative housing (details supplied); and if he will make a statement on the matter. [47705/10]

**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 the Dublin City Council area, it will be a matter for Dublin City 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 they will meet local housing needs.

### **Water and Sewerage Schemes**

300. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government if he will provide a full report on the watermains refurbishment programme; the amount of the refurbishment programme that has been completed; the amount spent on the programme to date; and if he will make a statement on the matter. [47724/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Over the seven years to end 2009, my Department provided some €130 million to local authorities for water conservation measures in their areas. The primary objective of water conservation is to reduce water loss in distribution networks to an economic level and to address

unacceptably high levels of unaccounted for water. With this investment, local authorities largely focused on putting in place water management systems to allow for active leakage control and better planning of mains rehabilitation.

This investment provided the platform for more intensive investment in mains rehabilitation and is a key priority under my Department's Water Services Investment Programme 2010 to 2012, a copy of which is available in the Oireachtas Library. Mains rehabilitation is an integral part of local authority water conservation strategies and involves water distribution pipelines being relined or replaced. The Programme provides for a substantial scaling up of activity on mains rehabilitation, and local authorities are due to commence contracts with a value of some €320 million during the period of the Programme. Funding is particularly targeted at areas where the level of unaccounted for water is unacceptably high. Over time, this investment should lead to marked reductions in unaccounted for water and progress will continue to be monitored on an annual basis through the local authority service indicators.

Local authorities are required to give priority to water conservation works as an alternative to new infrastructure provision. The phasing and funding of mains rehabilitation projects for each local authority are set out in the published Programme. This year to date, my Department has paid over €32.8 million to local authorities on water conservation, including mains rehabilitation, in their areas. The progression and timing of the commencement of construction of those contracts would ultimately be a matter for the relevant local authority, depending on the nature and complexity of the project, any statutory processes involved and the need for compliance with my Department's project procurement guidelines for water conservation projects. Accordingly, information on progress with individual projects may be had from the relevant local authority.

### **Homeless Persons**

301. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government the number of citizens currently homeless in total on a county basis; and if he will make a statement on the matter. [47725/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** Under Section 9 of the Housing Act 1988, local authorities are required to carry out an assessment of the overall need for social housing on a triennial basis. The most recent assessment took place in March 2008 and the results, including those in relation to homelessness are published in the 2008 Annual Housing Statistics Bulletin. This is available on my Department's website [www.environ.ie](http://www.environ.ie).

302. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government the measures being taken during the current weather conditions to assist citizens who are homeless and have been sleeping rough; and if he will make a statement on the matter. [47726/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department reminded local authorities last month, in the context of the extreme cold weather conditions, of the need for vigilance in relation to any possible incidences of rough sleeping. Housing authorities have wide and flexible statutory powers to assist or make arrangements for the accommodation of homeless persons and have adequate arrangements in place to deal with any possible issues. They have been requested to maintain a proactive approach, including appropriate monitoring/contact, to ensure, as far as possible, that no person is left vulnerable due to lack of access to local emergency accommodation, should the need arise. A number of large urban areas where there may be incidences of rough sleeping have implemented new cold weather initiatives including Dublin City

[Deputy Michael Finneran.]

Council, Galway City Council, Limerick City Council, and Dun Laoghaire-Rathdown County Council.

In Dublin, homeless services are strictly monitoring rough sleeping on a daily basis to ensure that there is sufficient bed capacity in emergency homeless accommodation. If a person is experiencing homelessness or rough sleeping they can access emergency accommodation through the Homeless Persons Unit or they will be linked into accommodation through the proactive Outreach Teams, who are on the streets on a daily basis ensuring that people are accommodated.

### **Planning Issues**

303. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government if he will ensure that all damaged houses in the North Fringe, Dublin 13 are urgently remediated and fully repaired; and if he will make a statement on the matter. [47728/10]

304. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government if he will establish an SDZ for the North Fringe, Dublin 13 to address all outstanding issues in the North Fringe and to ensure that all damaged homes in the district are fully remediated and restored; all estates and apartment complexes in the North Fringe are fully completed and that all critical health, education, transport and commercial services for the new local residents are put in place; and if he will make a statement on the matter. [47729/10]

**Minister of State at the Department of Environment, Heritage and Local Government (Deputy Ciarán Cuffe):** I propose to take Questions Nos. 303 and 304 together.

The North Fringe Framework Development Plan, which was prepared by Dublin City Council in 2000, sets out the objectives for the area, the site context and the urban design framework. I understand that planning permissions in the North Fringe have been granted in line with the Framework Plan.

Specific responsibility for the planning and delivery of the North Fringe development rests with the local authorities involved — Dublin City Council and Fingal County Council. A North Fringe Cross-Authority Forum was established in 2004 to monitor progress in the implementation of the North Fringe Framework Development. Membership includes senior officials from the two Councils, representatives of local residents' groups and from statutory bodies such as the HSE, the Department of Education and Science, An Garda Síochána, and public transport providers.

One of the main benefits of designation of an area as a Strategic Development Zone (SDZ) is the co-ordinated planning and development of undeveloped sites on the basis of a planning scheme made by the local authority, with a good degree of certainty on the exact type and nature of development that will take place. I do not believe that an SDZ would be the appropriate vehicle to deliver on existing developments such as the Dublin North Fringe area where there is a formally adopted Framework Plan already in place which has guided considerable development over the last number of years and continues to be the basis against which planning permissions and ancillary development are considered.

Insofar as damage to individual homes is concerned, compliance with the Building Regulations is the responsibility of the owner or builder of a building, and enforcement of the Regulations is the responsibility of the 37 local building control authorities who are empowered to carry out inspections and initiate enforcement proceedings, where considered necessary. The resolution of problems arising between building owners and builders is a matter for the parties concerned, namely the building owner, the relevant developer and the builder's insurers. Where

the construction of a building is the subject of a contract between the client and the builder, enforcement is a civil matter.

### Alternative Energy Projects

305. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps he will take to ensure that wind farms are not located in inappropriate areas including residential and scenic areas; if he will ensure that the public's views and concerns on proposed wind farms are properly taken into account; and if he will make a statement on the matter. [47737/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department issued Wind Energy Development Guidelines in June 2006. A copy of the Guidelines is available on my Department's website [www.envron.ie](http://www.envron.ie).

These Guidelines recommend an approach which seeks to identify, within the development plan process, key areas where wind energy resources are good and are capable of being exploited. Chapter 6 in the Guidelines comprehensively addresses aesthetic considerations in the siting and design of wind farms to ensure the highest standards are applied in particular where landscape sensitivity is high as in scenic areas.

It is a matter for each planning authority to assess an application for a wind turbine on its own merits in accordance with its statutory Development Plan and having regard to site specific conditions.

Planning authorities are required to undertake a statutory public consultation process when making or varying a development plan. This allows all stakeholders and interested parties the opportunity to make submissions while plans are at draft stage and before their adoption by the relevant planning authority. It is also open to individuals to make an observation or lodge an objection in relation to an individual planning application for a wind energy development.

My Department's guidelines, in addition, recommend that planning authorities encourage wind farm developers to engage in active consultation and dialogue with local communities at an early stage in the development consent process.

### Ministerial Appointments

306. **Deputy Michael Ring** asked the Minister for the Environment, Heritage and Local Government the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47789/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The appointments made to the State boards under the aegis of my Department, since 1 June 2010 are as follows:

Name of State Body/Board	Names of Persons Appointed since 1 June 2010
An Chomhairle Leabharlanna	Councillor Billy Cameron* Pat McMahon* *Fionnuala Hanrahan*
Dublin Docklands Development Authority — Board	Dr. Berna Grist
Dublin Docklands Development Authority — Council	Anne Graham* Eamonn O'Reilly*



[Deputy John Gormley.]

Name of State Body/Board	Names of Persons Appointed since 1 June 2010
The Heritage Council	Professor Gabriel Cooney* Dr Brendan Dunford Dr Caro-Lynne Ferris Mary Keenan
Limerick Northside Regeneration Agency	Michael Layde*
Limerick Southside Regeneration Agency	Michael Layde*
Local Government Computer Services Board	Barry Quinlan*
Local Government Management Services Board	Barry Quinlan*
National Building Agency	John O'Connor* Marie McLaughlin* Peter Carey* Rich Howlin Eddie Lewis* Gordon Richards* John McCloskey Ann McGuinness
Private Residential Tenancies Board (PRTB)	Joe Meehan* Conn Murray*
Radiological Protection Institute of Ireland (RPII)	Fionnuala Barker Dr. Stephanie Ryan
The Rent Tribunal	Orla Coyne
Housing and Sustainable Communities Ltd*	Eoin O'Sullivan Tom O'Reilly Mary Heaslip Mary Doyle Louise Moloney Kieran Buckley Marie McLaughlin* Peter Carey* Gordon Richards* Eddie Lewis* John O'Connor* Rich Howlin John McCloskey Ann McGuinness
National Traveller Accommodation Consultative Committee	Jim Ganley*  John Paul Collins

\*Public Servant, not in receipt of fees.

\*\*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.

### Severe Weather Events

307. **Deputy Charlie O'Connor** asked the Minister for the Environment, Heritage and Local Government if he will make contact with South Dublin County Council to offer assistance and advice in respect of their plans to prepare for the next major weather event; if he is aware that the resources of the council were severely stretched during the past two weeks of adverse weather and his views on the criticism which the council attracted in that regard; and if he will make a statement on the matter. [47798/10]

**Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran):** I would like to acknowledge the outstanding work of all local authorities, including the staff of South Dublin County Council, in responding to the challenges posed by the spell of severe cold weather which commenced on Saturday 27 November, and affected practically all of the country.

Local authority staff worked continuously over the period with other State bodies and transport agencies to ensure the primary objective of keeping national primary and other important roads passable for the 60% of normal and 80% of commercial traffic which rely on them, as well as keeping public transport functioning. The aim at all times of Government and the agencies of State was to minimise disruption caused and to ensure society functioned as close to normality as possible. The work and commitment of the staff in the local authority sector and other agencies is to be commended.

As Lead Government Department for severe weather, my Department convened a National Co-ordination Group which met on an ongoing basis while the severe weather conditions lasted. The Group brought together representatives from the relevant Government Departments and public bodies and agencies dealing with services that are relevant to the severe weather. The Departments of Environment, Transport, Health, Education, Defence, Enterprise, Communications and Taoiseach's as well as Met Eireann, National Roads Authority, the public transport agencies, the local authorities, An Garda Síochána, Health Services Executive, and Defence Forces worked to ensure an integrated and comprehensive response to transportation and other relevant issues. A joined up approach was taken to supporting the front-line services led by the local authorities, providing information to the public and reinforcing critical public safety messages. Even with good pre-planning, the intensity and duration of the weather stretched the financial resources of local authorities in their response measures. Consequently, on 2 December I announced €15 million support from my Vote for those local authorities most in need of supplementary funding, as a contribution to their exceptional costs, over and above the costs they would ordinarily be expected to meet in the context of yearly winter weather demands.

In accordance with the arrangements set out in the Framework for Major Emergency Management which has been operational since September 2008, local authorities act as "lead agency" for the co-ordination of the multi-agency response to severe weather emergencies within their functional area. This system is well-established and embedded in the relevant agencies, and contributed significantly to the effective response to the challenges posed by this severe cold period. This response is being reviewed in conjunction with those involved to establish what additional lessons can be identified and further enhancements made to the current systems. Any such issues will be brought to the attention of relevant organisations.

### Social and Affordable Housing

308. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the number of applications for senior citizens social housing pending from local

[Deputy John Deasy.]

authorities in Waterford city and county; the number of senior citizens housing projects completed in Waterford city and county in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47808/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** A statutory assessment of housing need is carried out every three years by all housing authorities. The last assessment took place in 2008 and indicated that there were 56 older person households awaiting the allocation of social housing support in Waterford County Council and 51 older person households awaiting the allocation of social housing support in Waterford City Council. Detailed information on this assessment is available on my Department's website — [www.environ.ie](http://www.environ.ie).

My Department collates and publishes a wide range of housing statistics that inform the preparation and evaluation of housing policy. The full range of data compiled, including social housing provision, can be viewed on the website.

### Housing Aid for the Elderly

309. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the number of successful applications for housing aid for the elderly made to local authorities in Waterford City and County in each of the past five years and to date in 2010; the amount spent under this scheme in Waterford City and County in each of the past five years and to date in 2010; and if he will make a statement on the matter. [47809/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** My Department's involvement with the Housing Adaptation Grant Schemes for Older People and People with a Disability relates primarily to the recoupment of a proportion of local authority expenditure on the payment of individual grants. The grant schemes, introduced in November 2007, are funded by 80% recoupment available from my Department together with a 20% contribution from the resources of the local authority.

It is a matter for each local authority to decide on the specific level of funding to be directed to each of the various grant measures from within the allocations notified to them by my Department and to manage the operation of the schemes in their areas from within their allocation.

Details of the amounts recouped to Waterford County Council and to Waterford City Council in respect of the grant schemes for the period 2005 to 2009 and to date in 2010, together with information on the numbers of grants paid, are set out in the tables below.

Waterford County Council

Year	Amount	No. of Grants paid
	€	
2005	570,333	97
2006	1,208,693	222
2007	998,389	196
2008	1,690,822	244
2009	1,233,239	146
2010	1,520,188	171 (to 15/12/2010)

## Waterford City Council

Year	Amount	No. of Grants Paid
	€	
2005	273,271	46
2006	304,866	45
2007	293,598	47
2008	481,126	74
2009	572,484	159
2010	746,883	222 (to 15/12/2010)

The data for 2005, 2006 and 2007 relate only to the now discontinued Disabled Persons Grant and Essential Repairs Grant which were replaced by the new suite of Housing Adaptation Grants for Older People and People with a Disability on 1 November 2007.

### Special Areas of Conservation

310. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the reason for the delay in the national parks and wildlife service issuing a licence to the Office of Public Works to remove trees from the river Shannon north of Meelick weir; when the licence will be issued; if his attention has been drawn to the environmental damage that will be caused by such delays including its impact on summer flooding and the wild bird population; and if he will make a statement on the matter. [47837/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** I refer to the reply Question No. 253 on 14 December which sets out the position in this case.

### Water and Sewerage Schemes

311. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 285 of 17 December 2009, the current status of the project; and if he will make a statement on the matter. [47839/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The Roscommon Towns & Villages Sewerage Scheme is included in my Department's Water Services Investment Programme 2010-2012 at an overall estimated cost of almost €23 million.

I understand that the contract for the collection networks at the various locations is well under way and that Roscommon County Council expects to complete the works by mid 2011. In addition, the Council has invited tenders for the provision of new wastewater treatment plants in the ten towns and villages under a Design Build and Operate (DBO) contract. The contract will also include the operation of new wastewater treatment plants already in place in Cootehall, Lisacul and Tulsk.

The Council is currently examining the tenders received for the DBO contract and expects to submit its tender recommendation for the award of the contract to my Department early in the New Year.

### Local Authority Funding

312. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if it is his intention to restructure the provision of emergency services in light of

[Deputy Ciarán Lynch.]

the likely disruption resulting from the reduction of 37% in the funding provision for local authority fire and emergency services; if he has given a direction to local authorities in regard to future management of emergency services within this reduced budget; if he will indicate the reason the reduction in funding in this area is proportionately so much greater than the cut backs in other State services; if he plans to set up a national fire service as recommended in the Farrell Grant Sparks report; and if he will make a statement on the matter. [47847/10]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran):** The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs and the provision of premises, is a statutory function of individual fire authorities under section 10 of the Fire Services Act 1981. My Department's role is one of supporting and assisting local authorities in delivering fire services through setting of general policy and the provision of funding under the fire service capital programme.

The purpose of my Department's fire service capital programme is the replacement and renewal of existing local authority fire service infrastructure and the maintenance of the fire vehicle fleet so that fire service buildings and vehicles/ equipment are fit for purpose. My Department provides capital grants (typically 100%) to:

- Construct modern fire stations and for improvement works to existing stations
- Acquire front line fire appliances, (including specialist appliances) and
- Acquire emergency and rescue equipment and communications equipment.

There have been very significant improvements in fire service infrastructure, fleet and equipment in recent years, and Ireland is now acknowledged to have a first rate infrastructure for its fire service. The last four years have seen a capital investment of almost €90 million under the capital programme. In keeping with other reductions, it has been necessary to reduce the fire service capital allocation for 2011, but given the current excellent state of fire service infrastructure, I see no reason for this to impact on or disrupt service delivery in any way.

There is no need for restructuring the current arrangement for the provision of fire and emergency services on foot of the change in capital funding referred to above. In fact, the Farrell Grant Sparks report referred to in the Question specifically states at paragraph 5.58 that it was not recommending any change to the existing statutory role of the local Fire Authorities.

What Farrell Grant Sparks recommended was a strengthening of arrangements at national level to ensure strong national leadership, direction and performance monitoring of local authority services. On 22 June 2009, together with Mr. John Gormley, T.D., Minister for the Environment, Heritage and Local Government I launched the National Directorate for Fire and Emergency Management to address conclusively the main Farrell Grant Sparks recommendation on revised institutional arrangements at central Government level.

The National Directorate puts in place a management structure at central level with a clear mandate and visibility to develop national policy and standards and to drive consistent achievement of quality services by local authorities, while not interfering with existing and appropriate political accountability. The Directorate is not a national fire service, and fire authorities continue to deliver this service under the aegis of the local government system.

### Foreshore Licences

313. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the position regarding a foreshore licence for an organisation (details supplied); if an environmental impact assessment has been conducted; if he has received representations; and if he will make a statement on the matter. [47916/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The application in question concerns a development which has yet to secure planning permission.

I understand that substantial amendments to the design of the proposed development have recently been made in the course of the planning process and my Department has asked the applicant to supply full details of the proposed revisions. When this information is to hand, my Department will examine the implications for the foreshore process, including whether an EIS is required.

### Departmental Staff

314. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47965/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** In May 2000 General Council Report 1368 (GC 1368) introduced the Performance Management and Development System (PMDS) in the civil service and this is implemented in my Department.

The Public Service Agreement 2010-2014 contains a commitment ‘to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures’.

In the civil service work is well underway on achieving this goal. The 2010 Evaluation of PMDS has been completed. The Department of Finance is in discussions with Unions in relation to strengthening PMDS.

Performance management in the civil service is already linked to promotion and to incremental progression and the Department of Finance is leading an assessment of the systems in place to address underperformance. My Department will implement a revised Performance Management and Development System promptly on its agreement.

315. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47979/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The information requested in respect of staff employed on a short-term, temporary or consultative basis by my Department in the years 2009 and 2010 is set out in the following table:

[Deputy John Gormley.]

Nature of contract	No. of staff employed 2009	Salary costs in 2009	No. of staff employed 2010	Salary costs in 2010
		€		€
Staff seconded from other public bodies*	12	1,097,472	12	913,675
Temporary contract staff* #	20	463,335	12	184,919
Staff engaged on a fee-per-day/consultative basis	10	72,794	14	178,729
Temporary Seasonal industrial staff*	84	967,203	74	1,069,621

\*Salary costs include basic salary and Employers PRSI.

#In 2009 196,472 of this money was recouped by my Department from an EU funded project and in 2010 45,290 was recouped.

Occasionally persons are employed by my Department on a fee per day/consultative basis for specific purposes. 9 of these persons in 2009 and 13 in 2010 had previous service in the public service.

From time to time my Department has employed staff on temporary contracts to fill critical short term business needs and in addition to this temporary Industrial staff are recruited on a seasonal basis for the National Parks and Wildlife Service to work in tourism and educational areas. However the information as to whether any of these staff have been previously employed in the public service is not readily available and its compilation would involve a disproportionate amount of time and work.

### Waste Management

316. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps he has taken to monitor the process of waste at a plant (details supplied); and if he will make a statement on the matter. [48003/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The facility in question operates under an Integrated Pollution Prevention and Control (IPPC) licence granted by the Environmental Protection Agency (EPA). An IPPC licence is a single integrated licence which covers all emissions from the facility and its environmental management. The monitoring and enforcement of conditions attaching to IPPC licences, including materials handling, are a matter for the EPA. Under the Environmental Protection Agency Acts 1992 to 2007, I am precluded from exercising any power in relation to the performance by the EPA of its licensing functions in specific cases.

317. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government his views on the need for better regulation of septic tanks and other effluent treatment systems; and if he will make a statement on the matter. [48004/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** Reports by the Environmental Protection Agency have identified septic tanks and other on-site wastewater treatment systems as a potential source of water pollution, particularly of groundwater which is an important source of drinking water for many people; this is particularly the case in areas with sensitive environments or high densities of on-site systems. Primary responsibility for the prevention of pollution from septic tanks and other on-site wastewater treatment systems rests with owners or occupiers of premises served by such systems.

The Government has given a commitment to progress the introduction of a scheme for the licensing and inspection of septic tanks and other on-site wastewater treatment systems. In

October 2009, the European Court of Justice (ECJ) found that Ireland failed to make adequate legislation for dealing with domestic wastewater from septic tanks and other on-site wastewater treatment systems. In order to comply with the ECJ ruling, legislation is required to give effect to a new inspection and monitoring system for septic tanks and other on-site wastewater treatment systems.

My Department has been considering how a monitoring and inspection system should operate and comprehensive consultation with key stakeholders has recently been undertaken with the co-operation of the National Rural Water Services Committee. The submissions received are currently under review and will inform the draft legislation required and which the Government will consider early next year.

318. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if he will provide an update on the report carried out in respect of the costs of Poolbeg Incinerator, when the report will be published; and if he will make a statement on the matter. [48005/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The report of the authorised officer appointed pursuant to section 224 of the Local Government Act 2001 has been submitted to me. I am considering its findings and the issue of publication, in consultation with the Attorney General.

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

319. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if he will provide an update on the sewerage schemes planned for commencement and or completion in 2011; and if he will make a statement on the matter. [48006/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** My Department's Water Services Investment Programme 2010-2012, which is available in the Oireachtas library, sets out the plans for investment in major water supply projects, including wastewater treatment schemes, in order to meet key environmental and economic objectives over that period. Allocations will also be made in early 2011 to water services authorities under the Rural Water Programme which will comprehend investment in 2011 in small sewerage schemes.

#### **Housing Grants**

320. **Deputy Noel Ahern** asked the Minister for the Environment, Heritage and Local Government regarding the housing adaption grant scheme, if the maximum of €30,000 is a national rule or set by individual local authorities; if it is for each grant application or worked on a cumulative basis; if a grant claimed five years ago should be treated separately or added to current application; if local authorities have flexibility on such matters; and if he will make a statement on the matter. [48016/10]

**Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Michael Finneran):** Under the terms of the Housing Adaptation Grant for People with a Disability, which is administered by the local authorities, grants of up to €30,000 are available to assist people with a disability to have necessary adaptations, repairs or improvement works carried out in order to make their accommodation more suitable for their needs and to facilitate the continued occupancy of their own homes. Details of the amounts payable under this grant scheme are set out in the Housing (Adaptation Grants for Older People with a Disability) Regulations, 2007.



[Deputy Michael Finneran.]

The need for a second grant should not generally occur where the Local Authority and the applicant ensure that the initial grant-aided works are properly executed and are appropriate to the current and future needs of the applicant. However, the payment of a second grant may be appropriate in certain cases where the applicant's needs have changed substantially over time. There is no legal bar to the payment of a second grant in such circumstances.

A grant paid five years ago under the old Disabled Persons Grant Scheme should not be used to determine the extent of grant eligible works or the amount of grant payable under any new application under the Housing Adaptation Grant Scheme.

### Local Authority Staff

321. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the number of permanent and temporary staff employed by each local authority at the end of 2007, 2008 and 2009 and in total for each of those years; and if he will make a statement on the matter. [48031/10]

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The number of permanent and temporary staff employed across all 34 local authorities at end of December 2009 was 30,562 and 1,691 respectively, compared to 31,843 and 3,164 at end of December 2008, and 31,423 and 3,564 at end of December 2007. A breakdown by authority is provided in the table.

Local Authority	December 2007 Permanent	December 2007 Temporary	December 2008 Permanent	December 2008 Temporary	December 2009 Permanent	December 2009 Temporary
Cork City	1,422	115	1,422	71	1,384	36
Dublin City	6,484	391	6,795	137	6,375	105
Galway City	424	94	434	101	428	60
Limerick City	510	44	515	40	511	18
Waterford City	381	76	387	77	356	54
Carlow	317	46	318	40	310	21
Cavan	457	32	462	18	429	17
Clare	808	94	768	140	738	90
Cork	2,376	240	2,414	229	2,284	80
Donegal	973	263	983	210	958	50
Dun Laoghaire	1,226	59	1,190	52	1,128	68
Fingal	1,523	77	1,521	68	1,445	45
Galway	884	191	870	196	840	95
Kerry	1,148	153	1,157	191	1,141	84
Kildare	877	202	910	185	900	47
Kilkenny	563	58	565	51	551	17
Laois	374	51	390	48	385	21
Leitrim	313	23	312	18	292	11
Limerick	744	65	735	59	712	27
Longford	330	41	339	43	303	27
Louth	681	60	710	24	679	13
Mayo	1,093	137	1,115	182	1,064	113
Meath	632	129	642	158	628	75
Monaghan	429	44	433	22	422	12

Local Authority	December 2007 Permanent	December 2007 Temporary	December 2008 Permanent	December 2008 Temporary	December 2009 Permanent	December 2009 Temporary
Offaly	454	57	459	40	453	25
Roscommon	526	53	527	55	519	32
Sligo	524	69	527	60	498	32
South Dublin	1279	182	1,285	188	1240	163
Tipperary North	450	134	414	98	461	43
Tipperary South	677	41	680	27	645	9
Waterford	526	57	530	71	530	36
Westmeath	483	82	481	56	461	27
Wexford	787	98	791	72	757	48
Wicklow	752	108	765	139	737	90

### Alternative Energy Projects

322. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the number of companies in Waterford city and county receiving funding under the renewable heat deployment programme in each of the past three years and to date in 2010; the amount of funding involved in each of those years; and if he will make a statement on the matter. [47692/10]

323. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the number of companies in Waterford city and county receiving funding under the combined heat and power deployment programme in each of the past three years and to date in 2010; the amount of funding involved in each of those years; and if he will make a statement on the matter. [47693/10]

324. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the number of companies in Waterford city and county receiving funding under the sustainable energy incubator programme in each of the past three years and to date in 2010; the amount of funding involved in each of those years; and if he will make a statement on the matter. [47694/10]

325. **Deputy John Deasy** asked the Minister for Communications, Energy and Natural Resources the number of companies in Waterford city and county receiving funding from the energy efficiency retrofit fund in each of the past three years and to date in 2010; the amount of funding involved in each of those years; and if he will make a statement on the matter. [47695/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I propose to take Questions Nos. 322 to 325, inclusive, together.

Nineteen companies with projects based in Waterford were funded under the Renewable Heat Deployment programme from 2007 to date as outlined as follows:

5 approved in 2007 — €106,588.36

7 approved in 2008 — €112,395

3 approved in 2009 — €69,172.40

4 approved in 2010 — €19,029.89

[Deputy Eamon Ryan.]

Four grantees with projects based in Waterford have been approved under the Energy Efficiency Fund. Only parts of these projects are based in Waterford. These projects are to be paid before the end of December 2010. The total amount approved is €1,104,370.00.

Two companies with projects in Waterford were approved under the Combined Heat and Power Deployment programme in 2008. The total amount paid was €88,080.

One project in Waterford received funding under the Incubator programme. This project was approved in 2008 and the total grant paid was €5,375.

### Ministerial Appointments

326. **Deputy Michael Ring** asked the Minister for Communications, Energy and Natural Resources the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form [47784/10]

**An Ceann Comhairle:** I assume that in the Deputy is referring to appointments to boards of state bodies under the aegis of my Department. The following table sets out the bodies under the aegis of my Department and the appointments made, if any, to the boards of those bodies:

State Body	Appointments made to the board since 1st June 2010
Broadcasting Authority of Ireland	0
Raidió Teilifís Éireann	0
Teilifís na Gaeilge (TG4)	1
An Post	0
Commission for Communications Regulation	0
Digital Hub Development Agency	1
Bord Gais Éireann	21
Bord na Móna	0
Commission for Energy Regulation	0
EirGrid	1
Electricity Supply Board	1
Irish National Petroleum Corporation Ltd	2
National Oil Reserves Agency	0
Sustainable Energy Authority of Ireland	3
Inland Fisheries Ireland (established 01/0710)	111,2
Loughs Agency	0
Ordnance Survey Ireland	0
The Mining Board	0

1. One board member appointed since 1st June 2010 has since resigned and been replaced.

2. One board member appointed since 1st June 2010 as interim staff representative has since stepped down and been replaced — All 9 positions on the board of IFI are currently filled.

### Planning Issues

327. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources the details of all planning permission applications for any proposed wind farm projects by semi-State agencies under his remit that were refused in the past ten years; if he will include details such as wind farm capacity, size in hectares, proposed turbine hub height, spec-

ific locations and the planning authority concerned for each application; and if he will make a statement on the matter. [47801/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I have no function in relation to Planning applications. No information is held by my Department in relation to semi state planning applications for windfarm developments.

### Semi-State Bodies

328. **Deputy Enda Kenny** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that a semi-State commercial body under his remit (details supplied) is supplying home-heating oil for central heating systems of private homes in competition with the private sector; if this is part of their original mandate; and if he will make a statement on the matter. [47803/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** Section 17 of the Turf Development Act 1946 mandated Bord na Móna to produce and market turf and turf products and to do all such other things as arise out of, or consequential to this function.

Section 5 of the Turf Development Act 1990, further elaborated on this mandate by providing that the company may engage in all such commercial activities, whether in relation to the production or marketing of turf or otherwise, as in the opinion of Bord na Móna arise out of and can advantageously be conducted in conjunction with any of its functions.

On foot of this mandate Bord na Móna has developed a fuels business, which includes the supply of home heating oil.

### Departmental Schemes

329. **Deputy Michael Ring** asked the Minister for Communications, Energy and Natural Resources if the warmer homes scheme is going ahead next year; if funding has been put in place for same; the position regarding the scheme; and if he will make a statement on the matter. [47818/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The Warmer Homes Scheme (WHS) is administered by the Sustainable Energy Authority of Ireland (SEAI) on behalf of my Department to provide energy efficiency improvements to homes in, or at risk of, fuel poverty. The scheme is primarily delivered by 28 community based organisations (CBOs) who identify and address vulnerable homes 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.

The WHS scheme will be funded in 2011 under the National Retrofit Programme, which will encompass and build upon the existing energy efficiency and renewable energy programmes over the course of the year.

### Telecommunications Services

330. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that low-cost Department numbers are charged as a high-cost call on mobile phones; if he will ensure that a landline number is available for all Departments and services so that persons who have a mobile phone only are not charged high rates when they phone low cost numbers; and if he will make a statement on the matter. [47820/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** My Department uses both lo-call number and local number for members of the public.

The use of a lo-call number affords considerable savings to people who do not have access to free national call services. In accordance with best practice there is an accompanying note on the website and in press notices or other literature advising that the rates charged for the use of the 1890 number may vary between service providers.

Those who have an entitlement to free national calls can of course ring the main Department number for free.

The issue as it relates to other Government Departments is a matter for those Departments to address and is not one in which I have a role.

331. **Deputy Liz McManus** asked the Minister for Communications, Energy and Natural Resources his views on the report into broadband carried out by an institute (details supplied) which performed an analysis at the request of the United States Federal Communications Commission; if his attention has been drawn to the fact that this study found that Ireland ranked 24th out of 30 for speed, and 21st of 30 for price, and overall Ireland was ranked 26th out of 30; and if he will make a statement on the matter. [47823/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The report referred to by the Deputy uses OECD data from 2008 to measure broadband prices and performance in Ireland. The competitive broadband market in Ireland is delivering improved services and keener pricing which are not represented in 2008 data. A cable service provider is now providing broadband speeds up to 30 megabits per second (mbs) and rolling out speeds up to 100 mbs, other service providers launched speeds up to 24 mbs in January 2010 and have introduced wholesale broadband products for residential and commercial markets offering speeds up to 8 mbs uncontested and 1000 mbs respectively, at keener prices than previously prevailed.

The latest OECD data ranks Ireland 11th of 29 countries for monthly broadband subscription prices across all platforms and ranges. A more recent report on broadband services in 72 countries by the University of Oxford and the University of Oviedo, Spain, concluded that the broadband services currently available in Ireland are capable of meeting the requirements of today's broadband applications and overall, in terms of broadband quality and penetration, ranks Ireland 13th of the 72 countries studied.

### Departmental Staff

332. **Deputy Lucinda Creighton** asked the Minister for Communications, Energy and Natural Resources the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47960/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** My Department has had a Performance Management Development System (PMDS) in place for some time. At the beginning of each year, all staff members complete role profiles detailing specific objectives to be achieved throughout the year. All role profiles are linked to Divisional Business Plans which in turn derive from the Department's Statement of Strategy. Performance is formally monitored by way of an interim review and an annual review.

The Deputy should also note that promotion and incremental progression are already fully contingent on performance and compliance with sick leave requirements and punctuality in my Department. Any underperformance is addressed in the PMDS cycle and the updated guide-

lines aimed at improving performance where necessary are being drafted by my Department in accordance with Department of Finance requirements. The Department has drafted its high-level Action Plan under the Public Service (Croke Park) Agreement 2010-2014 in October 2010 covering both the Department and the non-commercial Agencies (including Regulators) under its remit. The Plan is available on the Department's website [www.dcenr.ie](http://www.dcenr.ie). The further development and implementation of the Action Plan has been ongoing since and the Department is committed to delivery of the proposals in the Plan, which include the introduction of updated attendance and performance management policies.

333. **Deputy Lucinda Creighton** asked the Minister for Communications, Energy and Natural Resources the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47974/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** The information requested by the Deputy is contained in the following table. The Deputy should note that the Department does not have information as to whether all these staff had previous service in the public sector.

	No. of Staff	Cost
		€
2009	7	622,936.63
2010	7	620,461.46

### Telecommunications Services

334. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the steps he will take to provide broadband to homes not serviced at present by the national broadband scheme or other operations; and if he will make a statement on the matter. [47988/10]

**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 to formally announce the launch of a Rural Broadband Scheme before the end of the year. This

[Deputy Eamon Ryan.]

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 and that the scheme will be fully rolled out by the end of 2012.

### **Semi-State Bodies**

335. **Deputy Joanna Tuffy** asked the Minister for Communications, Energy and Natural Resources his plans to cap salaries at RTE; and if he will make a statement on the matter. [48013/10]

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** RTÉ is an independent national public service broadcaster whose remit and obligations are set out in the Broadcasting Act, 2009.

Section 114(1) of the Broadcasting Act, 2009 states the principal objects and associated powers of RTÉ and Section 98 provides that it shall be independent in the pursuance of these objects, subject to the requirements of the Act. As such I, as Minister, have no function in RTÉ's general day to day matters such as salaries.

### **Animal Welfare**

336. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Fisheries and Food if he will address the problem of abandoned and starving horses including a group of 20 to 40 horses which have allegedly been abandoned on open ground between Dunsink, Dublin 11 and the M50; and if he will make a statement on the matter. [47731/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** 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. Responsibility for horses found straying or abandoned on waste lands/public roads etc rests with Local Authorities under the Control of Horses Act 1996, which contains provisions on the seizure and detention of stray horses, the confiscation of horses which stray repeatedly and the disposal of seized horses.

Officials of my Department have been in touch with Fingal County Council regarding the issues raised by the Deputy and the Council are aware of and are dealing with the matter in consultation with the local community and the DSPCA.

### **Fishing Industry Development**

337. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food his views on the 2011 fishery harbours and coastal infrastructure development programme that is funded by his budget; the projects that will be serviced from this budget; and if he will make a statement on the matter. [47831/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The allocation of funding from my department's Fishery Harbours and Coastal Infrastructure Development Programme each year is targeted so as to achieve the maximum return for the investment made in each project.

Projects selected for inclusion in the 2011 Fishery Harbours and Coastal Infrastructure Development Programme will be assessed in the context of the available exchequer funding and competing priorities.

### Grant Payments

338. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will expedite a decision on a single farm payment appeal in respect of a person (details supplied); the amount the financial penalty will cost persons if the appeal is unsuccessful; and if he will make a statement on the matter. [47699/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** An application under the 2010 Single Payment/Disadvantaged Area Scheme was received from the person named on 7 May 2010. During validation of the application an over-claim was identified on one of the parcels listed. The person named was written to and, following a review, the matter has been resolved. Payments due under both Schemes will issue to the person named shortly.

### Ministerial Appointments

339. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47783/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The following list represents the appointments made during the period referred to by the Deputy for the State Bodies that come within the remit of my Department.

Body	Appointments from 1 June 2010 to date
Bord Bia	Anne Marie Dennison — 28 June 2010 Kieran Dunne — 29 November 2010 Prof. Fergal O’Gara — 2 December 2010
Bord Iascaigh Mhara	Tomas Kavanagh — 13 June 2010 Paidí Ó Sé — 4 November 2010
Irish National Stud	P.J. Fitzpatrick — 23 June 2010
Veterinary Council of Ireland	Grace Mulcahy — 8 July 2010

### Alternative Energy Projects

340. **Deputy Enda Kenny** asked the Minister for Agriculture, Fisheries and Food the details of all planning permission applications for any proposed wind farm projects by semi-State agencies under his remit that were refused in the past ten years; if he will include details such as wind farm capacity, size in hectares, proposed turbine hub height, specific locations and the planning authority concerned for each application; and if he will make a statement on the matter. [47800/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** This is an operational matter for the State Bodies concerned but I am sure that any State Body would be happy to co-operate with any such requests received.



### **Pigmeat Sector**

341. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food his plans to boost the pig industry; if he will acknowledge the difficulties caused to pig producers by the Government's decision to vote against the GM grain proposition; his views that current prices are unsustainably low in view of the high costs associated with this industry; and if he will make a statement on the matter. [47832/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The pig sector is an important component of the Irish agricultural sector. With a farmgate value of some €300 million, and employment in the industry of approximately 7,000, the sector provides an important source of income to rural communities all over the country. Almost half of Irish production is exported with the UK accounting for 50% of exports with the remainder split between Continental Europe and third countries.

In common with other meats, returns to pig producers have fallen as a result of the economic recession. Prices fell in 2009 but recovered somewhat during the early and mid part of 2010. Currently prices are approximately 8% ahead year on year, an increase of €9.50 per 100kgs. Irish price movements over recent years have in general, mirrored those of the EU as a whole.

Pork remains the most-consumed meat worldwide and consumption is expected to increase steadily over the next decade. In order to best position the Irish industry to share in that growth, I am progressing a number of initiatives.

The Food Harvest 2020 Report incorporates the development strategy for the Irish pig industry prepared by Teagasc and identifies the issues facing the sector and makes certain recommendations. I am chairing a group to address the implementation of all the recommendations of the Food Harvest Report.

On marketing and promotions, the domestic market remains the most important for Irish pigmeat, accounting for 50% of our production. Therefore, protecting and maintaining the market share of Quality Assured pigmeat in Irish retail is critical for the Irish industry. Bord Bia will continue to work with the industry and invest heavily in consumer promotions at retail and education programmes at foodservice level to promote Quality Assurance.

In addition, ongoing marketing initiatives conducted by Bord Bia both at home and overseas are instrumental in supporting the pigmeat sector. Resources have been increased by Bord Bia, through the Marketing Fellowship Programme, which is intended to increase the number of customers for Irish pig meat within the EU. By targeting the end users and further manufacturers directly, the intention is to shorten the supply chain and return greater value to exports. Irish pigmeat is currently exported to over 20 non-EU markets and it is my policy and that of the Government to ensure that Irish producers have access to markets worldwide. My Department will continue to work with Bord Bia, the Department of Foreign Affairs and the industry to identify and develop other potential markets.

In relation to the authorisation of GM's for use in animal feed I have not voted against any proposals brought forward by the Commission. Notwithstanding my abstention in all such votes, in line with the commitment in the Programme for Government on GMOs, all of the GM proposals submitted for consideration by the Council of Ministers have been authorised by the Commission.

### **Grant Payments**

342. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) will receive their single farm payment; the steps he is taking to expedite the matter in light of the fact that this application was fully compliant; and if he will make a statement on the matter. [47838/10]

**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 28 April 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 person named submitted an application with 15 land parcels, 3 of which required re-digitisation which has been completed by my Department. On further processing of this application a dual-claim error was identified. This error has now been resolved. The application has been further processed with a view to payments issuing under both Schemes shortly, provided no further errors are identified.

343. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied) in respect of suckler cow welfare scheme and when single farm payments will issue. [47852/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named registered 39 animals under the Suckler Welfare Scheme in 2009. To date payment has issued in respect of 31 animals with a further animal cleared for payment. There are outstanding queries on the remaining 7 animals and correspondence has been received from the person named. My Department is currently reviewing this material with a view to finding an early resolution to these queries.

344. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food the position regarding a single farm payment in respect of a person (details supplied); when payment will issue; and if he will make a statement on the matter. [47858/10]

**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 23 April 2010. This application was selected for and was the subject of a Ground Eligibility 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.

345. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food when a single farm payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [47888/10]

**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 April 2010.

This application was selected for and was the subject of a Ground Eligibility and Full Cross Compliance Inspection.

The inspection process is complete and the results are now being processed.

[Deputy Brendan Smith.]

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.

346. **Deputy Jimmy Deenihan** asked the Minister for Agriculture, Fisheries and Food when a REP scheme payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [47889/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named commenced their 5 year REPS 3 contract on 1 July 2006. They received their payment in respect of year 5 on 4 June 2010 and will complete their contract on 31 December 2010. There are no more payments due to the person named.

347. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) will receive their single farm payment and disadvantaged area payments; and if he will make a statement on the matter. [47890/10]

**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 April 2010.

This application was selected for and was the subject of a Ground Eligibility and Full Cross Compliance Inspection.

The inspection process is complete and the results are now being processed.

Under EU regulations governing the Disadvantaged Areas Scheme and the Single Payment Scheme all Ground Eligibility inspections must be completed before any payment can issue to any applicant under either scheme, including those not selected for a Ground Eligibility inspection.

In the vast majority of cases that were inspected amendments have had to be made to the maps in order that the Land Parcel Identification System that is used for making payments to farmers is kept up-to-date. Processing of these changes is continuing with priority being given to applications that were the subject of a Ground Eligibility inspection.

348. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme payment. [47912/10]

**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 now completed and the plan belonging to the person named is currently being processed for payment by my Department. The payment belonging to the person named will be issued shortly.

349. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their disadvantaged area scheme payment. [47914/10]

**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 24 April 2010. This application was selected for and was the subject of a Ground Eligibility inspection.

The inspection process is complete and the application has now been fully processed. Payment under the Disadvantaged Areas Scheme issued on 2 December 2010; payment under the Single Payment Scheme issued on 1 December 2010.

350. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their single payment scheme payment. [47915/10]

**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 24 April 2010. This application was selected for and was the subject of a Ground Eligibility inspection.

The inspection process is complete and the application has now been fully processed. Payment under the Disadvantaged Areas Scheme issued on 2 December 2010; payment under the Single Payment Scheme issued on 1 December 2010.

#### Departmental Staff

351. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Fisheries and Food the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47959/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Performance Management and Development system implemented by my Department is the centrally agreed system for the Civil Service.

Negotiations are underway centrally with the Unions in relation to how PMDS can be strengthened as committed to in the Public Service Agreement 2010-2014. My Department will implement any new initiatives arising from these negotiations with the aim of continuing to strengthen the operation of PMDS in the Department.

352. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Fisheries and Food the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47973/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Following is the information requested by the Deputy.

Year	No. Persons	Cost
		€
2009	120	1,331,178
2010	57	729,850

The above numbers include 6 student placements over the two years in question as a result of long standing arrangements with various 3rd level institutions.

[Deputy Brendan Smith.]

Of the numbers provided above, 33 temporary Clerical Officers have had previous service in the Civil Service and 1 person is a former public servant.

### Grant Payments

353. **Deputy Pearse Doherty** asked the Minister for Agriculture, Fisheries and Food when single farm payment will issue in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [47987/10]

**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 14 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.

### Proposed Legislation

354. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food when it is proposed to bring in promised animal welfare legislation; and if he will make a statement on the matter. [48010/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The Government recently approved the drafting of the Animal Health and Welfare Bill 2010. The Bill gives effect to commitments in the Programmes for Government including the updating of existing animal health and welfare legislation and provides for significantly increased penalties for offenders. The Heads of the Bill have now been submitted for drafting to the Office of the Parliamentary Council.

### Harbours and Piers

355. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food his plans for funding the next stages of the Greencastle Harbour breakwater development, County Donegal; and if he will make a statement on the matter. [48011/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** Greencastle Harbour is owned by Donegal County Council and responsibility for the maintenance and development of the harbour rests with that local authority in the first instance.

My Department has, however, in recent years, project managed works on phase one of the Greencastle Harbour development project on behalf of Donegal County Council as well as providing funding.

Any application received from Donegal County Council for funding, under the 2011 Fishery Harbours and Coastal Infrastructure Development Programme, to continue phase one of the

Greencastle development project will be considered in the context of available Exchequer funding and competing national priorities.

### Grant Payments

356. **Deputy Paul Kehoe** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) will receive their single farm payment; and if he will make a statement on the matter. [48044/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named submitted a joint Single Payment Scheme application with his since deceased brother. Accordingly a number of issues had to be resolved. The application has now been fully processed with a view to payment issuing shortly.

357. **Deputy John Browne** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Wexford did not receive their suckler cow payments; and if he will make a statement on the matter. [48045/10]

**Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith):** The person named registered 8 animals under the 2008 and 5 animals under the 2009 Suckler Welfare Scheme. By participating in this scheme, each applicant undertook to carry out, and notify to my Department, all the measures provided for in the Terms and Conditions of the Scheme on all eligible animals and calves on the holding for the full five years of the scheme. The person named did not notify the Department of any of these events required under this scheme, and is, therefore, ineligible for payment.

### Ministerial Appointments

358. **Deputy Michael Ring** asked the Minister for Enterprise, Trade and Innovation the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47788/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The following table sets out the appointments made to State Boards under the aegis of the Department of Enterprise, Trade and Innovation between 1 June 2010 and 16 December 2010.

Board	No. of Appointments
Science Foundation Ireland	2
IDA Ireland	1
Shannon Free Airport Development Co Ltd.	2
Personal Injuries Assessment Board	1
Forfás	1
Enterprise Ireland	2
National Standards Authority of Ireland	1

### Flood Relief

359. **Deputy Denis Naughten** asked the Minister for Enterprise, Trade and Innovation the number of reports received from each county enterprise board on flood damage to businesses on foot of the flooding of November 2009; the action taken on foot of these reports; the compensation paid in each case; and if he will make a statement on the matter. [47925/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The role of the County and City Enterprise Boards is to provide support for micro-enterprise (business not employing more than 10 people) in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate entrepreneurship at local level.

As enterprise support agencies the interaction of the County Enterprise Boards (CEBs) with their local Community is generally confined to matters of delivering financial and non-financial supports to eligible local enterprises in the micro-enterprise sector and to the promotion of entrepreneurial activities.

It was in the context of this remit that the Tánaiste and then Minister for Enterprise Trade and Employment, Ms Mary Coughlan TD asked the CEBs to collect information on the impact of the flooding on their local client businesses in order to assist in framing the overall Government response to the situation.

The CEBs’ feedback on the effects of flooding in their areas was provided to the Tánaiste and copied to the Department of An Taoiseach. The national response to the flooding crisis was overseen by the Emergency Response Co-ordination Committee and operating under the aegis of the Department of the Environment, Heritage and Local Government. An integral part of this response was the Humanitarian Assistance Scheme, which provides means-tested financial support to people who have suffered damage in their homes and was being administered by the local Community Welfare Services. This scheme did not cover commercial or business interests.

The CEBs had no broad-based role in assessing actual flood damage to businesses nor in the provision of compensation to businesses affected by the flooding. However, in the context of dealing with businesses affected by the flooding, the CEBs will engage and co-operate as appropriate, with other Government departments and agencies where it has been determined that the CEBs could usefully be of assistance.

### **National Minimum Wage**

360. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Innovation if a cut in the minimum wage was a condition of the International Monetary Fund/European loans; and if he will make a statement on the matter. [47943/10]

**Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary):** The Government’s decision to reduce the minimum wage to €7.65 per hour was not a condition of the International Monetary Fund/European loans.

The Government agreed to a reduction in the National Minimum Wage as part of the National Recovery Plan published on 24 November 2010.

The EU-IMF Programme of Financial Support for Ireland, published on 1 December 2010, included a commitment to reduce the National Minimum Wage as outlined in the National Recovery Plan.

### **Credit Supply Clearing Group**

361. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the status of the credit supply clearing group; the number of times the group has met since it was established; and if he will make a statement on the matter. [47954/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The Credit Supply Clearing Group was established in May 2009, with bank, business and State representation. The Group is responsible for identifying patterns of events where the flow of credit to viable

businesses appears to be blocked and for seeking to identify credit supply solutions relating to these patterns. The Group works to provide a clear picture of any emerging lending patterns while facilitating direct discussion by all the relevant interests in addressing problems. The Group met on eight occasions; the last meeting was held on 19 April 2010.

To complement the work of the Credit Supply Clearing Group, a series of eight regional Ministerial meetings were held in both 2009 and 2010, involving myself and my Ministers of State meeting with representatives from business and farming organisations including, the Small Firms Association, Irish Small and Medium Enterprises, Chambers Ireland, the Irish Farmers' Association and the Irish Hotels Federation to hear at first-hand, the experience of borrowers so that their views could be fed back to the Government and the banks.

Through the work of the Credit Supply Clearing Group, a draft document — “Your Business — Your Bank” is currently being finalised. The document is aimed at bank business customers and seeks to bring greater clarity to the current realities of funding business and how business customers can best position their businesses to secure the funding they need. I hope to have this Guide published before Christmas.

A key initiative introduced under the National Asset Management Agency Act 2009, to assist businesses in their relationship with banks, was the establishment in March 2010 by my colleague Brian Lenihan T.D. Minister for Finance, of the Credit Review Office, under John Trethowan. SME businesses being refused bank credit now have access to a formal mechanism for reviewing their cases. This is in addition to the banks own internal appeals mechanisms, which have been formalised and strengthened.

As such, the Credit Review Office has taken over the role of the Credit Supply Clearing Group in terms of identifying emerging lending patterns and credit supply solutions relating to these patterns while, at the same time, facilitating direct discussion with the relevant interests in addressing these problems.

Under the 2010 recapitalisation arrangement, both AIB and Bank of Ireland have committed to making available not less than €3 billion each for new or increased credit facilities to SMEs in both 2010 and 2011. This must include funds for working capital for businesses.

I have ongoing contact with the main banks in relation to their lending to businesses and will, together with my colleague the Minister for Finance, and John Trethowan of the Credit Review Office, continue to ensure that they meet their lending commitments under the 2010 recapitalisation package in terms of providing sufficient credit to the business sector.

In this regard, as part of his Second Quarterly Report on SME Lending, published on 18 November 2010, John Trethowan indicated that each of the banks have shown a positive attitude to the Credit Review Office appeals process, and the banks' Executives have been asked to ensure that this attitude is shared with their front-line staff. He also stated that the current market perceptions that banks are not lending to SMEs is based on experiences from six to nine months ago, and the current situation whilst still not entirely perfect, is now continually improving.

### **National Entrepreneurial Strategy**

362. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the status of the national entrepreneurship strategy announced on 29 September 2009; and if he will make a statement on the matter. [47955/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The critical role of entrepreneurship is fully recognised by Government. The Government’s priority is to create



[Deputy Batt O’Keeffe.]

the best business environment for innovative entrepreneurs to do what they do best — turning ideas into products and services that will compete internationally with the world’s best.

The needs of entrepreneurs are addressed in the analysis and recommendations contained in my Department’s Report “Trading and Investing in a Smart Economy — A Strategy and Action Plan for Irish Trade, Tourism and Investment to 2015” and also in the Forfás Report “Making it Happen — Growing Enterprise for Ireland”.

Entrepreneurship in Ireland continues to be supported and encouraged by the active and constant pursuit and promotion by the Government of a wide range of targeted interventions by the various State Enterprise Development Agencies.

In particular, the role of the 35 County and City Enterprise Boards (CEBs) is to provide support for small businesses with 10 employees or fewer in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level throughout the country.

The CEBs deliver a series of Programmes to underpin this role and they can provide both financial and non-financial assistance to a project promoter. The forms of financial assistance which are available, subject to certain restrictions, include Priming, Expansion/Development and Feasibility/Innovation grants. The provision of non-financial assistance can take the form of a wide range of business advice such as Programmes covering Business Management, Mentoring, E-Commerce, Enterprise Education, and Women in Business networks. The City and County Enterprise Boards also work closely with the educational bodies to promote entrepreneurship among teachers and students in the educational system

Enterprise Ireland also offers a range of supports to entrepreneurs and early stage start-up companies depending on the nature of their activities and has a close relationship with the City and County Enterprise Boards to ensure potential entrepreneurs are provided with the supports most appropriate to their particular requirements, business ideas and stage of development.

Enterprise Ireland supports start-up companies that have the potential to employ more than 10 and achieve €1m in exports. These are start-ups that are typically highly innovative and are in a position to sell globally from their earliest stage.

Stimulating the flow of new High Potential Start-ups (HPSUs) and supporting their growth is one of the fundamental policies within Enterprise Ireland’s overall strategy for indigenous industry. In 2009, Enterprise Ireland supported the business plans of 73 High Potential Start-up companies. These new companies are an integral part of the Government’s blue print for the Smart Economy and are from sectors as diverse as life sciences, biotech and medical technology, food, telecommunications and internet services.

The Enterprise Ireland Business Partner Programme aims to commercialise the outputs of publicly funded academic research. The Business Partners Programme identifies experienced entrepreneurs to capitalise on the rich portfolio of research within the academic sector and create start-up companies.

The State has, over the last decade, also made significant investment in development in the broader environment for start-ups. This has included substantial investment in incubators, seed and venture funds, angel networks and mentors.

### **Green Enterprise**

**363. Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the

progress made in implementing the report of the high level group on green enterprise; and if he will make a statement on the matter. [47956/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The High Level Group on Green Enterprise published its report, *Developing the Green Economy in Ireland*, in November 2009. The report included 55 recommendations which the Group considered important to enable Ireland to maximise the opportunities afforded by the Green Economy.

One year on from the publication of the report, a significant number of the recommendations have been implemented to a greater or lesser extent. Examples of areas where progress is being made include the continued investment in the electricity grid, measures to support the generation of green energy, the rolling out of brown bins to households and businesses, and funding to reduce water leakages.

A Progress Report, detailing the areas where important progress has been made, as well as areas where further attention is needed, is being finalised for my consideration at the moment.

### Employment Support Services

364. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the funding available to the employment subsidy scheme in 2010; the amount drawn down to date in 2010; the total number of jobs and employers who received a subsidy in 2010; and if he will make a statement on the matter. [47957/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The total funding allocated to the Employment Subsidy Scheme (Temporary) in 2010 was €114.5 million and to date in 2010, €93.959 million has been drawn down.

The Employment Subsidy Scheme (Temporary) was launched in August 2009. Companies who applied under the first call of the Scheme (ESS1) were approved in 2009 and companies who applied under the second call of the Scheme (ESS2) were approved in 2010.

Payments under both calls have been made in 2010 and almost 1,700 companies have received subsidies. These companies committed to maintaining over 100,000 jobs under the conditions of the scheme. As processing of claims for the final payments for both calls is still ongoing, it is not yet possible to give definitive figures on the actual numbers of jobs maintained.

### Departmental Staff

365. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47964/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The Public Service Agreement 2010-2014 contains a commitment “to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures”.

Since 2007, in common with other Government Departments, eligibility for promotion and incremental progression in my Department have been dependent on performance ratings received by staff in their Annual Reviews. These are carried out as part of the centrally-agreed performance management and development system (PMDS). A central evaluation of PMDS

[Deputy Batt O’Keeffe.]

was recently concluded and I understand that negotiations with the Unions have commenced in relation to how the PMDS can be strengthened. My Department will adopt any measures which may be recommended as the outcome of that process.

Concerning underperformance, as mandated in its current HR Strategy, my Department has drawn up detailed Guidelines for Managers in the Management of Underperformance. The Guidelines were circulated to all staff in July 2010. Information sessions on the Guidelines have been provided to staff across the Department and additional training will be made available as required (a pilot training course on the management of underperformance took place in October 2009).

366. **Deputy Lucinda Creighton** asked the Minister for Enterprise, Trade and Innovation the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47978/10]

**Minister for Enterprise, Trade and Innovation (Deputy Batt O’Keeffe):** The number of persons employed in my Department on a short-term, temporary or consultative basis in the years 2009 and 2010 and the cost involved is set out in the following table.

Fixed Term Contracts

Category	No. of Contracts 2009	Cost of Contracts 2009	No. of Contracts 2010	Cost of Contracts 2010	Public Servants previously
Fixed Term Contracts 2 – 5 year duration i.e. primarily appointed to professional grades, e.g. Director / Legal Adviser/ Legal Researcher	5	€ 430,621.43	5	€ 294,799.53	2
Fixed Term Contracts 3 – 15 month duration	5 Students under the cooperative education programme.	49,272.03	2	120,543.54	2
Fixed Term Contracts 6 – 14 week duration i.e. Term Time Replacements	8	52,473.15	Nil	Nil	N/A

Contracts for services

Category	No. of Contracts 2009	Cost of Contracts 2009	No. of Contracts 2010	Cost of Contracts 2010	Public Servants previously
No. of persons employed on a short-term/temporary basis	3	€ 52,768	3	€ 25,038.750 Cost as at 14.12.10	1
No. of persons employed on a consultative basis	1	8,230	2	8,785.462	2

This response does not include political appointees, i.e. Special Advisers, Personal Assistants, Personal Secretaries or Civilian Drivers to the Minister or Ministers of State.

In addition, the Department procures services from a wide range of businesses who carry out work for the Department, but this would be on the basis of contracts with those businesses, and not with employees of the businesses.

### **Departmental Investigations**

367. **Deputy Joanna Tuffy** asked the Minister for Enterprise, Trade and Innovation if he will provide an update into any investigation that took place into treatment of workers by a company (details supplied); and if he will make a statement on the matter. [48012/10]

**Minister of State at the Department of Enterprise; Trade and Innovation (Deputy Dara Calleary):** In 2005, the Minister for Enterprise, Trade and Employment directed that the Labour Inspectorate of the Department carry out an investigation into certain allegations made against a particular company. A report was prepared and, on 21 March 2005, a copy of the draft report was forwarded to the relevant companies under investigation.

The outcome of an interlocutory hearing on a Judicial Review, brought subsequently by the company under investigation with regard to Inspector's Report, was that the Department was restrained from publication of the Inspector's Report but permitted to forward the document to relevant prosecutorial bodies. A copy of the Inspector's Report was accordingly sent to the Department of Social and Family Affairs, the Revenue Commissioners, the Office of the Director of Public Prosecutions, the Competition Authority, the Office of the Director of Corporate Enforcement and the Garda Commissioner.

After the full hearing, the High Court quashed the report. The Minister appealed this judgement and it was reversed by the Supreme Court. Following on the successful appeal to the Supreme Court, a further and final order, largely concerned with the distribution and disclosure of the Report, fell to be issued by the Court.

It was not possible for the parties to agree the contents of this order and, accordingly, a draft order was submitted by my Department to the Court. This draft order was accepted in its entirety by the Supreme Court at a hearing on 18 May 2010. The order was perfected on 7 July 2010.

The Supreme Court order does not allow for unrestricted circulation of the report but it is significant in that it underpins the right to allow for the sharing of information between Ministers of Government. The essence of the Supreme Court's decision was that the Report could be distributed for the purposes of informing relevant policy and future legislation in all Government Departments.

While the circulation of the report itself was subject to restraint by the courts, it has been estimated that the underpaid entitlements which were received by workers as a direct result of the Labour Inspectorate's investigations may be as much as €25m.

Moreover, I understand that two member companies of the group under investigation made a settlement with Revenue in respect of unpaid taxes and penalties amounting to €2.8 million. Notice of this settlement was published in an *Iris Oifigiúil* on 12 March 2010.

### **Ministerial Appointments**

368. **Deputy Michael Ring** asked the Minister for Community, Equality and Gaeltacht Affairs the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, Judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47785/10]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey):** The information sought by the Deputy is set out in the following table.

The Deputy may wish to note the following. No appointments were made to the following boards/agencies within the ambit of my Department since 1 June 2010 — An Coimisiún Logainmneacha; Foras na Gaeilge; the Ulster-Scots Agency; the Commissioners of Charitable Donations and Bequests; the Western Development Commission; the Irish Human Rights Commission; the Equality Authority; the National Disability Association; Údarás na Gaeltachta.

A number of bodies funded from my Department's Vote Group 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.

State body/agency	Name of appointee	Date appointed
Dormant Accounts Board	Eimer O'Rourke	4 July 2010
Dormant Accounts Board	Colin Wilson	10 August 2010
Family Support Agency	Michael O'Kennedy (Chair)	20 July 2010
Family Support Agency	Marie Fenlon	1 September 2010
Family Support Agency	Yvette O'Malley	1 September 2010
Family Support Agency	Catherine Hazlett	26 July 2010
Pobal	Marian Vickers	26 July 2010
Pobal	Ruth Cullen	26 July 2010
Pobal	Frank Cunneen	26 July 2010
Pobal	Brendan O'Malley	26 July 2010

### Departmental Staff

369. **Deputy Lucinda Creighton** asked the Minister for Community, Equality and Gaeltacht Affairs the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47961/10]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey):** The integrated Performance Management Development System (PMDS), which provides for minimum rating thresholds that must be attained before an officer can receive an increment or be considered eligible for promotion/higher scale, has operated in my Department since 2007.

The Public Service Agreement 2010-2014 contains a commitment “to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures”.

In the Civil Service, work is well under way on achieving this goal. The 2010 Evaluation of PMDS has been completed and negotiations with the unions have commenced in relation to how the PMDS can be strengthened. Performance management in the Civil Service is already linked to promotion and to incremental progression and the systems in place to address underperformance are now being assessed.

370. **Deputy Lucinda Creighton** asked the Minister for Community, Equality and Gaeltacht Affairs the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47975/10]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Pat Carey):** As the Deputy will be aware, it is necessary from time to time to employ staff on a temporary contract basis where the work in question may be seasonal, have specific objective grounds and is time bound.

In 2009, a total of 22 persons were employed in my Department on the basis referred to by the Deputy at a cost of €799,433. A total of 28 persons were employed on that basis in 2010 at a cost of €742,402. The increase of 6 persons reflects the transfer of new functions to my Department in March 2010. The number of staff currently employed on the basis described by the Deputy is 15. It should be noted that the figures include service officers and Ministerial office staff whose contracts are coterminous with the terms of appointment of the Ministers in question.

### Ministerial Appointments

371. **Deputy Michael Ring** asked the Minister for Defence the Government appointments made to State boards, State bodies, public bodies, State agencies, State enterprises, judicial positions and all State positions from 1 June 2010 to date in 2010 in tabular form. [47786/10]

**Minister for Defence (Deputy Tony Killeen):** The relevant bodies within the remit of the Department are the Civil Defence Board, the Board of Coiste an Asgard and the Army Pensions Board. There were no appointments made to these bodies in the period 1 June 2010 to date in 2010.

Mr David J O'Callaghan was appointed by the Government as a member of the Central Council of the Irish Red Cross Society on 8 September 2010 on my nomination. The Minister also asked the Government to advise the President to nominate Mr O'Callaghan to hold the office as Chairman of the Central Council of the Society and he was appointed to that post on 17th September 2010.

### Severe Weather Events

372. **Deputy Charlie O'Connor** asked the Minister for Defence the criteria in operation, through which Army personnel are made available to local authorities to deal with the effects of adverse weather conditions; if he will confirm that consultations will now take place with local authorities, including South Dublin County Council, to plan for the next major bad weather event; and if he will make a statement on the matter. [47797/10]

**Minister for Defence (Deputy Tony Killeen):** The Department of Defence and the Defence Forces are members of the Government Task Force on Emergency Planning, in addition, they also participated in the Emergency Response Committee which dealt with the recent severe weather. One of the ways in which the Defence Forces provide assistance in aid to the Civil Authority (ATCA) is by providing assistance under the agreed multi-agency Framework for Major Emergency Management. The Defence Forces are also members of the Regional Working Groups set up under the Framework for the purpose of coordinating the work of the Principle Response Agencies. In circumstances such as a severe weather emergency, the full resources of the Defence Forces are made available for the purpose of providing assistance where it is not possible for other agencies and organisations to respond.

### Departmental Staff

373. **Deputy Lucinda Creighton** asked the Minister for Defence the performance management systems implemented in his Department as specified in the Public Service Agreement 2010-2014; and if he will make a statement on the matter. [47962/10]

**Minister for Defence (Deputy Tony Killeen):** The Public Service Agreement 2010-2014 contains a commitment “to introduce significantly improved performance management across all Public Service areas, and following the current review, the Performance Management and Development System will be strengthened with promotion and incremental progression linked in all cases to performance and the implementation of appropriate systems to address under-performance, including, where appropriate, training or, where necessary, through disciplinary procedures”. In the civil service work is well under way on achieving this goal. The 2010 Evaluation of PMDS has been completed. Negotiations with the Unions have commenced in relation to how the PMDS can be strengthened.

Performance management in the civil service has been in place for a number of years and is already linked to promotion and to incremental progression and the systems in place to address underperformance are now being assessed.

374. **Deputy Lucinda Creighton** asked the Minister for Defence the number of staff working within his Department who are employed on a short-term, temporary or consultative basis in the years 2009 and 2010; the costs of payment to such staff in each of those years; the number of any such staff who have been previously employed in the public service; and if he will make a statement on the matter. [47976/10]

**Minister for Defence (Deputy Tony Killeen):** The Department employs individuals on temporary contract from time to time for a range of reasons, such as the provision of term time cover, staff on fixed purpose contracts or political appointees such as Special Advisors or Personal Assistants. The following table sets out the number of persons employed on temporary contracts and their associated costs in 2009 and 2010.

Year	Number of Persons Employed on Temporary Contract	
		€
2009	7	402,027
2010	12	514,779

There is one staff member who has been previously employed in the public service. I am satisfied that the employment of these staff on short term and temporary contracts is necessary for the work of the Department.